

Z-39 (2013)

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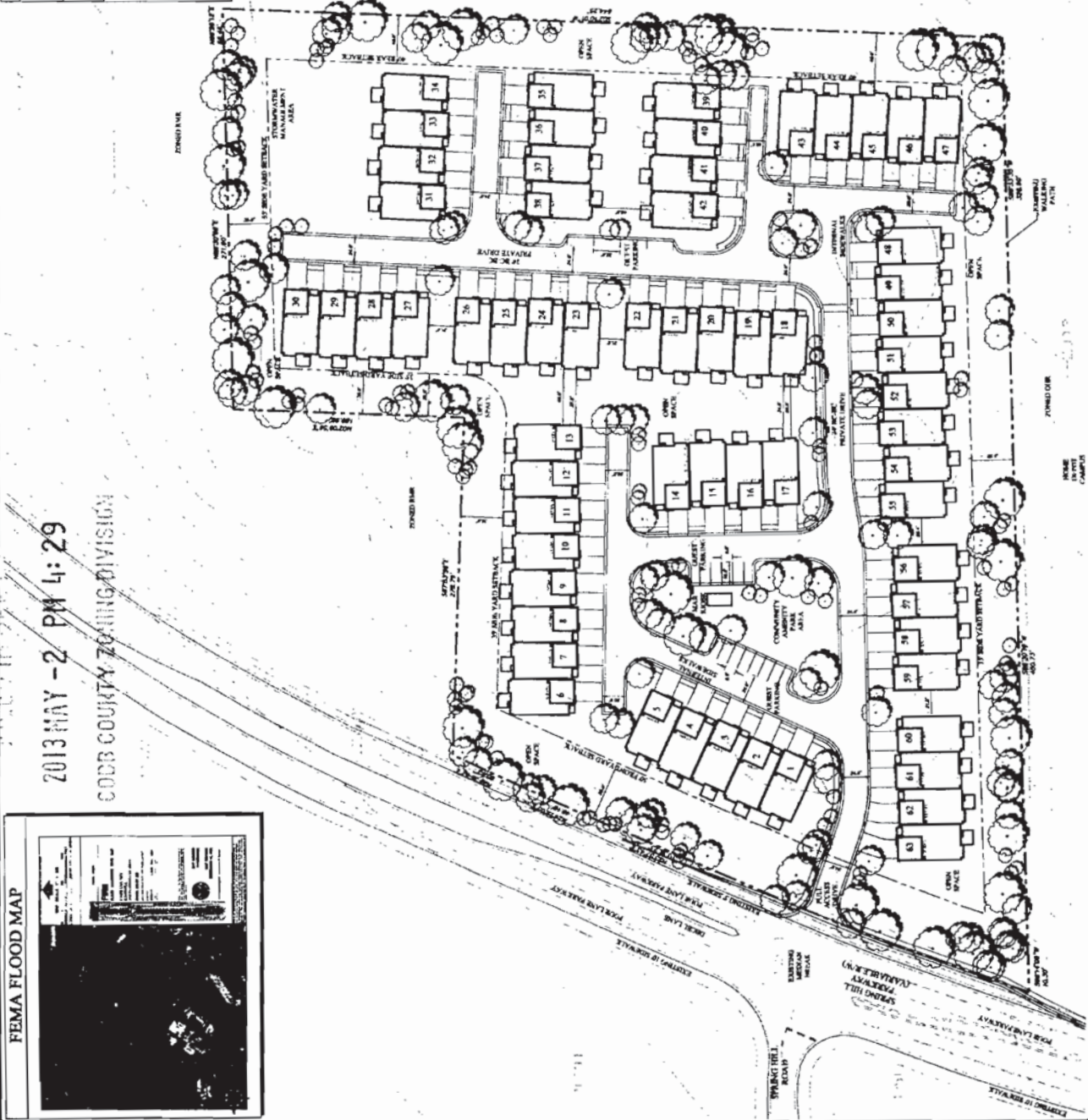
Views at Vingings Ridge
A MASTER PLANNED TOWNHOME DEVELOPMENT
Pulte Homes
2415 Northwind Parkway
Suwanee, Georgia 30099
Phone: 678-245-1200 FAX: 678-245-1208

REVISION

NO.	DATE	BY	THRU

REZONING SITE PLAN

SCALE: 1" = 40'
DATE: March 26, 2013
PROJECT: 13073.00



SITE DATA:

TOTAL SITE AREA	5.87 ACRES
EXISTING ZONING	ONE OFFICE DISTRICT
ZONING DISTRICT	LYNN COUNTY
DENSITY	41 UNITS
TOTAL TOWNHOMES	240 UNITS
TOTAL LOT AREA	253,150 SQ FT
DEVELOPMENT TYPE	MIXED TOWNHOME
PRODUCT TYPE	MIXED TOWNHOME
STRIPES IN PARKWAY	30 FT
PRINT YARD SETBACK	10 FT
10 FT YARD SETBACK	10 FT
20 FT YARD SETBACK	10 FT
40 FT YARD SETBACK	10 FT



FEMA FLOOD MAP

2013 MAY -2 PM 4:29

COBB COUNTY ZONING DIVISION

COBB COUNTY GEORGIA

APPLICANT: Pulte Home Corporation

(678) 381-3450

REPRESENTATIVE: John H. Moore (770) 429-1499

Moore Ingram Johnson & Steele, LLP

TITLEHOLDER: Estate of Charles A. Jones, Jr.; Nancy J. Snipes;

Elizabeth Ann J. Crabill; Rosemary J. Cox; and Lucy Ellen J. Cooley

PROPERTY LOCATION: East side of Spring Hill Parkway, west of
Interstate 285, across from Spring Hill Road

ACCESS TO PROPERTY: Spring Hill Parkway

PHYSICAL CHARACTERISTICS TO SITE: Vacant wooded
acreage

CONTIGUOUS ZONING/DEVELOPMENT

- NORTH:** RMR/Multi-family Development
- SOUTH:** OHR/Home Depot Headquarters
- EAST:** RMR/Multi-family Development
- WEST:** R-30/Atkinson Subdivision and Single-family houses

PETITION NO: Z-39

HEARING DATE (PC): 07-08-13

HEARING DATE (BOC): 07-16-13

PRESENT ZONING: OHR

PROPOSED ZONING: RM-8

PROPOSED USE: Attached Residential
Community

SIZE OF TRACT: 8.87 acres

DISTRICT: 17

LAND LOT(S): 814

PARCEL(S): 2, 3

TAXES: PAID X **DUE** _____

COMMISSION DISTRICT: 2

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

PLANNING COMMISSION RECOMMENDATION

APPROVED _____ **MOTION BY** _____

REJECTED _____ **SECONDED** _____

HELD _____ **CARRIED** _____

BOARD OF COMMISSIONERS DECISION

APPROVED _____ **MOTION BY** _____

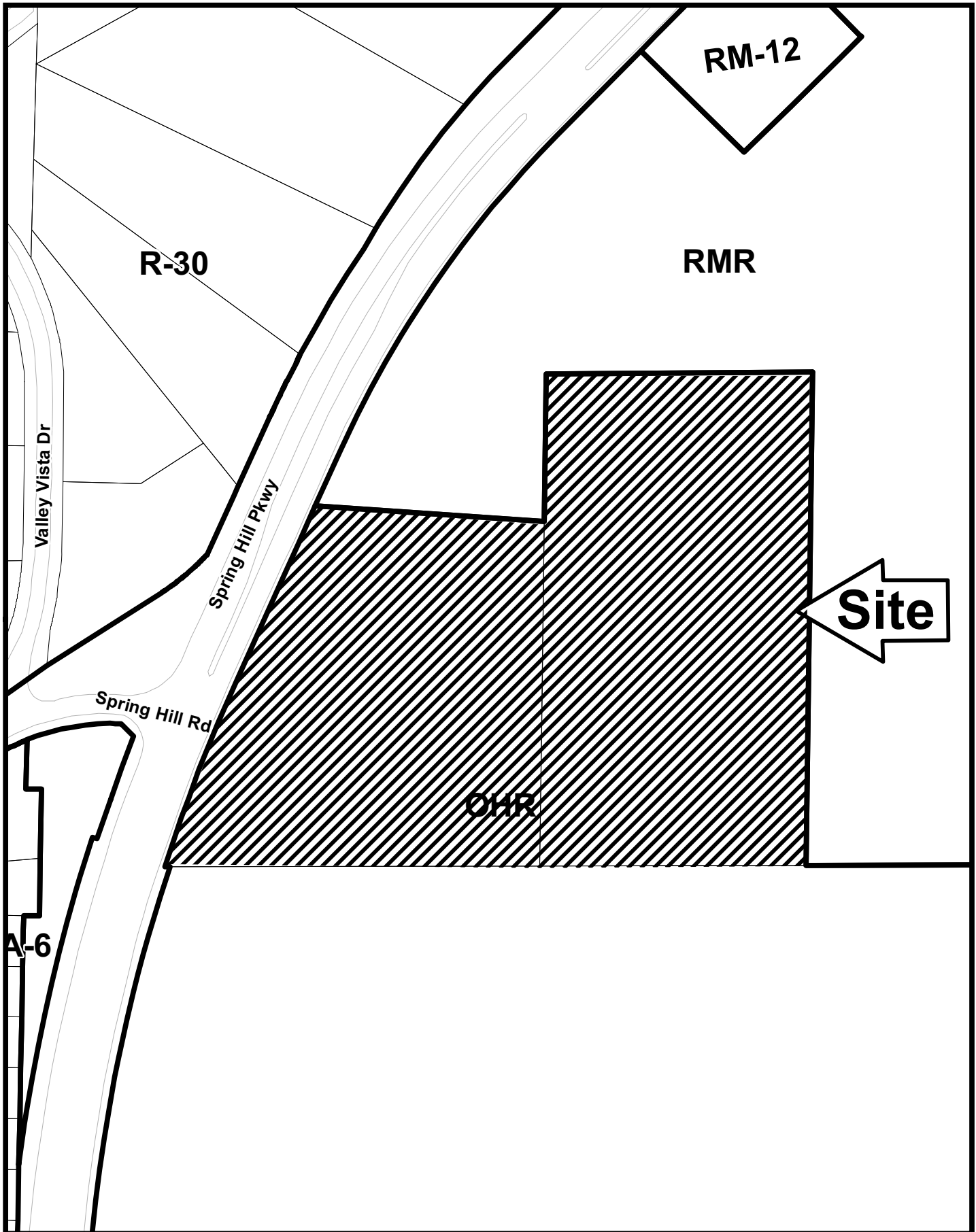
REJECTED _____ **SECONDED** _____

HELD _____ **CARRIED** _____

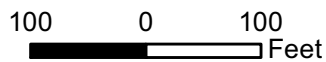
STIPULATIONS:



Z-39



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



-  City Boundary
-  Zoning Boundary

APPLICANT: Pulte Home Corporation

PETITION NO.: Z-39

PRESENT ZONING: OHR

PETITION FOR: RM-8

ZONING COMMENTS:

Staff Member Responsible: Jason A. Campbell

Land Use Plan Recommendation: Regional Activity Center (RAC)

Proposed Number of Units: 63 **Overall Density:** 7.10 **Units/Acre**

Present Zoning Would Allow: 0 **Units** **Increase of:** 63 **Units/Lots**

Applicant is requesting the RM-8 zoning category in order to develop the property for townhouse-style condominiums. The property had been approved for 300 senior housing units in 2002 and a request was made in 2005 (Z-28) for 100 townhouse-style condominium units with one-car garages and a minimum unit size of 1,600 square feet – this application was deleted to Office High Rise (OHR) by the Board of Commissioners. The applicant is proposing a development with units that will be “for-sale” only, with two-car garages and double stacked driveways for two cars. The minimum size of the units will be 2,400 square feet. The units will be traditional and will range in price from the mid \$300,000s. The proposed units will be 30 feet wide.

Cemetery Preservation: No comment.

APPLICANT: Pulte Home Corporation

PETITION NO.: Z-39

PRESENT ZONING: OHR

PETITION FOR: RM-8

SCHOOL COMMENTS:

<u>Name of School</u>	<u>Enrollment</u>	<u>Capacity Status</u>	<u>Number of Portable Classrooms</u>
<u>Teasley</u>	<u>740</u>	<u>Over</u>	<u> </u>
Elementary			
<u>Campbell</u>	<u>1,314</u>	<u>Over</u>	<u> </u>
Middle			
<u>Campbell</u>	<u>2,342</u>	<u>Under</u>	<u> </u>

High

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

Additional Comments: Approval of this petition could seriously and adversely affect the enrollment at Teasley Elementary School which is severely over capacity at this time, and it could adversely affect the enrollment at Campbell Middle School which is also over capacity at this time.

FIRE COMMENTS:

When projects contemplate less than 20 foot separation between units, guest parking shall be provided or the streets shall be labeled as a fire lane.

APPLICANT: Pulte Home Corporation

PETITION NO.: Z-39

PRESENT ZONING: OHR

PETITION FOR: RM-8

PLANNING COMMENTS:

The applicant is requesting a rezoning from OHR to RM-8 for purpose of an attached residential community. The 8.87 acre site is located on the east side of Spring Hill Parkway, west of Interstate 285, across from Spring Hill Road.

Comprehensive Plan

The parcel is within a Regional Activity Center (RAC) future land use category, with OHR zoning designation. The purpose of the Regional Activity Center (RAC) category is to provide for areas that can support a high intensity of development which serves a regional market. Typical land uses in these areas include high-rise office buildings, regional malls and varying densities of residential development.

Master Plan/Corridor Study

Not applicable.

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.

Design Guidelines

Is the parcel in an area with Design Guidelines? Yes No

If yes, design guidelines area _____

Does the current site plan comply with the design requirements?

APPLICANT Pulte Home Corporation

PETITION NO. Z-039

PRESENT ZONING OHR

PETITION FOR RM-8

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): 12" DI and 6" DI / E side of Spring Hill Pkwy

Additional Comments: To be served by master water meter

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: On site at SE corner of property

Estimated Waste Generation (in G.P.D.): **A D F** 10080 **Peak=** 25200

Treatment Plant: **Sutton**

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: Need for sewer flow study to be determined at Plan Review. 63 residential units proposed.

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: Pulte Home Corporation

PETITION NO.: Z-39

PRESENT ZONING: OHR

PETITION FOR: RM-8

STORMWATER MANAGEMENT COMMENTS

FLOOD HAZARD: YES NO POSSIBLY, NOT VERIFIED

DRAINAGE BASIN: Tributary to Bert Adams Lake 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 – Home Depot Master Stormwater Management Facility.
Additional BMP's for erosion sediment controls will be required.
- Lake Study may 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 structures on Post Apartment parcel at northeast corner and Home Depot Headquarters parcel at southeast corner.

APPLICANT: Pulte Home Corporation

PETITION NO.: Z-39

PRESENT ZONING: OHR

PETITION FOR: RM-8

STORMWATER MANAGEMENT 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. This parcel is located east of Spring Hill Parkway and is bounded by a Post Apartments Development to the north and east and The Home Depot Headquarters to the south. The site is fairly heavily wooded with slopes ranging from approximately 10 to 25%. The parcel is dominated by a central ridge with approximately half of the site draining the northeast to an existing culvert within the Post Apartment complex and the other half draining to the southeast into the Home Depot Master Stormwater Management Facility.
2. Unless a significant portion of the site can be diverted to the north into the proposed stormwater management area an additional pond may be required at or near the southeast corner of the site. This will need to be addressed at Plan Review and may require alteration to the site plan layout.

APPLICANT: Pulte Home Corporation

PETITION NO.: Z-39

PRESENT ZONING: OHR

PETITION FOR: RM-8

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
Spring Hill Parkway	9500	Major Collector	40 mph	Cobb County	80'

Based on 2007 traffic counting data taken by Cobb DOT (Spring Hill Parkway)

COMMENTS AND OBSERVATIONS

Spring Hill Parkway is classified as a major collector and according to the available information the existing right-of-way does meet the minimum requirements for this classification.

RECOMMENDATIONS

Recommend curb and gutter along both sides and sidewalk along one side of proposed development roadways.

Recommend a deceleration lane on Spring Hill Parkway for the entrance.

Recommend the private roadways be built to the County standards.

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

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STAFF RECOMMENDATIONS

Z-39 PULTE HOME CORPORATION

- 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. Properties to the north are zoned for residential multi-family units. The area has mixed uses consisting of high-rise office buildings, single-family house and apartments.
- 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 proposed development is less intense that the previous condominium application from 2005 and an apartment complex in the area has a density of about 16 units per acre. The proposed rezoning will provide a good transition in zoning uses along this section of Spring Hill Parkway.
- 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. However, the school system has concerns regarding this application.
- 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*, which delineates this property to be within the Regional Activity Center (RAC) land use category. A previous application to rezone the subject property to RM-12 at a higher density and smaller units was deleted to Office High Rise (OHR) in 2005.
- 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 proposed development is in an area containing a mixture of single-family houses, apartments, high-rise office buildings. The proposed development can act as a transition in zoning among the other numerous zonings and uses in the area. The proposed site plan indicates areas of open space around the perimeter of the development that will help buffer the property.

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

- Site plan received by the Zoning Division on May 2, 2013, with the District Commissioner approving minor modifications;
- Fire Department comments and recommendations;
- Water and Sewer comments and recommendations;
- Stormwater Management Division comments and recommendations; and
- DOT comments and recommendations.

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 GEORGIA
FILED IN OFFICE

Application No. z- 39
July (2013)

2013 MAY -2 PM 4: 28

COBB COUNTY ZONING DIVISION

Summary of Intent for Rezoning*

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

- a) Proposed unit square-footage(s): Minimum 2,400 square feet
 - b) Proposed building architecture: Traditional
 - c) Proposed selling prices(s): Mid \$300s
 - d) List all requested variances: None known at this time
- _____
- _____
- _____

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

- a) Proposed use(s): Not Applicable
 - 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)

None known at this time

.....
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). None known at this time.

***Applicant specifically reserves the right to amend any information set forth in the Summary of Intent for Rezoning, or any other part of the Application for Rezoning, at any time during the rezoning process.**

ORIGINAL DATE OF APPLICATION: 02-15-05

APPLICANTS NAME: PULTE HOME CORPORATION

THE FOLLOWING REPRESENTS THE FINAL DECISIONS OF THE
COBB COUNTY BOARD OF COMMISSIONERS

BOC DECISION OF 02-15-05 ZONING HEARING:

PULTE HOME CORPORATION (Lucy J. Cooley, et al., owners) for Rezoning from **RSL** to **RM-12** for the purpose of Condominiums in Land Lot 814 of the 17th District. Located on the east side of Spring Hill Parkway, north of Paces Ferry Road.

The public hearing was opened and Mr. Garvis Sams, Jr., Mr. Kurt Graham, and Mr. Ron Sifen addressed the Board. Following presentations and discussion, the following motion was made:

MOTION: Motion by J. Thompson, second by Olens, to **delete** rezoning to the **OHR** zoning district **subject to:**

- **District Commissioner to approve final site plan**
- **letter of agreeable stipulations to be provided prior to issuance of any permits**

VOTE: **ADOPTED 5-0**