



APPLICANT: Venture Homes, Inc.

PHONE#: (770) 955-8300 Ext 113 **EMAIL:** bobw@venturehomes.com

REPRESENTATIVE: J. Kevin Moore

PHONE#: (770) 499-1499 **EMAIL:** jkm@mijs.com

TITLEHOLDER: MB REO-GA LAND, LLC

PROPERTY LOCATION: East side of Floyd Road, south of

East-West Connector

ACCESS TO PROPERTY: Floyd Road

PHYSICAL CHARACTERISTICS TO SITE: Wooded

CONTIGUOUS ZONING/DEVELOPMENT

NORTH: CRC/Retail Center

SOUTH: R-15/Single-family houses

EAST: LRO/Wooded and R-15/Concord Station Subdivision

WEST: R-20/Golden Estates Subdivision

PETITION NO: Z-76

HEARING DATE (PC): 10-07-14

HEARING DATE (BOC): 10-21-14

PRESENT ZONING: LRO

PROPOSED ZONING: FST-6

PROPOSED USE: Attached Residential

Subdivision

SIZE OF TRACT: 7.72 acres

DISTRICT: 19

LAND LOT(S): 924, 927

PARCEL(S): 9

TAXES: PAID X **DUE** _____

COMMISSION DISTRICT: 4

OPPOSITION: NO. OPPOSED _____ **PETITION NO:** _____ **SPOKESMAN** _____

PLANNING COMMISSION RECOMMENDATION

APPROVED _____ **MOTION BY** _____

REJECTED _____ **SECONDED** _____

HELD _____ **CARRIED** _____

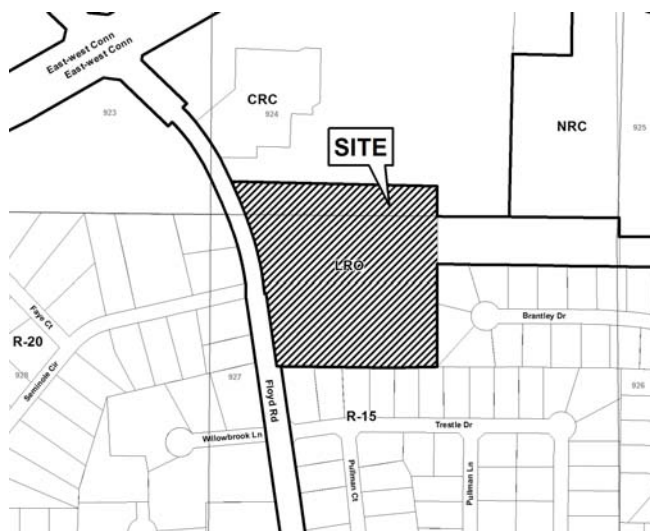
BOARD OF COMMISSIONERS DECISION

APPROVED _____ **MOTION BY** _____

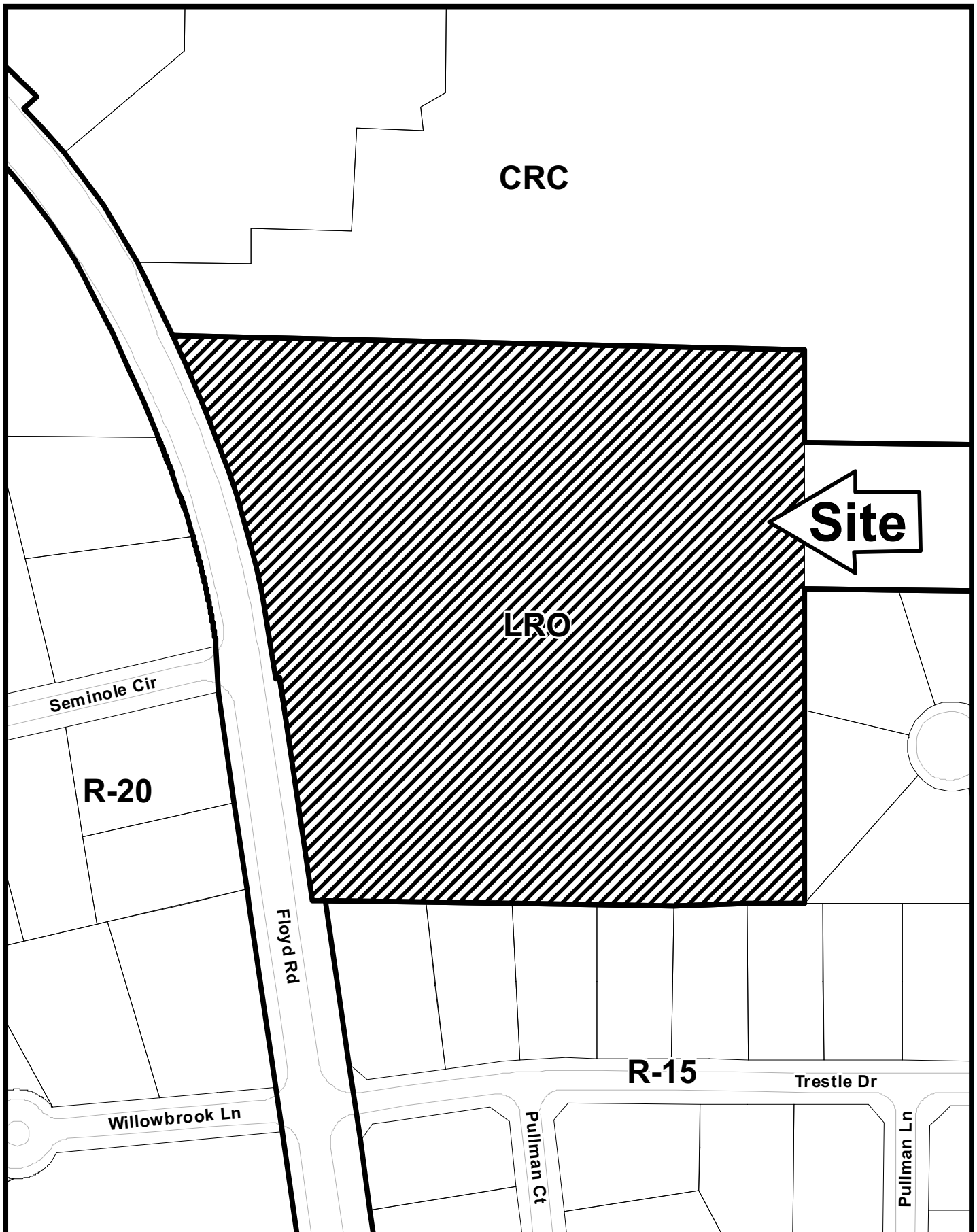
REJECTED _____ **SECONDED** _____

HELD _____ **CARRIED** _____

STIPULATIONS:



Z-76



This map is provided for display and planning purposes only. It is not meant to be a legal description.

0 100 200 Feet



City Boundary
Zoning Boundary

APPLICANT: Venture Homes, Inc.

PETITION NO.: Z-76

PRESENT ZONING: LRO

PETITION FOR: FST-6

ZONING COMMENTS:

Staff Member Responsible: Jason A. Campbell

Land Use Plan Recommendation: Community Activity Center (CAC)

Proposed Number of Units: 46 **Overall Density:** 5.96 **Units/Acre**

Staff estimate for allowable # of units: 0 **Units*** **Increase of:** 46 **Units/Lots**

*Estimate could be higher or lower based on engineered plans taking into account topography, shape of property, utilities, roadways, natural features such as creeks, wetlands, etc., and other unforeseen circumstances.

Applicant is requesting the FST-6 for the development of a 46-unit townhouse development. The units will be traditional and will be priced in the \$200,000s. The minimum house size will be 1,600 square feet and each unit will have an attached two-car garage.

Cemetery Preservation: No comment.

APPLICANT: Venture Homes, Inc.

PETITION NO.: Z-76

PRESENT ZONING: LRO

PETITION FOR: FST-6

SCHOOL COMMENTS:

		Capacity	Number of
Name of School	Enrollment	Status	Portable
Russell	685	Under	
Elementary			
Floyd	951	Under	
Middle			
South Cobb	1,998	Under	

High

- School attendance zones are subject to revision at any time.

Additional Comments:

FIRE COMMENTS:

When projects contemplate less than 20 foot separation between units, guest parking shall be provided or the streets shall be labeled as a fire lane.

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PETITION NO.: Z-76

PRESENT ZONING: LRO

PETITION FOR: FST-6

PLANNING COMMENTS:

The applicant is requesting a rezoning from LRO to RA-5 for residential subdivision. The 7.72 acre site is located on the east side of Floyd Road, south of East-West Connector.

Comprehensive Plan

The parcel is within a Community Activity Center (CAC) future land use category, with LRO zoning designation. The purpose of the Community Activity Center (CAC) is to provide for areas that can meet the immediate needs of several neighborhoods or communities. Typical land uses for these areas include low to mid-rise office buildings and department stores.

Master Plan/Corridor Study

Not applicable.

Historic Preservation

After consulting various county historic resources surveys, historic maps, archaeology surveys and Civil War trench location maps, staff finds that no known significant historic resources appear to be affected by this application. No further comment. No action by applicant requested at this time.

Design Guidelines

Is the parcel in an area with Design Guidelines? ☐ Yes ☒ No

If yes, design guidelines area _____

Does the current site plan comply with the design requirements?

Incentive Zones

Is the property within an Opportunity Zone? ☐ Yes ☒ No

The Opportunity Zone is an incentive that provides \$3,500 tax credit per job in eligible areas if two or more jobs are being created. This incentive is available for new or existing businesses.

Is the property within an Enterprise Zone? ☐ Yes ☒ No

The Enterprise Zone is an incentive that provides tax abatements and other economic incentives for qualifying businesses locating or expanding within designated areas for new jobs and capital investments.

Is the property eligible for incentives through the Commercial and Industrial Property Rehabilitation Program? ☐ Yes ☒ No

The Commercial and Industrial Property Rehabilitation Program is an incentive that provides a reduction in ad valorem property taxes for qualifying redevelopment in eligible areas.

Special Districts

Is this property within the Cumberland Special District #1 (hotel/motel fee)?

☐ Yes ☒ No

Is this property within the Cumberland Special District #2 (ad valorem tax)?

☐ Yes ☒ No

APPLICANT Venture Homes, Inc.

PETITION NO. Z-076

PRESENT ZONING LRO

PETITION FOR **FST-6**

WATER COMMENTS:

NOTE: Comments reflect only what facilities were in existence at the time of this review.

Available at Development: ☒ Yes ☐ No

Fire Flow Test Required: ☒ Yes ☐ No

Size / Location of Existing Water Main(s): 6" DI / E side of Floyd Road

Additional Comments: Master county meter with private submeters required by Code

Developer may be required to install/upgrade water mains, based on fire flow test results or Fire Department Code. This will be resolved in the Plan Review Process.

SEWER COMMENTS:

NOTE: Comments reflect only what facilities were in existence at the time of this review.

In Drainage Basin: ☒ Yes ☐ No

At Development: ☐ Yes ☒ No

Approximate Distance to Nearest Sewer: 200' S in Trestle Drive

Estimated Waste Generation (in G.P.D.): A D F= 7360 Peak= 18400

Treatment Plant: South Cobb

Plant Capacity: ☒ Available ☐ Not Available

Line Capacity: ☒ Available ☐ Not Available

Projected Plant Availability: ☒ 0 - 5 years ☐ 5 - 10 years ☐ over 10 years

Drw Sewers Required: ☐ Yes ☒ No

Off-site Easements Required: ☒ Yes* ☐ No *If off-site easements are required, Developer must submit easements to CCWS for review/approval as to form and stipulations prior to the execution of easements by the property owners. All easement acquisitions are the responsibility of the Developer

Flow Test Required: ☒ Yes ☐ No

Letter of Allocation issued: ☐ Yes ☒ No

Septic Tank Recommended by this Department: ☐ Yes ☒ No

Subject to Health Department Approval: ☐ Yes ☒ No

Additional Sewer flow study may be required at Plan Review
Comments:

Developer will be responsible for connecting to the existing County water and sewer systems, installing and/or upgrading all outfalls and water mains, obtaining on and/or offsite easements, dedication of on and/or offsite water and sewer to Cobb County, as may be required. Rezoning does not guarantee water/sewer availability/capacity unless so stated in writing by the Cobb County Water System. Permit issuances subject to continued treatment plant compliance with EPD discharge requirements.

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PETITION NO.: Z-76

PRESENT ZONING: LRO

PETITION FOR: **FST-6**

STORMWATER MANAGEMENT COMMENTS

FLOOD HAZARD: ☐ YES ☒ NO ☐ POSSIBLY, NOT VERIFIED

DRAINAGE BASIN: Concord Creek FLOOD HAZARD INFO: Zone X

- ☐ FEMA Designated 100 year Floodplain Flood.
☐ Flood Damage Prevention Ordinance DESIGNATED FLOOD HAZARD.
☒ Project subject to the Cobb County Flood Damage Prevention Ordinance Requirements.
☐ Dam Breach zone from (upstream) (onsite) lake - need to keep residential buildings out of hazard.

WETLANDS: ☐ YES ☒ NO ☐ POSSIBLY, NOT VERIFIED

Location: _____

- ☐ The Owner/Developer is responsible for obtaining any required wetland permits from the U.S. Army Corps of Engineer.

STREAMBANK BUFFER ZONE: ☐ YES ☒ NO ☐ POSSIBLY, NOT VERIFIED

- ☐ Metropolitan River Protection Area (within 2000' of Chattahoochee River) ARC (review 35' undisturbed buffer each side of waterway).
☐ Chattahoochee River Corridor Tributary Area - County review (_____ undisturbed buffer each side).
☒ Georgia Erosion-Sediment Control Law and County Ordinance - **County Review**/State Review.
☐ Georgia DNR Variance may be required to work in 25 foot streambank buffers.
☐ County Buffer Ordinance: **50'**, 75', 100' or 200' each side of creek channel.

DOWNSTREAM CONDITION

- ☒ Potential or Known drainage problems exist for developments downstream from this site.
☒ Stormwater discharges must be controlled not to exceed the capacity available in the downstream storm drainage system.
☒ Minimize runoff into public roads.
☒ Minimize the effect of concentrated stormwater discharges onto adjacent properties.
☐ Developer must secure any R.O.W required to receive concentrated discharges where none exist naturally
☐ Existing Lake Downstream _____.
Additional BMP's for erosion sediment controls will be required.
☐ Lake Study needed to document sediment levels.
☒ Stormwater discharges through an established residential neighborhood downstream.
☒ Project engineer must evaluate the impact of increased volume of runoff generated by the proposed project on downstream receiving system and detention pond within Floyd Station S/D.

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PRESENT ZONING: LRO

PETITION FOR: **FST-6**

STORMWATER MANAGEMENT COMMENTS – Continued

SPECIAL SITE CONDITIONS

- ☐ Provide comprehensive hydrology/stormwater controls to include development of out parcels.
- ☒ Submit all proposed site improvements to Plan Review.
- ☐ Any **spring activity** uncovered must be addressed by a qualified geotechnical engineer (PE).
- ☐ Structural fill _____ must be placed under the direction of a qualified registered Georgia geotechnical engineer (PE).
- ☐ Existing facility.
- ☒ Project must comply with the Water Quality requirements of the CWA-NPDES-NPS Permit and County Water Quality Ordinance.
- ☐ Water Quality/Quantity contributions of the existing lake/pond on site must be continued as baseline conditions into proposed project.
- ☐ Calculate and provide % impervious of project site.
- ☐ Revisit design; reduce pavement area to reduce runoff and pollution.

INSUFFICIENT INFORMATION

- ☐ No Stormwater controls shown _____
- ☐ Copy of survey is not current – Additional comments may be forthcoming when current site conditions are exposed.
- ☐ No site improvements showing on exhibit.

ADDITIONAL COMMENTS

1. This site is located just east of Floyd Road and is bounded by the Walmart Supercenter to the north, and the Floyd Station Subdivision to the east and south. The site is currently wooded with average slopes ranging from 5 to less than 10%. The entire site drains to the south through the Floyd Station Subdivision.
2. To limit uncontrolled bypass runoff from the site into the existing residential lots along Trestle Drive within Floyd Station a drainage swale will be required parallel to the southern property line to direct runoff to the proposed detention pond. The detention pond will discharge into the existing drainage easement between Lots 2 & 3 within the Floyd Station Subdivision. It is recommended that the pond's outlet control structure be tied directly to the downstream pipe system with the addition of an area inlet to accommodate local drainage from the adjacent rear yards.

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PETITION FOR: FST-6

TRANSPORTATION COMMENTS

The following comments and recommendations are based on field investigation and office review of the subject rezoning case:

ROADWAY	AVERAGE DAILY TRIPS	ROADWAY CLASSIFICATION	SPEED LIMIT	JURISDICTIONAL CONTROL	MIN. R.O.W. REQUIREMENTS
Floyd Road	19,700	Arterial	40 mph	Cobb County	100'

Based on 2005 traffic counting data taken by Cobb County DOT (Floyd Road)

COMMENTS AND OBSERVATIONS

Floyd Road is classified as an arterial and according to the available information the existing right-of-way does not meet the minimum requirements for this classification.

RECOMMENDATIONS

Recommend applicant consider entering into a development agreement pursuant of O.C.G.A. 36-71-13 for dedication of the following system improvements to mitigate traffic concerns: a) donation of right-of-way on the east side of Floyd Road, a minimum of 50' from the roadway centerline.

Recommend a deceleration lane on Floyd Road for the proposed development roadway.

Recommend replacing disturbed curb, gutter, and sidewalk along the Floyd Road frontage.

Recommend curb and gutter along both sides and sidewalk along one side of proposed development roadway.

Recommend private streets be constructed to the Cobb County Standard Specifications.

Recommend applicant be required to meet all Cobb County Development Standards and Ordinances related to project improvements.

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STAFF RECOMMENDATIONS

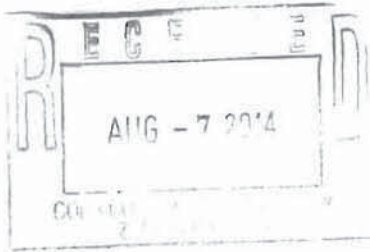
Z-76 VENTURE HOMES, INC.

- A. It is Staff's opinion that the applicant's rezoning proposal may not permit a use that is suitable in view of the use and development of adjacent and nearby properties. Other properties in the area are zoned for single-family detached subdivisions, retail and other commercial uses.
- B. It is Staff's opinion that the applicant's rezoning proposal may have an adverse affect on the usability of adjacent or nearby property. The subject property has single-family residential to the west, south and east.
- C. It is Staff's opinion that the applicant's rezoning proposal will not result in a use which would cause an excessive or burdensome use of existing streets, transportation facilities, utilities, or schools. This opinion can be supported by the departmental comments contained in this analysis.
- D. It is Staff's opinion that the applicant's rezoning proposal is not in conformity with the policy and intent of the *Cobb County Comprehensive Plan*, which delineates this property as being in the Community Activity Center (CAC) land use category. The requested FST-6 zoning category is not compatible with the CAC land use category. FST-6 should be in the Medium Density Residential (MDR), High Density Residential (HDR) or Regional Activity Center (RAC) land use categories.
- E. It is Staff's opinion that there are existing and changing conditions affecting the use and development of the property which give supporting grounds for deleting the applicant's rezoning proposal. The requested FST-6 is not compatible with the CAC land use category. Other residential uses in the area are single-family, detached houses. The applicant's proposal would be consistent with other land uses if zoned with a lower density. CAC's do allow for Medium Density Residential uses to serve as transitions between different land uses.

Based on the above analysis, Staff recommends DELETING the request to RA-5 subject to the following conditions:

- Maximum of five units per acre;
- District Commissioner to approve site plan;
- Fire Department comments and recommendations;
- Water and Sewer Division comments and recommendations;
- Stormwater Management Division comments and recommendations;
- Department of Transportation comments and recommendations; and
- Owner/developer to enter into a Development Agreement pursuant to O.C.G.A. §36-71-13 for dedication of system improvements to mitigate traffic concerns.

The recommendations made by the Planning and Zoning Staff are only the opinions of the Planning and Zoning Staff and are by no means the final decision. The Cobb County Board of Commissioners makes the final decisions on all Rezoning and Land Use Permits at an advertised public hearing.



Application #: Z-74 (2014)
PC Hearing Date: 10/07/2014
BOC Hearing Date: 10/21/2014

Summary of Intent for Rezoning*

Part 1. Residential Rezoning Information (attach additional information if needed)

- a) Proposed unit square-footage(s): 1800 sq Min
b) Proposed building architecture: Traditional
c) Proposed selling prices(s): \$200's
d) List all requested variances: None known at this time

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

- a) Proposed use(s): Not Applicable
b) Proposed building architecture: _____
c) Proposed hours/days of operation: _____
d) List all requested variances: _____

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

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

Part 5. Is this application a result of a Code Enforcement action? No X; Yes ____ (If yes, attach a copy of the Notice of Violation and/or tickets to this form).

VENTURE HOMES, INC.

Applicant signature BY: Robert C. White Date: 8-1-14

Applicant name (printed): Robert C. White, President

*Applicant specifically reserves the right to amend any information set forth herein, or any part of the Application for Rezoning, at any time during the rezoning process. Revised August 21, 2013