



Cobb County Community Development Agency
Zoning Division

1150 Powder Springs St. Marietta, Georgia 30064

Case # Z-71
Public Hearing Dates:
PC: 12-3-19
BOC: 12-17-19

SITE BACKGROUND

Applicant: Traton Homes, LLC

Phone: 770-427-9064

Email: clif@tratonhomes.com

Representative Contact: J. Kevin Moore

Phone: 770-429-1499

Email: jkm@gmail.com

Titleholder: Luther Horace Wiggins, Jr.

Property location and address: Northwest side of Sandy Plains Road, west side of Ebenezer Road (2891 Ebenezer Road)

Access to Property: Ebenezer Road

QUICK FACTS

Commission District: 3-Birrell

Current Zoning: R-20 (Single-family Residential), and R-15 (Single-family Residential)

Current use of property: Single-family house

Proposed zoning: RSL (Residential Senior Living) Non-Supportive

Proposed use: Non-supportive Residential Senior Living Community

Future Land Use Designation: LDR (Low Density Residential)

Site Acreage: 9.45 ac

District: 16

Land Lot: 524 and 525

Parcel #: 16052400030

FINAL ZONING STAFF RECOMMENDATION:

(Zoning staff member: Donald Wells)

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

1. Revised site plan received by the Zoning Division on September 20, 2019, with District Commissioner approving the final site plan;
2. No variances to the code;
3. Landscape plan incorporating the 20-foot buffer along south property to be submitted for County Arborist review and District Commissioner approval;
4. Sewer and Water Division's comments and recommendations;
5. Stormwater Management Division's comments and recommendations; and
6. Department of Transportation's comments and recommendations.

Z-71
(2019)

Gaskins
ENGINEERING
CONSULTANTS
INC.

1000 Spring Street
Atlanta, Georgia 30309
Phone: (404) 525-1100
www.gaskins.com

2891 EBENEZER ROAD
SUBDIVISION
LAND LOTS 524 & 525, 16TH DISTRICT, 2ND SECTION,

NOT ISSUED FOR CONSTRUCTION

SCALE: 1" = 200'

DATE: 08/20/19

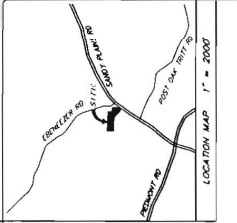
PROJECT: 2891 EBENEZER ROAD SUBDIVISION

DESIGNER: GASKINS ENGINEERING CONSULTANTS, INC.

CHECKED BY: [Signature]

SCALE: 1" = 200'

DATE: 08/20/19



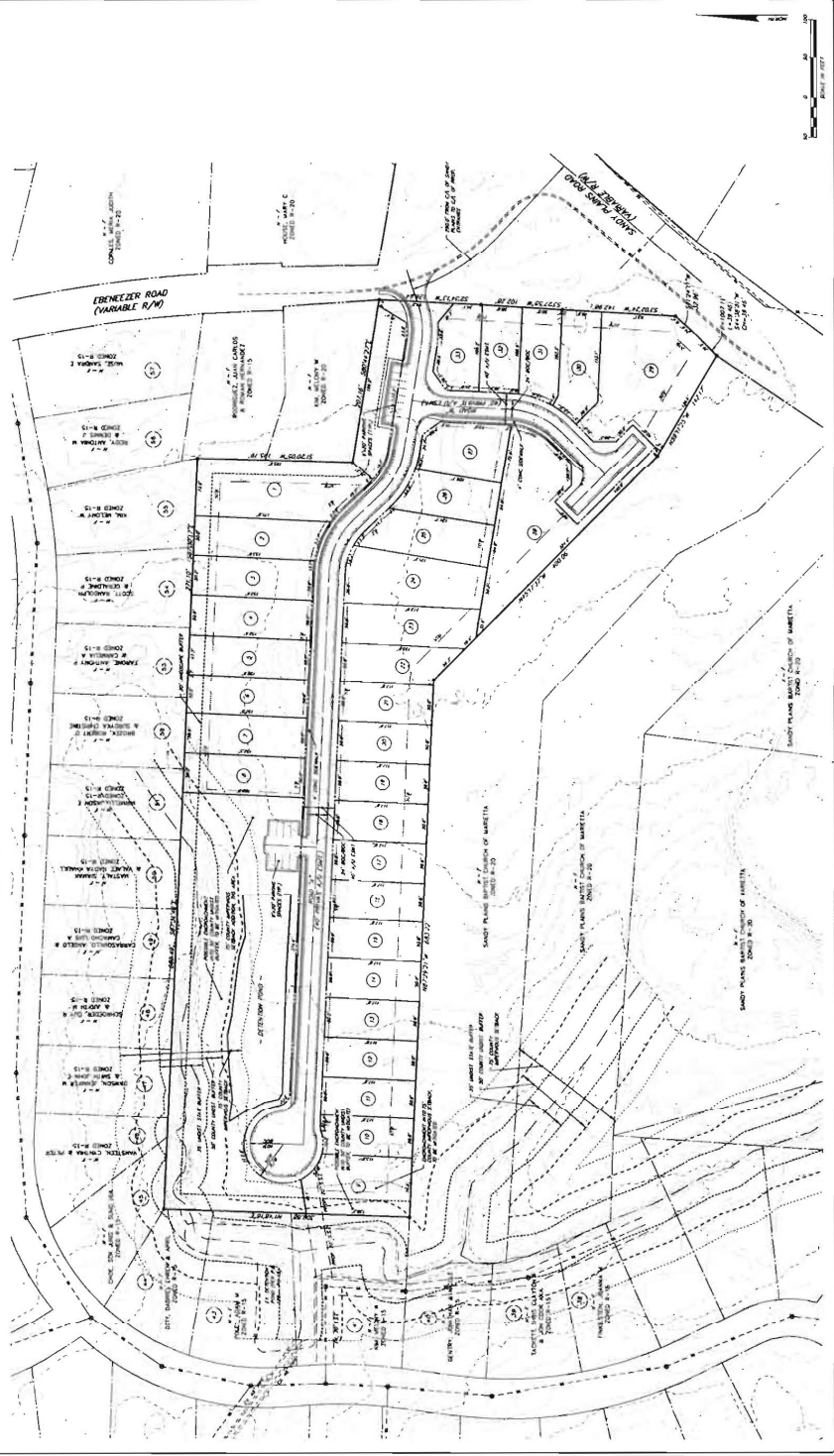
COMMENTS:

1. ALL LOTS ARE TO BE SUBDIVIDED INTO 16 LOTS.
2. THE TOTAL AREA OF THE SUBDIVISION IS 1.14 AC.
3. THE TOTAL AREA OF THE LOTS IS 1.14 AC.
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15. THE TOTAL AREA OF THE LOTS IS 1.14 AC.
16. THE TOTAL AREA OF THE LOTS IS 1.14 AC.

LOT	AREA (SQ FT)	AREA (AC)
1	1,140,000	26.1
2	1,140,000	26.1
3	1,140,000	26.1
4	1,140,000	26.1
5	1,140,000	26.1
6	1,140,000	26.1
7	1,140,000	26.1
8	1,140,000	26.1
9	1,140,000	26.1
10	1,140,000	26.1
11	1,140,000	26.1
12	1,140,000	26.1
13	1,140,000	26.1
14	1,140,000	26.1
15	1,140,000	26.1
16	1,140,000	26.1

RECEIVED
SEP 20 2019
COBB CO. COMM. DEV. AGENCY
ZONING DIVISION

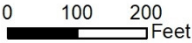
REVISED



Z-71 2019-Aerial Map



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

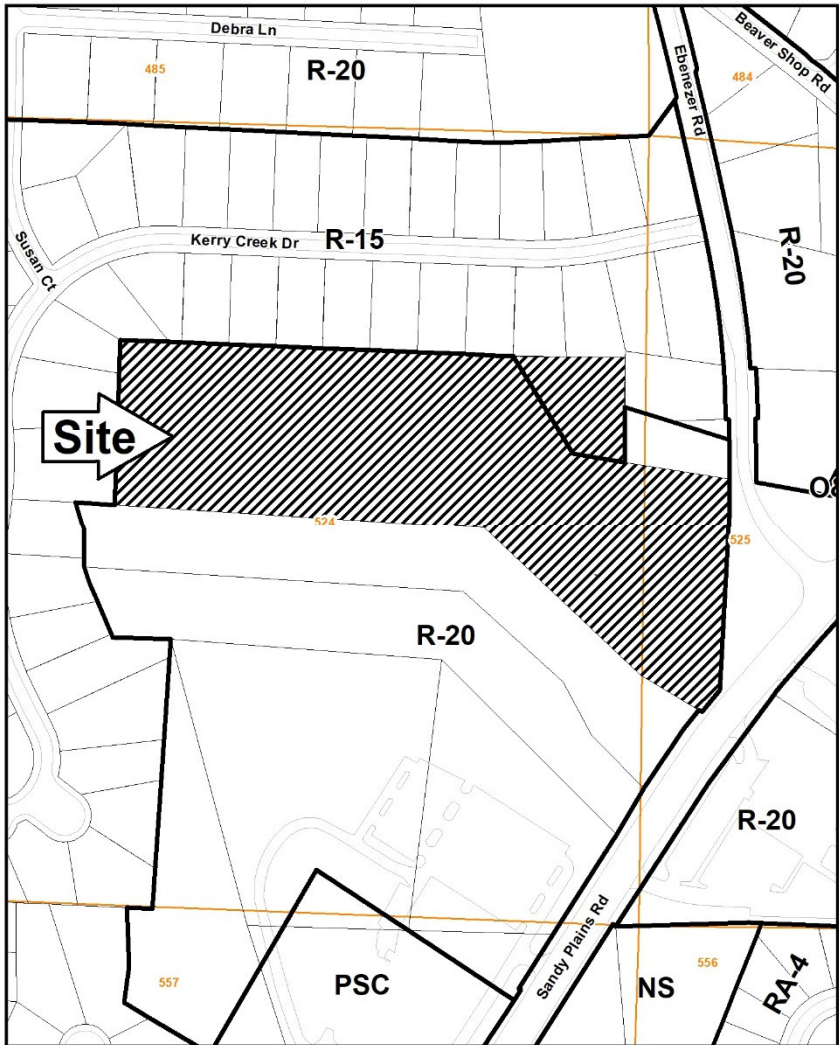


- Zoning Boundary
- City Boundary

North

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

Z-71 2019-GIS



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

0 100 200 Feet

Zoning Boundary
City Boundary

WEST

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

EAST

Zoning: R-20 (Single Family Residential)
Future Land Use: PI (Public Institutional)

SOUTH

Zoning: R-20 (Single Family Residential)
Future Land Use: PI (Public Institutional)

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

The R-15 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-15 district, they should be designed and built to ensure intensity and density compatibility with adjacent single-family detached dwellings

Requested zoning district for the property

The RSL district is established to provide locations for the development of appropriate housing for the population 55 and older. In order to ensure that older Cobb County residents can live in attached or detached dwelling units and/or multistage housing and care facilities appropriate to their specific needs, the following regulations are designed to facilitate development which addresses the decreasing mobility, changing health and distinct consumer preferences of the older adult market.

Summary of the applicant's proposal

The applicant is requesting the RSL non-supportive residential senior living zoning district to develop single family homes. The subdivision will be 33 units with a minimum house size of 1500 square feet. The houses will be traditional/craftsman in style and designed for persons' age 55 and older. The proposed development will not include or provide any type of supportive services such as transportation, medical care, food preparation and the like. However, these non-supportive facilities may plan social events or trips for their residents.

DEPARTMENT COMMENTS- Zoning Division (continued)

Residential criteria

Allowable units as zoned: 16

Proposed # of units: 33

Net density: 3.49

Increase of units: 17

Acres of floodplain/wetlands: 0

Impervious surface shown: 52% with a max lot coverage of 5000 square feet per lot.

Are there any zoning variances?

1. Reduce the distance between houses from 15 feet to 10 feet; and
2. Remove the 20 foot landscape screening buffer on the south property line adjacent to a more restrictive residential zoning district.

DEPARTMENT COMMENTS- Fire Department

No comments.

DEPARTMENT COMMENTS- Site Plan Review (County Arborist)

No comments.

DEPARTMENT COMMENTS- Cemetery Preservation

No comments.

DEPARTMENT COMMENTS- School System

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

DEPARTMENT COMMENTS- Stormwater Management

1. Flood hazard zone: Zone A
2. Drainage Basin: Little Noonday Creek
3. FEMA Designated 100-year Floodplain Flood.
4. Wetlands: No
5. Streambank buffer zone: Yes
6. County Buffer Ordinance: 50' each side of creek channel.
7. Potential or known drainage problems exist for developments downstream from this site.
8. Stormwater discharges must be controlled not to exceed the existing capacity of the downstream storm drainage system.
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). A storage routing through the existing Kerry Creek Subdivision detention pond located immediately downstream of the site will be required to verify no adverse impacts.
11. Special site conditions and/or additional comments:
 - A stream buffer variance will likely be required to accommodate the proposed site layout. There does appear to be adequate site area to provide for buffer averaging.
 - The proposed impervious coverage is a significant increase over the current underlying zoning category. To compensate, the First Flush Water Quality Best Management Practice Requirements must be elevated to the 1.5-inch rainfall event and each larger storm discharge controlled not to exceed the allowable discharge of the next lower, more frequent storm event (ie. 5-year storm event released at 2-year rate; 10-year event at 5-year rate; etc. to 100-year event at 50-year rate).

DEPARTMENT COMMENTS- Planning Division

Cobb 2040 Comprehensive Plan: The parcel is within the Low Density Residential (LDR) future land use category. The purpose of the LDR category is to provide for areas that are suitable for low-density housing between one (1) and two and one-half (2.5) dwelling units per acre, and for non-supportive senior living housing that in certain circumstances may reach five (5) dwelling units per acre. Allowable residential density is dependent upon factors such as product type and mix, structure/building height, tract size, topographic conditions and the like, in order to provide compatibility with adjacent residential uses.

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 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): 16" in Ebenezer 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: +/- 90 ft W w/easement

Estimated wastewater generation (in G.P.D.): Average = 5,280

Peak flow = 13,200

Treatment plant: Noonday 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

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
Sandy Plains Road	Arterial	45	Cobb County	100'
Ebenezer Road	Major Collector	35	Cobb County	80'

Roadway	Location	Average daily trips	Level of service
Sandy Plains Road	South of Davis Road	30,000	D
Ebenezer Road	south of Beaver Shop Road	9,400	D

Based on 2017 traffic counting data taken by Cobb County DOT for Sandy Plains Road.

Based on 2019 traffic counting data taken by Cobb County DOT for Ebenezer 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 county roads from this data source.

LOS C or D is acceptable based on GDOT Design Policy Manual criteria.

Comments and observations

Sandy Plains Road is classified as an arterial and according to the available information the existing right-of-way does not meet the minimum requirements for this classification.

Ebenezer Road is classified as a minor collector and according to the available information the existing right-of-way does meet the minimum requirements for this classification along this development frontage.

Recommendations

1. Recommend applicant be required to meet all Cobb County Development Standards and Ordinances related to project improvements.
2. 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 north side of Sandy Plains Road, a minimum of 50' from the roadway centerline.
3. Recommend no access easement to Sandy Plains Road.
4. As necessitated by this development, recommend Ebenezer Road access include taper or improved turn radius. Recommend location and design be determined during plan review.

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 proposed development may permit a use that is suitable in view of the use and development of adjacent and nearby property. This development is located in an area that has residential uses, institutional uses, and office 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 proposed development will not adversely affect the existing use or usability of adjacent or nearby property. The applicant's use would be complimentary to existing uses 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 may cause an excessive or burdensome use of existing streets, transportation facilities, and 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 this property as being in the Low Density Residential (LDR) future land use category. The purpose of the LDR category is to provide for areas that are suitable for low-density housing between one (1) and two and one-half (2.5) dwelling units per acre, and for non-supportive senior living housing that in certain circumstances may reach five (5) dwelling 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 approving the applicant's rezoning proposal with proper landscaping and buffering. Although this proposal is denser than Kerry Creek subdivision to the north, this proposal will provide a transition to the nonresidential uses that are adjacent and nearby.

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 _____
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 _____
Stipulation letter from _____ dated _____
Stipulation letter from _____ dated _____