

DEVELOPMENT SUMMARY	
ZONE	R-35
USE	RESIDENTIAL SINGLE-FAMILY
LOT AREA	11,184 S.F.
NUMBER OF UNITS	2 UNITS
PROPOSED DENSITY	1.0 UNITS/ACRE
MINIMUM LOT AREA	10,000 S.F.
MINIMUM SETBACK FRONT	30 FEET
MINIMUM SETBACK REAR	30 FEET
MINIMUM SETBACK SIDE	30 FEET
MINIMUM FRONT YARD	5 FEET
MINIMUM REAR YARD	5 FEET
MINIMUM SIDE YARD	5 FEET



CONTACT:
JOHN LOYD
770.868.7591



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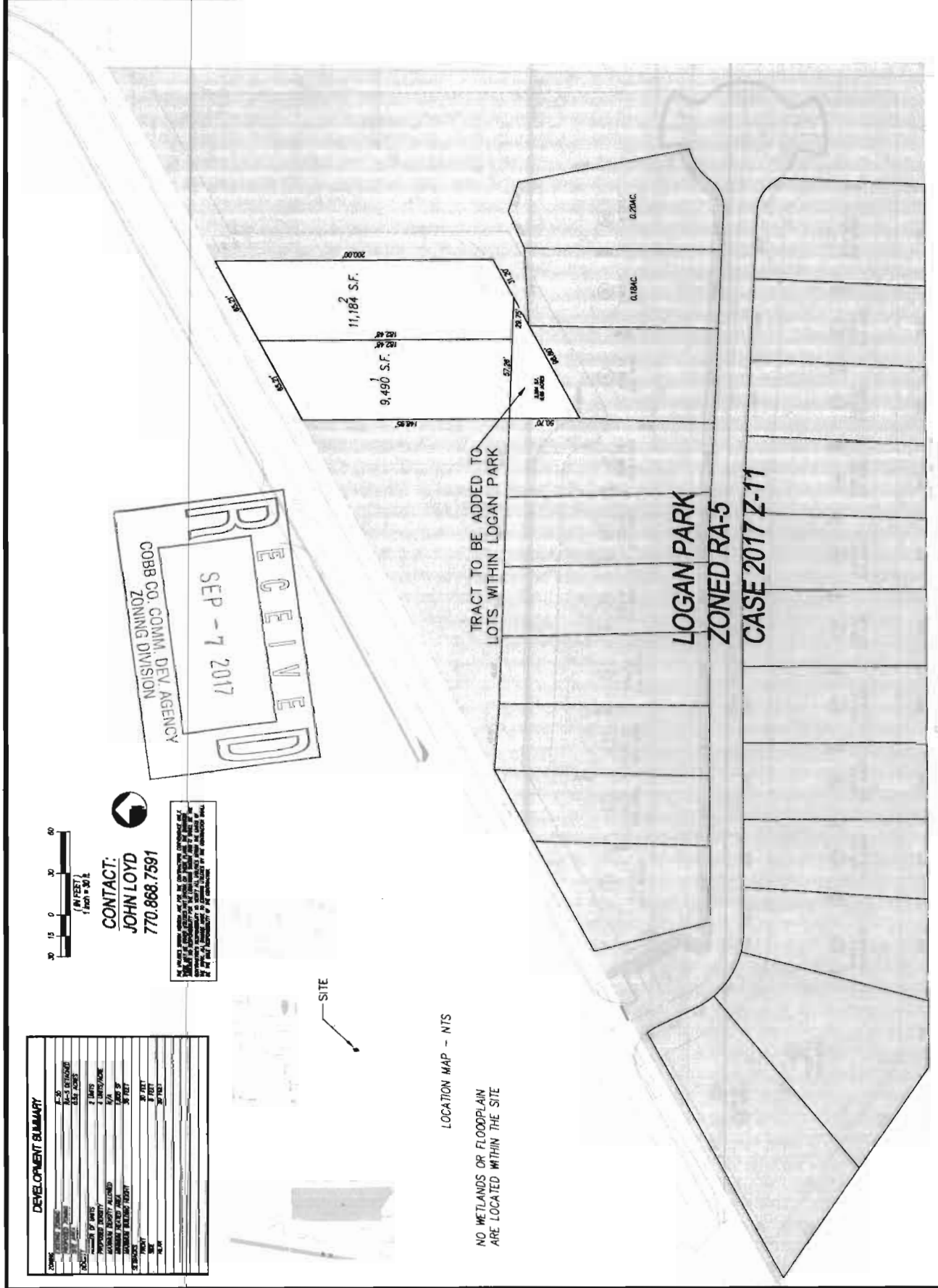
RECEIVED
 COBB CO. COMM. DEV. AGENCY
 ZONING DIVISION
 SEP - 7 2017

TRACT TO BE ADDED TO
LOTS WITHIN LOGAN PARK

LOGAN PARK
ZONED RA-5
CASE 2017 Z-11

LOCATION MAP - NTS

NO WETLANDS OR FLOODPLAIN
ARE LOCATED WITHIN THE SITE



RESTLINE ENGINEERING

4451 WOODCROFT ROAD
SUITE 208 | DUMMERSVILLE, GA 30072
770.868.7591 | 1.866.319.0872

PROJECT NAME:
4550 LEE WATERS ROAD

CITY, DISTRICT

Z-72
(2017)

OWNER/DEVELOPER



COBB COUNTY PLANNING DEPARTMENT
APPROVAL DATE: 6.6.2010



REVISIONS

Z.100

11/20/2017

APPLICANT: Loyd Development Services

PHONE #: (770) 868-7591 **EMAIL:** john@loyddevelopment.com

REPRESENTATIVE: Garvis L. Sams Jr.

PHONE #: (770) 422-7016 **EMAIL:** gsams@slhb-law.com

TITLEHOLDER: Loyd Development Services, LLC

PROPERTY LOCATION: South side of Lee Waters Road, south of
Jamerson Road

(4550 Lee Waters Road)

ACCESS TO PROPERTY: Lee Waters Road

PHYSICAL CHARACTERISTICS TO SITE: Brick single family
home

CONTIGUOUS ZONING/DEVELOPMENT

- NORTH:** HI/ East Cobb Baseball
- SOUTH:** RA-5/ Logan Park Subdivision (Future Development)
- EAST:** RA-5/ Logan Park Subdivision (Future Development)
- WEST:** RA-5/ Logan Park Subdivision (Future Development)

PETITION NO: Z-72

HEARING DATE (PC): 11-07-17

HEARING DATE (BOC): 11-21-17

PRESENT ZONING: R-20

PROPOSED ZONING: RA-5

PROPOSED USE: Single-family Residential

SIZE OF TRACT: 0.5 acres

DISTRICT: 16

LAND LOT(S): 131

PARCEL(S): 4

TAXES: PAID X **DUE** _____

COMMISSION DISTRICT: 3

Adjacent Future Land Use:

- Northwest: Park / Recreation / Conservation (PRC)
- East: Industrial Compatible (IC)
- Southeast: Industrial Compatible (IC)
- West: Industrial Compatible (IC)

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

PLANNING COMMISSION RECOMMENDATION

APPROVED _____ **MOTION BY** _____

REJECTED _____ **SECONDED** _____

HELD _____ **CARRIED** _____

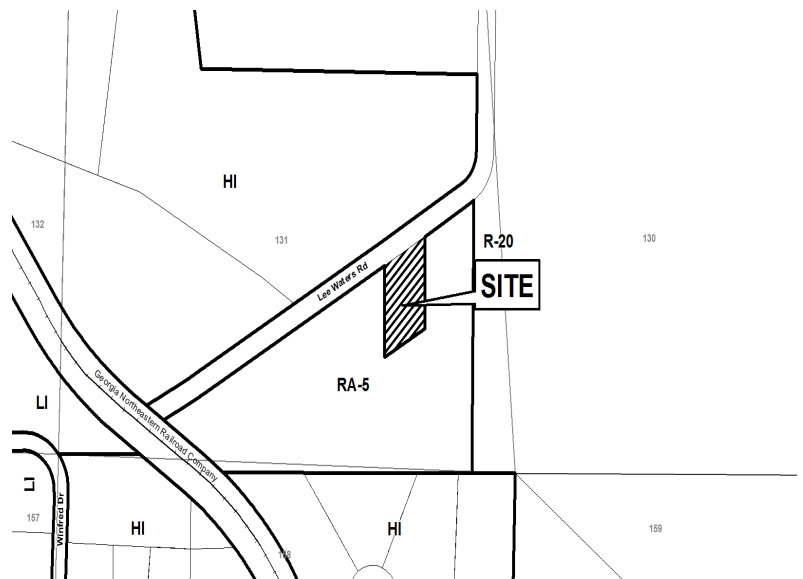
BOARD OF COMMISSIONERS DECISION

APPROVED _____ **MOTION BY** _____

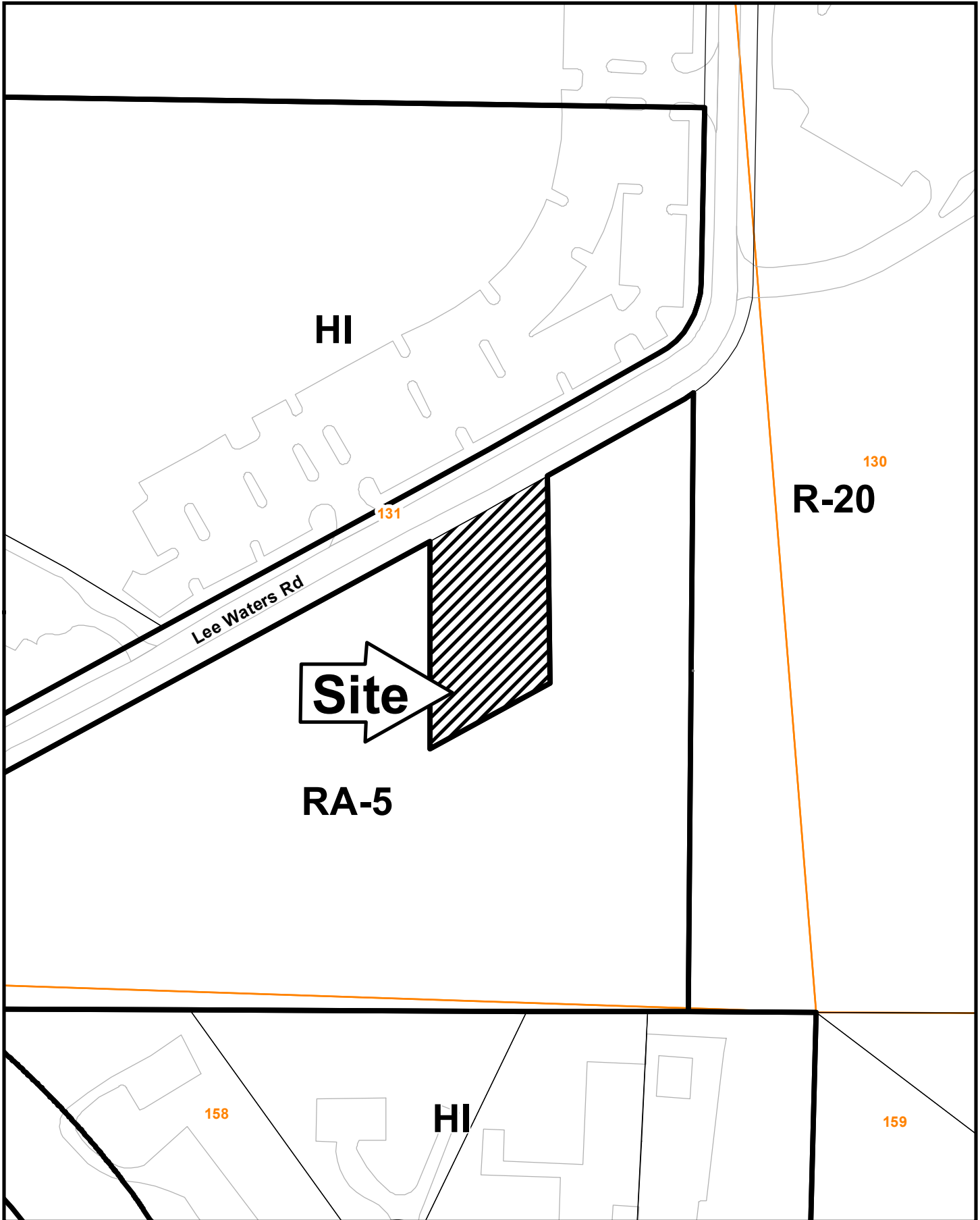
REJECTED _____ **SECONDED** _____

HELD _____ **CARRIED** _____

STIPULATIONS:



Z-72 2017-GIS



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: Loyd Development Services

PETITION NO.: Z-72

PRESENT ZONING: R-20

PETITION FOR: RA-5

ZONING COMMENTS:

Staff Member Responsible: Donald Wells

Land Use Plan Recommendation: Industrial Compatible (IC)

Proposed Number of Units: 2 **Overall Density:** 4 **Units/Acre**

Staff estimate for allowable # of units: 1 **Units*** **Increase of:** 1 **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.

The applicant is requesting the RA-5 zoning district in order to develop 2 single family homes. This applicant recently rezoned the property surrounding the subject property (Z-11 of 2017) and will incorporate some of this plan into that approved plan. The remaining area will be divided into 2 lots. The applicant intends to build traditional houses with mix materials with a minimum square footage of 1,800 square feet. The houses will be similar architecture to Logan Park subdivision that is currently under development. The variance requested would not be needed if the property had been rezoned during the previous rezoning application. The applicant will need to revise the site plan for Z-11 of 2017 via an Other Business Item to reconfigure the existing approved lots.

Cemetery Preservation: No comment.

APPLICANT: LOYD DEVELOPMENT SERVICES

PETITION NO.: Z-72

PRESENT ZONING: R-20

PETITION FOR: RA-5

SITE PLAN REVIEW SECTION COMMENTS:

The approved land disturbance permit plans for Logan Park will need to be revised so as to reflect the addition of the new parcel.

APPLICANT: Loyd Development Services

PETITION NO.: Z-72

PRESENT ZONING: R-20

PETITION FOR: RA-5

SCHOOL COMMENTS:

<u>Name of School</u>	<u>Enrollment</u>	<u>Capacity Status</u>	<u>Number of Portable Classrooms</u>
<u>Keheley</u>	<u>512</u>	<u>555</u>	<u> </u>
Elementary <u>McClesky</u>	<u>683</u>	<u>843</u>	<u> </u>
Middle <u>Kell</u>	<u>1559</u>	<u>1912</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 these schools.

APPLICANT: Loyd Development Services

PETITION NO.: Z-72

PRESENT ZONING: R-20

PETITION FOR: RA-5

FIRE COMMENTS:

NO COMMENTS: After analyzing the information presented for a Preliminary Review, the Cobb County Fire Marshal's Office is confident that all other items can be addressed during the Plan Review Stage.

APPLICANT: Loyd Development Services

PETITION NO.: Z-72

PRESENT ZONING: R-20

PETITION FOR: RA-5

PLANNING COMMENTS:

The applicant is requesting a rezoning from R-20 to RA-5 for the purpose of a single-family residential. The 0.50 acre site is located on the south side of Lee Walters Road, south of Jamerson Road (4550 Lee Walters 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 the Industrial Compatible (IC) future land use category, with Residential Senior Living zoning designation. The purpose of Industrial Compatible (IC) category is to provide for areas that can support light industrial, office /warehouse, and distribution uses. Typical land uses for these areas include professional business parks and distribution centers.

Specific Area Policy Guidelines:

There are no specific policy guidelines for this area in the Comprehensive Plan.

Adjacent Future Land Use:

Northwest: Park / Recreation / Conservation (PRC)
East: Industrial Compatible (IC)
Southeast: Industrial Compatible (IC)
West: Industrial Compatible (IC)

Master Plan/Corridor Study

N/A

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.

APPLICANT: Loyd Development Services

PRESENT ZONING: R-20

PETITION NO.: Z-72

PETITION FOR: RA-5

PLANNING COMMENTS:

CONT.

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.org>.

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

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 Loyd Development Services

PETITION NO. Z-072

PRESENT ZONING R-20

PETITION FOR RA-5

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 / N side of Lee Waters Rd

Additional Comments:

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: 100' S in Logan Park (under construction)

Estimated Waste Generation (in G.P.D.): A D F= 320 Peak= 800

Treatment Plant: Noontday

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:

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: Loyd Development Services

PETITION NO.: Z-72

PRESENT ZONING: R-20

PETITION FOR: RA-5

STORMWATER MANAGEMENT COMMENTS

This parcel is being added to the previously approved RA-5 zoning case that surrounds it (Z-11 of 2017). Subject to modification of the approved stormwater management plan to accommodate the additional two lots.

APPLICANT: Loyd Development Services

PETITION NO.: Z-72

PRESENT ZONING: R-20

PETITION FOR: RA-5

TRANSPORTATION COMMENTS:

ROADWAY	ROADWAY CLASSIFICATION	SPEED LIMIT	JURISDICTIONAL CONTROL	MIN. R.O.W. REQUIREMENTS
Lee Waters Road	Local	25 mph	Cobb County	50'

ROADWAY	LOCATION	AVERAGE DAILY TRIPS	LEVEL OF SERVICE
Lee Waters Road	N/A	N/A	N/A

COMMENTS AND OBSERVATIONS

Lee Waters Road is classified as a local and according to the available information the existing right-of-way does meet the minimum requirements for this classification.

RECOMMENDATIONS

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

Recommend curb, gutter, and sidewalk along the Lee Water Road frontage.

Recommend a minimum spacing of 50 ft between driveways.

STAFF RECOMMENDATIONS

Z-72 LOYD DEVELOPMENT SERVICES

- A. It is Staff's opinion that the applicant's rezoning proposal will permit a use that is not suitable in view of the use and development of adjacent and nearby properties. This property is contiguous to a recently Board of Commissioner's approved residential development, and will become a part of that development. However, the development remains adjacent to industrial uses such as warehouse, and a sports complex.
- B. It is Staff's opinion that the applicant's rezoning proposal could have an adverse effect on the usability of adjacent or nearby property. The existing uses in the area and potential uses in the area could produce loud sounds and bring industrial type traffic to the area. Approval of this application could still create a situation that will lead to unfounded complaints by new homeowners. These houses will face directly at the non-compatible uses.
- 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 Industrial Compatible (IC). The purpose of the Industrial Compatible (IC) category is to provide for areas that can support light industrial, office/warehouse, and distribution uses. Typical land uses for these areas include professional business parks and distribution centers. It should be noted that the Board of Commissioners, in making land use decisions, use the future land use map as a guide in the decision making process, but there are circumstances when decisions will be made that are contrary to this document based upon a change in market conditions, information unbeknownst to staff/community in the preparation of this document, or some other condition. The Board of Commissioners approved the surrounding development as a part of Z-11 of 2017.
- 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. Though currently zoned residential, the property is located within an area designated as IC industrial compatible on the future land use map and recognized by the *Cobb County Comprehensive Plan* as a potential area of providing regional employment as industrial uses best suited to its location adjacent to major thoroughfares and the railroad to the west. The applicant intends to incorporate this site plan with the existing approved site plan for Z-11 of 2017. Previous staff recommendations were not in favor of residential uses in this area, the Board of Commissioners did approve the applicant's previous request. In this case, in particular, adhering to the *Plan's* recommendation not only ensures that Cobb continues to reserve appropriate area for industrial land users and the employment they may bring, but it also curtails the potential discomfort of future residential neighbors.

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. 2-72

Nov. 2017

Summary of Intent for Rezoning

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

- a) Proposed unit square-footage(s): 1,800 sqft minimum
- b) Proposed building architecture: Traditional, mixed materials
- c) List all requested variances: _____

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

- a) Proposed use(s): _____
- 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)

Requested rezoning to RA-5 for the subdiviion of one .5 acre lot into two single family residential lots, and the addition of +/- 2,200 sqft to the lots within the adjacent subdivision, Logan Park.

.....
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