

October 8, 2007

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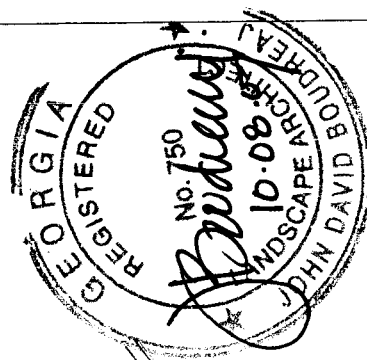
1. Total Gross Acreage = 43.24 Acres +/-
2. Net Buildable Area = 42.74 Acres +/-

No 100 year floodplain information is indicated on site.
(See FIRM Panel 13067C0075F.)

1. Total Gross Acreage = 43.24 Acres +/-
2. Net Buildable Area = 42.74 Acres +/-
- (No 100 year floodplain information is indicated on site.
(See FIRM Panel 13067C0075F.)
(Cemetery is - 0.5 Acres.)
3. Proposed Zoning = OSC / R-15 Minimum
4. Required Open Space = 30% of 12.97 Acres
5. Proposed Open Space = 33% or 14.27 Acres +/-
6. Max. Density w/Bonus = 2.25
7. Proposed Number of Residential Units = 96 Units
8. Boundary Information is Provided by Client.
9. Proposed ROW is 44', Pavement Width is 24' BOC.



姓名	性别	年龄	籍贯	民族	文化程度	职业	工作单位	住址	联系电话	身份证号	备注
王德胜	男	45	山东	汉族	高中	工人	山东钢铁集团	济南市	13906123456	370101196510101010	
李小明	男	30	江苏	汉族	大学	教师	江苏师范大学	南京市	13802567890	320101198010101010	
张小红	女	25	浙江	汉族	高中	护士	浙江省人民医院	杭州市	13705432109	330101198510101010	
刘伟强	男	50	河南	汉族	初中	农民	河南省农村	郑州市	13503210987	410101196010101010	
陈丽娟	女	35	广东	汉族	大学	工程师	广东省设计院	广州市	13608765432	440101197510101010	
赵国强	男	40	四川	汉族	高中	司机	四川物流公司	成都市	13409876543	510101197010101010	
孙文娟	女	20	湖北	汉族	高中	学生	湖北大学	武汉市	13206543210	420101199010101010	
周大伟	男	55	安徽	汉族	初中	工人	安徽钢铁厂	合肥市	13007654321	340101195510101010	
吴小芳	女	38	湖南	汉族	高中	文员	湖南电信	长沙市	13908765432	430101197210101010	
郑国强	男	42	江西	汉族	高中	工人	江西水泥厂	南昌市	13809876543	360101196810101010	
冯小娟	女	28	广西	汉族	高中	教师	广西师范大学	南宁市	13701234567	450101198210101010	
黄大伟	男	52	福建	汉族	初中	工人	福建纺织厂	福州市	13602345678	350101196210101010	
林小娟	女	32	海南	汉族	高中	文员	海南航空公司	海口市	13503456789	460101197810101010	
周国强	男	48	重庆	汉族	高中	工人	重庆钢铁厂	重庆市	13404567890	500101196810101010	
孙文娟	女	22	贵州	汉族	高中	学生	贵州大学	贵阳市	13205678901	520101198810101010	
赵大伟	男	58	云南	汉族	初中	工人	云南铜业	昆明市	13006789012	530101195810101010	
吴小娟	女	36	陕西	汉族	高中	教师	陕西师范大学	西安市	13907890123	610101197410101010	
郑国强	男	44	甘肃	汉族	高中	工人	甘肃有色	兰州市	13808901234	620101197010101010	
冯小娟	女	26	宁夏	汉族	高中	文员	宁夏银行	银川市	13709012345	640101198410101010	
黄大伟	男	54	青海	汉族	初中	工人	青海铝业	西宁市	13600123456	630101196410101010	
林小娟	女	34	新疆	汉族	高中	教师	新疆大学	乌鲁木齐市	13501234567	650101197610101010	
周国强	男	46	内蒙古	汉族	高中	工人	内蒙古钢铁	包头市	13402345678	150101196610101010	
孙文娟	女	24	吉林	汉族	高中	学生	吉林大学	长春市	13203456789	220101198610101010	
赵大伟	男	56	辽宁	汉族	初中	工人	辽宁钢铁	沈阳市	13004567890	210101196010101010	
吴小娟	女	37	黑龙江	汉族	高中	文员	黑龙江银行	哈尔滨市	13905678901	230101197310101010	
郑国强	男	43	河北	汉族	高中	工人	河北钢铁	唐山市	13806789012	130101196910101010	
冯小娟	女	27	山西	汉族	高中	教师	山西大学	太原市	13707890123	140101198310101010	
黄大伟	男	53	山东	汉族	初中	工人	山东钢铁	济南市	13608901234	370101196310101010	
林小娟	女	33	河南	汉族	高中	文员	河南电信	郑州市	13509012345	410101197710101010	
周国强	男	47	江苏	汉族	高中	工人	江苏钢铁	南京市	13400123456	320101196710101010	
孙文娟	女	23	浙江	汉族	高中	学生	浙江大学	杭州市	13201234567	330101198710101010	
赵大伟	男	57	安徽	汉族	初中	工人	安徽有色	合肥市	13002345678	340101195710101010	
吴小娟	女	35	湖南	汉族	高中	教师	湖南大学	长沙市	13903456789	430101197510101010	
2											



APPLICANT: John Wieland Homes and Neighborhoods, Inc.

770-703-2100

REPRESENTATIVE: Moore Ingram Johnson & Steele, LLP

John H. Moore 770-429-1499

TITLEHOLDER: See zoning file due to number of titleholders

PROPERTY LOCATION: Located at the north westerly intersection of

Woodland Brook Drive and the CSX Railroad tracks, the north and south

sides of Heavenly Trail, east of Paradise Shoals Road and on the easterly and
westerly sides of Paradise Shoals Road, north of the CSX Railroad tracks.

ACCESS TO PROPERTY: Woodland Brook Drive

PHYSICAL CHARACTERISTICS TO SITE: Existing houses

on wooded tracts

PETITION NO: Z-108

HEARING DATE (PC): 12-04-07

HEARING DATE (BOC): 12-18-07

PRESENT ZONING: R-30

PROPOSED ZONING: R-15 OSC

PROPOSED USE: Subdivision

SIZE OF TRACT: 43.1 acres

DISTRICT: 17

LAND LOT(S): 820, 821, 835, 836, 892

PARCEL(S): See Zoning file

TAXES: PAID X **DUE** _____

COMMISSION DISTRICT: 2

CONTIGUOUS ZONING/DEVELOPMENT

NORTH: R-30/ wooded, Baker subdivision

SOUTH: RM-8, RA-4/ Vinings Central Condominiums, Brook Grove of Vinings subdivision

EAST: R-30/ Single-family houses

WEST: R-30/ Vinings Heights subdivision, wooded

OPPOSITION: NO. OPPOSED _____ **PETITION NO:** _____ **SPOKESMAN** _____

PLANNING COMMISSION RECOMMENDATION

APPROVED _____ **MOTION BY** _____

REJECTED _____ **SECONDED** _____

HELD _____ **CARRIED** _____

BOARD OF COMMISSIONERS DECISION

APPROVED _____ **MOTION BY** _____

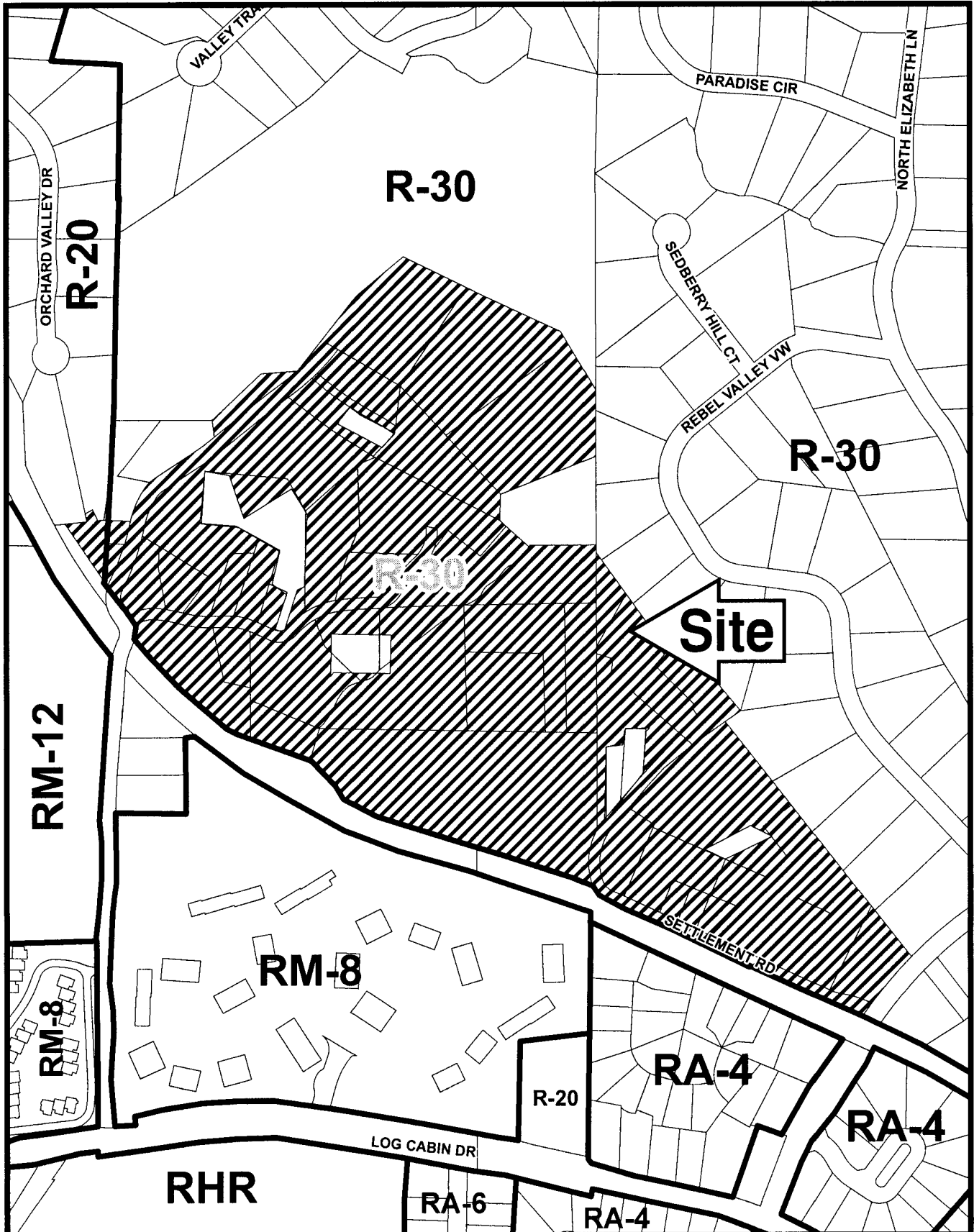
REJECTED _____ **SECONDED** _____

HELD _____ **CARRIED** _____

STIPULATIONS:



Z-108



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

200 0 200
Feet



Draft Parcel Boundary
Approximate Zoning Boundary

APPLICANT: John Wieland Homes and Neighborhoods, Inc.

PETITION NO.: Z-108

PRESENT ZONING: R-30

PETITION FOR: R-15 OSC

PLANNING COMMENTS:

Staff Member Responsible: John P. Pederson, AICP

Land Use Plan Recommendation: Very Low Density Residential (0 to 2 units per acre)

Proposed Number of Units: 96 **Overall Density:** 2.24 **Units/Acre**

Present Zoning Would Allow: 47 **Units** **Increase of:** 49 **Units/Lots**

The applicant is requesting the R-15 OSC zoning district to develop a single-family detached subdivision. The houses would be American Classis and Traditional in styling with exteriors consisting of brick, stacked stone, stone and masonry siding. The houses would be a minimum 3,500 square-feet, and would start selling from \$700,000's. Each house would have an attached garage. Many of the lots that are currently on the property do not meet the R-30 zoning criteria due to the way they were subdivided, prior to Cobb County's adoption of the Zoning Code in 1972; there are currently approximately 73 lots with 40 dwelling units on the property. Mr. Philip Westbrook has submitted a Staff Analysis regarding the use of the OSC ordinance (see Exhibit "A").

The applicant is showing contemporaneous variances, which are to:

1. Reduce the 50-foot Cemetery buffer;
2. Allow a 44-foot wide Right-of-Way in lieu of a 50-foot Right-of-Way;
3. Waive certain requirements of the OSC Ordinance, which are outlined in Mr. Philip Westbrook's Analysis (see Exhibit "A"). Among the major variances are:
 - A. Allow the density to exceed the recommended density of the *Cobb County Comprehensive Plan (2.0 u.p.a. maximum)*;
 - B. Allow the open space not to be contiguous;
 - C. Allow the detention areas to be counted in the open space acreage;
 - D. Allow slopes greater than 25% not to be in the required open space;

Historic Preservation: After consulting various county historic resource surveys, historic maps, archaeology surveys and Civil War trench location maps, it is determined that the project area is in the immediate vicinity of documented Civil War trenches. In order to determine if any significant Civil War features are located within the project area, an archeological field survey performed by a cultural resource professional is requested. This survey should be submitted to the historic preservation planner. Based on the determination of either the presence or absence of potentially significant features, further recommendations (such as buffers, fencing, interpretive signage, etc.) shall be made by staff. After consulting county historic resource surveys, it is determined that this project is in the immediate vicinity of a historic African-American settlement. In order to mitigate the loss of a historic resource, staff recommends that the applicant donate \$3,000 towards the county's historic marker program for installation of a historic marker in this development.

APPLICANT: John Wieland Homes and Neighborhoods, Inc.

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Cemetery Preservation: Zoning petition shows the presence of St. John's Baptist cemetery. The Cobb Cemetery Preservation Ordinance and the County Development Standards for Cemeteries call for: A) Prepare a site plan identifying the full boundaries with a metes and bounds description. B) Provide a fifty (50) foot undisturbed natural buffer from the common property line or a fifty (50) foot undisturbed natural buffer around the perimeter of the outermost burials of the cemetery, whichever provides the greatest protection for the cemetery. The outermost burials to be determined by a professional archeologist (Cobb County Code 26-29 Section C). The archeology survey will locate all grave shafts and define the boundary. Member(s) of the Cemetery Preservation Commission must be present during archeology survey. C) Lots adjacent to the fifty (50) foot undisturbed natural buffer shall have setbacks in addition to the buffer. D) The fifty (50) foot undisturbed natural buffer shall be recorded as a conservation easement with the Cemetery Preservation Commission having third party right of enforcement. E) Provide uninhibited daylight access to the cemetery via at least a twenty (20) foot wide graveled easement to the cemetery from the nearest public road. The outer boundaries of this easement may be landscaped. F) A plat to be prepared by a registered surveyor denoting the location of all grave shafts, the cemetery property line, fence line and the access easement. G) The archeology survey and the registered surveyor's plat **must** be submitted to the Cemetery Preservation Commission three (3) business days prior to any zoning hearing or three (3) business days prior to Plan Review if the subject tract is not being rezoned. H) Provide and install a permanent six (6) foot chain link fence with gate outside the line of the outermost burials. Fence must be 9 gauge with top and bottom rails and fence posts must be set in concrete. Fence may be upgraded to vinyl coated chain link and/or wrought iron. I) Provide **and install** an orange protective fence on the outer perimeter of the fifty (50) foot undisturbed natural buffer before beginning construction. The protective fence to be maintained in good repair throughout the development phase of the project. At completion of the project, the orange protective fence shall be removed from the premises. J) Permanent signs stating CEMETERY PRESERVATION BUFFER – DO NOT DISTURB shall be erected at fifty (50) foot intervals along the outer perimeter of the fifty (50) foot undisturbed natural cemetery preservation buffer. K) Compliance with all State and local laws and ordinances.

APPLICANT: John Wieland Homes and Neighborhoods, Inc.

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SCHOOL COMMENTS:

Name of School	Enrollment	Capacity	Number of
		Status	Portable Classrooms
Teasley	521	Over	
Elementary Campbell	1,082	Under	
Middle Campbell	2,274	Under	

High

*** School attendance zones are subject to revision at anytime.**

Additional Comments:

FIRE COMMENTS:

Fire Apparatus Access Road

All access roads shall have an all weather driving surface capable of supporting 75,000 pounds with an unobstructed width of not less than 20 feet, 25 feet inside turning radius, 50 foot outside turning radius and unobstructed vertical clearance of not less than 13 feet 6 inches.

Access road shall extend to within 150-feet of all portions of the facility or any portion of the exterior wall of the first floor.

Dead-end access roads in excess of 150-feet shall be provided with a turn-around by one of the following methods:

Residential subdivision: Cul-d-sac with an island- minimum 60 foot radius to outside curb, measured to inside of curb, minimum lane width 24 feet **or** Cul-d-sac without an island- 38 foot outside outside radius **or** Hammerhead turn-around – total of 110 feet needed (45 feet + 20 foot wide roadway + 45 feet).

Driveway access to a single family home must be 10 feet wide and 20 feet wide for 2 homes and must support 50,000 lbs. A hammerhead turnaround or cul-d-sac is required when a driveway exceeds 1000 feet. (see requirements for dimensions under residential subdivision).

Fire Hydrant

Residential: Fire hydrant within 500 feet of structure.
Show building height.

APPLICANT John Wieland Homes & Neighborhoods, Inc

PETITION NO. Z-108

PRESENT ZONING R-30

PETITION FOR R-15 OSC

NOTE: Comments reflect only what facilities appeared of record at the time of this review. Field verification required by developer.

WATER COMMENTS:

Available at Development? ☒ Yes ☐ No

Fire Flow Test Required? ☒ Yes ☐ No

Size / Location of Existing Water Main(s) 12" DI / E side Woodland Brook Dr

Additional Comments: Extensive 6" DI & 2.5" galv line along existing roads will have to be properly abandoned

Developer may be required to install/upgrade water mains, based on fire flow test results or Fire Department Code. This will be resolved in the Plan Review Process.

SEWER COMMENTS:

In Drainage Basin? ☒ Yes ☐ No

At Development? ☒ Yes ☐ No

Approximate Distance to Nearest Sewer: On site. N part may need to connect offsite in S/D east

Estimated Waste Generation (in G.P.D.): **A D F** 38,400 **Peak** 96,000

Treatment Plant: Sutton

Plant Capacity Available? ☒ Yes ☐ No

Line Capacity Available? ☒ Yes ☐ No

Projected Plant Availability: ☒ 0 - 5 year ☐ 5 - 10 years ☐ over 10 years

Dry Sewers Required? ☐ Yes ☒ No

Off-site Easements Required? ☐ Yes* ☒ No

Flow Test Required? ☐ Yes ☒ No

Septic Tank Recommended by this Department? ☐ Yes ☒ No

Subject to Health Department Approval? ☐ Yes ☒ No

* If off-site easements are required, Developer must submit easements to CCWS for review / approval as to form and stipulations prior to the execution of easement(s) by the property owner(s). All easement acquisitions are the responsibility of the Developer.

Additional Comments:

Design and layout of development and sewer must be such that all flow is gravity flow. Sewer design should favor zero aerial stream crossings even if off-site easements are necessary to achieve this

Notes FYI: *Where existing CCWS sewer crosses site, lots must be located so as not to encroach, or line relocated at developer expense*

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 off site easements, dedication of on and/or off site 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.

APPLICANT: John Wieland Homes & Neighborhoods, Inc.

PETITION NO.: Z-108

PRESENT ZONING: R-30

PETITION FOR: R-15 OSC

DRAINAGE COMMENTS

FLOOD HAZARD: ☒ YES ☐ NO ☐ POSSIBLY, NOT VERIFIED

DRAINAGE BASIN: Gilmore Creek FLOOD HAZARD INFO: Zone X

- ☐ FEMA Designated 100 year Floodplain Flood.
☒ Flood Damage Prevention Ordinance DESIGNATED FLOOD HAZARD.
☒ Project subject to the Cobb County Flood Damage Prevention Ordinance Requirements.
☐ Dam Breach zone from (upstream) (onsite) lake - need to keep residential buildings out of hazard.

WETLANDS: ☐ YES ☐ NO ☒ POSSIBLY, NOT VERIFIED

Location: _____

- ☐ The Owner/Developer is responsible for obtaining any required wetland permits from the U.S. Army Corps of Engineer.

STREAMBANK BUFFER ZONE: ☒ YES ☐ NO ☐ POSSIBLY, NOT VERIFIED

- ☐ Metropolitan River Protection Area (within 2000' of Chattahoochee River) ARC (review 35' undisturbed buffer each side of waterway).
☐ Chattahoochee River Corridor Tributary Area - County review (_____ undisturbed buffer each side).
☒ Georgia Erosion-Sediment Control Law and County Ordinance - **County Review**/State Review.
☐ Georgia DNR Variance may be required to work in 25 foot streambank buffers.
☒ County Buffer Ordinance: **50'** , **75'** , **100'** or **200'** each side of creek channel.

DOWNSTREAM CONDITION

- ☒ Potential or Known drainage problems exist for developments downstream from this site.
☒ Stormwater discharges must be controlled not to exceed the capacity available in the downstream storm drainage system.
☒ Minimize runoff into public roads.
☒ Minimize the effect of concentrated stormwater discharges onto adjacent properties.
☐ Developer must secure any R.O.W required to receive concentrated discharges where none exist naturally
☐ Existing Lake Downstream _____.
Additional BMP's for erosion sediment controls will be required.
☐ Lake Study needed to document sediment levels.
☒ Stormwater discharges through an established residential neighborhood downstream.
☒ Project engineer must evaluate the impact of increased volume of runoff generated by the proposed project on downstream stormdrainage system.

APPLICANT: John Wieland Homes & Neighborhoods, Inc.

PETITION NO.: Z-108

PRESENT ZONING: R-30

PETITION FOR: R-15 OSC

DRAINAGE COMMENTS CONTINUED

SPECIAL SITE CONDITIONS

- ☐ Provide comprehensive hydrology/stormwater controls to include development of out parcels.
- ☒ Submit all proposed site improvements to Plan Review.
- ☐ Any **spring activity** uncovered must be addressed by a qualified geotechnical engineer (PE).
- ☐ Structural fill _____ must be placed under the direction of a qualified registered Georgia geotechnical engineer (PE).
- ☐ Existing facility.
- ☒ Project must comply with the Water Quality requirements of the CWA-NPDES-NPS Permit and County Water Quality Ordinance.
- ☐ Water Quality/Quantity contributions of the existing lake/pond on site must be continued as baseline conditions into proposed project.
- ☐ Calculate and provide % impervious of project site.
- ☐ Revisit design; reduce pavement area to reduce runoff and pollution.

INSUFFICIENT INFORMATION

- ☐ No Stormwater controls shown _____
- ☐ Copy of survey is not current - Additional comments may be forthcoming when current site conditions are exposed.
- ☐ No site improvements showing on exhibit.

ADDITIONAL COMMENTS

1. The existing site is heavily wooded with rolling terrain. Slopes on the site range from approximately 10 to 40%. The majority of the site drains to two small streams that flow to the northeast through Units 8 & 9 of the adjacent Baker Clark Subdivision.
2. Under the Open Space Plan guidelines the plan must limit development to slopes less than 25%. Most of the steeper portions of the site have been placed in the open space. However, several lots appear to be located on slopes greater than 25% (Lots 7, 13, 26, 73 -76, 63-65 and 89). A detailed slope analysis should be performed to accurately identify site areas with slopes greater than 25% and a revised plan prepared. Also, all of the proposed detention facilities are shown to be included in the open space. These ponds must be placed on separate parcels with flagged access to the public right-of-way and should not be included in the open space calculations.
3. The number and size of the proposed detention ponds appears inadequate for the size and intensity of the proposed development. Additional area will likely be required to meet stormwater quality and quantity requirements.

APPLICANT: John Wieland Homes & Neighborhoods, Inc.

PETITION NO.: Z-108

PRESENT ZONING: R-30

PETITION FOR: R-15 OSC

TRANSPORTATION COMMENTS

The following comments and recommendations are based on field investigation and office review of the subject rezoning case:

ROADWAY	AVERAGE DAILY TRIPS	ROADWAY CLASSIFICATION	SPEED LIMIT	JURISDICTIONAL CONTROL	MIN. R.O.W. REQUIREMENTS
Woodland Brook Dr	7000	Minor Collector	35 mph	Cobb County	60'
Paradise Shoals Rd	NA	Local	25 mph	Cobb County	50'
Heavenly Trail	NA	Local	25 mph	Cobb County	50'
Settlement Road	NA	Local	25 mph	Cobb County	50'

Based on 2007 traffic counting data taken by Cobb County DOT.

COMMENTS AND OBSERVATIONS

Woodland Brook Drive 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.

Woodland Brook Drive is identified as a 2005 SPLOST project consisting of operational and safety improvements.

This development is within the area of the Vinings Trail Whistle Ban project. The project will eliminate the trail whistle requirement at railroad crossings through Vinings by installing four-quadrant gates at Woodland Brook Drive and Paces Ferry Road. The crossing at Paradise Shoals Crossing will be closed.

Petition the Board of Commissioners for abandonment of right-of-way along Paradise Shoals Road, Heavenly Trail and Settlement Road.

Developer to provide access easements for all outparcels consistent with County development standards.

If the proposed streets are maintained as private, the gated entrance shall be a minimum of 75' from right-of-way.

The character, width, grade and location of all public streets shall conform to Cobb County Standard Specifications for Roads.

Shift the entrance further north, away from the railroad crossing. The final configuration will be determined in plan review.

As necessitated by this development for egress from Woodland Brook Drive, a left turn lane will be required.

Install, sidewalk, curb and gutter along Woodland Brook Drive.

APPLICANT: John Wieland Homes & Neighborhoods. Inc. PETITION NO.: Z-108

PRESENT ZONING: R-30 PETITION FOR: R-15 OSC

TRANSPORTATION COMMENTS

RECOMMENDATIONS

Recommend applicant consider entering into a development agreement pursuant of 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 west side of Woodland Brook Drive, a minimum of 30' from the roadway centerline.

Recommend applicant coordinate with Cobb County DOT prior to development plan approval to ensure compatibility with the proposed road project and whistle ban project.

Development applicant/developer petition the Board of Commissioners for abandonment of right-of-way along Paradise Shoals Road, Heavenly Trail and Settlement Road.

Recommend installing sidewalk, curb and gutter along both road frontages.

Recommend developer provide access easements for all outparcels consistent with County development standards.

Recommend all public right-of-ways within the development comply with Cobb County road standards.

Recommend 75' minimum separation between proposed access gate and right-of-way.

Recommend shifting the proposed access further away from the railroad crossing.

Recommend a left turn lane along Woodland Brook Drive at the subdivision entrance.

Recommend installing sidewalk, curb and gutter along the road frontage.

Recommend applicant be required to meet all Cobb County Development Standards and Ordinances related to project improvements.

STAFF RECOMMENDATIONS

Z-108

JOHN WIELAND HOMES AND NEIGHBORHOODS, INC.

- A. It is Staff's opinion that the applicant's rezoning proposal may not permit a use that is suitable in view of the use and development of adjacent and nearby properties. The north side of the railroad tracks is predominately zoned R-30. Additionally, Staff has concerns regarding the density, development intensity and the requested variances. It should be noted that many of the developed R-30 lots to the north and east are below 30,000 square-feet in size.
- B. It is Staff's opinion that the applicant's rezoning proposal may have an adverse affect on the usability of adjacent or nearby property. The properties to the west, east and north are zoned R-30. The applicant's proposal may encourage other rezoning applications that are not consistent with the area or Future Land Use Map.
- C. 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 streets, transportation facilities, or utilities. 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 to be within a Very Low Density Residential (VLDR) Land Use Category, with densities ranging from 0 to 2 units per acre. The proposed density is 2.24 units per acre. The density would not be compatible with adjacent property.
- 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 *Cobb County Comprehensive Plan*. The applicant's proposal should be consistent with the adjacent residential uses. The proposed density and other variances cause the proposal not to meet the intent of the OSC ordinance. Redevelopment of this property would be positive for the area because the property contains many dilapidated structures and junk piles that need to be removed, as well as an unsafe railroad crossing. Staff would encourage the applicant to submit a development plan that meets the Land Use Plan and Zoning Code for re-evaluation.

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.

COBB COUNTY COMMUNITY DEVELOPMENT AGENCY

Planning Division
191 Lawrence Street
Marietta, Georgia 30060-1661
(770) 528-2018

Planning Staff Analysis

Z-108

LDP

Date: 10/12/07 Revised Date: NA

Contact: Philip Westbrook

(770) 528-2014

Property Location: Woodland Brook Drive

Current Zoning: R-30

Land Lot/District: 820, 821, 835, 836, 892/17th

Proposed Use: R-15 OSC

Total Area: 43.24 acres

Floodplain/Wetland Area: 0 / 0 / 0.5 acres Cemetery

Net Buildable Area: 42.74 acres

Base Density Allowed: 2.1 upa

Base Density Allowed w/Bonus: 2.25 upa with 33% or greater open space

Proposed Lots: 96

Net Density: 2.25 upa

Open Space Requirement: 12.97 acres (30%) or 14.27 acres (33% for bonus)

Open Space Provided: 14.27 acres (33% of site)

Min. Outside 100 Year Flood: 0 acres

Open Space in 100 Year Flood: 0 acres

Setbacks:

Front: ? '

Rear: ? '

Side: ? '

Other: ? '

Planning Division Analysis:

The concept plan, as submitted, is lacking essential information to draw an appropriate recommendation as it concerns the OSC ordinance. Also, the 2.25 net density does not comply with the purpose and intent of the 2030 Comprehensive Plan, as the subject property is within the Very Low Density Residential category, which carries a maximum density of 2.0 units per acre. To comply with the OSC guidelines the following conditions must be met.

Comments:

1. Maximum density with bonus exceeds the maximum density recommended for the property by the county comprehensive plan and future land use map. Reduce density to 2.0 units per acre or reduce lots to 85 units.
2. Minimum setback requirements as well as lot sizes for each lot shall be listed as notes on concept plan as well as a minimum lot size for the overall development.

3. Overall development must be compatible with neighboring residential uses. Concept plan should incorporate larger lots on the northeast property line. This would affect lots 1-7. Also, rear setbacks on these exterior lots must be equal to or greater than adjacent, existing lots.
4. Contiguity of open space is highly desirable and must be at least 25' in width. Open space behind lots 26 & 27 should be widened and open space between 65, 66 & 54, 55 should be added in order to meet the intent of the contiguity requirement.
5. The location of specimen trees (as defined by the tree ordinance) should be shown on concept plan and it should be indicated whether they are to be retained or removed so that lot adjustments can be made to protect these trees as much as possible
6. Limits of grading on each lot should be detailed to avoid clear cutting of lot during site preparations
7. The proposed stormwater management areas must be on dedicated lots and the acreage of each must be subtracted from the open space totals because it will be in an area that is disturb and does not meet the conservation goals of permanently protected open space. This will reduce the acreage contained in the existing open space calculations unless other site changes or made. If stormwater management areas are already subtracted then note the calculations on concept plan. (concept plan is unclear regarding the inclusion of stormwater management areas in open space acreage totals)
8. The locations of 3 of the 4 stormwater management areas are in an area with substantial tree growth. The locations of 2 of 4 stormwater management areas are located adjacent to stream buffers. This has the potential to negatively impact the existing natural hydrologic systems on this property. The stormwater management areas should not be located in a place that can have this type of negative impact on streams and existing waterways.
9. It is unclear whether outdoor lighting is proposed, but if so, must have a county Department of Transportation approved lighting plan in accordance with the minimum conditions listed in section 134-269.
10. Slopes greater than 25% must be included in the required open space. Based on GIS slope analysis, this would include parts of lots 7, 8, 13, 21, 22, 23, 24, 26, 27, 28, 32, 39, 55, 56, 60, 61, 64, 65, 71, 73, 75, 76, 88, 89, 91 & 93. Also, detention facility behind lots 7 & 8 must be relocated off of slopes greater than 25%.
11. Out-parcels A, B, C, D & E must have 75' of public road frontage or at least 50' of road frontage at cul-de-sac. Applicant should find a way to incorporate out-parcels into proposed R-15/OSC development.
12. Restrictive Covenant or Conservation Easement must be recorded in the mandatory subdivision covenants and with Cobb Superior Court, thereby protecting "open space" from development in perpetuity, as owned by the mandatory HOA.