



Cobb County Community Development Agency  
Zoning Division

1150 Powder Springs St. Marietta, Georgia 30064

Case # Z-56  
Public Hearing Dates:  
PC: 09-04-18  
BOC: 09-18-18

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**SITE BACKGROUND**

Applicant: Wright-Oakdale, LLC

Phone: (404) 303-5959

Email: pchase@ihprop.com

Representative Contact: J. Kevin Moore

Phone: (770) 429-1499

Email: jkm@mijis.com

Titleholder: Wright-Oakdale, LLC

Property Location: Southwest intersection of  
Oakdale Road and Wright Road

Address: 2092 Wright Road and 4734 Oakdale  
Road

Access to Property: Oakdale Road

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**QUICK FACTS**

Commission District: 2-Ott

Current Zoning: GC (General Commercial) and R-20  
(Single-family Residential)

Current use of property: Duplexes and single-family  
house

Proposed zoning: RM-8 (Multi-family Residential)

Proposed use: Townhouses

Future Land Use Designation: Neighborhood  
Activity Center (NAC)

Site Acreage: 1.055 ac

District: 17

Land Lot: 691, 750

Parcel #: 17069100170 and 17069100190

Taxes Paid: Yes

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

Based on the analysis of this case, Staff recommends **DENIAL**.

**Z-56  
(2018)**

<p><b>PLANNERS AND ENGINEERS COLLABORATIVE</b> SPECIALTY ARCHITECTURE &amp; CIVIL ENGINEERING 350 BRANCH COURT, W. PLAZA, COVINGTON, GEORGIA 30029 PHONE: 404-292-4151 FAX: 404-292-1938</p>	<p><b>REVISION</b></p> <table border="1"> <tr><th>NO.</th><th>DATE</th><th>DESCRIPTION</th></tr> <tr><td> </td><td> </td><td> </td></tr> <tr><td> </td><td> </td><td> </td></tr> <tr><td> </td><td> </td><td> </td></tr> </table>	NO.	DATE	DESCRIPTION										<p><b>ZONING</b> <b>SITE PLAN</b></p> <p>SCALE: 1" = 30' DATE: JULY 26, 2018 PROJECT: 16392.00</p> <p>NO. 300 ZONING BOARD</p> <p>FOR THE BOARD OF ZONING ADJUSTMENTS CITY OF ATLANTA</p> <p>APPROVED: _____ SEAL: [Professional Seal] DATE: _____</p>	<p><b>4</b></p> <p>24 HOUR CONTACT: CINDY CHASE 404-592-4151</p>
NO.	DATE	DESCRIPTION													



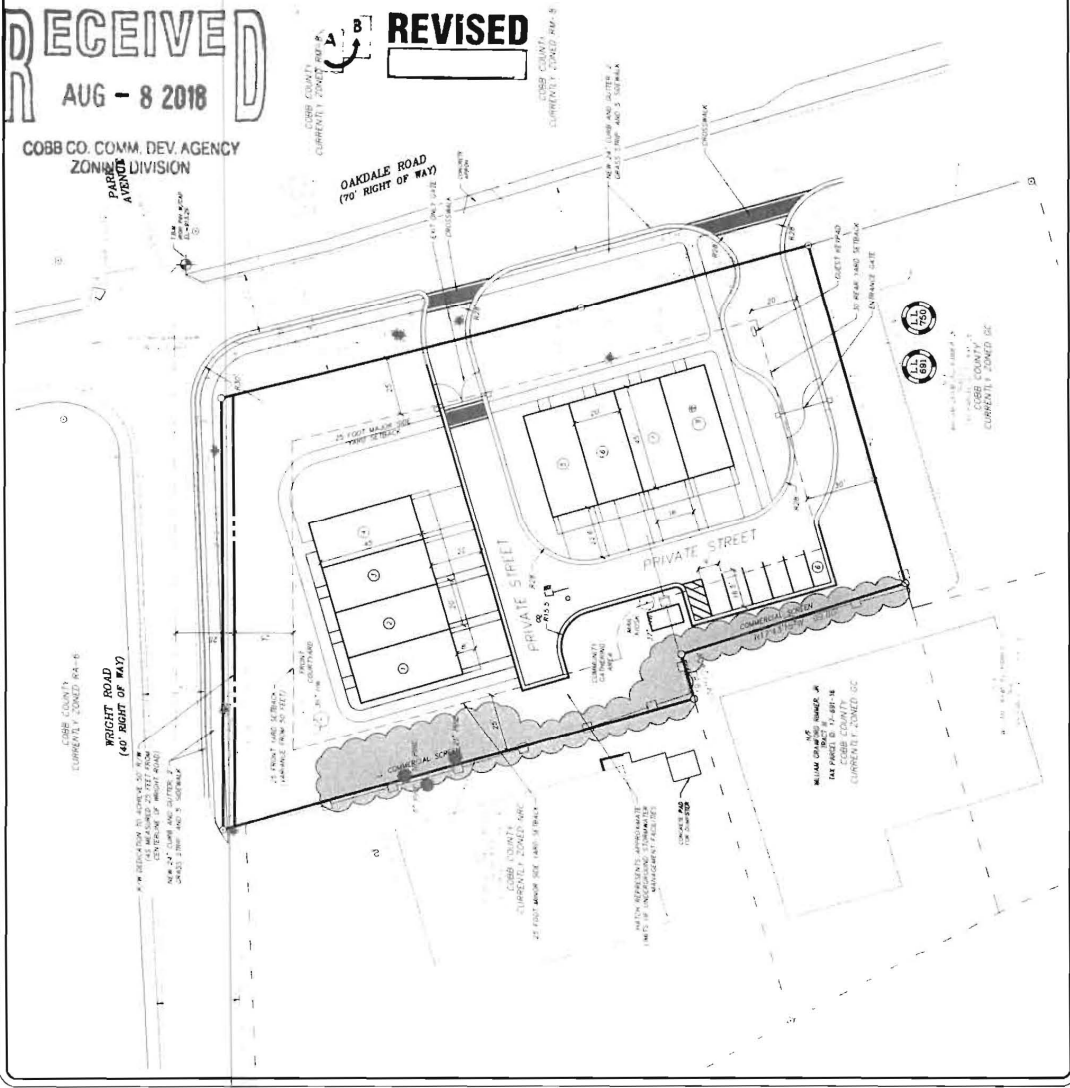
ITEM	DESCRIPTION	AMOUNT
1	CONTRACT ADMINISTRATION	1500.00
2	PERMITS	2000.00
3	UTILITY ASSESSMENT	500.00
4	AS-BUILT SURVEY	1000.00
5	AS-BUILT PHOTOGRAPHIC SURVEY	1000.00
6	UTILITY LOCATIONS	1000.00
7	AS-BUILT SURVEY	1000.00
8	AS-BUILT PHOTOGRAPHIC SURVEY	1000.00
9	UTILITY LOCATIONS	1000.00
10	AS-BUILT SURVEY	1000.00
11	AS-BUILT PHOTOGRAPHIC SURVEY	1000.00
12	UTILITY LOCATIONS	1000.00
13	AS-BUILT SURVEY	1000.00
14	AS-BUILT PHOTOGRAPHIC SURVEY	1000.00
15	UTILITY LOCATIONS	1000.00

**VARIANCES REQUESTED**

1. VARIANCE: MINIMUM TRACT SIZE OF 16000 SF FOR 100% SUBDIVISION.
2. REDUCTION OF FRONT SETBACK ALONG PRIVATE STREET FROM 25 FEET TO 20 FEET.

**RECEIVED**  
AUG - 8 2018  
COBB CO. COMM. DEV. AGENCY  
ZONING DIVISION

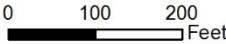
**REVISED**





# Z-56 2018-Aerial Map



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



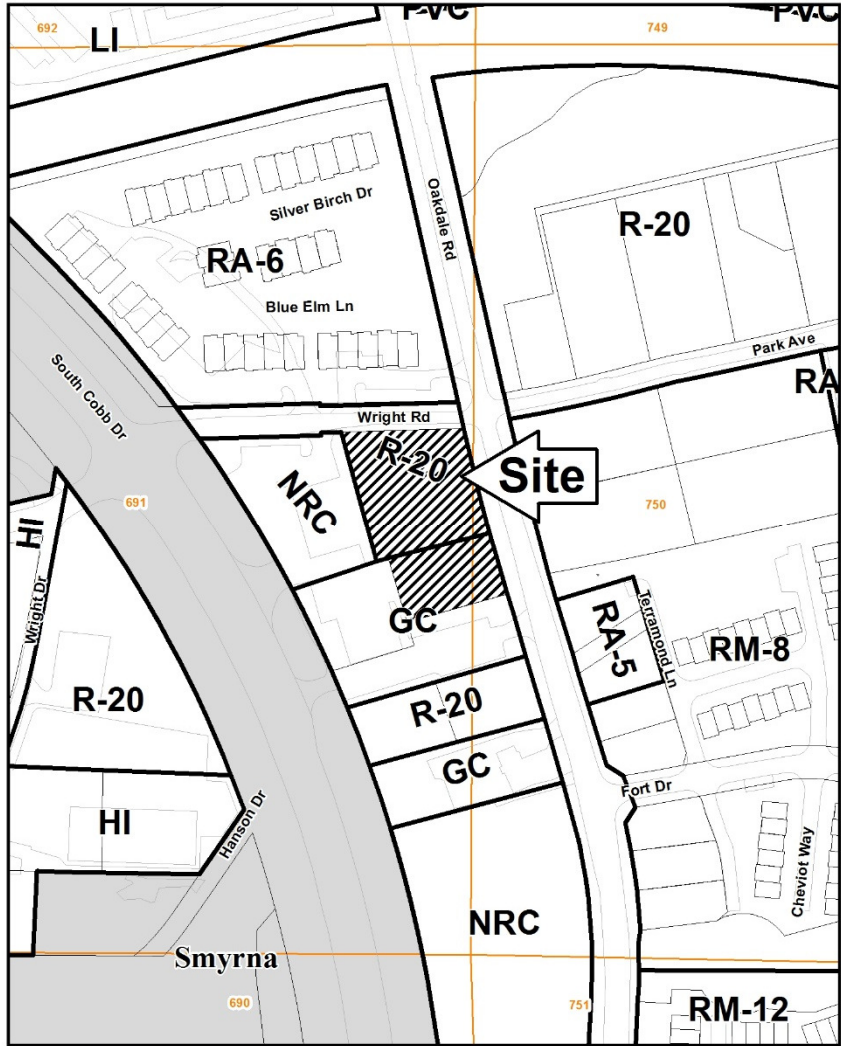
-  Zoning Boundary
-  City Boundary



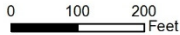
North

**Zoning:** RA-6 (Single-family Residential)  
**Future Land Use:** MDR (Medium Density Residential)

**Z-56 2018-GIS**



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Zoning Boundary  
 City Boundary

WEST

**Zoning:** NRC  
 (Neighborhood Retail Commercial)

**Future Land Use:** NAC  
 (Neighborhood Activity Center)

EAST

**Zoning:** RM-8  
 (Multi-family Residential)

**Future Land Use:** MDR  
 (Medium Density Residential)

SOUTH

**Zoning:** GC (General Commercial)  
**Future Land Use:** NAC (Neighborhood Activity Center)

## **DEPARTMENT COMMENTS- Zoning Division**

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### **Current zoning district for the property**

The GC district is established to provide locations for retail commercial and service uses which are oriented toward automotive businesses, are land intensive with a need for major road access and visibility, are generally not listed as a permitted uses within the NRC (neighborhood retail commercial) and CRC (community retail commercial) districts or may have existing stipulations and conditions that limit certain intensive uses and are located in areas delineated within a community activity center and regional activity center as defined and shown on the Cobb County Comprehensive Plan: A Policy Guide, adopted November 27, 1990. Any existing GC district, developed or undeveloped, located within an area delineated within an industrial-compatible area or industrial area as shown on the comprehensive plan, shall be deemed to be a grandfathered, nonconforming use after January 1, 1991, and subject to those provisions contained in this chapter.

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**

The 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**

The applicant is requesting the RM-8 zoning district for the purpose of developing an eight-unit townhouse subdivision. Traditional architecture will be used for the development and the proposed size of the units will be 2,000 square feet. In addition, the proposed site plan indicates private streets.

## **DEPARTMENT COMMENTS- Zoning Division (continued)**

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### **Residential criteria**

Allowable units as zoned: 1 (on the R-20 parcel)  
Proposed # of units: 8  
Net density: 7.33 units per acre  
Increase of units: 7  
Acres of floodplain/wetlands: 0  
Impervious surface shown: 43.9%

### **Are there any zoning variances?**

Yes, the proposed plan will require the following contemporaneous variances:

1. Waive the minimum tract size from the required two acres to 1.055 acres;
2. Waive the front setback from the required 50 feet to 25 feet;
3. Waive the major side setback from the required 35 feet to 25 feet;
4. Waive the rear setback from the required 40 feet to 30 feet; and
5. Waive the side setback from the required 35 feet to 25 feet.

## **DEPARTMENT COMMENTS- Fire Department**

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

The 3-point turnaround, as shown on the presented plan dated 06/06/18, is not dimensionally acceptable. The short side of the turnaround must be increased for compliance.

Guest Parking shall comply with Section 401.8.2 of the Cobb County Development Standards. For compliance, the guest parking must be increased to a ratio of 1 space per unit.

## **DEPARTMENT COMMENTS- Site Plan Review (County Arborist)**

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No comment.

## **DEPARTMENT COMMENTS- Cemetery Preservation**

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No comment.

**DEPARTMENT COMMENTS- School System**

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<b>School</b>	<b>Student Capacity</b>	<b>Student Enrollment</b>	<b>Capacity Status</b>
<b>Nickajack Elem.</b>	937	1123	186 over capacity
<b>Campbell Middle</b>	1350	1500	150 over capacity
<b>Campbell High</b>	2637	2854	217 over capacity

<b>COMMENTS</b>
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Approval will cause concern for CCSD, as it will result in an impact on the enrollment for schools already over capacity.

Note: Campbell MS and Campbell HS will be relieved of overcrowding by SPLOST V.

## **DEPARTMENT COMMENTS- Stormwater Management**

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1. Flood hazard: No
2. Flood hazard zone: Zone X
3. Drainage Basin: Unnamed Tributary to Chattahoochee River
4. Wetlands: No
5. Streambank buffer zone: No
6. Potential or known drainage problems exist for developments downstream from this site.
7. Stormwater discharges must be controlled not to exceed the existing capacity of the downstream storm drainage system.
8. Minimize the effect of concentrated stormwater discharges onto adjacent properties.
9. Stormwater discharges through an established residential neighborhood downstream.
10. Project engineer must evaluate the impact of increased volume of runoff generated by the proposed project on existing downstream drainage system(s).
11. Special site conditions and/or additional comments:
  - Stormwater management for this site will be provided by an underground facility.
  - All stormwater management infrastructure will be maintained by a mandatory HOA.



## DEPARTMENT COMMENTS- Planning Division

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**Cobb 2040 Comprehensive Plan:** The parcel is within the Neighborhood Activity Center (NAC) future land use category. The purpose of the NAC category is to provide for areas that serve neighborhood residents and businesses. Typical land uses for these areas include small offices, limited retail, and grocery stores.

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

Smyrna

Was the city notified?  Yes  No  N/A

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 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)*

*(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- Economic Development Division at 770-528-2018 or find information online at [www.cobbcounty.org/econdev](http://www.cobbcounty.org/econdev).**

(Planning comments continued on the next page)

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

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**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

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**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 Noise Zone?  Yes  No

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

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**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

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### Water comments:

Available at development:  YES  NO

Fire flow test required:  YES  NO

Size and location of existing water main(s): 8" in Oakdale Road

Additional water comments:

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.

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### Sewer comments:

In the drainage basin:  YES  NO

At development:  YES  NO

Approximate distance to nearest sewer: 270' west in Wright Road

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

Treatment plant: South Cobb

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

Additional sewer comments:

\*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.

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 onsite and/or offsite easements, and dedication of onsite 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.

**DEPARTMENT COMMENTS- Transportation****REVISED 7-16-18**

Roadway	Roadway classification	Speed limit (MPH)	Jurisdictional control	Min. R.O.W. requirements
Oakdale Road	Local	35	Cobb County	50'
Wright Road	Local	25	Cobb County	50'

Roadway	Location	Average daily trips	Level of service
Oakdale Road	South of Wright Road	2,170	N/A
Wright Road	N/A	N/A	N/A

*Based on 2016 AADT counting data taken by GDOT, as published on their website, for Oakdale 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**

Oakdale Road 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.

Wright Road 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**

1. Recommend applicant be required to meet all Cobb County Development Standards and Ordinances related to project improvements.
2. Recommend curb, gutter, and sidewalk along the Oakdale Road frontage.
3. Recommend curb and gutter along both sides and sidewalk along one side of proposed development roadway. Sidewalk located behind the townhomes with a connection to Oakdale Road sidewalk may be considered as an alternate, subject to Cobb DOT approval at plan review.
4. Recommend private streets be constructed to the Cobb County Standard Specifications.
5. Recommend gated entry be set back a minimum of 50' from the right-of-way and meet Cobb County Development Standards.

STAFF ANALYSIS

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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;**

It is Staff's opinion that the applicant's request will permit a use that is suitable in view of the use and development of adjacent and nearby property. Staff believes the applicant's proposal for a townhouse development is consistent with uses in the area.

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

It is Staff's opinion that the proposed development will not have an adverse effect on the existing use or usability of adjacent properties. The proposed residential development will impose landscape buffers on future development of the abutting commercial properties.

**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 proposal will not result in a use which will or could cause an excessive burdensome use of existing streets, or transportation facilities. The Cobb County School District has concerns that the development will impact the enrollment for schools already over capacity.

**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 *Cobb County Comprehensive Plan*, which delineates this property as being within the Neighborhood Activity Center (NAC) future land use category. The requested RM-8 zoning district is meant for properties delineated for Medium Density Residential (MDR) and High Density Residential (HDR) land use categories.



STAFF ANALYSIS (Continued)

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**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 supporting grounds for disapproval of the zoning proposal. The requested RM-8 zoning district is not supported by the NAC future land use designation.

**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.**

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JUN 07 2018

Application No. Z- 56 (2018)

Hearing Dates: PC - 09/04/2018  
BOC - 09/18/2018

COBB CO. COMM. DEV. AGENCY  
ZONING DIVISION

## Summary of Intent for Rezoning\*

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

- a) Proposed unit square-footage(s): 2,000 square feet
- b) Proposed building architecture: Traditional
- c) List all requested variances: (1) Waiver of front setback along Wright Road from 50 feet to 25 feet; and (2) Waiver of minimum tract size for RM-8 zoning classification

.....  
**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)**

.....  
**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: \_\_\_\_\_

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**Names of those Opposed:**

**Comments:**

_____	_____
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Stipulation letter from \_\_\_\_\_ dated \_\_\_\_\_  
Stipulation letter from \_\_\_\_\_ dated \_\_\_\_\_  
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: \_\_\_\_\_

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**Names of those Opposed:**

**Comments:**

_____	_____
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Stipulation letter from \_\_\_\_\_ dated \_\_\_\_\_  
Stipulation letter from \_\_\_\_\_ dated \_\_\_\_\_  
Stipulation letter from \_\_\_\_\_ dated \_\_\_\_\_