



Cobb County Community Development Agency
Zoning Division
1150 Powder Springs St. Marietta, Georgia 30064

Case #Z-15
Public Hearing Dates:
PC: 02-06-18
BOC: 02-20-18

SITE BACKGROUND

Applicant: Traton Homes, LLC

Phone: (770)-427-9064

Email: clif@tratonhomes.com

Representative Contact: J. Kevin Moore

Phone: (770)-429-1499

Email: jkm@mijs.com

Titleholder: Black Builders, LLC

Property Location: East side of Lawanna Drive,
south of Allgood Road

Address: 1052 & 1062 Lawanna Drive

Access to Property: Lawanna Drive

QUICK FACTS

Commission District: 3- Birrell

Current Zoning: R-20

Current use of property: Single-Family Houses

Proposed Zoning: RM-8

Proposed use: Townhouses

Future Land Use Designation: Medium Density
Residential (MDR)

Site Acreage: 1.200 ac

District: 16

Land Lot: 923

Parcel #: 16092300140, 16092300160

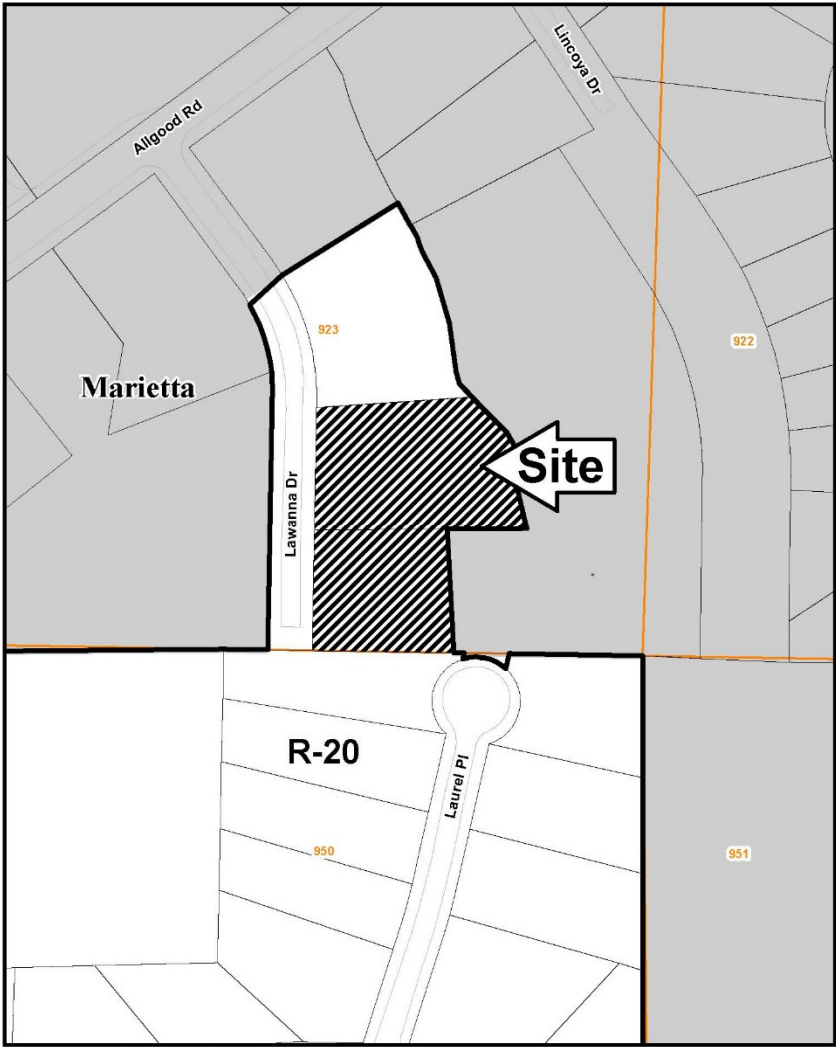
Taxes Paid: Yes.

FINAL ZONING STAFF RECOMMENDATION:
(Zoning staff member: Jason Campbell)

Staff recommends **DENIAL.**

North
Zoning: R-20
Future Land Use: MDR (Medium Density Residential)

Z-15 2018-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

WEST
Zoning: City of Marietta
Future Land Use: City of Marietta

EAST
Zoning: City of Marietta
Future Land Use: City of Marietta

SOUTH
Zoning: R-20
Future Land Use: MDR (Medium Density Residential)

DEPARTMENT COMMENTS- Zoning Division

Current zoning district for the property

The R-20 district is established to provide locations for single-family residential uses or residentially compatible institutional and recreational uses which are within or on the edge of properties delineated for any residential category as defined and shown on the Cobb County Comprehensive Plan: A Policy Guide, adopted November 27, 1990. When residentially compatible institutional and recreational uses are developed within the R-20 district, they should be designed and built to ensure intensity and density compatibility with adjacent single-family detached dwellings and otherwise to implement the stated purpose and intent of this chapter.

Requested zoning district for the property

RM-8 district is established to provide locations for multifamily residential uses or residentially compatible institutional and recreational uses which are within properties delineated for medium and high density residential and regional activity center categories as defined and shown on the Cobb County Comprehensive Plan: A Policy Guide, adopted November 27, 1990. When residentially compatible institutional and recreational uses are developed within the RM-8 district, they should be designed and built to ensure intensity and density compatibility with adjacent multifamily detached dwellings and otherwise to implement the stated purpose and intent of this chapter.

Summary of the applicant's proposal

Applicant is requesting to rezone the subject property to the RM-8/Residential Multi-family zoning district for the purpose of developing 10 townhome units on the 1.20 acres in Cobb County. The 1.20 acres in Cobb County, along the east side of Lawanna Drive, will be part of an overall 8.36-acre development that has the remaining acreage located city limits of Marietta. The property in City of Marietta is also in for rezoning. The overall project will contain 51 units and will have a density of 9.73 units per acre. The size of the proposed townhouses will start at 1,800 square and the architectural style will be Traditional/Craftsman.

Residential criteria

Allowable units as zoned: 2

Proposed # of units: 10

Increase of: 8 units

Net density: 9.49 units per acres

Flood plain: 0.147 acres

Impervious surface shown: 38% (45% maximum)

DEPARTMENT COMMENTS- Zoning Division (continued)

Are there any zoning variances?

Yes:

1. Waive the minimum tract size from 80,000 square feet to 52,272 square feet (The property submitted for rezoning does not meet the lot size by itself, but does meet when combined with the applicant's other property).
2. Waive the required landscape buffer from 25-feet to 10-feet adjacent to the north and south property line.
3. Waive the front setback from 50-feet to 10-feet.
4. Waive the side setback from 35-feet to 15-feet.
5. Allow the density to exceed 8 units per acre.

DEPARTMENT COMMENTS- Fire Department

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

GUEST PARKING: Townhome developments with 2 vehicle garages, deeded parking pads/driveways sufficient for 2 vehicles to pull clear of the roadway (at least 20-ft deep), and sufficient fire department access to within 150-ft of all exterior portions shall have at least one (1) dedicated guest parking space for every two (2) units. When the aforementioned is not the design, the development should implement guest parking at a ratio of one (1) dedicated guest parking space for every unit. All guest parking to be distributed throughout the development in a manner to provide guest parking within 200-ft walking distance of each unit.

DEPARTMENT COMMENTS- Site Plan Review (County Arborist)

No comments.

DEPARTMENT COMMENTS- Cemetery Preservation

No Comments.

DEPARTMENT COMMENTS- School System

No comments.

DEPARTMENT COMMENTS- Planning Division

Cobb 2040 Comprehensive Plan: This application pertains to a site designated as Medium Density Residential (MDR) on the future land use map. The purpose of the MDR category is to provide for areas that are suitable for moderate density housing with densities that range between 2.5 to 5.0 units per acre.

Comprehensive Plan Designation: Consistent Inconsistent

House Bill 489 Intergovernmental Agreement Zoning Amendment Notification

Is the proposal within one-half mile of a city boundary? Yes No

Was the City of Marietta notified? Yes No

Specific Area Policy Guidelines: Yes No

Masterplan/ Corridor Study Yes No

Design guidelines area? Yes No

Does the proposal plan comply with the design requirements? Yes No N/A

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 for new or existing businesses)

Is the property within an Enterprise Zone? Yes No

(The South Cobb 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 investment)

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)

Note: 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>.

(Planning comments continued on the next page)

DEPARTMENT COMMENTS- Planning Division (continued)**Special District**

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

Dobbins Air Reserve Base Zones

Is the property within the Dobbins Airfield Safety Zone? Yes No

Is the property within the Clear Zone (CZ)? Yes No

Is the property within the Accident Potential Zone (APZ I)? Yes No

Is the property within the Accident Potential Zone II (APZ II)? Yes No

Is the property within the Bird/Wildlife Air Strike Hazard Area (BASH)? Yes No

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.

DEPARTMENT COMMENTS- Stormwater Management

1. Flood hazard: Yes
2. Flood hazard info: Zone X
3. Drainage basin: Blackjack Creek
4. FEMA Designated 100-year Floodplain Flood.
5. WETLANDS: Yes, shown on the site plan.
6. Streambank buffer zone: Yes
7. County Buffer Ordinance: 50' each side of creek channel.
8. Minimize runoff into public roads.
9. Project engineer must evaluate the impact of increased volume of runoff generated by the proposed project on existing downstream drainage system(s).
10. Special site conditions and/or additional comments: This project will be reviewed jointly by Cobb County and the City of Marietta. Stormwater management plan must meet both jurisdiction's requirements.

DEPARTMENT COMMENTS- Water and Sewer

Water comments:

Available at development: YES NO

Fire flow test required: YES NO

Size and location of existing water main(s): 8" D.I. in the south side of Allgood Road.

Additional water comments: Water main in Lawanna Drive is combination of 6" DI and 2.5" galvanized steel. The 2.5" main cannot be utilized to serve proposed development. Developer will be required to upsize/abandon the 2.5" main at Plan Review.

Note: These comments only reflect what facilities were in existence at the time of this review. Developer may be required to install/upgrade water mains based on fire flow test results or Fire Department code. This will be addressed in the Plan Review process.

Sewer comments:

In the drainage basin: YES NO

At development: YES NO

Approximate distance to nearest sewer: On site east of Lawanna Drive.

Estimated waste generation (in G.P.D.): Average daily flow= 10,080 ; Peak flow= 25,200

Treatment plant: Big Creek R.L. Sutton

Plant capacity: Yes NO

Line capacity: YES NO

Projected plant availability: 0-5 years 5-10 years over 10 years

Dry sewers required: YES NO

Off-site easement required: YES* NO

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

*If off-site easements are required, the developer/owner must submit easements to the CCWS for review and 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/owner.

Additional sewer comments: Sewer capacity study may be required at Plan Review, pending further consideration by Engineering.

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

DEPARTMENT COMMENTS- Transportation

| Roadway | Roadway classification | Speed limit (MHP) | Jurisdictional control | Min. R.O.W. requirements |
|---------------|------------------------|-------------------|------------------------|--------------------------|
| Allgood Road | Arterial | 25 | Cobb County | 100' |
| Lawanna Drive | Local | 25 | Cobb County | 50' |

| Roadway | Location | Average daily trips | Level of service |
|---------------|-----------------------|---------------------|------------------|
| Allgood Road | North of Merritt Road | 16,050 | E |
| Lawanna Drive | N/A | N/A | N/A |

Based on 2016 traffic counting data taken by Cobb County DOT for Allgood 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

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

Lawanna Drive is classified as a local roadway and according to the available information the existing right-of-way does 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 Allgood Road, a minimum of 50' from the roadway centerline.

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

Recommend curb, gutter, and sidewalk along the Lawanna Drive frontage.

Recommend a right turn lane on Allgood Road for the entrance to Lawanna Drive.

STAFF ANALYSIS

Per section 134-122 of the Official Code of Cobb County, below is a written zoning analysis relating to the following (question in bold; the answer is not bolded):

A. Whether the zoning proposal will permit a use that is suitable in view of the use and development of adjacent and nearby property;

The surrounding uses are for single family houses.

B. Whether the zoning proposal will adversely affect the existing use or usability of adjacent or nearby property;

The application will cause more applications in the area that do not provide required setbacks and landscape buffers. Also, the application contains other variances including for being over the allowable density for RM-8.

C. Whether the zoning proposal will not result in a use which will or could cause an excessive burdensome use of existing streets, transportation facilities, utilities, or schools;

This opinion can be supported by the department comments contained in this analysis.

D. Whether the zoning proposal is in conformity with the policies and intent of the comprehensive plan;

The proposal is not in conformity with the comprehensive plan which calls for a maximum density of 5 units per acre. The net density for this proposal is 9.49 units per acre.

E. Whether there are other existing or changing conditions affecting the use and development of the property which give supporting grounds for either approval or disapproval of the zoning proposal;

It is staff's opinion that the applicant's proposal would not be compatible with the adjoining single family houses. The gravity of the requested variances shows that too much intensity and density is being proposed for this property.

The staff analysis and recommendation 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-15 (2018)

Hearing Dates: PC - 02/06/2018
BOC - 02/20/2018

Summary of Intent for Rezoning*

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

a) Proposed unit square-footage(s): 1,800 square feet, and greater

b) Proposed building architecture: Traditional/Craftsman

c) List all requested variances: See Site Plan for specific variances

.....
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: _____

.....
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).

None known at this time.

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

Planning Commission Decision

NO. OPPOSED: _____ APPROVED _____ DENIED _____ DELETED TO _____
NO. IN SUPPORT _____ MOTION BY: _____ SECONDED: _____ VOTE: _____

| Names of those Opposed: | Comments: |
|-------------------------|-----------|
| _____ | _____ |
| _____ | _____ |
| _____ | _____ |
| _____ | _____ |
| _____ | _____ |
| _____ | _____ |
| _____ | _____ |
| _____ | _____ |
| _____ | _____ |
| _____ | _____ |

Stipulation letter from _____ dated _____
Stipulation letter from _____ dated _____
Stipulation letter from _____ dated _____

Board of Commissioners Decision

NO. OPPOSED: _____ APPROVED _____ DENIED _____ DELETED TO _____
NO. IN SUPPORT _____ MOTION BY: _____ SECONDED: _____ VOTE: _____

| Names of those Opposed: | Comments: |
|-------------------------|-----------|
| _____ | _____ |
| _____ | _____ |
| _____ | _____ |
| _____ | _____ |
| _____ | _____ |
| _____ | _____ |
| _____ | _____ |
| _____ | _____ |
| _____ | _____ |
| _____ | _____ |

Stipulation letter from _____ dated _____
Stipulation letter from _____ dated _____
Stipulation letter from _____ dated _____