



REZONING APPLICATION ANALYSIS

ZONING CASE #: Z2015-32

LEGISTAR: #20150814

LANDOWNERS: Alan Schlact
3300 Sulky Circle
Marietta, GA 30067

OWNER/APPLICANT: Kraft Mark Homes, LLLP

AGENT: Garvis L. Sams, Jr.
Sams, Larkin, Huff & Balli, LLP
376 Powder Springs Street
Suite 100
Marietta, GA 30064

PROPERTY ADDRESS: 770, 780, 786 & 790 Powers Ferry Road

PARCEL DESCRIPTION: 17 07960 0260
17 07960 0270
17 07960 0390
17 07960 0380

AREA: 3.17 acres **COUNCIL WARD:** 6A

EXISTING ZONING: R-20 (Single Family Residential) – County

REQUEST: R-4 (Single Family Residential – 4 units/acre) - City

**FUTURE LAND USE MAP
RECOMMENDATION:** LDR (Low Density Residential)

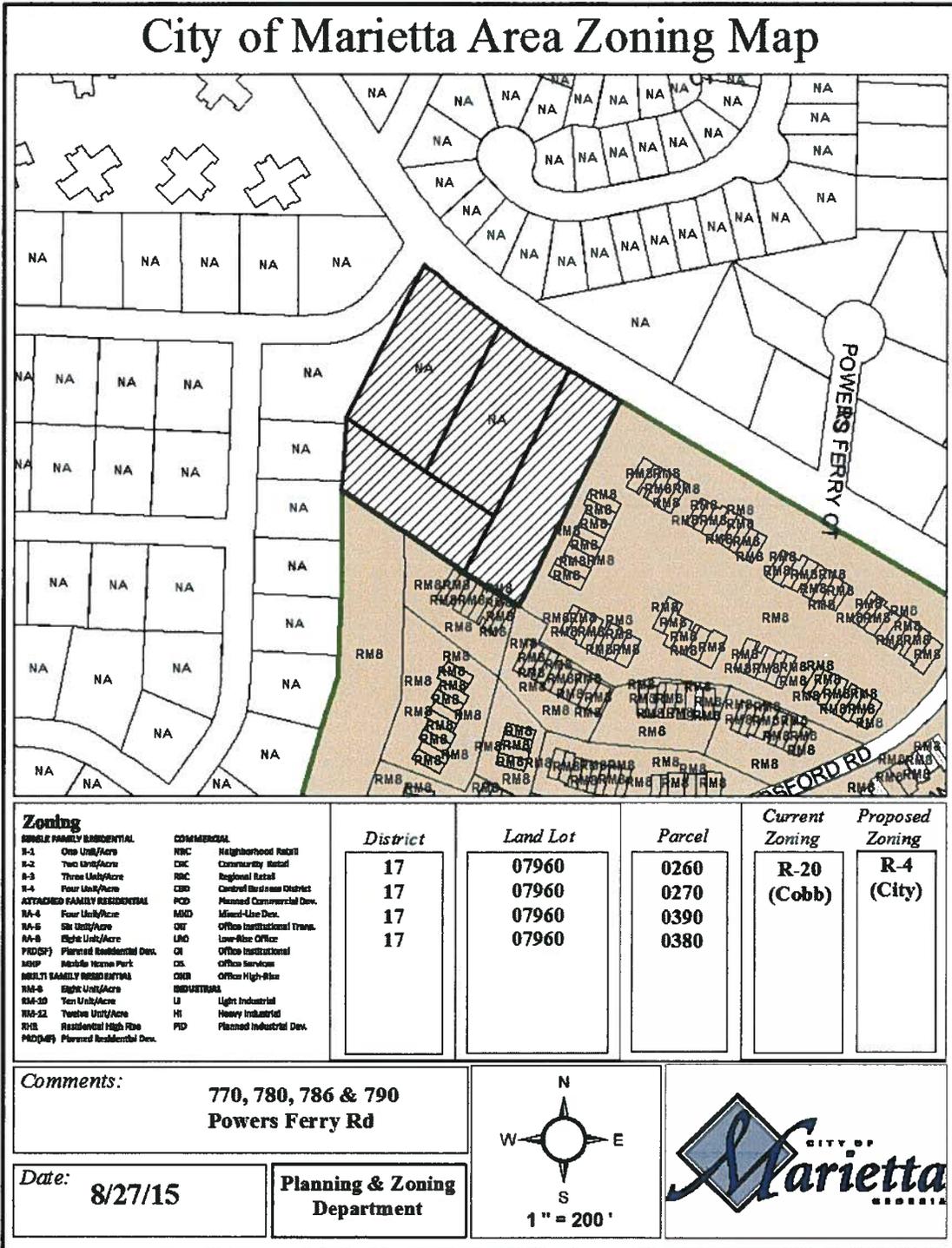
REASON FOR REQUEST: The applicant is requesting the annexation and rezoning of these properties in order to construct a new twelve (12) home subdivision.

PLANNING COMMISSION HEARING: Tuesday, October 6th, 2015 – 6:00 p.m.

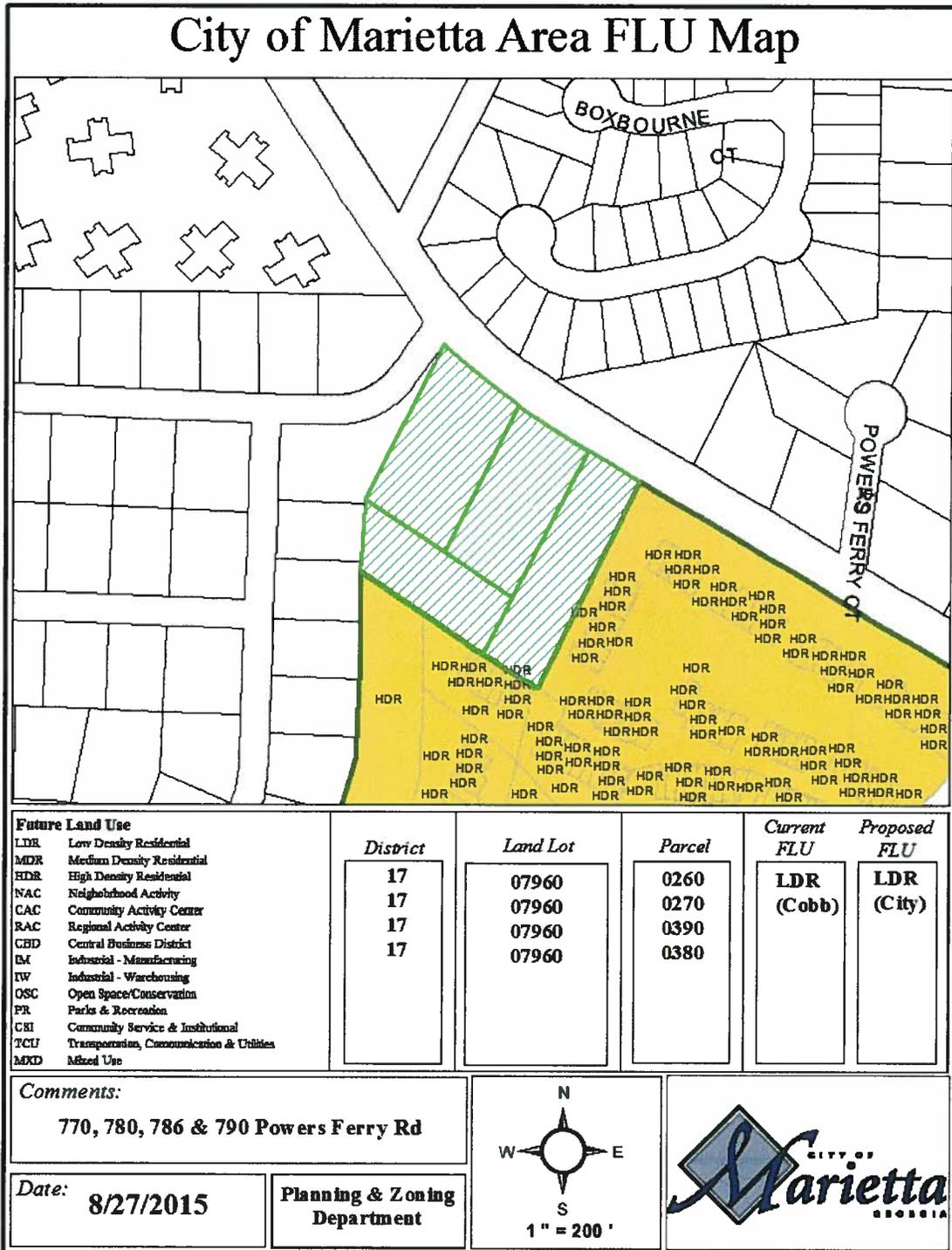
CITY COUNCIL HEARING: Wednesday, October 14th, 2015 – 7:00 p.m.

MAP

City of Marietta Area Zoning Map



FLU MAP



PICTURES OF PROPERTY



780 Powers Ferry Road



770 Powers Ferry Road

STAFF ANALYSIS

Location Compatibility

The applicant, Kraft Mark Homes, LLLP, purchased the subject property from the previous owner, Alan Schlact, in September 2015, and is requesting the annexation of 3.17 acres from Cobb County, zoned R-20, to R-4 (Single Family Residential – 4 units/acre) in the City of Marietta. The property is located on Powers Ferry Road near its intersection with Tuxedo Drive and Little Road. To the east and south side of the subject properties are condominiums zoned RM-8 (Multi Family Residential – 8 units / acre) and located in the city limits. West and north, across Powers Ferry Road, are single family detached homes zoned R-20 and RA-6 in Cobb County. Two of the four properties are undeveloped while the other two contain single family homes fronting on Powers Ferry Road.

Use Potential and Impacts

This development would be consistent with the development pattern of the surrounding area, which is already predominately medium density residential. The construction of twelve (12) lots on 3.17 acres translates to 3.78 units per acre, but this does not take into consideration the area proposed for the right of way dedication and stormwater management facility. As a result, the proposed lots are narrow and the applicant has requested the following variances from the following bulk and area regulations, should the annexation and rezoning be approved:

- Variance to reduce the minor side yard setback from ten (10) feet to seven and a half (7.5) feet. [§708.04 (H)]
- Variance to reduce the minimum lot width from 75 ft./60 ft. for a cul-de-sac to 45 ft./30 ft. for a cul-de-sac [§708.04 (H)]. City code defines lot width as “*the distance between the side lot line measured along the front building line of the lot as determined by the prescribed minimum front setback requirement.*”

The applicant has provided pictures of other homes constructed by the builder. However, the homes in the pictures appear much wider than the lots in the proposed subdivision could accommodate; the buildable area on some of the lots is as narrow as twenty seven (27) feet.

Cobb County’s future land use assignment for these properties is LDR (Low Density Residential), which is described as being suitable for one (1) and two and one-half (2.5) units per acre. Although the applicant has requested R-4 zoning, the City recommends assigning these properties a future land use of LDR (Low Density Residential), which is appropriate for single family housing with densities up to three (3) units per acre.

Environmental Impacts

There is no floodplain, streams, wetlands, or topographical issues on the site, nor is there any indication of endangered species.



STAFF ANALYSIS

Economic Functionality

These properties contain two single family ranch homes, built in the 1960s, across the four parcels. While the homes are functional as built and zoned, the acreage of the property could sustain a higher density.

Infrastructure

Lockheed Elementary would be the servicing elementary school for this development. Although it is nearing capacity, this project should have minimal impact on the school system.

The proposed plan shows the construction of a new public road ending in a cul-de-sac. Although the right of way width meets code, the paved diameter of the cul-de-sac does not quite meet the requirement of eighty (80) feet; plans would need to be modified to correct this. The plan also shows the stormwater management portion of the development as part of the right of way instead of its own parcel. City code requires stormwater management facilities to be privately constructed and maintained in perpetuity. The Marietta Public Works Department will require a 150-ft. acceleration and deceleration lanes with 50-ft. tapers as well as a 5-ft. sidewalk with a 2-ft. grass strip across the frontage of the developed property along Powers Ferry Road (per City Code 730.01.I.4.b). This will affect the two outer lots.

Marietta Water will require the developer to extend the sanitary sewer main to serve the subdivision. Otherwise, this development should have no adverse effect on water or electric infrastructure in the area.

History of Property

The city has no records of any prior rezoning, variances, or Special Land Use Permits granted for this property, as it is located in Cobb County.

Other Issues

Cobb County has provided the city with a notice of non-objection to the annexation.

ANALYSIS & CONCLUSION

Kraft Mark Homes, LLLP is requesting the annexation of 3.17 acres from Cobb County, zoned R-20, to R-4 into the city. The property is located on Powers Ferry Road near its intersection with Tuxedo Drive and Little Road. To the east and south side of the subject properties are condominiums zoned RM-8 and located in the city limits. West and north, across Powers Ferry Road, are single family detached homes zoned R-20 and RA-6 in Cobb County. Two of the four properties are undeveloped while the other two contain single family homes fronting on Powers Ferry Road.

This development would be consistent with the development pattern of the surrounding area, which is already predominately medium density residential. The construction of twelve (12) lots on 3.17 acres translates to 3.78 units per acre, but this does not take into consideration the area proposed for the right of way dedication and stormwater management facility. As a result, the proposed lots are narrow and the applicant has requested the following variances from the following bulk and area regulations, should the annexation and rezoning be approved:

1. Variance to reduce the minor side yard setback from ten (10) feet to seven and a half (7.5) feet. [*§708.04 (H)*]
2. Variance to reduce the minimum lot width from 75 ft./60 ft. for a cul-de-sac to 45 ft./30 ft. for a cul-de-sac [*§708.04 (H)*]. City code defines lot width as “*the distance between the side lot line measured along the front building line of the lot as determined by the prescribed minimum front setback requirement.*”

The proposed plan shows the construction of a new public road ending in a cul-de-sac, which does not quite meet the requirement of an eighty (80) foot diameter. City code also requires stormwater management facilities to be privately constructed and maintained in perpetuity, not donated. The Marietta Public Works Department will require a 150-ft. acceleration and deceleration lanes with 50-ft. tapers as well as a 5-ft. sidewalk with a 2-ft. grass strip across the frontage of the developed property along Powers Ferry Road (per City Code 730.01.I.4.b). This will affect the two outer lots. Marietta Water will require the developer to extend the sanitary sewer main to serve the subdivision. Otherwise, this development should have no adverse effect on water or electric infrastructure in the area.

Cobb County’s future land use assignment for these properties is LDR. Although the applicant has requested R-4 zoning, the City recommends assigning these properties a future land use of LDR, which is appropriate for single family housing with densities up to three (3) units per acre.

Prepared by: Shelby Winkles

Approved by: Rusty Rott



DATA APPENDIX

CITY OF MARIETTA - WATER

Is a water line adjacent to the property?	Yes
If not, how far is the closest water line?	---
Size of the water line?	14 inch
Capacity of the water line?	Variable based on condition of main
Approximate water usage by proposed use?	4,800 GPD

CITY OF MARIETTA - SEWER

Is a sewer line adjacent to the property?	No
If not, how far is the closest sewer line?	272 feet
Size of the sewer line?	8 inch
Capacity of the sewer line?	Variable
Estimated waste generated by proposed development?	4,800 GPD
Treatment Plant Name?	R.L. Sutton WRF
Treatment Plant Capacity?	Cobb Water must confirm
Future Plant Availability?	Cobb Water must confirm

COMMENT-

Proposed development will require the developer to extend the sanitary sewer main to serve the subdivision.

DATA APPENDIX CONTINUED

DRAINAGE AND ENVIRONMENTAL CONCERNS

Does flood plain exist on the property:	No
What percentage of the property is in the flood plain?	N/A
What is the drainage basin for the property?	Rottenwood Creek
Is there potential for the presence of wetlands as determined by the U.S. Environmental Protection Agency?	No
If so, is the use compatible with the possible presence of wetlands?	N/A
Do stream bank buffers exist on the parcel?	No
Are there other topographical concerns on the parcel?	No
Are there storm water issues related to the application?	No
Potential presence of endangered species in the area?	No

Transportation

What is the road effected by the proposed change?	Powers Ferry Rd
What is the classification of the road?	Arterial
What is the traffic count for the road?	N/A
Estimated # of cars generated by the proposed development?	N/A
Estimated # of trips generated by the proposed development?	N/A
Do sidewalks exist in the area?	Yes
Transportation improvements in the area?	No
If yes, what are they?	N/A

The following items will be required as part of the site development plan review process:

- 150-ft. acceleration and deceleration lanes with 50-ft. tapers;
- A 5-ft. sidewalk with a 2-ft. grass strip across the frontage of the developed property along Powers Ferry Road (per City Code 730.01.I.4.b);
- The final ROW-width of Powers Ferry Road across the frontage of the developed property shall equal that of the adjacent properties; and
- Cul-de-sac shall have minimum roadway diameter of 80-ft. and ROW diameter of 100-ft. (per City Code 730.01.E).



DATA APPENDIX CONTINUED

EMERGENCY SERVICES

Nearest city or county fire station from the development?	County Station #3 – 580 Terrell Mill Road
Distance of the nearest station?	2.2 miles
Most likely station for 1 st response?	City Station #55 – 1160 Franklin Road
Service burdens at the nearest city fire station (under, at, or above capacity)?	N/A

MARIETTA POWER - ELECTRICAL

Does Marietta Power serve this site? Yes x No

If not, can this site be served? Yes No

What special conditions would be involved in serving this site?

Additional comments:



DATA APPENDIX CONTINUED

MARIETTA CITY SCHOOLS

Marietta City Schools Impact Assessment:

Elementary School Zone Servicing Development: Lockheed Elementary School

Grades six (6) through twelve (12) will be serviced by:

- Marietta Sixth Grade Academy
- Marietta Middle School
- Marietta High School

Current Capacity at Servicing Elementary School: 775 - 875

Current Capacity at Marietta Sixth Grade Academy: 800 - 900

Current Capacity at Marietta Middle School: 1,300 – 1,400

Current Capacity at Marietta High School: 2,500 – 2,600

Current Enrollment at Servicing Elementary School: 861

Current Enrollment at:

- Marietta Middle School: 1,343
- Marietta High School: 2,215

Number of students generated by present development: 0

Number of students projected from proposed development: 6

New School(s) planned that might serve this area: None

Comments:

Annexation property would be nearest the Lockheed School Zone. Minimal impact on school.