



Cobb County Community Development Agency
Zoning Division

1150 Powder Springs St. Marietta, Georgia 30064

Case # Z-13

Public Hearing Dates:

PC: 03-06-18

BOC: 03-20-18

SITE BACKGROUND

Applicant: Duncan Land Investments, LLC

Phone: (678) 591-7624

Email: duncanlandinvest@yahoo.com

Representative Contact: Richard Duncan

Phone: (678) 591-7624

Email: riversouth59@yahoo.com

Titleholder: Duncan Land Investments, LLC

Property Location: Southeast side of Piedmont Road, west of Cajun Drive

Address: 462 Piedmont Road

Access to Property: Cajun Drive

QUICK FACTS

Commission District: 3-Birrell

Current Zoning: R-20 (Single-family Residential)

Current use of property: Single-family house

Proposed zoning: RA-4 (Single-family Residential)

Proposed use: Residential Subdivision

Future Land Use Designation: MDR (Medium Density Residential)

Site Acreage: 3.1 ac

District: 16

Land Lot: 586

Parcel #: 30

Taxes Paid: Yes

FINAL ZONING STAFF RECOMMENDATION:

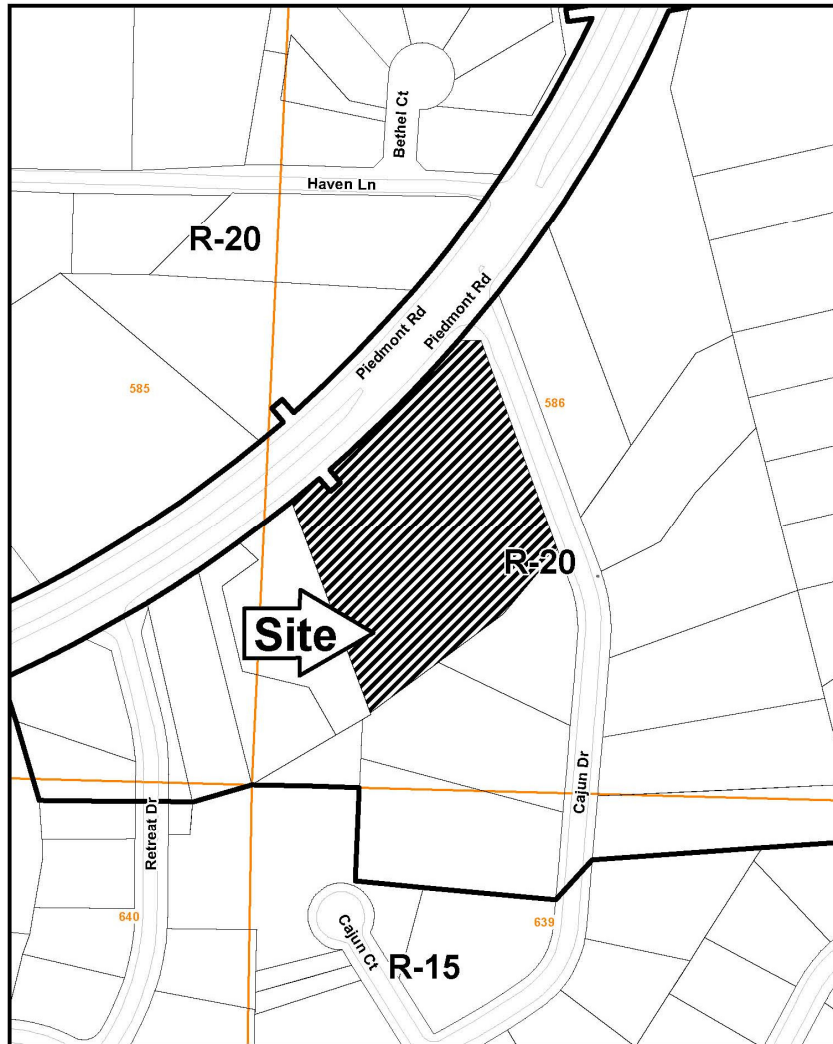
(Zoning staff member: Donald Wells)

Based on the included analysis, staff recommends **DENIAL**:

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

Z-13 2018-GIS

WEST
Zoning: R-20
(Single-family Residential)
Future Land Use: MDR
(Medium Density Residential)



EAST
Zoning: R-20
(Single-family Residential)
Future Land Use: MDR
(Medium Density Residential)

SOUTH
Zoning: R-20 (Single-family Residential)
Future Land Use: LDR (Low 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. Acreage within floodplains or wetlands shall be excluded when calculating the overall density of the development.

Requested zoning district for the property

The RA-4 district is established to provide locations for the development of single-family detached or attached residential dwelling units including the combination of duplexes, triplexes and quadruplexes. The dwelling units are to be designed so as to be placed on an individual lot attached to another dwelling unit or on an adjoining lot where the units will be attached by a common party wall. This residential use is designed to be located within or on the edge of properties delineated for low and medium density residential categories as defined and shown on the Cobb County Comprehensive Plan. When residentially compatible institutional and recreational uses or residential uses are developed within the RA-4 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. Acreage within floodplains or wetlands shall be excluded when calculating the overall density of the development.

Summary of the applicant's proposal

The applicant is requesting the RA-4 zoning district for the purpose of developing a 8 lot subdivision. The houses will have Craftsmen architecture with a mixture of architectural materials. The house sizes will start at 2,600 square feet in size.

Residential criteria

Allowable units as zoned: 5

Proposed # of units: 8

Net density: 2.8

Increase of units: 3

Acres of floodplain/wetlands: 0

Impervious surface shown: 0

DEPARTMENT COMMENTS- Zoning Division (continued)

Are there any zoning variances?

None shown.

DEPARTMENT COMMENTS- Fire Department

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.

DEPARTMENT COMMENTS- Site Plan Review (County Arborist)

No comment.

DEPARTMENT COMMENTS- Cemetery Preservation

No comment.

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DEPARTMENT COMMENTS- School System

School	Student Capacity	Student Enrollment	Capacity Status
Bells Ferry ES	712	697	15 under capacity
Daniell MS	1125	1064	61 under capacity
Sprayberry HS	2062	1705	357 under capacity

COMMENTS

Approval of this petition will not have an impact on the enrollment at these schools.

DEPARTMENT COMMENTS- Stormwater Management

1. Flood hazard: No
2. Flood hazard zone: Zone X
3. Drainage Basin: Noonday Creek Tributary #3
4. Wetlands: No
5. Streambank buffer zone: No
6. Stormwater discharges must be controlled not to exceed the capacity of the existing downstream storm drainage system.
7. Project engineer must evaluate the impact of increased volume of runoff generated by the proposed project on existing downstream drainage system(s).
8. Special site conditions and/or additional comments:
 - This site is located at the southwest corner of Piedmont Road and Cajun Drive. The parcel is currently occupied by a single residential house and an accessory structure. The entire site drains to the northwest to an existing drop inlet within the DOT right-of-way.
 - Stormwater management will be provided by a single stormwater management facility as shown on the proposed site plan. If an exposed wall is used it must be decoratively faced.

DEPARTMENT COMMENTS- Planning Division

Cobb 2040 Comprehensive Plan: The parcel is within a Medium Density Residential (MDR) future land use category, within the R-20 zoning district. The purpose of the MDR category is to provide for areas that are suitable for moderate density housing between two and one-half (2.5) and five (5) dwelling 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 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 www.cobbcounty.org/econdev.

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

DEPARTMENT COMMENTS- Planning Division (Continued)

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- Water and Sewer

Water comments:

Available at development: YES NO

Fire flow test required: YES NO

Size and location of existing water main(s): 6" on east side of Cajun Drive.

Additional water comments: Also a 16" water main on the southeast side of Piedmont Road.

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: Along frontage on other side of Piedmont Road..

Estimated waste generation (in G.P.D.): Average daily flow= 1,280 ; Peak flow= 3,200

Treatment plant: Noonday

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 also in Cajun Drive ROW along frontage.

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 (MPH)	Jurisdictional control	Min. R.O.W. requirements
Piedmont Road	Arterial	45	Cobb County	100'
Cajun Drive	Local	25	Cobb County	50'

Roadway	Location	Average daily trips	Level of service
Piedmont Road	East of Shallow Ridge Road	12,800	D
Cajun Drive	N/A	N/A	N/A

Based on 2017 traffic counting data taken by Cobb County DOT for Piedmont 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

Piedmont Road is classified as an arterial roadway and according to the available information the existing right-of-way does meet the minimum requirements for this classification.

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

Recommend curb, gutter, and sidewalk along the Shallowford Road frontage.

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

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

Recommend driveway entrances be a minimum of 50' from the Cajun Drive subdivision intersection.

Recommend a no access easement for the lots along the Piedmont Road frontage.

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 bold):

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 applicant's rezoning proposal is totally surrounded by R-20 zoned properties. The applicant's proposal would be much more dense than adjoining properties.

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

The proposed density of 2.8 units per acre exceeds the densities of other residential uses in this area. Those subdivisions include: Maner CL (zoned R-20 at approximately .97 units per acre), Haven Pointe (zoned R-20 at 1.87 units per acre), Stone Creek (zoned R-15 at approximately 1.89 units per acre), and Hidden Hills (zoned R-15 at approximately 1.98 units per acre). Approval of the request will encourage other zoning request that are not consistent with the other properties in the area.

C. Whether the zoning proposal will result in a use which will or could cause an excessive burdensome use of existing streets, transportation facilities, utilities, or schools;

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, and 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;

It is Staff's opinion that the applicant's rezoning proposal is in conformity with the *Cobb County Comprehensive Plan*, which delineates this property as being within the Medium Density Residential (MDR) future land use category. The purpose of the Medium Density Residential (MDR) category is to provide for areas that are suitable for moderate density housing between two and one-half (2.5) and five (5) dwelling units per acre. The proposed density is 2.8 units per acre.

STAFF ANALYSIS (Continued)

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 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 property is surrounded with single-family subdivisions with lower densities. The proposal should be consistent with adjoining properties in order to preserve the character of the area.

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.

Planning Commission Decision

NO. OPPOSED: _____ APPROVED _____ DENIED _____ DELETED TO _____

NO. IN SUPPORT _____ MOTION BY: _____ SECONDED: _____ VOTE: _____

Names of those Opposed:

Comments:

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Stipulation letter from _____ dated _____
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Board of Commissioners Decision

NO. OPPOSED: _____ APPROVED _____ DENIED _____ DELETED TO _____

NO. IN SUPPORT _____ MOTION BY: _____ SECONDED: _____ VOTE: _____

Names of those Opposed:

Comments:

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