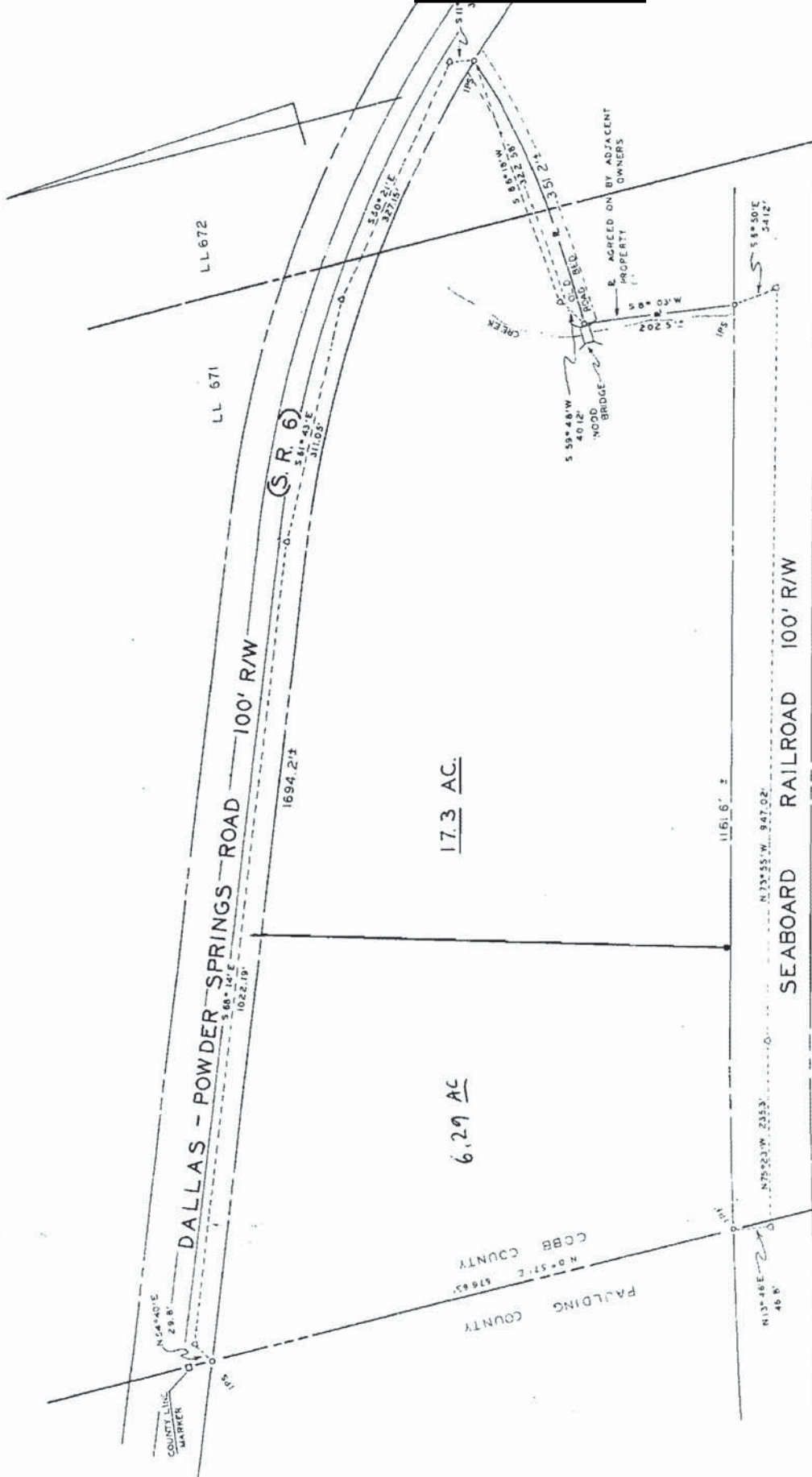


Z-2
(2012)



PROPERTY OF
 PAUL D. ADAMS
 L.L. 671 & 672 - 19TH DIST
 COBB COUNTY GA
 DATE 6-1-71 SCALE 1"=100'
 SURVEYED FOR MARSHALL EXP. SAVINGS
 & LOAN ASSOC.

In the presence of this party, I have been duly sworn and have taken the oath of office and qualification as a Surveyor of Cobb County, Georgia, and I have surveyed the above described property of Paul D. Adams, and I have caused this map to be prepared at the scale of 1"=100'. My commission expires on 12/31/2012.

Paul D. Adams
 Surveyor



APPLICANT: Lionel David Hobson, Jr.
(770) 843-8779

REPRESENTATIVE: James A. Balli (770) 422-7016
Sams, Larkin & Huff, LLP

TITLEHOLDER: Lionel David Hobson, Jr.

PROPERTY LOCATION: On the south side of C.H. James Parkway,
on the east side of the Cobb County line, southwest of Sterlingbrooke
Drive.

ACCESS TO PROPERTY: C.H. James Parkway

PHYSICAL CHARACTERISTICS TO SITE: Vacant, undeveloped

PETITION NO: Z-2

HEARING DATE (PC): 02-07-12

HEARING DATE (BOC): 02-21-12

PRESENT ZONING: NRC

PROPOSED ZONING: R-30

PROPOSED USE: Residential

SIZE OF TRACT: 6.29 acres

DISTRICT: 19

LAND LOT(S): 671

PARCEL(S): 5

TAXES: PAID X DUE _____

COMMISSION DISTRICT: 4

CONTIGUOUS ZONING/DEVELOPMENT

- NORTH:** City of Powder Springs/ commercial
- SOUTH:** City of Powder Springs/ residential
- EAST:** R-30/ residential
- WEST:** Paulding County

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

PLANNING COMMISSION RECOMMENDATION

APPROVED _____ MOTION BY _____

REJECTED _____ SECONDED _____

HELD _____ CARRIED _____

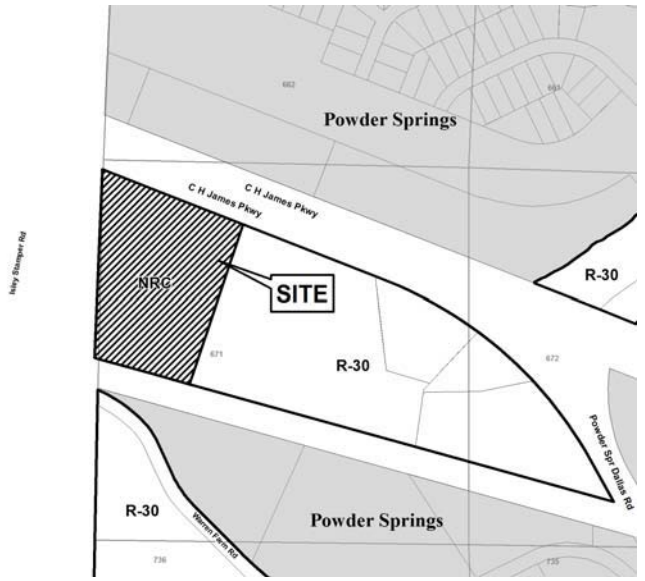
BOARD OF COMMISSIONERS DECISION

APPROVED _____ MOTION BY _____

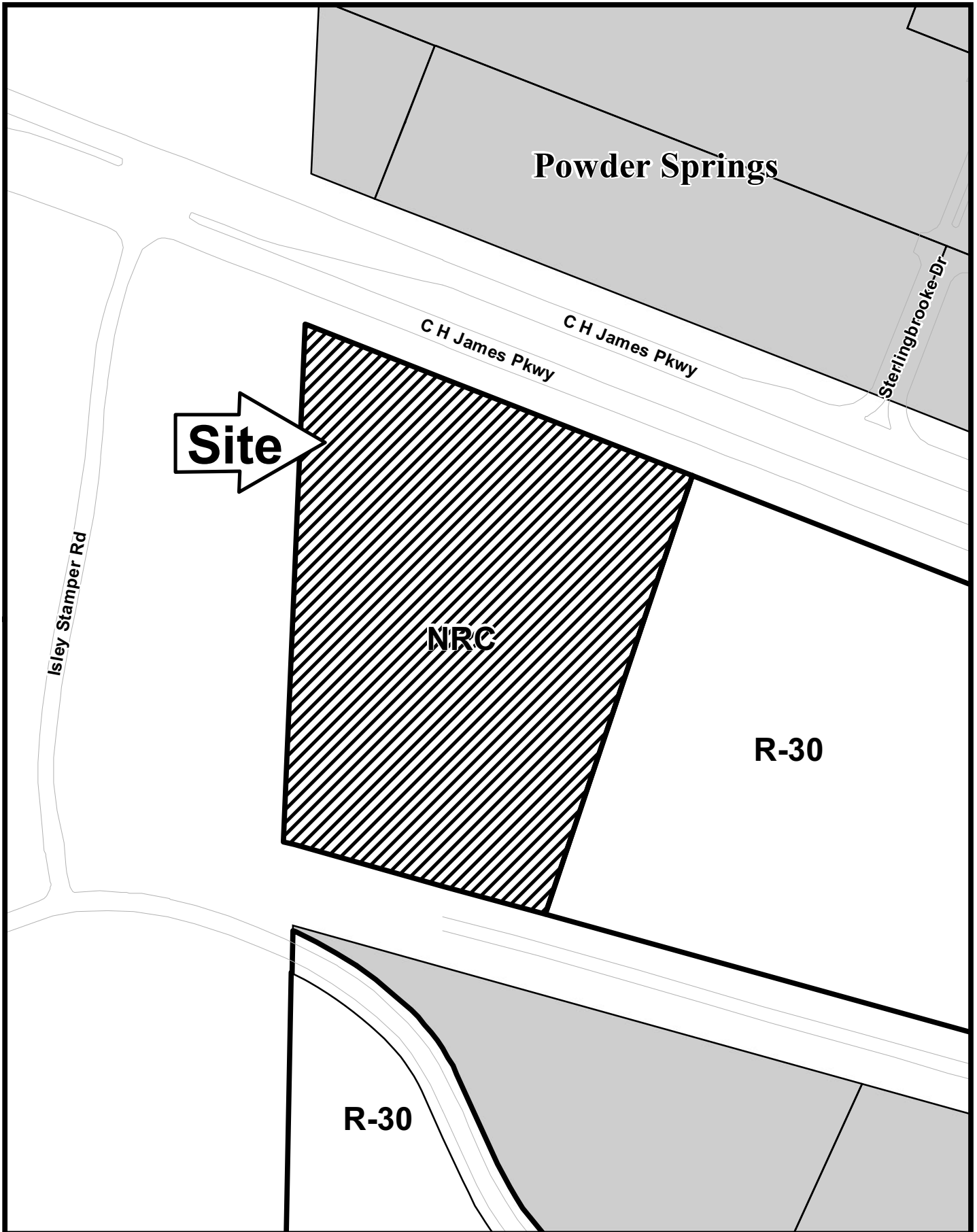
REJECTED _____ SECONDED _____

HELD _____ CARRIED _____

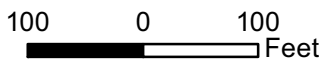
STIPULATIONS:





Z-2



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



-  City Boundary
-  Zoning Boundary

APPLICANT: Lionel David Hobson, Jr.

PETITION NO.: Z-2

PRESENT ZONING: NRC

PETITION FOR: R-30

ZONING COMMENTS:

Staff Member Responsible: Terry Martin, MPA

Land Use Plan Recommendation: CAC community activity center

Proposed Number of Units: _____

Overall Density: _____ **Units/Acre**

Present Zoning Would Allow: _____ **Units**

Increase of: _____ **Units/Lots**

The applicant is requesting a rezoning from the current NRC neighborhood retail commercial district to R-30 single-family residential district. Previously rezoned from R-30 to NRC by Z-20 of 2007, the envisioned retail commercial development never came to fruition. The requested rezoning will alleviate the onus of the property's maintenance through lowering property tax responsibilities, etc.

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. No further comment. No action by applicant requested at this time.

Cemetery Preservation: No comment.

APPLICANT: Lionel David Hobson, Jr.

PETITION NO.: Z-2

PRESENT ZONING: NRC

PETITION FOR: R-30

SCHOOL COMMENTS:

Name of School	Enrollment	Capacity Status	Number of Portable Classrooms
Powder Springs	752	Under	
Elementary Cooper	836	Under	
Middle McEachern	2,156	Under	

High

- School attendance zones are subject to revision at any time.

Additional Comments:

FIRE COMMENTS:

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.

APPLICANT Lionel David Hobson, Jr.

PETITION NO. Z-002

PRESENT ZONING NRC

PETITION FOR R-30

WATER COMMENTS: NOTE: Comments reflect only what facilities were in existence at the time of this review.

Available at Development: Yes No

Fire Flow Test Required: Yes No

Size / Location of Existing Water Main(s): *Available from City of Powder Springs Public Works*

Additional Comments: Powder Springs Water Service Area

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: NOTE: Comments reflect only what facilities were in existence at the time of this review.

In Drainage Basin: Yes No

At Development: Yes No

Approximate Distance to Nearest Sewer: *Available from City of Powder Springs Public Works*

Estimated Waste Generation (in G.P.D.): **A D F=** **Peak=**

Treatment Plant: **S Cobb**

Plant Capacity: Available Not Available

Line Capacity: Available Not Available

Projected Plant Availability: 0 - 5 years 5 - 10 years over 10 years

Drv Sewers Required: Yes No

Off-site Easements Required: 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 easements by the property owners. All easement acquisitions are the responsibility of the Developer

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 Comments: Powder Springs Sewer Service Area. Per Dept of Environmental Health, septic system site plan is required.

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 offsite easements, dedication of on and/or offsite 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: Lionel David Hobson, Jr.

PETITION NO.: Z-2

PRESENT ZONING: NRC

PETITION FOR: R-30

DRAINAGE COMMENTS

FLOOD HAZARD: YES NO POSSIBLY, NOT VERIFIED

DRAINAGE BASIN: Powder Springs 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 receiving system (C H James Parkway culvert).

APPLICANT: Lionel David Hobson, Jr.

PETITION NO.: Z-2

PRESENT ZONING: NRC

PETITION FOR: R-30

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

APPLICANT: Lionel David Hobson, Jr.

PETITION NO.: Z-2

PRESENT ZONING: NRC

PETITION FOR: R-30

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
C.H. James Parkway	34200	Arterial	55 mph	Georgia DOT	100'

Based on 2010 traffic counting data taken by Georgia DOT (C.H. James Parkway)

COMMENTS AND OBSERVATIONS

C.H. James Parkway is classified as an arterial and according to the available information the existing right-of-way does meet the minimum requirements for this classification.

RECOMMENDATIONS

Recommend curb, gutter, and sidewalk for all roadways.

Recommend a deceleration lane on C.H. James Parkway at proposed development.

Recommend one right in/ right out access to C. H. James Parkway.

Recommend GDOT permits for all work that encroaches upon State right-of-way.

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

STAFF RECOMMENDATIONS

Z-2 Lionel David Hobson, Jr.

- A. 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 property is located immediately adjacent to other residential property to the South and East.
- B. It is Staff's opinion that the applicant's rezoning proposal will not have an adverse affect on the usability of adjacent or nearby property. The request is to revert the property back to its previous residential zoning classification with no immediate plans for development.
- 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, utilities, or schools. 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 in conformity with the policy and intent of the *Cobb County Comprehensive Plan*. Located within a CAC community activity center, the request is being made with no immediate plans for development and thus, cannot be interpreted in view of its adherence to the *Plan*.
- 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 approving the applicant's rezoning proposal. The request is being made so that the owner may unburden himself with the property tax and other liabilities that result from the ownership of the undeveloped commercially zoned property. During these current economic times, it is uncertain if the commercial development envisioned in Z-20 of 2007 with happen in the near future, or ever. Thus, the reversion of the property to its former residential district zoning can be supported.

Based on the above analysis, Staff recommends **APPROVAL** subject to the following conditions:

- Fire Department comments and recommendations;
- Stormwater Management Division comments and recommendation;
- Water and Sewer comments and recommendations;
- DOT comments and recoomendations.

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.

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Summary of Intent for Rezoning*

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

Proposed unit square-footage(s): 2500 and up

Proposed building architecture: 4-sided brick

Proposed selling prices(s): \$250,000 and up

a) List all requested variances: None

.....
Part 2. Non-residential Rezoning Information (attach additional information if needed)

a) Proposed use(s): N/A

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 those properties are located.)

N/A

*The applicant reserves the right to amend the Summary of Intent for Rezoning and the preliminary information provided therein at any time during the rezoning process.