



Cobb County Community Development Agency
Zoning Division

1150 Powder Springs St. Marietta, Georgia 30064

Case # Z-78

Public Hearing Dates:

PC: 12-04-18

BOC: 12-18-18

SITE BACKGROUND

Applicant: David Hammontree

Phone: (404) 604-7445

Email: DavidHammontree@outlook.com

Representative Contact: David Hammontree

Phone: (404) 604-7445

Email: DavidHammontree@outlook.com

Titleholder: David Hammontree

Property Location: East side of Sandtown Road,
south of Windy Hill Road

Address: 2441 Sandtown Road

Access to Property: Sandtown Road

QUICK FACTS

Commission District: 4-Cupid

Current Zoning: RA-5 (Single-family Residential)

Current use of property: Undeveloped

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

Proposed use: Quadraplex

Future Land Use Designation: NAC (Neighborhood
Activity Center)

Site Acreage: 2.078 ac

District: 17

Land Lot: 202

Parcel #: 17020200650

Taxes Paid: Yes

FINAL ZONING STAFF RECOMMENDATION:
(Zoning staff member: Terry Martin, MPA)

Based on the analysis of this case, Staff recommends **APPROVAL** subject to the following:

1. Site plan received by the Zoning Division September 6, 2018, with the District Commissioner approving minor modifications;
2. Landscape plan incorporating buffer requirements as well as frontage landscaping along Sandtown Road to be approved by the District Commissioner;
3. Building elevations including colors and materials to be approved by the District Commissioner;
4. Fire Department comments and recommendations;

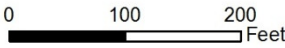
FINAL ZONING STAFF RECOMMENDATION (CONTINUED):



5. Water and Sewer Division comments and recommendations;
6. Stormwater Management Division comments and recommendations; and
7. Department of Transportation comments and recommendations.

Z-78 2018-Aerial Map



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

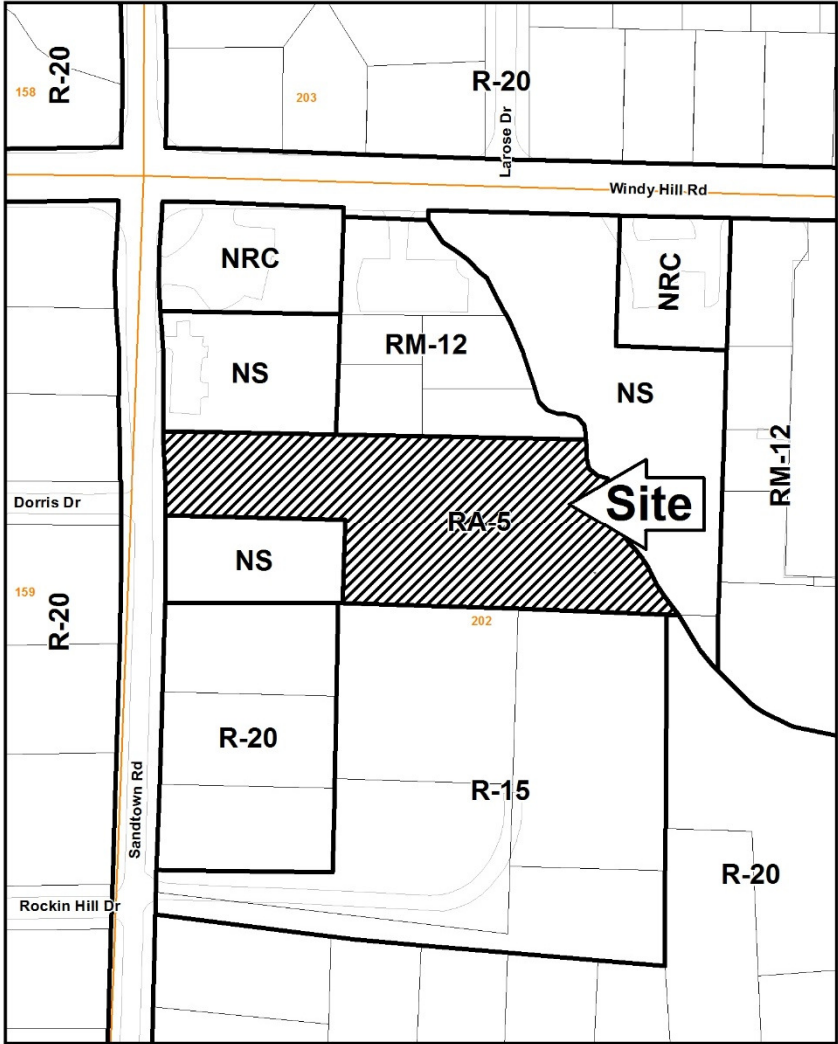


-  Zoning Boundary
-  City Boundary

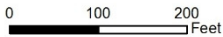
North

Zoning: RM-12 (Multiple-family Residential); NS (Neighborhood Shopping)
Future Land Use: NAC (Neighborhood Activity Center)

Z-78 2018-GIS



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



Zoning Boundary
 City Boundary

WEST

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

EAST

Zoning: NS (Neighborhood Shopping)
Future Land Use: NAC (Neighborhood Activity Center)

SOUTH

Zoning: R-15 (Single-family Residential)
Future Land Use: LDR (Low Density Residential)

DEPARTMENT COMMENTS- Zoning Division

Current 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 this chapter.

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 this chapter.

Summary of the applicant's proposal

The property was zoned to the current RA-5 district by Z-65 of 2005, which allowed for a total of five (5) single-family lots. It is the desire of the applicant to rezone the property in order to remove the previous conditions so a single quadruplex can be built. The proposed units will range in size from 950 square feet up to 1,200 square feet. The proposed building will have exteriors of stucco, brick, and siding to be compatible with surrounding neighborhood architecture.

Residential criteria

Allowable units as zoned: 5

Proposed # of units: 4

Net density: 4.80 outside floodplain

Decrease of units: 1

DEPARTMENT COMMENTS- Zoning Division (continued)

Acres of floodplain/wetlands: 1.244 acres
Impervious surface shown: 5%

Are there any zoning variances?

No.

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.

Add fire hydrant within 500 feet of building

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 Preservation Commission's Inventory Listing which located in this, or adjacent land lot.

DEPARTMENT COMMENTS- School System

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

DEPARTMENT COMMENTS- Stormwater Management

1. Flood hazard: Yes
2. Flood hazard zone: Zone X
3. Drainage Basin: Nickajack Creek
4. FEMA Designated 100-year Floodplain Flood.
5. Wetlands: No
6. Streambank buffer zone: Yes
7. County Buffer Ordinance: 50' each side of creek channel.
8. Stormwater discharges must be controlled not to exceed the existing capacity of the downstream receiving stream.
9. Minimize the effect of concentrated stormwater discharges onto adjacent properties.
10. Stormwater discharges through an established residential neighborhood downstream.
11. Project engineer must evaluate the impact of increased volume of runoff generated by the proposed project on existing downstream drainage system(s).
12. Special site conditions and/or additional comments:
 - Stormwater management will be provided in an above ground pond located just east of the proposed parking area.

DEPARTMENT COMMENTS- Planning Division

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

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 Smyrna-Osborne 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 the Façade Improvement Program? Yes No

(The Façade Improvement Program is an incentive for owners and tenants to enhance the appearance of buildings. The CDBG program provides the funding. Properties must be either on the current inventory of redevelopment sites or in a corridor study area, and be in a census tract with at least 51% low and moderate income. The program serves to improve the economic viability of these areas.)

(Planning comments continued on the next page)

DEPARTMENT COMMENTS- Planning Division (Continued)

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- Economic Development 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

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): 10" in Sandtown 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: on site

Estimated waste generation (in G.P.D.): Average daily flow = 640

Peak flow = 1,600

Treatment plant: South Cobb WRF

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 is on-site along eastern boundary. Sewer is also in Sandtown Road ROW

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
Sandtown Road	Minor Collector	35	Cobb County	60'

Roadway	Location	Average daily trips	Level of service
Sandtown Road	North of Windy Hill Road	2,180	C

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

Sandtown Road is classified as a minor collector and according to the available information the existing right-of-way does not meet the minimum requirements for this classification.

Recommendations

1. 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 Sandtown Road, a minimum of 30' from the roadway centerline.
2. Recommend applicant be required to meet all Cobb County Development Standards and Ordinances related to project improvements.
3. Recommend the proposed driveway be a minimum of 20 ft wide to accommodate two-way traffic.

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;

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 properties to the north and east are used for commercial and multi-family residential uses.

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 applicant's rezoning proposal will not have an adverse effect on the usability of adjacent or nearby properties. The applicant's proposal could provide a suitable "step-down" in zoning intensity from the commercially zoned property to the single-family uses.

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 street, transportation facilities, or utilities. This opinion can be supported by the departmental 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 policy and intent of the *Cobb County Comprehensive Plan*, which delineates the property to be within a Neighborhood Activity Center (NAC). The *Plan* does allow for "higher density residential uses" to serve as a transitional use between higher intensity uses and adjacent residential uses within the NAC category. This text is found in the *Cobb County Comprehensive Plan*. Staff has generally recommended that residential transitional uses in NAC's be no more than five units per acre. County Staff believes that five units per acre is the most intense residential density acceptable to place at the end of an activity center, or adjacent to single-family homes. The proposed net density is 4.80 units per acre when subtracting the majority of the site's acreage, which lies within the floodplain.

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 approving the applicant's rezoning proposal. The applicant's proposal is consistent with the *Cobb County Comprehensive Plan*, which delineates this property to be within a Neighborhood Activity Center. The applicant's proposal could provide a reasonable transition in zoning intensity from the commercially zoned property to the residentially zoned property. The applicant's proposal would allow development of this property, which is affected by floodplain, in a way that remains consistent with County plans and will be least adverse to neighboring properties.

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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SEP 6 2018

Application No. 278

COBB CO. COMM. DEV. AGENCY
ZONING DIVISION

Dec. 2018

Summary of Intent for Rezoning

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

- A total of four units,*
- a) Proposed unit square-footage(s): 950 # to 1200 # per unit.
- b) Proposed building architecture: Stucco brick & siding
Congruent with neighborhood architecture.
- c) List all requested variances: None
- _____
- _____
- _____

.....
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: Handouts to be put in file
- _____
- _____
- _____

.....
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).

No

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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