

APPLICANT: Traton Homes, LLC	PETITION NO: Z-89
PHONE#: 770-427-9064 EMAIL: clif@tratonhomes.com	HEARING DATE (PC):10-04-16
REPRESENTATIVE: J. Kevin Moore	HEARING DATE (BOC): 10-18-16
PHONE#: 770-429-1499 EMAIL: jkm@mijs.com	PRESENT ZONING: R-20
TITLEHOLDER: Donald I. Adams	
	PROPOSED ZONING: RM-8
PROPERTY LOCATION: Located on the south side of Belmont	Ave,
on the north side of Pierce Ave, on the east side of Reed Street, and	on PROPOSED USE: Attached and detached
the west side of Davis Drive	residential
ACCESS TO PROPERTY: Belmont Ave, Pierce Ave, Davis Drive	e SIZE OF TRACT: acres
	DISTRICT: 17
PHYSICAL CHARACTERISTICS TO SITE: Single-family hou	ise LAND LOT(S): 562
with accessory buildings	PARCEL(S): 18
	TAXES: PAID X DUE
	COMMISSION DISTRICT: 2
CONTIGUOUS ZONING/DEVELOPMENT	
NORTH: City of Smyrna/Residential	Adjacent Future Land Use:
	North: City of Smyrna

OPPOSITION: NO. OPPOSED____PETITION NO:_____SPOKESMAN _____

PLANNING COMMISSION RECOMMENDATION

R-20/Henry Adams Subdivision

R-20/Single-family Houses

R-20/Single-family Houses

APPROVED____MOTION BY____ REJECTED___SECONDED____

HELD____CARRIED____

BOARD OF COMMISSIONERS DECISION

APPROVED____MOTION BY____ REJECTED___SECONDED____ HELD___CARRIED____

STIPULATIONS:

SOUTH:

EAST:

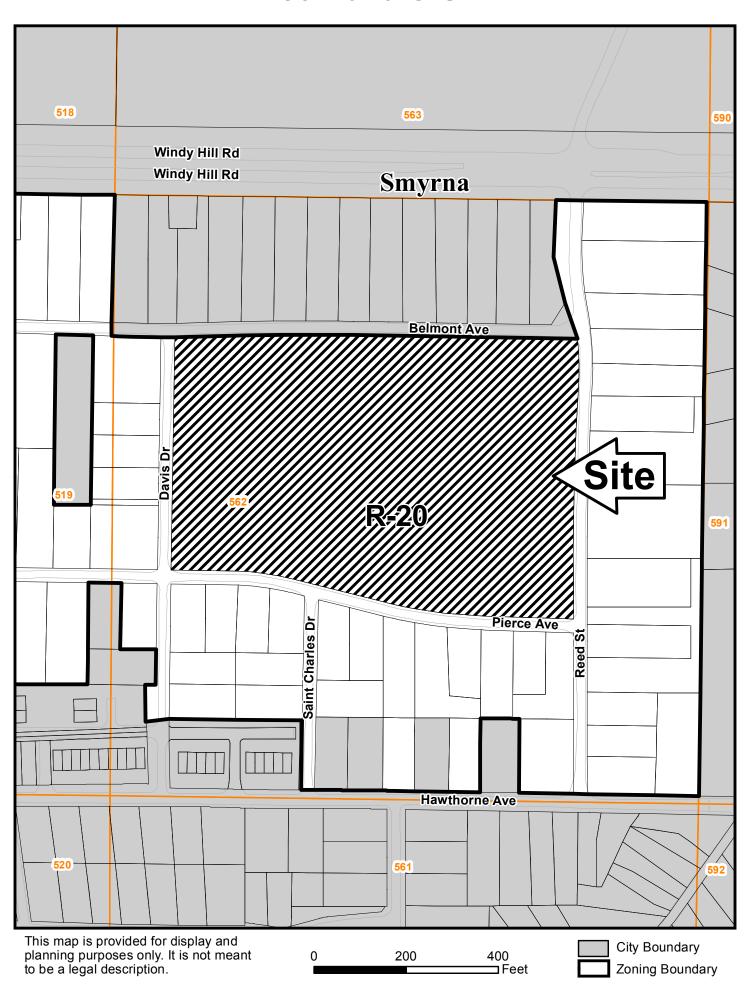
WEST:



East: Low Density Residential (LDR) South: Low Density Residential (LDR)

West: Low Density Residential (LDR)

Z-89-2016 GIS



APPLICANT: Iraton Homes, LLC	PETITION NO	.: <u>Z-89</u>
PRESENT ZONING: R-20	PETITION FO	R: RM-8
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ZONING COMMENTS: Staff Member	er Responsible: Jason A. Campbell	
Land Use Plan Recommendation: Low D	Density Residential (1-2.5 units per ac	re)
Proposed Number of Units: 84	Overall Density: 7.90	Units/Acre
Staff estimate for allowable # of units: 18 *Estimate could be higher or lower based on engineered patural features such as creeks, wetlands, etc., and other units.	plans taking into account topography, shape	Units/Lots of property, utilities, roadway

Applicant is requesting the RM-8 zoning district for the purpose of developing an 84-unit, attached and detached, single-family subdivision. The proposed development includes 60 attached townhome units and 24 single-family detached lots. The homes will be traditional and Craftsman. The townhouses will range in size from 1,800 square feet to 2,400 square feet and the detached houses will range in size from 2,600 to 3,400 square feet. The prices for the townhomes will range from the low to mid \$300,000s and the detached houses will range from the low to mid \$400,000s.

The applicant is requesting the following contemporaneous variances:

- 1. Waiver of the required minimum lot size for the detached single-family lots from the required 7,000 square feet to 2,800 square feet;
- 2. Minimum lot width at front setback to be 40 feet instead of the required 70 feet for the single-family detached lots;
- 3. Minimum separation between dwellings to be 10 feet for the single-family detached lots;
- 4. Waiver of the required front setback from 40 feet for a local street to 10 feet for the single-family detached lots;
- 5. Waiver of the required rear setback from 30 feet to 10 feet for the single-family detached units;
- 6. Waiver of the required major side setback from the required 20 feet to 10 feet for the single-family detached units; and
- 7. Waiver of the required side setbacks from 10 feet to zero feet, with a minimum of 10 feet between structures for the single-family detached units;
- 8. Waiver of the front, rear, and major side setbacks to 10 feet for the attached townhome units;
- 9. Waiver of the minor side setbacks to zero feet for the attached townhome units, with a minimum of 15 feet between structures;
- 10. Allowance of on-street parallel parking within the right-of-way of proposed new public street;
- 11. Allowing private alleyways with 20-foot access easement with 16-foot pavement width;
- 12. Allowing private local streets with 24-foot access easement with 20-foot pavement width; and
- 13. Sidewalks as shown on the submitted site plan.

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PRESENT ZONING: R-20	PETITION FOR:	RM-8
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<u>Cemetery Preservation</u> : There is no significant impact on Cemetery Preservation Commission's Inventory Listing which	<u> </u>	•
cometery rieservation commissions inventory bisting wind	in is foculed in this, or adju	com rama rot.
FIRE COMMENTS:		

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).

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SCHOOL COMMENTS:

			Number of
		Capacity	Portable
Name of School	Enrollment	Status	Classrooms
Smyrna Elem	953	919	
Elementary Campbell Middle	1437	1203	
Middle Campbell High	2669	2637	

High

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

Additional Comments:

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

APPLICANT: <u>Traton Homes, LLC</u> PRESENT ZONING: R-20	PETITION NO.: Z-89 PETITION FOR: RM-8

PLANNING COMMENTS:	
The applicant is requesting a rezoning from R-20 to RM-8 for residential. The 10.900 acre site is located on the south side of Avenue, on the east side of Reed Street, and on the west side of Reed Street.	f Belmont Avenue, on the north side of Pierce
HB-489 Intergovernmental Agreement Zoning Amendment Notice Is the application site within one half (1/2) mile of a city bour If yes, has the city of Smyrna been notified?	
Comprehensive Plan The parcel is within a Low Density Residential (LDR) future designation. The purpose of the Low Density Residential (LD suitable for low density housing between one (1) and two and category presents a range of densities.	OR) category is to provide for areas that are
Specific Area Policy Guidelines: There are no specific policy guidelines for this area in the Cor	mprehensive Plan.
Adjacent Future Land Use: North: City of Smyrna East: Low Density Residential (LDR) South: Low Density Residential (LDR) West: Low Density Residential (LDR)	
Master Plan/Corridor Study The property is not located within the boundary of a Plan or Corridor Study	Corridor Study
Historic Preservation After consulting various county historic resources surveys, his trench location maps, staff finds that no known significant lapplication. No further comment. No action by applicant requirements.	nistoric resources appear to be affected by this
Design Guidelines Is the parcel in an area with Design Guidelines? ☐ Yes If yes, design guidelines area Does the current site plan comply with the design requiremen	■ No ts?
Incentive Zones Is the property within an Opportunity Zone? ☐ Yes The Opportunity Zone is an incentive that provides \$3,500 tag jobs are being created. This incentive is available for new or e	
Is the property within an Enterprise Zone? ■ Yes The Smyrna-Osborne Enterprise Zone is an incentive that pro incentives for qualifying businesses locating or expanding wit investments.	

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PLANNING COMMENTS:	CONT.			
Is the property eligible for incentives through the Commercial Program? ☐ Yes ■ No The Commercial and Industrial Property Rehabilitation Prograd valorem property taxes for qualifying redevelopment in eligible.	am is an incentive that provides a reduction in			
For more information on incentives, please call the Communi 770.528.2018 or find information online at http://economic.co				
Special Districts Is this property within the Cumberland Special District #1 (ho ☐ Yes ■ No	otel/motel fee)?			
Is this property within the Cumberland Special District #2 (ad ☐ Yes ■ No	valorem tax)?			
Is this property within the Six Flags Special Service District? \square Yes \blacksquare No				
Is the property within the Dobbins Airfield Safety Zone? ■ Yes □ No If so, which particular safety zone is this property within?				
☐ CZ (Clear Zone) ☐ APZ I (Accident Potential Zone II)	one I)			
■ Bird / Wildlife Air Strike Hazard (BASH) area				

PRESENT ZONING R-20				PE	ΓΙΤΙΟΝ FOR <u>RM-8</u>
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WATER COMMENTS: NOTE: Comments re	flect on	aly what facilities w	vere i	in exi	stence at the time of this review.
Available at Development:		Yes			No
Fire Flow Test Required:		Yes			No
Size / Location of Existing Water Main(s): Av	ailable	e from Smyrna W	ater	& Se	ewer
Additional Comments: Contact Smyrna Water	& Sev	ver for information	on		
Developer may be required to install/upgrade water mains, based o Review Process.	n fire flo	w test results or Fire Do	epartm	ent Co	de. This will be resolved in the Plan
**********	* * * *	* * * * * * * * *	* * *	* * :	* * * * * * * * * * * * * *
SEWER COMMENTS: NOTE: Comments	reflect	only what facilitie	es wer	re in e	existence at the time of this review.
In Drainage Basin:		Yes			No
At Development:		Yes			No
Approximate Distance to Nearest Sewer: Av	vailabl	e from Smyrna W	Vater	& S	ewer
Estimated Waste Generation (in G.P.D.): A	DF=	13,440		P	Peak= 33,600
Treatment Plant:		Sutton			
Plant Capacity:	✓	Available		Not	Available
Line Capacity:		Available		Not	Available
Proiected Plant Availability:	✓	0 - 5 years		5 - 1	0 years
Dry Sewers Required:		Yes		No	
Off-site Easements Required:		Yes*		No	*If off-site easements are required, Developments submit easements to CCWS for
Flow Test Required:		Yes		No	review/approval as to form and stipulations prior to the execution of easements by the
Letter of Allocation issued:		Yes		No	property owners. All easement acquisitions are the responsibility of the Developer
Septic Tank Recommended by this Departmen	t: 🗆	Yes		No	
Subject to Health Department Approval:		Yes		No	
Additional Contact Smyrna Water & Sewe	r for ir	nformation			

PETITION NO. Z-089

APPLICANT Traton Homes, LLC

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.

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STORMWATER MANAGEMENT COMMEN	VTS
FLOOD HAZARD: YES NO POSSIE	BLY, NOT VERIFIED
DRAINAGE BASIN: Poorhouse Creek ☐ FEMA Designated 100 year Floodplain Flood. ☐ Flood Damage Prevention Ordinance DESIGNATE ☐ Project subject to the Cobb County Flood Damage ☐ Dam Breach zone from (upstream) (onsite) lake - n	Prevention Ordinance Requirements.
<u>WETLANDS:</u> ⊠ YES □ NO □ POSSIBLY,	NOT VERIFIED
Location: <u>identified on site plan</u>	
☐ The Owner/Developer is responsible for obtaining Corps of Engineer.	g any required wetland permits from the U.S. Army
STREAMBANK BUFFER ZONE: X YES X	O POSSIBLY, NOT VERIFIED
 Metropolitan River Protection Area (within 20 undisturbed buffer each side of waterway). Chattahoochee River Corridor Tributary Area - Corridor Georgia Erosion-Sediment Control Law and Count Georgia DNR Variance may be required to work in County Buffer Ordinance: 50', 75', 100' or 200' ea 	y Ordinance - County Review /State Review. 25 foot streambank buffers.
DOWNSTREAM CONDITIONS	
 ✓ Potential or Known drainage problems exist for dev ✓ Stormwater discharges must be controlled not to exdrainage system. ✓ Minimize runoff into public roads. 	•
☐ Minimize the effect of concentrated stormwater dis☐ Developer must secure any R.O.W required to	charges onto adjacent properties. receive concentrated discharges where none exist
naturally Existing Lake Downstream Additional BMP's for erosion sediment controls wi	ll be required.
 ☐ Lake Study needed to document sediment levels. ☐ Stormwater discharges through an established residence of the project engineer must evaluate the impact of incomproject on existing Belmont Avenue drainage systems. 	reased volume of runoff generated by the proposed

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STORMWATER MANAGEMENT COMMENTS - C	Continued
SPECIAL SITE CONDITIONS	
 □ Provide comprehensive hydrology/stormwater controls to in □ Submit all proposed site improvements to Plan Review. □ Any spring activity uncovered must be addressed by a qual □ Structural fill must be placed under the direction of a qualification. 	ified geotechnical engineer (PE).
 (PE). Existing facility. Project must comply with the Water Quality requiremer County Water Quality Ordinance. 	nts of the CWA-NPDES-NPS Permit and
Water Quality/Quantity contributions of the existing lake/p conditions into proposed project.	pond on site must be continued as baseline
Calculate and provide % impervious of project site.Revisit design; reduce pavement area to reduce runoff and p	pollution.
INSUFFICIENT INFORMATION	
 No Stormwater controls shown Copy of survey is not current − Additional comments may be are exposed. No site improvements showing on exhibit. 	be forthcoming when current site conditions

ADDITIONAL COMMENTS

- 1. This site is located to the south of Windy Hill Road and is bounded on all four sides by the public rights-of-way of Belmont Avenue, Reed Street, Pierce Avenue and Davis Drive. The entire site drains to the existing 1.9 acre lake located at the northwest corner of the parcel. The existing lake spillway discharges to the existing drainage system within the right-of-way of Belmont Avenue. The site is predominately open pasture with average slopes ranging from 5 to 20%.
- 2. As indicated on the proposed site plan several minor stream buffer encroachments will require a buffer variance utilizing code allowed buffer averaging.
- 3. The existing outlet control spillway must be brought up to current county standards and modified to provide stormwater management for the development. The lake footprint currently extends outside the property boundary into the County R/W. The lake edge must be moved/relocated outside the R/W.

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TRANSPORTATION COMMENTS:

ROADWAY	AVERAGE DAILY TRIPS	ROADWAY CLASSIFICATION	SPEED LIMIT	JURISDICTIONAL CONTROL	MIN. R.O.W. REQUIREMENTS
Belmont Avenue	N/A	Local	25 mph	Cobb County	50'
Reed Street	N/A	Local	25 mph	Cobb County	50'
Pierce Avenue	N/A	Local	25 mph	Cobb County	50'
Davis Drive	N/A	Local	25 mph	Cobb County	50'

COMMENTS AND OBSERVATIONS

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

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

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

Davis Drive 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 and gutter along both sides and sidewalk along one side of proposed development roadway.

Recommend curb, gutter, and sidewalk along the frontage of Belmont Avenue, Reed Street, Pierce Avenue, and Davis Drive.

Recommend guest parking to be located outside of the right-of-way.

Recommend through street be a minimum of 250 feet from the intersection, as measured between the centerlines of the roadway.

Recommend private streets be constructed to the Cobb County Standard Specifications.

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Recommend remedial measures be taken to $\,$ remove portion of lake that encroaches upon right-of-way and to provide a $\,$ minimum shoulder width of $\,$ 10'.

Recommend guardrail be installed along Belmont Avenue as a safety precaution. Length and type to be determined during plan review.

REVISED 9-12-16

STAFF RECOMMENDATIONS

Z-89 TRATON HOMES, 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. Neighboring Cobb County developments include R-20 single-family detached homes on half-acre lots.
- 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. Neighboring Cobb County properties consist of single-family detached homes fronting on local public streets.
- C. It is Staff's opinion that the applicant's rezoning proposal will 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 within the Low Density Residential (LDR) land use category having densities ranging from 1-2.5 units per acre. Applicant's proposal is for a density of 7.90 units per acre. Nearby Hawthorne Village in Smyrna is developed for detached single-family lots with approximate density of 1.95 units per acre and an older adjacent subdivision in Cobb County, Henry Adams Subdivision to the south, is zoned R-20 with an approximate density of 2.95 units per acre.
- 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 applicant's proposal is not consistent with the surrounding Cobb County developments and the proposed density of 7.90 units per acre far exceeds the limit of the LDR range of 1-2.5 units per acre.

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.

Summary of Intent for Rezoning

Part 1.	Reside	ential Rezoning Information (attach additional information if needed) Townhomes - 1,800 - 2,400 square feet		
	a)	Proposed unit square-footage(s): Homes - 1,800 - 2,400 square feet Homes - 2,600 - 3,400 square feet		
	b)	Proposed building architecture: Traditional and Craftsman		
	c)	Proposed selling prices(s): Townhomes - low to mid-\$300s; Homes - low to	mid \$400s	
	d)	List all requested variances:		
		the state of the s		
		79 1 AUS - 4 2016 EV		
	• • • • • •			
Part 2.	Non-r	esidential Rezoning Information (attach additional information if needed)		
	a)	Proposed use(s): Not Applicable.		
	b)	Proposed building architecture:		
	c)	Proposed hours/days of operation:		
	d)	List all requested variances:		
	_			
Part	3. Oth	ner Pertinent Information (List or attach additional information if needed)		
•••••	* * * * * * *			
Part 4		y of the property included on the proposed site plan owned by the Local, State, or Federal Gover		
	(Please list all Right-of-Ways, Government owned lots, County owned parcels and/or remnants, etc., and			
	plat c	clearly showing where these properties are located). None known at this time.		
			1	

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

ATTACHMENT TO SUMMARY OF INTENT FOR REZONING

Application No.: Hearing Dates:

Z-______(2016)

October 4, 2016 October 18, 2016

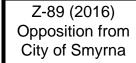
Applicant:

Traton Homes, LLC Donald I. Adams

Titleholder:

Part 1. Residential Rezoning Information

- (d) Listing of requested variances:
 - Sec. 134-204 (11)
 - o Proposed single-family dwelling units/detached residences:
 - Minimum lot size: 2800 SF
 - Minimum lot width at front setback line: 40'
 - Minimum separation between dwellings: 10'
 - Front, rear, and major side setbacks: 10'
 - Minor side setbacks: 0', but with a minimum of 10' between structures
 - Sec. 134-204 (4)
 - o Proposed townhomes/attached residences:
 - Front, rear, and major side setbacks: 10'
 - Minor side setbacks: 0', but with a minimum of 15' between structures
 - Sec. 134-272
 - o On-street parallel parking within the right-of-way of proposed new public street.
 - Sec. 110-89
 - o Private alleyways: 20' access easement with 16' pavement width
 - o Private local streets: 24' access easement with 20' pavement width
 - Sec. 106-96 (4)
 - Sidewalks as shown and reflected on the Site Plan submitted with the Application for Rezoning;
 or any revised, proposed Site Plan





City of Smyrna

3180 Atlanta Road

Smyrna, Georgia 30080

(678) 431-5387 / Community Development

August 19, 2016

Mr. David Hankerson, County Administrator Cobb County 100 Cherokee Street Marietta, GA 30060

RE: Petition Z-89 (2016)

Dear Mr. Hankerson:



Reference is made to the rezoning application currently pending for the above referenced case. After a review of the rezoning proposal and the City's Zoning Map and Future Land Use Plan, the City of Smyrna is **not supportive** of the proposed rezoning.

Petition Z-89 is a request to rezone 10.63 acres at 1435 Pierce Avenue from R-20 to RM-8. If approved, the rezoning would result in the development of an 84-lot subdivision (24 detached single-family homes and 60 townhomes) at a density of 7.9 units per acre. Cobb County's Future Land Use Map designates the subject parcel and adjacent parcels as Low Density Residential, which calls for densities ranging between one (1) and two and one-half (2.5) units per acre. According to the County's Comprehensive Plan, the zoning proposal should be classified under the High Density Residential land use category, which allows densities ranging between five (5) and twelve (12) units per acre. The city believes the zoning proposal is too intense for this specific area and is in direct conflict with both the City and County's Future Land Use Plans, as well as the County's RM-8 zoning district. Under the purpose and intent section of the RM-8 zoning district it states the following:

"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..."

In addition to the density concerns, the city has concerns over the requested variances and the impacts on the character of the surrounding single-family neighborhood. The applicant is requesting variances related to lot size, lot widths, setbacks, building separations, private street and alley widths and stream buffers. These variances relate directly to both neighborhood character and density.



Z-89 (2016) Opposition from City of Smyrna

City of Smyrna

3180 Atlanta Road

Smyrna, Georgia 30080

(678) 431-5387 / Community Development

The City of Smyrna welcomes the opportunity to discuss the proposed rezoning and the City's concerns further. Please feel free to contact the City's Community Development Department if you have any questions.

Sincerely,

Ken Suddreth

Community Development Director

Cc: Max Bacon, Mayor, City of Smyrna

Michael Jones, City Administrator

Terri Graham, City Clerk

Dana Johnson, Community Development Director

Jason Gaines, Planning Division Manager

Mr. Jay Northrup, Cobb County Intergovernmental Coordinator