

**MINUTES OF PLANNING COMMISSION MEETING
CITY OF KENNESAW
Council Chambers
(2529 J.O. Stephenson Avenue, Kennesaw, GA 30144)
August 5, 2026
6:30 PM**

1. Call to Order / Roll Call

Chairman Bodenhamer called the meeting to order at 6:30 p.m.

Roll Call: Trey Bodenhamer, Rebecca Patterson, Carolyn Greenall, Robert Trim, Douglas Butler

Absent: Todd Vande Zande

Staff Present: Chanelle Campbell (Planning & Zoning Administrator), Priscilla Coley (Assistant Zoning Administrator & City Planner), and Rebecca Goldstein (Community Development Administrative Assistant)

Speakers Present: Gregory Miller (Applicant), Kevin Moore (Attorney, Traton Representative), Jose Solis, Jerry Weeks, Helen Daugherty, Mary Kelly, Myriam Solis, James Bauman, Patricia White, Lisa Leavell, and Alan Daugherty

2. Announcements

- A. All interested parties may attend the meeting at the City Hall Council Chambers. For those unable to attend in person, the meeting may be accessed using the following link: <https://www.kennesaw-ga.gov/publicmeetings/>. Please note that the Planning Commission serves as an advisory board that makes recommendations to the Mayor and Council unless otherwise noted.
- B. Pending zoning applications may be viewed on an interactive map via the Planning & Zoning webpage or using the following link: <https://arcg.is/1q1ubX0>.
- C. New business items on this agenda will be heard by the Mayor and Council on August 17, 2026

3. Approval of the Meeting Minutes

- A. Approval of Meeting Minutes: June 3, 2026

Chairman Bodenhamer called for a motion

Motion to approve by Commissioner Trim

Seconded by Commissioner Butler

Chairman Bodenhamer proceeded with a roll call for approval.

Vote taken, motion unanimously approved 4-0. Motion carried.

4. New Business

- A. **LU2026-04** - Consideration of approval of a land use request submitted by Gregory Miller for the property located at 3786 North Hampton Drive (20009000170). Said request is to obtain a home occupation business license to operate a home embroidery business. Property is zoned R-15, Single Family Residential, consists of 0.48 +/- acres and lies in Land Lot 90, Tax Parcel 17.

Ms. Priscilla Coley presented this agenda item. This is a land use application submitted by Gregory Miller for a home occupational business license at the property located at 3786 North Hampton Drive. The applicant is seeking approval to operate an embroidery business. The property is currently zoned R-15 with a future land use designation of Residential Low-Medium. The applicant intends to use designated areas within his home for business activities. Staff have determined that the proposed use is low in commercial intensity and the review confirms that all business activities will be conducted within the enclosed building space. Based on these findings, staff recommends approval subject to the following conditions: 1. The land use permit is limited to, exclusive for and only valid for the current applicant and the life of this particular business and use, and it is not transferable. Any changes would require additional review and approval; 2. There shall be no clients, customers or employees at this location. Nor shall there be any evidence of a home based business visible from the public right-of-way including no signs and no more than one commercial vehicle dedicated to this business; 3. No activity on the property shall produce noise, vibration, odors, fumes, smoke, dust, or other emissions that are reasonably likely to create a nuisance or materially impact the health, safety, comfort, or welfare of occupants of surrounding properties; 4. The land use permit is valid for 24-months starting from the date of approval. Ms. Coley explained that after twenty-four months, the applicant would need to come back for administrative approval to renew the land use permit, but would not need to come back before the Planning Commission.

Ms. Coley stated that the land use application was properly advertised in accordance with all applicable state and local requirements. She announced that staff and the applicant were present and available to answer questions from the Commissioners.

Chairman Bodenhamer invited the applicant to speak. Mr. Gregory Miller stated that he had nothing further to add.

Chairman Bodenhamer opened the floor for public comment. Hearing no public comment, he closed the floor to public comment and opened the floor to Commissioner comments.

Hearing no Commissioner comments, Chairman Bodenhamer called for a motion. Motion by Commissioner Trim to approve with the following conditions:

1. The land use permit is limited to, exclusive for and only valid for the current applicant and the life of this particular business and use, and it is not transferable. Any changes would require additional review and approval.
2. There shall be no clients, customers or employees at this location. Nor shall there be any evidence of a home based business visible from the public right-of-way including

no signs and no more than one commercial vehicle dedicated to this business.

3. No activity on the property shall produce noise, vibration, odors, fumes, smoke, dust, or other emissions that are reasonably likely to create a nuisance or materially impact the health, safety, comfort, or welfare of occupants of surrounding properties.

4. The land use permit is valid for 24-months starting from the date of approval.

Seconded by Commissioner Greenall

Chairman Bodenhamer proceeded with a roll call for approval.

Vote taken, motion unanimously approved 4-0. Motion carried.

- B. **AX2026-01** - Consideration to annex property located at 3227 Old 41 Highway and 3137 Robin Drive (20012600270 & 20012600260) from County Neighborhood Shopping (NS) and County R-20, Single Family Residential to City RA-6, Residential District as submitted by Traton, LLC. Said request is for the development of a single family detached community. Property consists of 12.216 +/- acres and lies in Land Lot 126, Tax Parcels 26 and 27.

Ms. Channele Campbell introduced this agenda item. She explained that several applications, including an annexation, rezoning, and variance, had been submitted for the properties located at 3227 Old 41 Highway and 3137 Robin Drive. She explained that there would be two presentations, one presentation for the annexation and rezoning and one presentation for the variance. Ms. Campbell stated that the Planning Commission would need to make recommendations for each agenda item.

This application is a request to annex and rezone approximately 12.216 +/- acres into the city limits for the development of 35 single-family detached homes. The parcels are currently located in Cobb County and are zoned R-20, Single Family Residential, and NS, Neighborhood Shopping, with a future land use designation of Low Density Residential. Both properties are currently occupied by a single dwelling unit, one with access from Robin Drive and one with access from Old 41 Highway. The request is to annex and rezone for the development of a single-family subdivision under the RA-6 zoning district with single family lots ranging from 6,200 square feet to 1,700 square feet, pocket parks, and designated green space. Staff has reviewed the request to rezone and annex based on the requirements outlined in the Unified Development Code (UDC), Comprehensive Plan, and Intergovernmental Agreement in place between the City and Cobb County. Per the UDC, RA-6, affordable single-family detached or attached dwelling units are intended to provide affordable homes for individuals within the City. As part of the intergovernmental agreement, a copy of the request was sent to Cobb County for review. There were no objections to the annexation or rezoning request as both the City and County's intent is to provide adequate housing and eliminate any islands that might be created from annexations to ensure a more efficient supply of services to residents.

Staff received numerous objections from property owners with concerns about density and traffic congestion. The applicant has completed a trip generation memo for the development with findings that the proposed residential development is projected to generate 8 entering, 21 exiting trips during the morning peak hours, and 23 entering, 14 exiting trips during the afternoon peak hours, equating to less than one vehicle per

minute entering and exiting the site. The road adjacent to the development is maintained and owned by Cobb County. Any additional requests pertaining to traffic infrastructure will be reviewed with collaboration by the City and the County. The property is located near the Swift-Cantrell area, which the Comprehensive Plan for the City of Kennesaw identifies as a place for future residential development and neighborhood-friendly retail and services that compliment the park. The application was advertised in the Marietta Daily Journal (MDJ) and public notice signs were placed on the property. Ms. Campbell announced that the applicant's representative, the applicant, and staff were present and available to answer any additional questions from the Commission. Staff recommended approval of the annexation and approval of the rezoning with several conditions. Ms. Campbell highlighted some of the recommended rezoning conditions.

Chairman Bodenhamer invited the applicant to speak. Mr. Kevin Moore introduced himself as the attorney representing Traton Homes. He shared that Traton Homes has been building homes and residential communities in Cobb County and the City of Kennesaw since 1971. He sought to highlight why they believe the proposed development should be supported. Mr. Moore provided an overview of the property's existing conditions, including the combined acreage, the current Cobb County zoning, and the adjacent uses along Old 41 Highway. He stated that the request was to rezone the property to RA-6 for the development of a maximum of 35 single-family homes and explained that if the proposal was approved with the recommendations by staff, no more than 35 single-family detached homes could be built. He explained that the property is within a larger unincorporated island of Cobb County that has a great connection to downtown Kennesaw due to its location on Old 41 Highway. He also stated that it was important for new communities and homeowners to have a connection to the City. Mr. Moore asserted that annexing the property would support the City's policies and goals to expand into unincorporated islands and was consistent with the County's goal to reduce unincorporated islands.

Mr. Moore walked through the development of the site plan and design. He explained that meetings with staff began several months ago to explore a development and site plan for the property. Initial plans included 60 units with townhomes. After discussions with staff about appropriate development for the property, they began working on plans for a new single-family development with detached units. While the first single-family plan included 40 units, the plan was revised down to 35 homes with pocket parks. He also noted that while the property had road frontage on Old 41 Highway and Robin Drive, the proposed subdivision would only be accessed by Old 41 Highway to avoid disrupting an existing neighborhood street.

Mr. Moore then reviewed the traffic generation memo prepared for the proposed development. He stated that the memo showed the development would generate minimal traffic, even during peak morning and afternoon hours. Because Old 41 Highway is a Cobb County road, infrastructure improvements would be done through the Cobb County Department of Transportation (Cobb DOT). Mr. Moore stated that the development would require the installation of a left turn lane at cost to the applicant to

ensure that traffic on Old 41 Highway could move without it creating a stacking effect. He also noted that there was a planned City SPLOST project for road improvements further down on Old 41 Highway that would provide additional traffic relief. Mr. Moore stated that they believed the project would have very little traffic impact. He also explained that Cobb County does not require a traffic study unless there is a minimum of 70 units.

Mr. Moore showed the proposed elevations and remarked that they were very attractive single-family detached homes that would be expected in a new home subdivision. He expressed that a new-single family detached community attainable to homebuyers wanting to live in the City of Kennesaw did not exist in the City's current housing stock. He shared findings from a market study conducted by Traton Homes of the median home price and median new home price of single-family homes within a three-mile radius of the proposed site. The median single-family home price was approximately \$458,000, and the median home price for new homes was \$861,000. He stated that they believed their proposal satisfied a number of different goals for the City and community at large.

Mr. Moore explained that the overall application was submitted to Cobb County because it is annexation. He noted that Cobb County issued a non-objection letter. He also noted that staff recommended approval with conditions. Mr. Moore stated that on behalf Traton, they were agreeable to all staff conditions as proposed. He shared that some of the staff conditions included that any approval would be for the proposed plan for 35 single-family detached homes and that access there would only be access on Old 41 Highway. Mr. Moore announced that Mr. Cliff Poston, Principal of Traton Homes, Mrs. Strickland, the property owner, and himself would be available to answer any questions.

Chairman Bodenhamer opened the floor to public comment.

Mr. Jose Solis commented that he was glad the plan had been adjusted from 60 homes to 35 homes. He expressed concerns about a dangerous curve in the road where the subdivision's proposed access to Old 41 Highway would be located. He explained that he lived in the Heritage Club subdivision and noted that when school was in session, morning traffic would go from North Cobb High School all the way past Heritage Club's entrance. He asked if Cobb DOT was going to turn Old 41 Highway into a four-lane highway to accommodate the growing high school, library, and other new developments. He expressed skepticism that the proposed project would not have an impact on traffic given the current levels of traffic congestion. He suggested that the subdivision entrance should be placed on Robin Drive instead of Old 41 Highway due to the dangerous curve at the proposed entrance on Old 41 Highway. He asked if a stop light would be placed at the proposed entrance to keep people from getting hurt given the number of accidents at the curve. Mr. Solis also expressed concerns that digging the proposed development's sewer lines would result in the removal of trees from his property and the neighboring church's property. He stressed that he was not opposed to construction outright because he owned multiple properties and worked in

construction. Mr. Solis concluded by stating that there had been an explosion of growth over the past 27 years and that something would have to be done on Old 41 Highway to accommodate it.

Chairman Bodenhamer reiterated that the City of Kennesaw and the Planning Commission did not have control of Old 41 Highway and that the road was under Cobb County's jurisdiction. He shared that from his experience, Cobb DOT would force the developer to put in a left-hand turn and a protected right turn if there were sight line or back-up issues. Mr. Solis asked if the Commissioners would be hearing from Cobb DOT. Ms. Campbell reiterated that the road was maintained by Cobb County and that any recommendations for improvements would come from Cobb County. She stated that because the City had heard a lot of concern regarding the traffic, staff would ensure that Cobb County takes a second look at the project as part of the site review process. Ms. Campbell then addressed the sewer concerns. She stated that Cobb County also controls sewer and the developer could not encroach onto someone else's property for sewer connectivity without permission. Mr. Solis asked if he could build a fence to keep the project's property owner from touching his property. Commissioner Trim responded that they could not touch something on his property. Mr. Solis stated that he would build a fence. Ms. Campbell noted that within city limits a permit was required to install a fence and that fences could not be installed in any sewer or drainage easements.

Mr. Solis reiterated that he did not want to see his trees removed in order to run sewer lines to the proposed development. Commissioner Patterson asked if the trees were on Mr. Solis's property. Mr. Solis responded in the affirmative. Mr. Solis reiterated his concerns about the removal of trees, sewage access, and existing traffic issues. Commissioner Trim assured Mr. Solis that the developer would not go through his property or remove his trees unless they were given permission and compensated him.

Mr. Jerry Weeks commented that build-out in the City had caused a lot of traffic problems and decreased the water pressure at his house on Main Street. He asked if the city would try to annex his Cobb property into the city if the proposed annexation was approved. Mr. Weeks stated that he had experienced a lot of problems with the City of Kennesaw and did not want more of his properties to be within the city. He also stated that he was on a septic tank and asked if the developer would be connecting his property to sewer.

Commissioner Patterson asked if he wanted or did not want to be connected to the sewer. Mr. Weeks stated that he would be fine with being connected to sewer. He described past issues with the City where water from Adams Park drained onto his property on Main Street. He restated that he had multiple negative interactions with the city and did not want his property on Old 41 Hwy to be annexed into the City.

Chairman Bodenhamer asked staff if the annexation process had to be initiated by the property owner in order for a piece of property to be annexed into another jurisdiction. Ms. Campbell responded that there were two processes to be annexed into the City.

The applicant or property owner could either approach the City with an annexation request or the City could initiate the annexation request. If the City initiated the request, permission from the property owner would be required. Chairman Bodenhamer asked if permission had to be granted by the property owner in either process. Ms. Campbell responded in the affirmative.

In response to Mr. Weeks's questions about sewer, Ms. Campbell stated that if the development was approved, it would be required to connect to Cobb Sewer, which would make it easier for surrounding properties currently on septic to connect to sewer. She explained that the developer would not be connecting properties that were not theirs to sewer and that connecting to sewer would be at the cost and responsibility to the property owner.

Mr. Weeks detailed more of his past negative experiences with the City, including a lawsuit over drainage issues, and stated that he did not want anyone else to have to deal with similar issues.

Mrs. Helen Daugherty expressed concern that the developer would come back and change its access point to Robin Drive instead of using Old 41 Highway. She stated that Robin Drive was at the top of the hill and dangerous to enter and exit. She commented that there was already a lot of traffic coming in and out of the subdivision.

Chairman Bodenhamer explained that the Planning Commission made recommendations to Mayor and Council and that Mayor and Council would make the final vote on approving or changing parts of the proposal. He noted that Mayor and Council tended to hold to any stipulations provided by staff or the Planning Commission. Chairman Bodenhamer stated that he would look at the staff conditions to see if there was already a staff condition about not using Robin Drive for access. Ms. Campbell responded that there was a zoning condition regarding the conceptual plan but that staff would add a condition that there shall be access only from Old 41 Highway and not from Robin Drive.

Mrs. Daugherty commented that she was glad the development went from 70 units to 35 and was not coming through the existing subdivision off of Robin Drive.

Mrs. Mary Kelly commented that she was not opposed to growth, housing, affordable housing, or business expansion. She stressed that she would like to see strategically planned growth. She noted that while it was wonderful to know that there was new construction and housing in the City, growth came with growing pains. She commented about the presence of existing traffic congestion. She shared a list of new developments and the number of units associated with each development, including 300 apartments and a restaurant across from the post office, 35 townhomes near the intersection of Jiles Road and Old 41 Highway, and the requested rezoning. She estimated that if each unit added one or two cars, then there would be at least 500 additional cars twice a day on Old 41 Highway, which is a two-lane road. She explained

that while she was retired and could choose when to leave, many people would be stuck in traffic. She noted that existing traffic congestion resulted in long wait times to exit the subdivision and enter and exit Swift-Cantrell Park. Mrs. Kelly restated that Kennesaw was a wonderful community and that she did not oppose building affordable homes or any kind of homes. She emphasized that new building should be done strategically and asked that the Planning Commission take the traffic congestion into consideration. Mrs. Kelly also commented that the curve on Old 41 Highway was dangerous and that multiple accidents occurred at that location, including an accident two weeks ago.

Mrs. Myriam Solis thanked the Commission for taking the time to hear from those who lived in and cared deeply about the community. She commented that she was not opposed to new development or new families moving into Kennesaw. She stated that growth is inevitable and could benefit the city when thoughtfully planned. She expressed concern that the rezoning was not the right development in the right location. She referenced the staff report and stated that the properties were designated as low density residential under Cobb County's future land use plan, which envisioned developments of between 1 and 2.5 dwelling units per acre. She noted that the proposal would increase the density to 2.9 dwelling units per acre and asked the Commission to explain why exceeding the County's adopted density range was right for the location. She also noticed that the report refers to affordable or workforce housing with homes for sale for around \$400,000. She asked what enforceable commitments existed to ensure the homes remain affordable. She commented that if there were no deed restrictions, income qualifications, or other affordability requirements, then affordability should not be one of the primary reasons for approving the rezoning. Mrs. Solis appreciated that staff sent the application to Cobb DOT and that no objections were raised, but noted many residents were still concerned about traffic. She stated that the staff report did not discuss projected vehicle trips, intersection performance, or pedestrian safety. She respectfully requested the Planning Commission to ensure traffic impacts were fully evaluated before approving the rezoning. Mrs. Solis concluded by stating the decision was about preserving public confidence that the comprehensive plan and zoning policies would be applied consistently. She cautioned that once a rezoning is approved, it could not easily be undone.

Mr. Jim Bauman stated that he had two properties across from Swift-Cantrell Park. He expressed concerns about existing traffic. He also commented that there was runoff at his house from the road. He stated when they first moved, the runoff was barely a trickle and was now a major rush that had caused truckloads of his land and his neighbor's land to erode. He expressed concern that there would be more runoff if additional lanes were added to the road. He wanted to know if approval of the project would result in additional lanes on Old 41 Highway and, if so, what would be done about the excess runoff and sewage. He stated that he had spoken with Planning and Zoning and learned that Cathy Lane would be widened. He restated his concern that adding another lane or widening the road would create additional runoff and asked what would be done about the water. Mr. Bauman also asked what the cost would be to connect to the sewage.

Chairman Bodenhamer responded that he did not have an answer and that he would need to talk to Cobb Sewer. Mr. Bauman asked if the annexation and rezoning would be approved before there was a solution to the stormwater. He stressed that the issue needed to be addressed before the annexation and rezoning was approved. Chairman Bodenhamer responded that there would have to be reviews done by the County and other agencies before permits could be issued. He stated that a final permit would not be issued until all the issues had been resolved. Mr. Bauman stated that he spoke with Planning and Zoning six months ago and was informed that they were not planning on expanding Old 41 Highway. He commented that he could see the plans for Old 41 Highway changing with the proposed development.

Commissioner Butler asked staff if Cobb County had pending corridor improvement plans for Old 41 Highway tied to SPLOST dollars. Ms. Campbell responded that she was unsure and could only provide information on Kennesaw's projects. Commissioner Butler asked if the information would be on the SPLOST list for Cobb DOT. Ms. Campbell responded in the affirmative.

Mrs. Patricia White sought to bring up the potential impact of the proposed development on schools as kids in the neighborhood attended Kennesaw Elementary, Big Shanty, Awtrey, and North Cobb. She commented that while she was not opposed to growth and found growth and change good, she urged the Planning Commission to consider whether there was the infrastructure to accommodate more children in schools. Mrs. White also commented that there was a lot of traffic on Old 41 Highway when school was in session.

Chairman Bodenhamer stated that he had gone ahead and looked at school capacity and noted that his wife was a school teacher at North Cobb. He explained that school vacancies could be looked at using school of choice availability. He stated that all the schools mentioned have the availability for people to come in through the school of choice program, which meant that each school had vacancies. He stated that, in theory, there was room for growth in the schools based on the website.

Mrs. White commented that dropping kids off in the morning or picking them up in the afternoon meant sitting in traffic directed by a police officer because it creates a lot of traffic.

Commissioner Trim responded that there were school buses to help address school traffic concerns. He argued that the traffic congestion was the result of people not utilizing the school bus system and noted that it was statistically unlikely for 35 more houses to be a traffic problem. Mrs. White mentioned that there was a lot of construction area aside from the proposed 35 houses. Commissioner Trim noted that the 615 apartments and townhomes proposed in the area did not go to North Cobb. He added that Legacy Park was a greater contributor to traffic on Main Street. He acknowledged the concerns about traffic, but thought the concerns were misplaced and that the real traffic issue was parents not wanting to put their children on the bus. Mrs.

White stated that she was a grandmother and did not take children to school, but occasionally had to sit in traffic. She added that there were times when people had to pick up or take their kids to school.

Chairman Bodenhamer commented that the previous Planning and Zoning Administrator, Darryl Simmons, often said that most of the traffic that comes through Old 41 Highway was from people living outside the City who use the roads as thoroughfares to Highway 75. He stated that everyone in the City lives and experiences Old 41 Highway, but that people from outside Kennesaw should not stop Kennesaw from developing. He acknowledged the validity of traffic concerns and commented that it is not necessarily people in the City causing creating a traffic problem.

Mrs. Lisa Leavelle commented that traffic on Old 41 Highway was terrible. She stated that after only three days of school, her grandchildren had been 15 to 30 minutes late each day because of traffic. She noted that Cobb County buses were using a new system with a lot of kinks but noted that traffic did not help those kinks.

Chairman Bodenhamer shared that traffic was the number one thing people talked about at public hearings and that it was a touchy subject.

Mr. Alan Daugherty commented that he initially thought the development would be 70 homes and was thankful that the proposal was now 35 detached homes with no access on Robin Drive. He stated that there was a lot of traffic in the morning and that more cars would add to the traffic, but was glad the proposed development would not increase traffic in the subdivision off of Robin Drive. He expressed hope that the county would do something about the roads. Mr. Daugherty also commented that runoff was an issue in the neighborhood and that he had to pick up trash from the runoff. He explained that the water runoff came from the City of Kennesaw via Swift-Cantrell park and was collected across the street in the County's sewer system. He stated that when he calls for assistance, Cobb County says they cannot do anything because the water comes from the City and the City says they cannot help because they are located in the County. He commented that someone needed to be accountable for the runoff. He concluded by stating that if the development held up to what was proposed, he had no problem with it.

Chairman Bodenhamer stated that the Planning Commission could not help with the runoff issue, but urged Mr. Daugherty to attend the Mayor and Council meeting to see if they could assist. Mr. Daugherty asked when the next Mayor and City Council meeting was. Chairman Bodenhamer responded that the next meeting would be on August 17th.

Mrs. Mary Kelly asked if Mayor and Council would vote on the rezoning on the 17th. Chairman Bodenhamer responded that Mayor and Council would hear the case on the 17th. Mrs. Kelly asked if Mayor and Council would hear the case on the 10th and vote on it on the 17th. Ms. Campbell explained that the item would be on the agenda for the

10th, but noted that because it would be a work session meeting, details would not be discussed, and a public hearing would not be held. She stated that the full presentation and public hearing would be conducted on the 17th and that Mayor and Council would make a decision at that meeting.

Chairman Bodenhamer closed the floor to public comment and opened the floor to Commissioner comment.

Mr. Moore sought to provide answers to some of the questions raised during public comment. He addressed questions about sewer placement and noted that a representative from Traton probably approached the property owner about the possibility of a sewer easement. He clarified that the property owner would have to agree. He explained that the planned sewer route would go from the Old 41 Highway right-of-way to a manhole in the right-of-way and that no sewer easement would be needed. Mr. Moore added that if the property owner put up a fence that they would not touch it.

Mr. Moore then addressed questions about the curve in the road on Old 41 Highway. He explained that Cobb DOT had a sight distance requirement where you have to be able to see a certain distance in both directions from any access out onto a road. He further explained that a heavily traveled highway like Old 41 Highway had one of the larger sight distance requirements, that the proposed site plan exceeded those requirements, and that Cobb DOT would ensure that the sight distance requirement was met. He added that they would also be installing a 150ft left turn lane with a taper to help with traffic and sight distance. Mr. Moore also noted that there was a SPLOST funded project for improvements at the intersection of Old 41 Highway and Cathy Lane that would involve a traffic light that would provide better traffic control along Old 41 Highway.

Mr. Moore responded to the public comments about stormwater impact. He stated that they were probably experiencing stormwater impact from Swift-Cantrell Park or other areas along Old 41 Highway that drains to the east. He explained that there was a small hill near the property that caused water to drain away from Old 41 Highway and towards a small stream at the bottom left of the site plan. Mr. Moore understood the frustrations with stormwater but assured that stormwater from their site would not contribute to the existing issues near Swift-Cantrell Park. Mr. Moore then addressed concerns about the lot sizes. He explained that their proposed lot sizes were similar to the lot sizes in Heritage Club. He stated that they would be happy to answer any additional questions the Planning Commission might have.

Commissioner Trim asked if the pocket parks required in staff conditions would be turned over to the City or if the parks would be private to the neighborhood. Mr. Moore responded that the pocket parks would be maintained and owned by the HOA. He stated that city funding would not be turned over to the City or maintained by City funding.

Commissioner Trim asked if there was a boundary or fence planned between the neighborhood and the school to keep kids out of backyards and prevent families from using it as a drop-off point. Mr. Moore responded that they would be happy to contact the school. He explained that there was a wooded area between the proposed development and the school. He stated that if it became an issue, either a fence would be installed or the applicant would work with the Charter School.

Commissioner Patterson asked if a deceleration lane would be installed at the entrance. Mr. Moore responded that Cobb would require the installation of a deceleration lane on Old 41 Highway. Chairman Bodenhamer asked if a curb cut would be needed for the deceleration lane. Mr. Moore responded in the affirmative.

Hearing no additional Commissioner comments, Chairman Bodenhamer closed the floor the Commissioner comments.

Chairman Bodenhamer asked for clarification on whether there were any staff conditions on the annexation. Ms. Campbell stated that there were no staff conditions for the annexation.

Chairman Bodenhamer called for a motion on the annexation.

Motion to approve by Commissioner Trim

Seconded by Commissioner Butler

Chairman Bodenhamer proceeded with a roll call for approval.

Vote taken, motion unanimously approved 4-0. Motion carried.

- C. **RZ2026-05** - Consideration to rezone property located at 3227 Old 41 Highway and 3137 Robin Drive (20012600270 & 20012600260) from County Neighborhood Shopping (NS) and R-20, Single Family Residential to City RA-6, Residential District as submitted by Traton, LLC. Said request is for the development of a single family detached community. Property consists of 12.216 +/- acres and lies in Land Lot 126, Tax Parcels 27 and 26.

This agenda item was presented concurrently with agenda item 4.B. AX2026-01. All comments and responses from staff, the applicant, members of the public, and Commissioners made on agenda item 4.B. are incorporated herein.

Chairman Bodenhamer called for a motion on agenda item 4.C.

Motion by Commissioner Butler to approve with the following conditions:

1. The rezoning of the Subject Property to City RA-6, (Single Family) Residential zoning district shall be in accordance with the technical and conceptual site plans submitted concurrently with the application and shall comply with the required front, side, and rear setbacks as outlined in the UDC for RA-6 zoning district.
2. The Subject Property shall be developed as a residential subdivision consisting of a maximum of thirty-five (35) single family detached homes, each with a two-car garage and additional driveway space with a minimum depth of 20 feet, measured from the sidewalk.

3. The development shall maintain its workforce housing intent by offering homes at an anticipated price point consistent with the application (approximately \$400,000, subject to market conditions).
4. Architectural style and building composition shall be in reasonable conformity with the renderings/elevations submitted with the application. Exterior materials shall consist of high quality finishes, including brick, stone, stacked stone, cementitious lap siding, architectural shingles, board and batten.
5. The development shall include pocket parks and designated open-space areas, professionally designed and integrated into the subdivision layout.
6. Compliance with the recommendations from the City Engineer and/or the City's Public Works Director regarding detention, water quality and stormwater management.
7. Compliance with the recommendations from Cobb Department of Transportation regarding traffic infrastructures and access management.
8. Applicant agrees to the protection of all required stream buffers affecting the Property and shall utilize such areas as a passive amenity for the proposed development; any potential impact to the stream(s) due to revisions to the site plans will require a variance.
9. Landscaping for the entrance area, signage areas, amenity and all other common areas immediately surrounding the proposed buildings shall be professionally designed, implemented and maintained, which shall include the installation of an irrigation system in areas where appropriate
10. The proposed community shall utilize the City or Cobb County utility services as is typical for such residential development.
11. Compliance with recommendations from the Cobb County Water System with respect to the availability and accessibility of water and sewer for the site.
12. Applicant shall create a mandatory Homeowners Association ("HOA") and prepare and file a Declaration of Covenants, Conditions and Restrictions ("CCRs") to be made applicable to the Property, which shall include, among other components, a restriction on the total number of units that may be rented at any one time to no more than 10% of the total number of units.
13. The homeowners association shall be solely responsible for the upkeep and maintenance of all common areas, mail kiosk, amenities, and amenity areas; including the entrance areas, boundary landscape buffers, stormwater management systems, driveways and parking lot.
14. Traffic shall be limited to only Old 41 Highway and no access shall be granted through Robin Drive for the development.

Seconded by Commissioner Trim

Chairman Bodenhamer proceeded with a roll call for approval.

Vote taken. Commissioner Patterson, Commissioner Trim, and Commissioner Butler voted in favor. Commissioner Greenall voted against. 3-1. Motion carried.

- D. **ZV2026-03** - Consideration for approval of a variance application submitted by Traton, LLC for the properties located at 3227 Old 41 Highway and 3137 Robin Drive (20012600270 & 20012600260). Said request is to reduce the minimum front setback required for RA-6, Residential district from forty (40) feet to twenty (20) feet. Property consists of 12.216 +/- acres and lies in Land Lot 26,

Tax Parcels 27 and 26.

Ms. Chanelle Campbell presented this agenda item. This is a variance application submitted by Traton LLC, for 3227 Old 41 Highway and 3137 Robin Drive to reduce the front setback from 40 feet to 20 feet as required by Section 2.01.03.10 of the Unified Development Code (UDC). Due to the property's irregular shape, there is a limitation on building placement. The reduced setback provides necessary flexibility for the subdivision layout. The adjustment allows the homes to be sited appropriately while ensuring the efficient use of land and the availability of functional, adequately-sized backyards for future homeowners. While the request is for the minimum setback to be reduced to 20 feet, some larger lots will have larger setbacks. The proposed site is also encumbered by a stream along the western boundary. The irregular shape and overall site constraints on the property significantly affects the development of the area and limits the placement of homes. These conditions create challenges for meeting the standard setback requirements while providing functional yards and compatibility with surrounding residential development. For these reasons, staff recommends approval. The application was advertised in the Marietta Daily Journal (MDJ) and public notice signs were placed on the property. Ms. Campbell announced that the applicant and their legal representative were available to answer any commissioner questions.

Commissioner Butler asked if only the front setbacks on the streets internal to the neighborhood would be reduced. Ms. Campbell responded in the affirmative.

Mr. Moore stated that the requested variance was only for the front setback along the internal subdivision streets. He explained that they were requesting a variance from the 40-foot setback required in RA-6 to create larger backyards and allow for fully landscaped or undisturbed buffers along adjacent properties. Mr. Moore commented that homebuyers care more about having a home with a backyard than having a larger front yard that requires maintenance. He also clarified that the 20-foot setback would start at the property line, which was behind a beauty strip and sidewalk, and would not start at the street. Mr. Moore respectfully requested the Planning Commission to recommend approval of the variance.

Chairman Bodenhamer opened the floor for public comment.

Mrs. Lisa Leavell asked if school buses would be going into the subdivision.

Chairman Bodenhamer stated that he assumed school buses would be entering the subdivision because if kids lived there, they would have to provide school buses. He explained school buses access to a subdivision was a code-specific requirement determined by the AASHTO code and GDOT. He further explained that there were certain required turn radiuses that had to be met to allow fire trucks to enter, exit, and turn around in the subdivision. He noted that if a fire truck could get into a subdivision, then a school bus could also get into the subdivision. Commissioner Butler added that the location of bus stops would be set by Cobb County Schools.

Hearing no additional public comment, Chairman Bodenhamer closed the floor to public

comment and opened the floor to Commissioner comments.

Hearing no Commissioner comments, Chairman Bodenhamer called for a motion.

Motion to approve by Commissioner Greenall

Seconded by Commissioner Trim

Chairman Bodenhamer proceeded with a roll call for approval.

Vote taken, motion unanimously approved 4-0. Motion carried.

5. Staff Comment

Ms. Campbell commented that staff appreciated all the individuals who came out to speak at public comment. She noted mentions of strategic planning during the public comment period and mentioned that the City was currently working on several studies, including updates to the Comprehensive Plan, the Livable Centers Initiative, and transportation infrastructure studies by the Public Works Department. Ms. Campbell explained that while private developers had the resources to act immediately, it takes cities longer to ensure that funding and resources are effectively utilized to implement changes. She stated that the City heard the concerns and complaints highlighted. She provided assurances that plans were being put forth for solutions but cautioned that changes would not take place overnight. Ms. Campbell reiterated that the City was in the process of updating the Comprehensive Plan and noted that the City was requesting feedback from community members on what the City's priorities should be moving forward. She encouraged people to complete surveys and participate in public engagement meetings so the City could better understand their concerns and work towards finding solutions.

6. Adjourn

Chairman Bodenhamer called for a motion to adjourn

Motion to adjourn by Commissioner Butler

Seconded by Commissioner Greenall

Chairman Bodenhamer adjourned the meeting at 8:09 p.m.