

Staff Report

Date: April 9, 2026

To: Planning & Zoning Commission

From: JoAnna Robinson

Subject: Change of Zoning Conditions at 3200 Powder Springs Road

PZ: PZ26-017

Location:

PIN: 19086700050 **AND** 19086701210. LL866 and 867, 2nd Section, Cobb County
Approximately 7.4 acres. Current zoning is Planned Unit Residential (PUD-R).

Background:

Renato Ghizoni, Director of Entitlement for Forester Real Estate Group, Inc is representing Leto Ventures, LLC owner of the subject property to request a change in zoning conditions of the approximately 7.4 acre property located at 3200 Powder Springs Road. The property is between Pine Grove Drive. Following the public hearing, Jim Taylor motioned to recommend approval of the rezoning, and Kelly Fisk seconded the motion. The recommendation passed with a 4-1 vote, with Kristopher Boyd dissenting.

and Powder Springs Road. Unincorporated Cobb county is to the northeast adjacent side of this parcel of land as well. Residential (R-15C), Neighborhood Retail Commercial (NRC) and Medium Density Residential (MDR) is to the west, northwest, and north of the property respectively. Community Retail Commercial (CRC) and NRC is to the south and east/southeast of the property.

The land was rezoned from CRC to PUD-R (PZ 25-007) on July 21, 2025. The following stipulations were:

1. The development shall include the adjacent parcel owned by the Development Authority of the City of Powder Springs and/or City of Powder Springs.
2. The development site plan shall be consistent with the attached site plan prepared by TSW and entitled Site 7 Concept Plan and dated 6/16/25. To the extent the TSW site plan configuration requires a variance, said variance shall be considered approved by this rezoning.

3. The residential townhome units shall be for-sale and subject to all city development regulations.
4. The architectural style shall consist of full brick on each façade that faces and is visible from the travel corridor and public right of way
5. There shall be no ingress or egress to the development from Powder Springs Road.
6. The developer shall include within its landscape plan an element of landscaping beyond that required in the UDC to screen and beautify the viewshed along Powder Springs Road, which includes black top ornamental fence along the boundary of the development. All fencing shall have landscaping installed outside of the fencing closest to the travel corridor. On the eastern boundary a decorative privacy fence may be installed.
7. Stormwater requirements may be met with a retention pond that is amenitized and includes a fountain or similar aesthetic. Underground detention is not required but no detention area shall be located within public view but shall be screened. All stormwater areas shall be maintained by the Homeowners' Association in accordance with the UDC provisions, which shall be specifically described in the development covenants.
8. The development shall include a useable common area amenity that enhances the living experience for the residents such as a pool, a pickleball court with shade structure or a clubhouse, playground and open space or similar amenity. The amenity shall be designed to address both social and recreational activities and may not consist of only a gazebo.

Request:

In the conceptual plans that were presented to Staff on 04/09/2026, the Applicant is applying for **54** townhomes in total with **38** of the townhomes being **rear-load 20-foot X 54-foot wide**. Also, **16** townhomes that are **front-load 24-foot X 50-foot-wide** with amenities of green space, mail kiosk, and guest parking. The applicant is requesting to build a four-season screened pavilion instead of a clubhouse. Applicant has requested to change condition #2 and condition #8 from prior conditions. They wish to revise Condition #2 in its entirety to state: "The development site plan shall be consistent with the site plan enclosed, titled Conceptual Site Plan for 3200 Powder Springs and dated 04/08/2026." Revise the first sentence of Condition #8 in its entirety to state: "The development shall include useable common area amenities that enhance the living experience for the residents such as community lawns, a fire pit, and a dog park."

In the original conceptual site plan dated 06/16/2025 (Site 7 Concept Plan) all townhomes, meaning **54 rear-loaded 24-foot wide townhomes X 50-foot long were proposed**, with a clubhouse, green space, mail kiosk, and guest parking.

Figure 1 – Zoning Map

Figure 2 – Overhead view of surrounding properties

Figure 3 – Site Plan (Original)

Figure 4 – New Proposal Presented on 04/09/26

Figure 5 – Townhouse Conceptual Example

Figure 6 - Front Load Conceptual Example

Figure 1 – Zoning Map

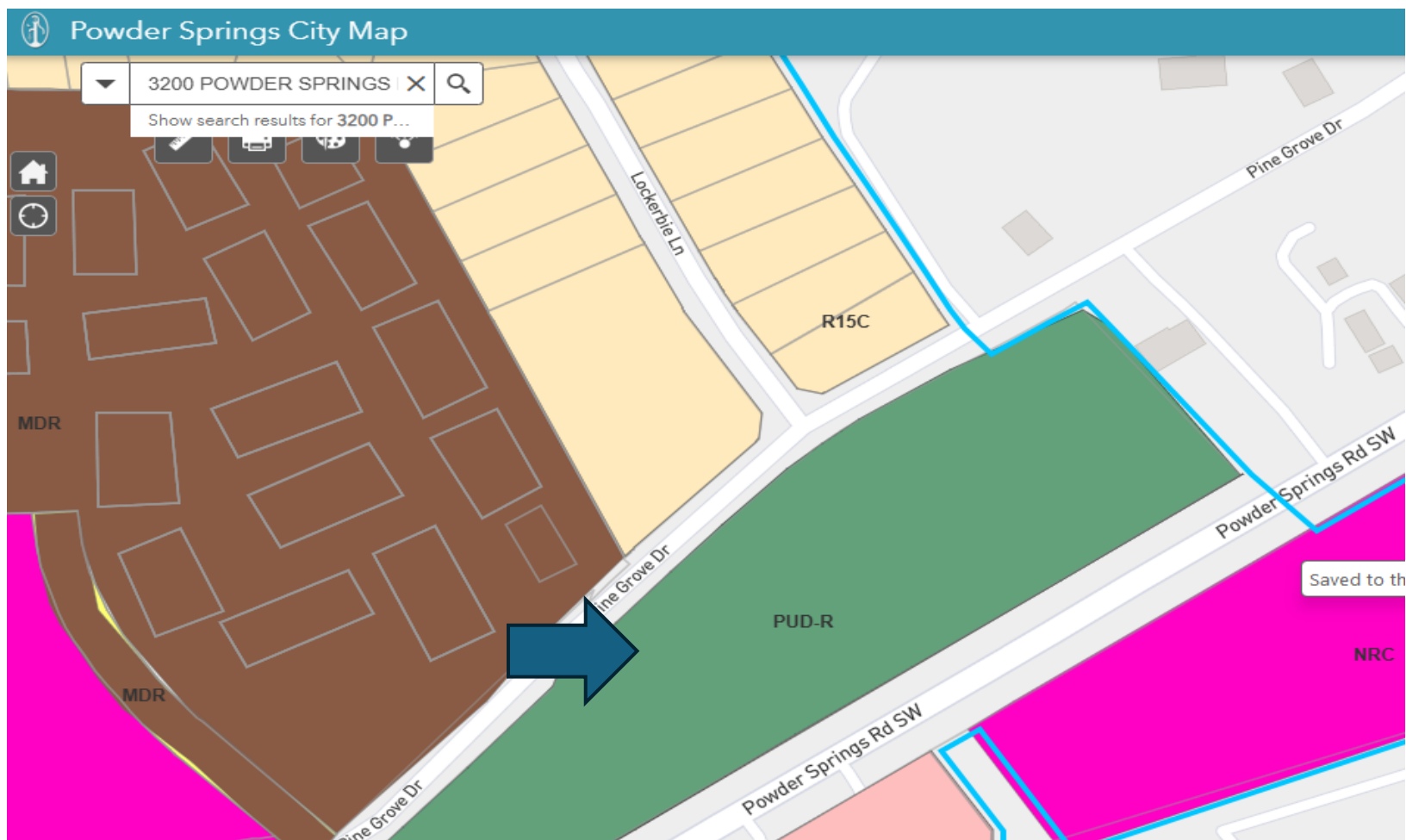


Figure 3 – Site Plan (Original)

3200 POWDER SPRINGS
REZONING CHANGE IN CONDITIONS

Adopted Rezoning Site Plan:

Site 7 Concept
Plan, dated
6/16/2025, per
Condition #2 of
Rezoning PZ 25-
007



Figure 4 – Site Plan New Proposal Presented on 04/09/26

(Proposed front loading units circled in green, 16 units)

3200 POWDER SPRINGS REZONING CHANGE IN CONDITIONS

- 20-foot & 24-foot wide
- Rear- and front-loaded
- Oriented towards Pine Grove Road and the subdivision
- Pavilion
- Green space
- Mail kiosk
- Guest parking

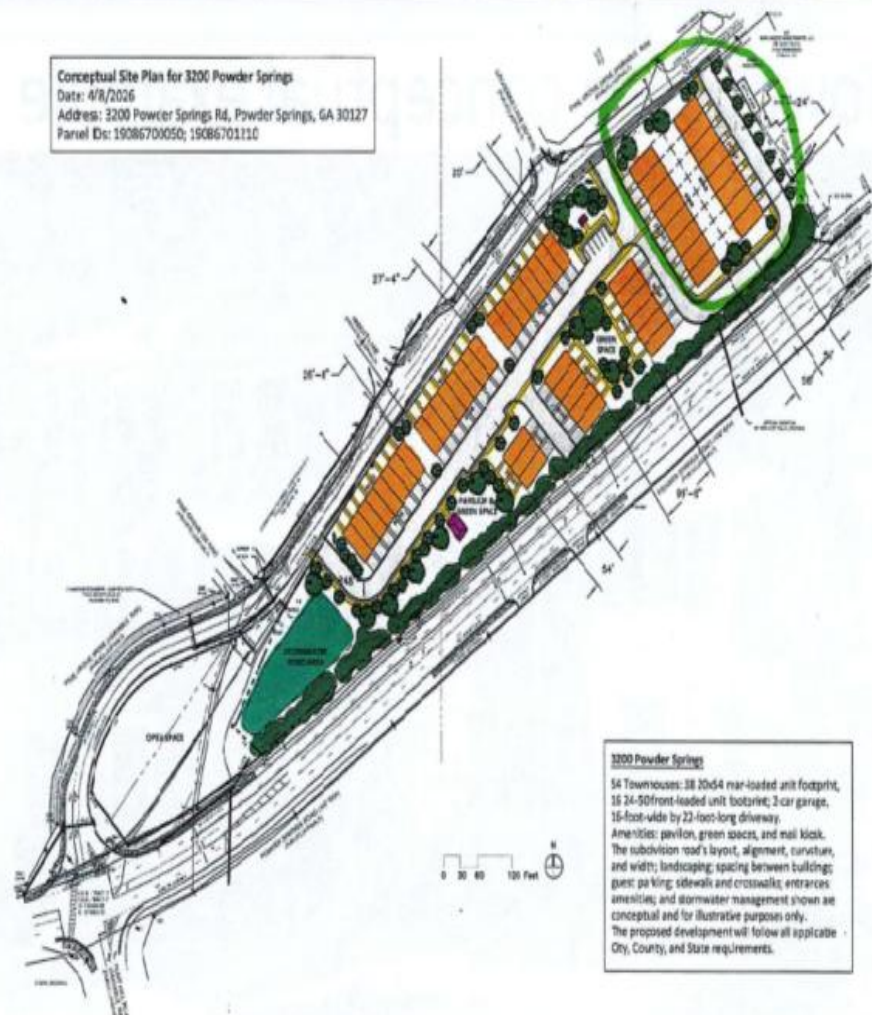


Figure 5 – Townhouse Conceptual Example

3200 POWDER SPRINGS
REZONING CHANGE IN CONDITIONS

Townhouse conceptual example



Figure 6 - Front Load Conceptual Example

Townhouse conceptual example



Criteria for Rezoning Decisions: (Applicant's Answers)

a. Whether the proposed zoning district and uses within that district are compatible with the purpose and intent of the comprehensive plan. The future development map and the future land use plan map of the city's comprehensive plan shall be used in decision making relative to amendments to the official zoning map.

The site's location within 3 miles of multiple shopping centers and the proposed townhouses are consistent with the City's Comprehensive Plan goal for "...residential density... near commercial zones" and with the City's plan for providing "missing middle housing".

b. Whether the proposed zoning district and uses permitted within that district are suitable in view of the zoning and development of adjacent and nearby property.

The proposed change in conditions is suitable for the site's surrounding townhouses, commercial developments, and green spaces (Section 3.4 - Redevelopment E in Comprehensive Plan).

c. Whether the existing use or usability of adjacent or nearby property will be adversely affected by one or more uses permitted in the requested zoning district.

The change in conditions proposed will not cause an adverse effect on the adjacent and nearby properties.

d. Whether there are substantial reasons why the property cannot or should not be used as currently zoned;

The existing utilities crossing the site, the narrow and irregular shape of the site, the site's vehicular network, and limited space for adequate stormwater management hinder the development of the site per the Development Site Plan and Amenities referenced in Conditions #2 and #8.

e. Whether public facilities such as roads, schools, water and sewer utilities, and police and fire protection will be adequate to serve the proposed zoning district and uses permitted.

Yes, these public facilities will continue operating at adequate levels of service to serve the proposed development.

f. Whether the proposed zoning district and uses permitted within that zoning district are supported by new or changing conditions not anticipated by the comprehensive plan or reflected in the existing zoning on the property or surrounding properties.

The proposed townhouses are suitable and supportive of surrounding properties and future development along Powder Springs Road and its surroundings.

g. Whether the proposed zoning district and uses permitted within that zoning district reflect a reasonable balance between the promotion of the public health, safety, morality or general welfare and the right to unrestricted use of property.

Yes, the PUD-R zoning district and the proposed change in conditions promote public health, safety, morality, and general welfare by providing needed housing, open space, amenities, and additional residents to support commercial developments.

Analysis:

The proposed amendments are supported by evolving development considerations such as position of utilities and design preferences since the original approval. The shift from a clubhouse to alternative amenity features reflects a change in how recreational space is provided, while still maintaining the intent of offering usable common areas for residents.

(g) Whether the proposed zoning district and uses permitted within that zoning district reflect a reasonable balance between the promotion of the public health, safety, morality or general welfare and the right to unrestricted use of property.

The proposed modifications strike an equitable balance between safeguarding public health and general welfare and upholding the property owner's established development rights. While the project maintains its primary residential character, the revised amenity plan offers alternative recreational opportunities that differ from the originally approved configuration.

However, regarding public safety, both City Staff and the Fire Marshal have identified specific concerns pertaining to emergency access and site circulation that must be addressed. Consequently, while the shift in amenities is noted, the development must remain compliant with all safety standards to ensure the long-term well-being of the community.

Staff Recommendation: Approval with Conditions.

Conditions:

1. **Architectural Conformity:** Applicant will ensure the exterior design aligns with the April 9, 2026 conceptual renderings. If there are deviations from those renderings, the project must instead follow the City's UDC regarding brick and masonry facades.
2. **Fire Safety & Compliance:** The Applicant is required to submit the site plan and the proposed four-season pavilion to the Fire Marshal for a comprehensive review to ensure full compliance with all local codes and regulations.
3. **Succession of Conditions:** The Applicant acknowledges that all stipulations set forth in the Memorandum dated July 21, 2025, remain in full effect, with the specific exceptions of conditions #2 and #8.
4. **Pedestrian Infrastructure:** The Applicant is exempt from installing a sidewalk along Powder Springs Road at this time; however, the site design must preserve adequate right-of-way to accommodate future sidewalk construction.