

# MEMORANDUM

Re: Rezoning - For a 0.5-acre tract, to rezone from R-20 to CBD. The property is located at 4293 Marietta Street, within Land Lots 874 and 903, 19th district, 2nd section, Cobb County, Georgia. PINs: 19090300140. Applicant: Patience Uchenye

In light of the applicant's modification to the application that the commercial use would be limited to appointment only service to provide apparel and cooking consulting advice, with related online sales of products that would be delivered by the applicant to the customer, the application to rezone to CBD is recommended for approval as to this applicant and use.

The applicant has stated that they will use the structure for office use to provide consulting advice to customers and that the retail sale of products, which would be an inventory on site, would occur online and be delivered to customers. Customer visits to the location would be by appointment only for the purpose of advice, lessons, clothing measurements and alterations.

This less intense use instead of the original proposed retail store will better protect the residential character, safety and quality of life of the nearby residential properties and be more consistent with adjacent dentist and hair salon services, which do not generate significant customer traffic and impacts. The original proposed use is suited for the commercial core in the downtown, at commercial intersections or on busy travel corridors such as Sailors Parkway.

**Given the above and subject to the conditions noted below,** motion to approve rezoning from R20 to CBD is conditionally approved:

1. In order to maintain and reflect the established residential character along this area of Marietta Street between the downtown commercial corridor and the New Macland Road intersection, there shall be no commercial addition or other modification to the existing exterior structures. There shall be no interior modifications unless required by code and consistent with the applicable permit.
2. The existing gravel vehicular parking area, residential in character, shall be maintained in its current form to reduce visual impacts that result from a typical

paved parking lot. Applicant shall demonstrate compliance with other parking requirements relating to accessibility and circulation.

3. There shall be no encroachment into the surrounding properties.
4. To reduce noise and disruption to nearby residential properties, hours of operation shall be limited to 10AM to 6PM Monday through Friday and 10AM to 7PM Saturday, and 1PM-5PM on Sundays. Business operations may not generate noise exceeding residential noise levels at the property line.
5. Traffic impacts shall be managed by limiting delivery times to Monday to Friday between 10AM and 3PM.
6. To maintain residential aesthetics, signage shall be limited to one, non-illuminated post and panel sign in the front yard no larger than 4 square feet. No wall or building signs shall be allowed.
7. There shall be no more than 1 non-resident employee on site at any time.
8. Customer visits shall be appointment only with no more than 8 customers each day.
9. Outdoor storage is not allowed.
10. Except as otherwise provided herein, all code provisions apply, including accessibility standards and property maintenance.
11. The conditional approval is limited to this use and this applicant only. Any change in use or ownership reverts the property to R20 zoning. If the use ceases or the owner changes, the new owner and new use shall complete the rezoning process.

So approved this 21<sup>st</sup> day of July 2025.

Absent

Albert Thurman, Mayor

Henry Lust

Henry Lust, Council

Doris Dawkins

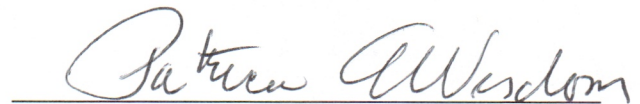
Doris Dawkins, Council

Dwayne Green

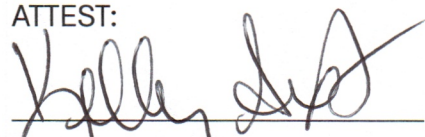
Dwayne Green, Council

[additional signatures follow]

  
Dwight McMutry, Council

  
Patricia Wisdom, Council

ATTEST:

  
Kelly Axt, City Clerk