



Cobb County Community Development Agency
Zoning Division

1150 Powder Springs St. Marietta, Georgia 30064

Case # Z-49

Public Hearing Dates:

PC: 08-07-18

BOC: 08-21-18

SITE BACKGROUND

Applicant: KO Management, Inc.

Phone: N/A

Email: N/A

Representative Contact: Parks F. Huff

Phone: (770) 422-7016

Email: phuff@slhb-law.com

Titleholder: KO Management, Inc.

Property Location: Northwest intersection of
Mableton Parkway and Wood Valley Road

Address: 5696, 5710, and 5726 Mableton
Parkway

Access to Property: Wood Valley Road

QUICK FACTS

Commission District: 4-Cupid

Current Zoning: NRC (Neighborhood Retail
Commercial)

Current use of property: Undeveloped

Proposed zoning: (RA-5) Single-family Residential

Proposed use: Residential Community

Future Land Use Designation: MDR (Medium
Density Residential)

Site Acreage: 2.11 ac

District: 17 and 18

Land Lot: 37 and 39

Parcel #: 17003700410, 18003900010, and
18003900020

Taxes Paid: Yes

FINAL ZONING STAFF RECOMMENDATION:

(Zoning staff member: Donald Wells)

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

Z-49
(2018)

Prepared By
CRESCENT VIEW
ENGINEERING, LLC
www.crescentview.com

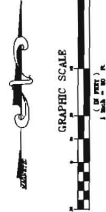
Prepared For
K.O. Development, LLC
11140 E. 17th
Atlanta, Georgia 30328

Zoning Plan

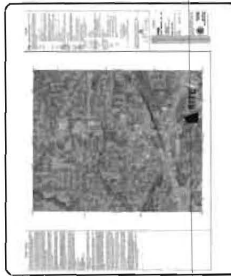


Zoning Plan For
5710 Mableton Pkwy
Cobb County, Georgia

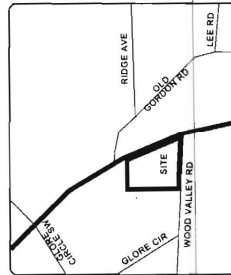
Sheet No.
Z-1



PROJECT CONTACT: KAREEM OKEREKE (404) 643-2637



FEMA Map
INSET



Location Map
INSET

Site Notes:

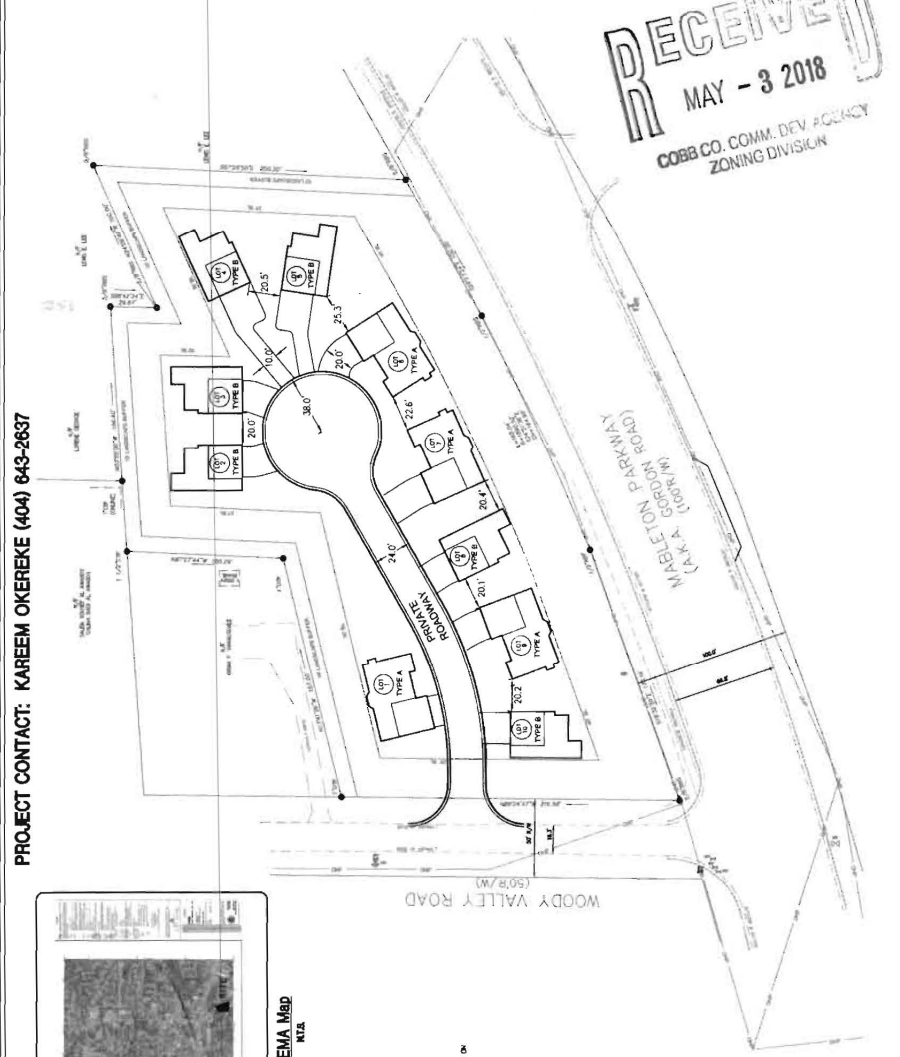
- THE SITE CONTAINS 2,107 SQUARE FEET OF LAND.
- THE SITE IS LOCATED WITHIN THE CORNER OF MABLETON PARKWAY AND WOOD VALLEY ROAD.
- THE NORTH ARROW AND SCALE ARE SHOWN ON THE PLAN.
- CONVEYANCE INFORMATION FROM PUBLIC RECORDS PROVIDED BY SUBJECT PLANS, INCLUDING DATED OCTOBER 21, 2006, REFLECTS A PARCEL IDENTIFICATION NUMBER OF 11140 E 17TH AVENUE, PARCEL 100 AS SHOWN ON THE 2006 PARCEL MAP.
- THE EXISTING WOOD VALLEY ROAD AND MABLETON PARKWAY ARE SHOWN ON THIS PLAN.
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Parking Requirements:

1. MINIMUM OF TWO PARKING SPACES PER DWELLING UNIT - SINGLE FAMILY DETACHED.

Zoning Requirements:

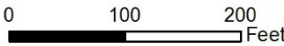
- PROPOSED ZONING: SM-3 SINGLE FAMILY ATTACHED/DETACHED RESIDENTIAL
- MINIMUM LOT SIZE: 7,000 SQUARE FEET - MINIMUM SIZE OF PRIVATE DEVELOPMENT IS 2,107 SQUARE FEET
- MINIMUM LOT WIDTH: 47.5 FEET
- MINIMUM SETBACKS: 10 FEET FOR THE CODE (20' MIN)
- MINIMUM FRONT YARD SETBACK: 20 FEET
- MINIMUM SIDE YARD SETBACK: 5 FEET
- MINIMUM REAR YARD SETBACK: 5 FEET
- MINIMUM FRONT SETBACK: 10 FEET
- MINIMUM SIDE SETBACK: 5 FEET
- MINIMUM REAR SETBACK: 5 FEET
- MINIMUM FRONT SETBACK: 10 FEET
- MINIMUM SIDE SETBACK: 5 FEET
- MINIMUM REAR SETBACK: 5 FEET
- MINIMUM FRONT SETBACK: 10 FEET
- MINIMUM SIDE SETBACK: 5 FEET
- MINIMUM REAR SETBACK: 5 FEET



Z-49 2018-Aerial Map



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

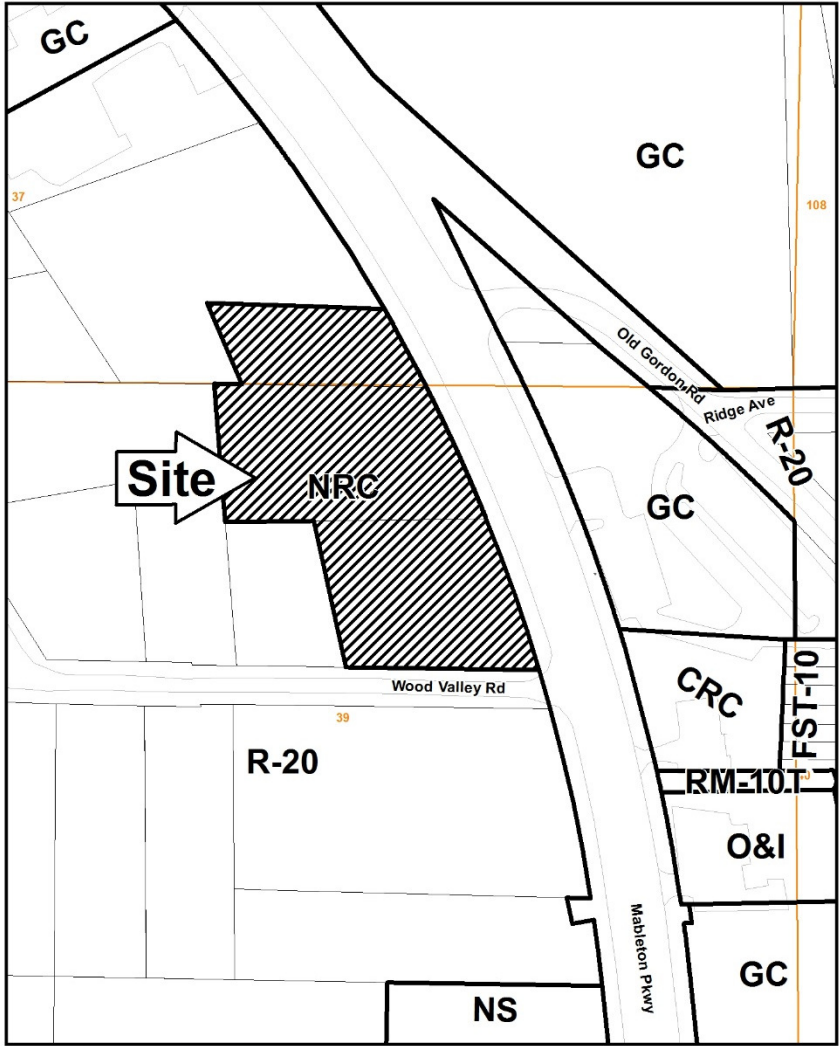


- Zoning Boundary
- City Boundary

North

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

Z-49 2018-GIS



WEST

Zoning: R-20
(Single Family Residential)

Future Land Use: LDR (Low Density Residential)

EAST

Zoning: GC
(General Commercial)

Future Land Use: NAC
(Neighborhood Activity Center)

SOUTH

Zoning: R-20 (Single Family Residential)
Future Land Use: NAC (Neighborhood Activity Center)

DEPARTMENT COMMENTS- Zoning Division

Current zoning district for the property

The NRC district is established to provide locations for convenience shopping facilities which are on properties delineated within a neighborhood activity center, community activity center or regional activity center as defined and shown on the Cobb County Comprehensive Plan: A Policy Guide, adopted November 27, 1990. These convenience shopping facilities should have retail commercial uses that have a neighborhood-oriented market and which supply necessities that usually require frequent purchasing with a minimum of consumer travel. Areas zoned for the NRC district should be located at or near an intersection within the center of a neighborhood activity center as opposed to the edge of a neighborhood activity center. The NRC district may also be used to provide step-down nodal zoning away from more intensive commercial uses within a community activity center or a regional activity center. The scope at which properties are developed within the NRC district should reflect their relatively small neighborhood service area. Additionally, properties developed within the NRC district should be architecturally compatible with other nonresidential uses permitted within a neighborhood activity center as defined by the comprehensive plan and the neighborhood residences they serve.

Requested zoning district for the property

The RA-5 district is established to provide locations for the development of affordable single-family detached or attached residential dwelling units, including the combination of duplexes, triplexes and quadraplexes. 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 any residential 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 RA-5 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 the zoning code

Summary of the applicant's proposal

The applicant is requesting the RA-5 zoning district to develop a detached single family subdivision. The subdivision will consist of 10 lots with a minimum house size of 1,800 square feet. All houses will be accessed via a private roadway off Wood Valley Road. Each house will have a two-car attached garage.

DEPARTMENT COMMENTS- Zoning Division (continued)

Residential criteria

Allowable units as zoned: N/A

Proposed # of units: 10

Net density: 4.75

Increase of units: 10

Acres of floodplain/wetlands: 0

Impervious surface shown: Less than code maximum of 40%.

Are there any zoning variances?

1. Waive requirement for houses to be placed on individual lots.
2. Waive minimum lot size per lot from 7,000 square feet to 0 square feet for the entire subdivision.

DEPARTMENT COMMENTS- Fire Department

1.) Improvements to Wood Valley Rd required to establish a minimum 20-ft driving surface

2.) Guest Parking shall be installed as follows:

- Where driveways to two car garages exceed 50 feet in length, no additional guest parking is required.
- Where driveways to two car garages are at least 22 feet long and 20 feet wide, additional parking shall be required at .5 spaces per dwelling unit.
- Where driveways to two car garages are less than 22 feet long and 20 feet wide, additional parking shall be required at 1 space per dwelling unit.
- Where only single car garages are provided, additional parking shall be required at 2 spaces per dwelling unit.
- Guest parking spaces must be evenly distributed throughout the project.

DEPARTMENT COMMENTS- Site Plan Review (County Arborist)

No comment.

DEPARTMENT COMMENTS- Cemetery Preservation

There is no significant impact on the cemetery site listed in the Cobb County Cemetery Commission's Inventory Listing which is in this, or adjacent land lot.

DEPARTMENT COMMENTS- School System

School	Student Capacity	Student Enrollment	Capacity Status
Mableton Elem	962	1023	61 over capacity
Garrett Middle	975	857	118 under capacity
Pebblebrook Hi	1862	2570	758 over capacity

COMMENTS

Approval of this petition will cause concern for CCSD, as it will result in an impact in the enrollment for schools already over capacity.

Note: Pebblebrook will receive relief from overcrowding with SPLOST Construction.

DEPARTMENT COMMENTS- Stormwater Management

1. Flood hazard: No
2. Flood hazard zone: Zone X
3. Drainage Basin: Tributary to Clay Branch
4. Wetlands: No
5. Streambank buffer zone: No
6. Potential or known drainage problems exist for developments downstream from this site. There is limited existing downstream system capacity as well as a clogged crossdrain at Glore Circle.
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. Developer must secure drainage easement(s) to receive concentrated discharges where none naturally exist.
10. Stormwater discharges through an established residential neighborhood downstream.
11. Special site conditions and/or additional comments:
 - This project is proposed to be private, therefore all stormwater infrastructure will be privately maintained by the mandatory HOA.

DEPARTMENT COMMENTS- Planning Division

Cobb 2040 Comprehensive Plan: The parcel is within the Medium Density Residential (MDR) future land use category. 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 N/A

Specific Area Policy Guidelines: Yes No

Masterplan/ Corridor Study Yes No

Design guidelines area? Yes No

If yes, design guidelines area: Mableton Parkway Design Guidelines

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)

(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.

(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 Noise Zone? 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" in Wood Valley 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.

Sewer comments:

In the drainage basin: YES NO

At development: YES NO

Approximate distance to nearest sewer: in Wood Valley Rd ROW

Estimated waste generation (in G.P.D.): Average daily flow = 1,600; Peak flow = 4,000

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

Roadway	Roadway classification	Speed limit (MPH)	Jurisdictional control	Min. R.O.W. requirements
Mableton Parkway	Arterial	45	Georgia DOT	100'
Wood Valley Road	Local	25	Cobb County	50'

Roadway	Location	Average daily trips	Level of service
Mableton Parkway	North of Wood Valley Road	27,600	D
Wood Valley Road	N/A	N/A	N/A

Based on 2016 AADT counting data taken by GDOT, as published on their website, for Mableton Parkway.

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

Mableton Parkway 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.

Wood Valley 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.

Cobb DOT has a future project for a 10 ft trail along the frontage of Mableton Parkway from Veterans Memorial Highway to Factory Shoals Road. Recommend applicant contribute additional right-of-way for the construction of this trail.

Recommendations

1. Recommend applicant be required to meet all Cobb County Development Standards and Ordinances related to project improvements.
2. Recommend sidewalk, curb, and gutter along the frontage of Wood Valley Road.
3. Recommend curb and gutter along both sides and sidewalk along one side of proposed development roadway.
4. Recommend entrance to be a minimum of 125 ft from the intersection of Mableton Parkway.
5. Recommend driveways for Lots 1 & 10 be a minimum of 50 ft tangent from the intersection of Woody Valley Road.

DEPARTMENT COMMENTS- Transportation (Continued)

6. Recommend applicant coordinate with Cobb DOT for the 10 ft trail project along Mableton Parkway (project limits are from Veterans Memorial to Factory Shoals). Recommend applicant contribute additional right-of-way that may be needed for the construction of the trail.
7. Recommend the private road be constructed to Cobb DOT Standards.
8. Recommend GDOT permits for any work in the State Right-of-Way.

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;

It is Staff's opinion that the applicant's rezoning proposal will permit a use that is suitable in view of the use and development of adjacent and nearby properties. The applicant's proposal is in an area that contains a variety of land uses including single-family residential, cluster residential, retail, institutional, and offices.

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 proposal will not have an adverse effect on the usability of adjacent or nearby property. The applicant's proposal should provide a reasonable transition in zoning intensity.

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 that would cause an excessive or burdensome use of existing streets, transportation facilities, utilities, or schools.

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 policy and intent of the Cobb County Comprehensive Plan, which delineates this property as being in the Medium Density Residential (MDR) future land use category. The MDR category provides for areas that are suitable for moderate density housing between 2.5 to 5 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 grounds for denying the applicant's rezoning proposal. The proposed density of 4.75 units per acre is within the MDR range of 2.5 to 5 units per acre; however, this proposal has several variances, which, if approved, would not meet the purpose or intent of the RA-5 zoning district. Substantial revisions to the site plan could be made to conform with the RA-5 zoning district.

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.

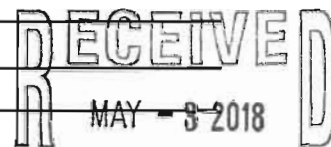
Application No. Z-49

Aug. 2018

Summary of Intent for Rezoning

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

- a) Proposed unit square-footage(s): 1,800 square feet
b) Proposed building architecture: To be determined
c) List all requested variances: None known at this time



COBB CO. COMM. DEV. AGENCY
ZONING DIVISION

.....
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)

.....
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

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 _____
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:
_____	_____
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Stipulation letter from _____ dated _____
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