

*Rezoning Plat*

# Floyd Road Townhouse Community

Cobb County, Georgia

Land Lot 848 and 849, 19th District, 2nd Section

prepared for:

3757 Floyd Rd Property, LLC

**DGM**  
LAND PLANNING  
CONSULTANTS

Scale: 1" = 50'

May 24, 2017



975 Cox Place  
Buna, Sims 212  
KENNESAW  
GA 30144  
770 514-9006  
FAX 514-9181



JUN 01 2017

- NOTES: 1. BOUNDARY FROM MERIDIAN GEOMATICS, LLC, DATED DECEMBER 8, 2004.  
2. TOPOGRAPHIC INFORMATION FROM COBB COUNTY, GA.  
3. ACCORDING TO FLOOD TOLERANCE RATE (FTR) 1/1000 (100% COEFFICIENT) DATED AUGUST 11, 1992, NO PORTION OF THIS SITE CONSTITUTE COOPERS.  
4. NO UTILITIES ARE KNOWN TO EXIST ON SITE.  
5. NO ARCHITECTS OR ARCHITECTURAL RECORDS ARE KNOWN TO EXIST ON SITE.  
6. NO ARCHITECTURAL OR ARCHITECTURAL RECORDS ARE KNOWN TO EXIST ON SITE.  
7. NO UTILITY EASEMENTS EXIST AS SHOWN.

## Site Data

Total Site Area:	7.31 AC
Existing Zoning:	PSC
Proposed Zoning:	RM-8
Total Units Shown:	58
(24' x 48' units with 2 car garages)	
Density:	7.93 UN/AC
RM-8 Building Setbacks:	
front:	50' (collector)
side:	35'
rear:	40'

**APPLICANT:** 3757 Floyd Rd Property, LLC  
**PHONE #:** 770-368-3085 **EMAIL:** pkelly@mki-inc.com  
**REPRESENTATIVE:** John H. Moore  
**PHONE #:** 770-429-1499 **EMAIL:** jmoore@mijs.com  
**TITLEHOLDER:** 3757 Floyd Rd Property, LLC

**PETITION NO:** Z-43  
**HEARING DATE (PC):** 08-01-17  
**HEARING DATE (BOC):** 08-15-17  
**PRESENT ZONING:** PSC, GC  
**PROPOSED ZONING:** RM-8

**PROPERTY LOCATION:** North side of Hurt Road; east side of Floyd Road  
(3751 and a portion of 3757 Floyd Road)

**PROPOSED USE:** Townhome Community

**ACCESS TO PROPERTY:** Hurt Road and Floyd Road

**SIZE OF TRACT:** 7.31 acres

**PHYSICAL CHARACTERISTICS TO SITE:** Parking Lot

**DISTRICT:** 19

**LAND LOT(S):** 848,849

**PARCEL(S):** 20,38,5,8

**TAXES: PAID** X **DUE** \_\_\_\_\_

**COMMISSION DISTRICT:** 4

**CONTIGUOUS ZONING/DEVELOPMENT**

**NORTH:** GC/Retail Center  
**SOUTH:** SC/Settlers Trail Condominiums  
**EAST:** PSC/Former Target Store  
**WEST:** GC/Church; Undeveloped Lot

*Adjacent Future Land Use:*  
 North: Community Activity Center (CAC) and Medium Density Residential (MDR)  
 East: Community Activity Center (CAC)  
 South: Community Activity Center (CAC)  
 West: Community Activity Center (CAC)

**OPPOSITION:** NO. OPPOSED **PETITION NO:** \_\_\_\_\_ **SPOKESMAN** \_\_\_\_\_

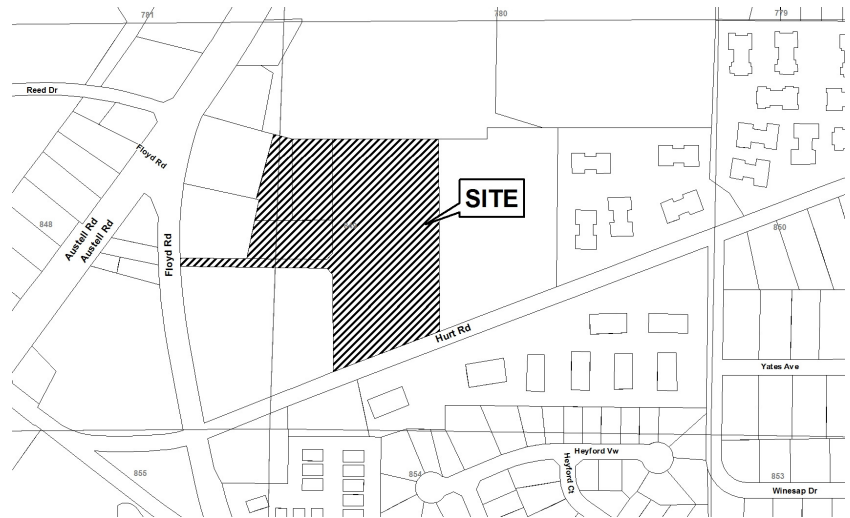
**PLANNING COMMISSION RECOMMENDATION**

**APPROVED** \_\_\_\_\_ **MOTION BY** \_\_\_\_\_  
**REJECTED** \_\_\_\_\_ **SECONDED** \_\_\_\_\_  
**HELD** \_\_\_\_\_ **CARRIED** \_\_\_\_\_

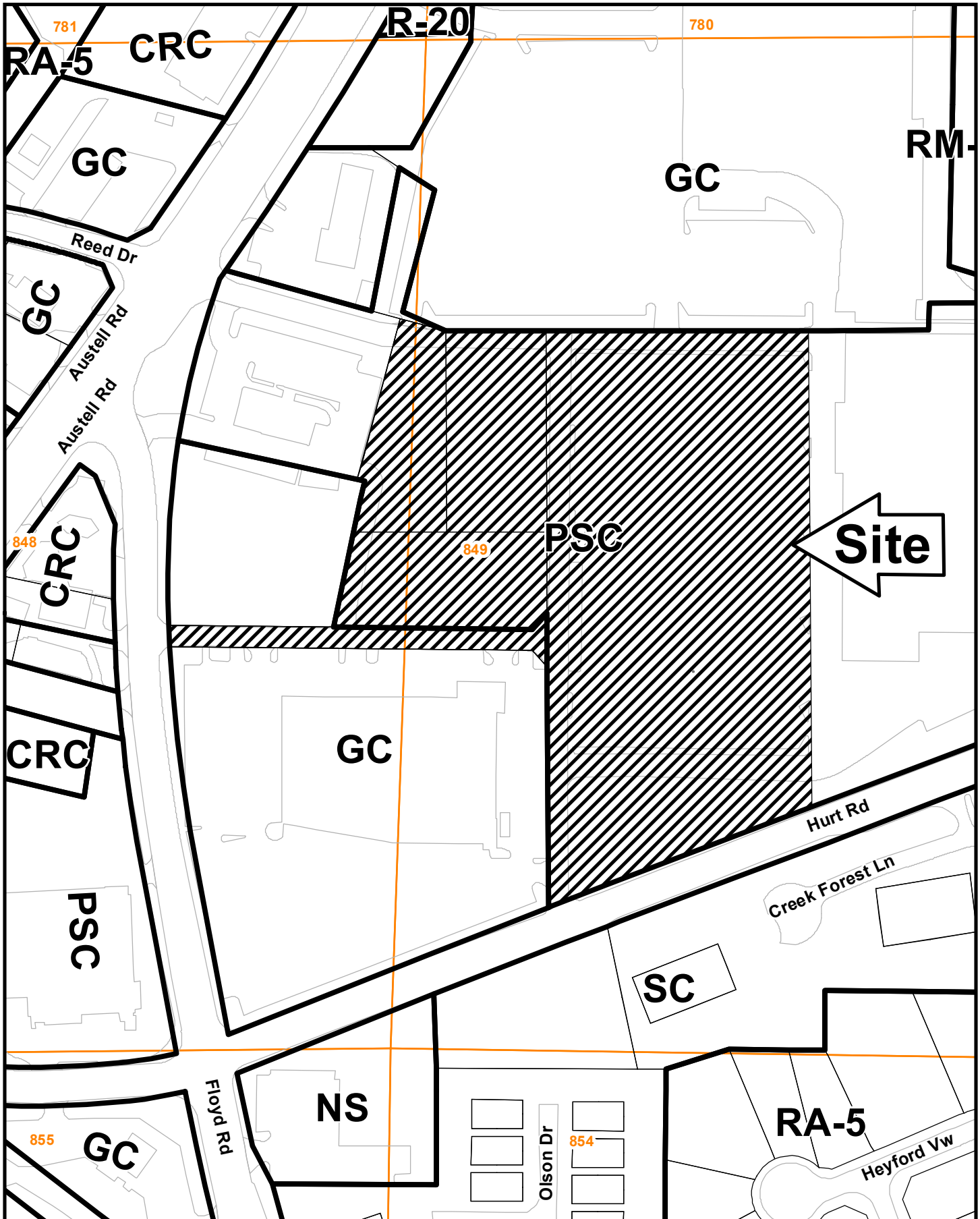
**BOARD OF COMMISSIONERS DECISION**

**APPROVED** \_\_\_\_\_ **MOTION BY** \_\_\_\_\_  
**REJECTED** \_\_\_\_\_ **SECONDED** \_\_\_\_\_  
**HELD** \_\_\_\_\_ **CARRIED** \_\_\_\_\_

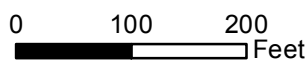
**STIPULATIONS:**



# Z-43 2017-GIS



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



- City Boundary
- Zoning Boundary

**APPLICANT:** 3757 Floyd Rd Property, LLC

**PETITION NO.:** Z-43

**PRESENT ZONING:** PSC, GC

**PETITION FOR:** RM-8

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**ZONING COMMENTS:**

**Staff Member Responsible:** Jason A. Campbell

**Land Use Plan Recommendation:** Community Activity Center (CAC)

**Proposed Number of Units:** 58                      **Overall Density:** 7.93                      **Units/Acre**

**Staff estimate for allowable # of units:** 0                      **Units\***                      **Increase of:** 58                      **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 RM-8 zoning district for the purpose of developing a 58-unit townhome community. The architecture will consist of brick, stone, siding, with accents and will range in size from 1,500 square feet to 2,000 square feet. Each unit will have an attached two-car garage.

**Cemetery Preservation:** No comment.

**APPLICANT:** 3737 Floyd Rd Property, LLC

**PETITION NO.:** Z-43

**PRESENT ZONING:** PSC, GC

**PETITION FOR:** RM-8

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**SCHOOL COMMENTS:**

<u>Name of School</u>	<u>Enrollment</u>	<u>Capacity Status</u>	<u>Number of Portable Classrooms</u>
<u>Russell</u>	<u>669</u>	<u>809</u>	<u>                    </u>
<b>Elementary</b>			
<u>Floyd</u>	<u>912</u>	<u>1046</u>	<u>                    </u>
<b>Middle</b>			
<u>Osborne</u>	<u>2103</u>	<u>2062</u>	<u>                    </u>

**High**

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

**Additional Comments:** Approval of this petition will not have an impact on the enrollment at Cobb County schools.

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**APPLICANT:** 3757 Floyd Rd

**PETITION NO.:** Z-43

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**FIRE COMMENTS:**

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Modifications may be required to incorporate the Cobb County Fire Marshal's Office comments.

**GUEST PARKING:** When projects contemplate less than 20 foot separation between units, guest parking shall be provided at a ratio of one-half space for each dwelling unit (1 space/ 2 units).

APPLICANT: 3757 Floyd Rd Property, LLC

PETITION NO.: Z-43

PRESENT ZONING: PSC & GC

PETITION FOR: RM-8

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**PLANNING COMMENTS:**

The applicant is requesting a rezoning from PSC and GC to RM-8 with stipulations for the purpose of a townhouse community. The 7.31 acre site is located on the north side of Hurt Road, east side of Floyd Road (3751 and a portion of 3757 Floyd Road).

HB-489 Intergovernmental Agreement Zoning Amendment Notification:

Is the application site within one half (1/2) mile of a city boundary?  Yes  No  
If yes, has the city of \_\_\_\_\_ been notified?  Yes  No / N/A

Comprehensive Plan

The parcel is within a Community Activity Center (CAC) future land use category, with PSC 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.

Specific Area Policy Guidelines:

In recognition of the need to promote quality redevelopment, create new residential opportunities, and encourage new medical service uses at the intersection of Austell Road and the East West Connector, the properties are placed in the Community Activity Center (CAC) future land use category. The Board of Commissioners, in an effort to development a long term vision for improvements in this area of Cobb County, funded the creation of the Austell Corridor Livable Centers Initiative Study. These properties were identified in the study as an area appropriate for a mixed-use development in a manner consistent with the findings and acceptance language of the study document. In addition to prompting a combination of residential and office/retail development, a special focus in this area should be on supporting and expanding medical related office and services uses due to the proximity of Cobb General Hospital.

Adjacent Future Land Use:

North: Community Activity Center (CAC) and Medium Density Residential (MDR)  
East: Community Activity Center (CAC)  
South: Community Activity Center (CAC)  
West: Community Activity Center (CAC)

Master Plan/Corridor Study

The property is located within the boundary of the Austell Road Corridor Study

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

APPLICANT: 3757 Floyd Rd Property, LLC

PETITION NO.: Z-43

PRESENT ZONING: PSC & GC

PETITION FOR: RM-8

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**PLANNING COMMENTS:**

CONT.

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.

For more information on incentives, please call the Community Development Agency, Planning Division at 770.528.2018 or find information online at <http://economic.cobbcountyga.gov>.

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

Is this property within the Six Flags Special Service District?

Yes  No

SPECIAL NOTE: This parcel is included on the most recent Inventory of Redevelopment sites.

Is the property within the:

- Dobbins Airfield Safety Zone?
- CZ (Clear Zone)
- APZ I (Accident Potential Zone I)
- APZ II (Accident Potential Zone II)
- Noise Zone
- Bird / Wildlife Air Strike Hazard (BASH) area



APPLICANT 3757 Floyd Road Property LLC

PETITION NO. Z-043

PRESENT ZONING PSC, GC

PETITION FOR RM-8

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**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): 10" AC / S side of Hurt Rd

Additional Comments: Development Standards require dual water feed when >40 lots

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.

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**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: On site\*\*

Estimated Waste Generation (in G.P.D.): A D F= 9,280 Peak= 23,200

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

Dry 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 Comments: \*\*On site sewer currently private. New on-site sewer and portion downstream must be dedicated to Cobb County.

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.

APPLICANT: 3757 Floyd Road Property, LLC

PETITION NO.: Z-43

PRESENT ZONING: PSC, GC

PETITION FOR: RM-8

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**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 CONDITIONS

- 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 easements 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 receiving system.

**APPLICANT: 3757 Floyd Road Property, LLC**

**PETITION NO.: Z-43**

**PRESENT ZONING: PSC, GC**

**PETITION FOR: RM-8**

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**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.

ADDITIONAL COMMENTS

1. This parcel is served by an existing stormwater management pond. The existing pond needs some minor maintenance. There is trash and debris in the pond that needs to be removed as well as heavy overgrowth.

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**PETITION NO.:** Z-43

**PRESENT ZONING:** PSC, GC

**PETITION FOR:** RM-8

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**TRANSPORTATION COMMENTS:**

ROADWAY	ROADWAY CLASSIFICATION	SPEED LIMIT	JURISDICTIONAL CONTROL	MIN. R.O.W. REQUIREMENTS
Floyd Road	Arterial	40 mph	Cobb County	100'
Hurt Road	Major Collector	35 mph	Cobb County	80'

ROADWAY	LOCATION	AVERAGE DAILY TRIPS	LEVEL OF SERVICE
Floyd Road	North of Albury Drive	13,200	D
Hurt Road	West of Floyd Road	9,650	D

*Based on 2016 traffic counting data taken by Cobb County DOT for Floyd Road.*

*Based on 2015AADT counting data taken by GDOT, as published on their website, for Hurt Road.*

*Planning Level of Service based on available Average Daily Trips using GRTA guideline thresholds. Classification thresholds for LOS A and LOS B are not available for local roads from this data source.*

*LOS C or D is acceptable based on GDOT Design Policy Manual criteria.*

**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.

Hurt Road is classified as a major collector 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 to 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 applicant consider entering into a development agreement pursuant to 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 north side of Hurt Road, a minimum of 40' from the roadway centerline.

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

Recommend a deceleration lane on Floyd Road for the entrance.

Recommend a deceleration lane or large turn radius for the entrance on Hurt Road. Recommend location and design be determined during plan review, subject to Cobb County DOT approval.

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**PETITION FOR:** RM-8

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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 any gates be a minimum of 50' from the right-of-way and meet Cobb County Development Standards.

## STAFF RECOMMENDATIONS

### **Z-43 3757 FLOYD RD PROPERTY, LLC**

- A. It is Staff's opinion that the applicant's rezoning proposal will not permit a use that is suitable in view of the use and development of adjacent and nearby properties. Other properties at this corner of Hurt Road and Floyd are developed as retail commercial uses. The property is surrounded on three sides by commercial.
- B. It is Staff's opinion that the applicant's rezoning proposal will have an adverse effect on the usability of adjacent or nearby property. Properties in this commercial corner are developed with retail uses under the GC, PSC and NS zoning districts.
- 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 RM-8 is not compatible with the CAC land use category. The RM-8 zoning district is designed to be located within the Medium Density Residential (MDR), High Density Residential (HDR) and the 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 denying the applicant's rezoning proposal. The requested RM-8 zoning district is not compatible with the CAC land use category. Applicant, currently has the abutting property to the east in for rezoning to Office & Institutional (O&I) for the purpose of a free-standing self-service storage facility. That request is compatible with the CAC land use category.

Based on the above analysis, Staff recommends DENIAL.

**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 No. Z-43 (2017)

Hearing Dates: PC - 08/01/2017  
BOC - 08/15/2017

## Summary of Intent for Rezoning\*

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

a) Proposed unit square-footage(s): 1,500 - 2,000, and greater

b) Proposed building architecture: Brick, stone, siding, with accents

c) 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: Not Applicable

c) Proposed hours/days of operation: Not Applicable

d) List all requested variances: Not Applicable

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

None known at this time.

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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).

None known at this time

\*Applicant specifically reserves the right to amend any information set forth in the Summary of Intent to Rezone, or any other portion of the Application for Rezoning, at any time during the rezoning process.