

Z-35
(2013)

W&K DICKSON
 Planning & Survey
 2100 Powers Ferry Road
 Atlanta, GA 30329
 (770) 455-0000
 www.wkdickson.com

WNO PROJ: 3993-4021
 PROJ. CHGRT DATE: 04/2013
 P.M. DR.
 DATE: 04/2013

PROFESSIONAL SEAL
 BY: DATE: DESCRIPTION:

PROJECT NAME:
 3993-4021
 SHALLOWFORD
 SUBDIVISION
 OWNER OR CLIENT:
 RICHARD DUNN

COLOR:	COLOR:	COLOR:
COLOR:	COLOR:	COLOR:
COLOR:	COLOR:	COLOR:

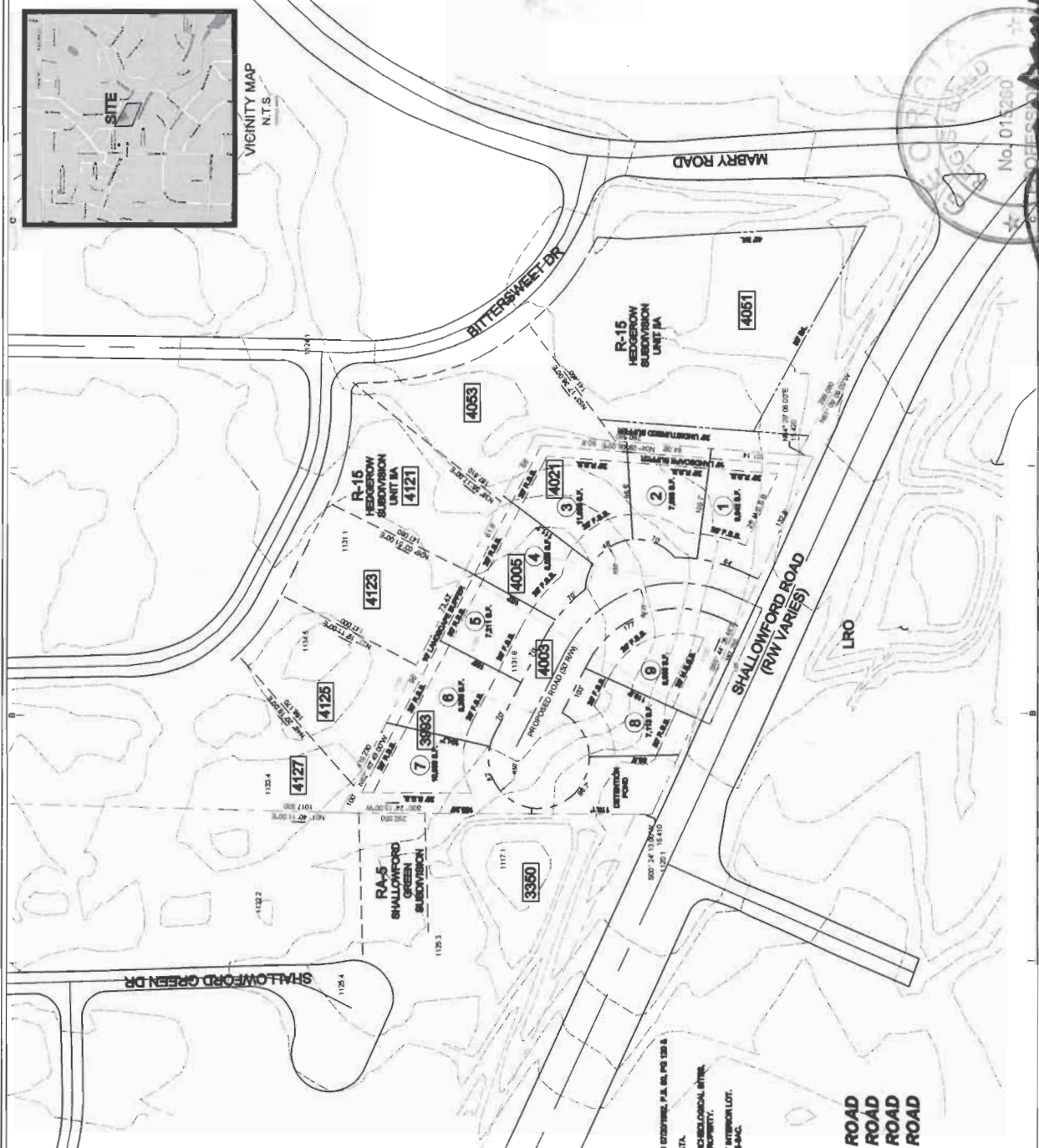
SCALE: 1" = 40' (FULL SCALE)
 FULL SCALE 1" = 40'
 DRAWING TITLE:
 ZONING PLAN

DRAWING NUMBER:
 01
 PLOT DATE: 4/23/13

DRAWING STATUS - NOT FOR PUBLIC RELEASE OR CONSTRUCTION



VICINITY MAP
N.T.S.



LAND LOT 400
 16TH DISTRICT, 2ND SECTION
 COBB COUNTY, GA

RECEIVED
 MAY - 2 2013
 COBB CO. COMM. DEV. AGENCY
 ZONING DIVISION

- NOTES:**
- TOTAL SITE AREA IS 82.69 ACRES.
 - EXISTING ZONING IS R-15.
 - PROPOSED ZONING IS Z-35.
 - BUILDING SETBACKS ARE AS FOLLOWS:
 FRONT - 25 FEET
 SIDE - 10 FEET
 REAR - 25 FEET
 - TOTAL NUMBER OF UNITS IS 10.
 - PROPOSED LOTS ARE TO BE DEVELOPED AS SINGLE-FAMILY RESIDENTIAL.
 - MINIMUM LOT SIZE IS 1.5 ACRES.
 - MINIMUM LOT WIDTH IS 100 FEET.
 - MINIMUM LOT DEPTH IS 100 FEET.
 - TOPOGRAPHIC INFORMATION IS FROM THE COBB COUNTY GIS DATA.
 - ELEVATIONS ARE BASED ON NAVD 83.
 - EXISTING UTILITIES ARE SHOWN AS DASHED LINES.
 - EXISTING CHANGELINES OR BOUNDARIES LOCATED ON THIS PROPERTY.
 - MINIMUM LOT SIZE IS 1.5 ACRES.
 - MINIMUM LOT WIDTH AT SHALLOWFORD ROAD IS 100 FEET.
 - MINIMUM LOT DEPTH AT SHALLOWFORD ROAD IS 100 FEET.
- DEVELOPER:**
 RICHARD DUNN
 6002 PARKCROFT LANE
 ATLANTA, GA 30328
 PHONE: (404) 991-7000

- TRACT #1: 3993 SHALLOWFORD ROAD**
TRACT #2: 4003 SHALLOWFORD ROAD
TRACT #3: 4005 SHALLOWFORD ROAD
TRACT #4: 4021 SHALLOWFORD ROAD

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APPLICANT: Richard Duncan
(678) 591-7624

REPRESENTATIVE: Richard Duncan
(678) 591-7624

TITLEHOLDER: William E. Rolader and Mary L. Rolader, Jason Carter and Brian Carter, William E. Rolader, as Executor of the Estate of Annie Imogent Rolader, Mildred R. Lampley

PROPERTY LOCATION: Northeast side of Shallowford Road, west of Mabry Road
(3993, 4003, 4005 and 4021 Shallowford Road).

ACCESS TO PROPERTY: Shallowford Road

PHYSICAL CHARACTERISTICS TO SITE: Four (4) existing lots with three (3) single-family homes

PETITION NO: Z-35

HEARING DATE (PC): 07-08-13

HEARING DATE (BOC): 07-16-13

PRESENT ZONING: R-20

PROPOSED ZONING: RA-5

PROPOSED USE: Single-Family Residential Subdivision

SIZE OF TRACT: 2.48 acres

DISTRICT: 16

LAND LOT(S): 400

PARCEL(S): 2, 6, 10, 44

TAXES: PAID **DUE** _____

COMMISSION DISTRICT: 3

CONTIGUOUS ZONING/DEVELOPMENT

- NORTH:** R-15/ Hedgerow Subdivision
- SOUTH:** LRO/ Offices
- EAST:** R-15/ Hedgerow Subdivision
- WEST:** RA-5/ Shallowford Green Subdivision

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

PLANNING COMMISSION RECOMMENDATION

APPROVED _____ **MOTION BY** _____

REJECTED _____ **SECONDED** _____

HELD _____ **CARRIED** _____

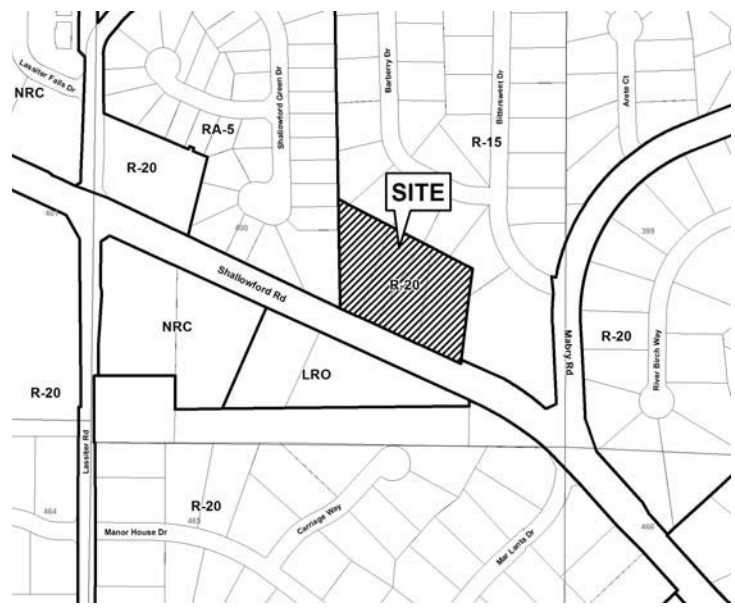
BOARD OF COMMISSIONERS DECISION

APPROVED _____ **MOTION BY** _____

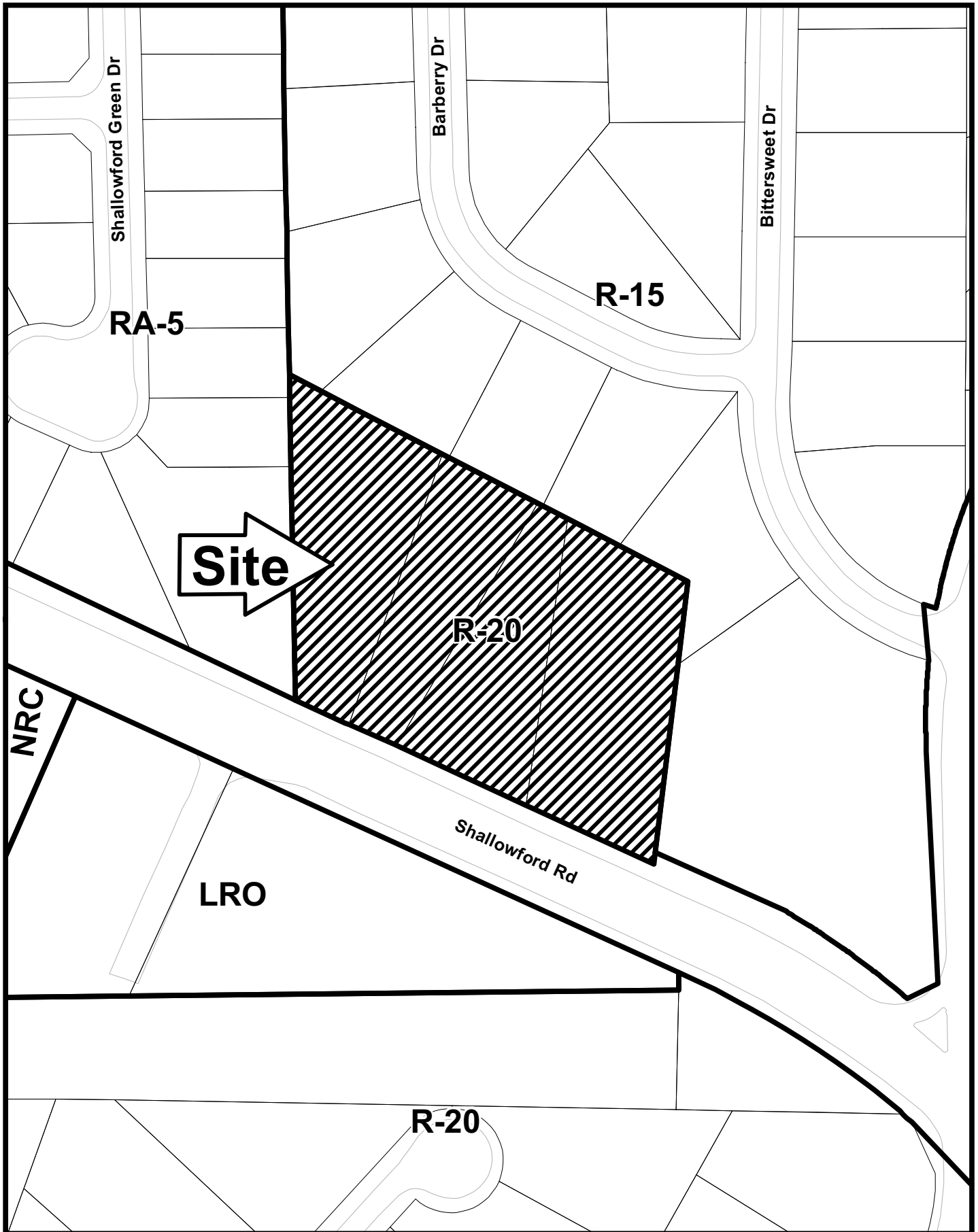
REJECTED _____ **SECONDED** _____

HELD _____ **CARRIED** _____

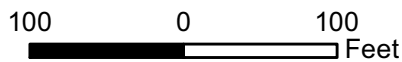
STIPULATIONS:





Z-35



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



-  City Boundary
-  Zoning Boundary

APPLICANT: Richard Duncan

PETITION NO.: Z-35

PRESENT ZONING: R-20

PETITION FOR: RA-5

ZONING COMMENTS:

Staff Member Responsible: Terry Martin, MPA

Land Use Plan Recommendation: Medium Density Residential (2.5--5 units per acre)

Proposed Number of Units: 9

Overall Density: 3.63

Units/Acre

Present Zoning Would Allow: 5 **Units**

Increase of: 4

Units/Lots

The applicant is requesting a rezoning to the RA-5 single-family, attached/detached residential district in order to develop nine (9) detached, single-family homes. That district's minimum lot size of 7,000 sq. ft. will be met with lots ranging from 7,113 sq. ft. to 11,098 sq. ft. The proposed homes will be "old style craftsman" being at least 2,100 sq. ft. in size and are anticipated to sell for \$300,000 to \$400,000.

Cemetery Preservation: No comment.

APPLICANT: Richard Duncan

PETITION NO.: Z-35

PRESENT ZONING: R-20

PETITION FOR: RA-5

SCHOOL COMMENTS:

<u>Name of School</u>	<u>Enrollment</u>	<u>Capacity Status</u>	<u>Number of Portable Classrooms</u>
<u>Shallowford Falls</u>	<u>643</u>	<u>Under</u>	<u> </u>
Elementary <u>Simpson</u>	<u>874</u>	<u>Over</u>	<u> </u>
Middle <u>Lassiter</u>	<u>1,980</u>	<u>Under</u>	<u> </u>

High

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

Additional Comments:

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.

COBB COUNTY MARIETTA WATER AUTHORITY COMMENTS:

CCMWA has a 36-inch DIP Transmission Water Line on the south side of Shallowford Road. If there is any boring under Shallowford Road, CCMWA requests to review the plans for this project to determine actual impact to our facilities.

APPLICANT: Richard Duncan

PETITION NO.: Z-35

PRESENT ZONING: R-20

PETITION FOR: RA-5

PLANNING COMMENTS:

The applicant is requesting a rezoning from R-20 to RA-5 for purpose of a single-family residential subdivision. The 2.48 acre site is located on the northeast side of Shallowford Road, west of Mabry Road.

Comprehensive Plan

The parcel is within a Medium Density Residential (MDR) future land use category, with R-20 zoning designation. The purpose of the Medium Density Residential (MDR) category is to provide for areas that are suitable for moderate density housing, between two and one-half (2.5) and five (5) dwelling units per acre.

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 Richard Duncan

PETITION NO. Z-035

PRESENT ZONING R-20

PETITION FOR RA-5

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): **8" DI / N side of Shallowford Road**

Additional Comments:

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: **Approx. 120' E with easements**

Estimated Waste Generation (in G.P.D.): **A D F 1440 Peak= 3600**

Treatment Plant: **Big Creek**

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 Sewer also ~135' S across Shallowford Rd. w/easements
Comments:

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: Richard Duncan

PETITION NO.: Z-35

PRESENT ZONING: R-20

PETITION FOR: RA-5

STORMWATER MANAGEMENT COMMENTS

FLOOD HAZARD: YES NO POSSIBLY, NOT VERIFIED

DRAINAGE BASIN: Harmony Grove 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- Maddux Lake.
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 receiving storm system.

APPLICANT: Richard Duncan

PETITION NO.: Z-35

PRESENT ZONING: R-20

PETITION FOR: RA-5

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 site is located just north of Shallowford Road and is bounded on the north and east by Hedgerow Subdivision and on the west by Shallowford Green Subdivision. Slopes on the site are relatively mild ranging from 2 to 10%. The majority of the site (2/3) drains to the Shallowford Road R/W. The remaining third drains to the east into the Hedgerow Subdivision Recreation Area.
2. Any bypass runoff from the rear of lots 1 through 7 must be directed to the Shallowford Road right-of-way and not to the Hedgerow Rec Area.

APPLICANT: Richard Duncan

PETITION NO.: Z-35

PRESENT ZONING: R-20

PETITION FOR: RA-5

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
Shallowford Road	27,300	Arterial	45 mph	Cobb County	100'

Based on 2011 traffic counting data taken by Cobb DOT (Shallowford Road)

COMMENTS AND OBSERVATIONS

Shallowford 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.

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 north side of Shallowford Road, a minimum of 50' from the roadway centerline.

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

Recommend a deceleration lane on Shallowford Road for the entrance.

Recommend removing and closing driveway aprons along Shallowford Road frontage that development renders unnecessary.

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

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STAFF RECOMMENDATIONS

Z-35 RICHARD DUNCAN

- 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. Immediately adjacent to the west exists an RA-5 district subdivision while to the north and east bounding the applicant's proposed 10 ft. landscape buffer lies an R-15 district subdivision.
- 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 applicant is proposing access directly from Shallowford Road by means of a public street. Also, the applicant is proposing a landscape buffer adjacent to the bounding R-15 zoned properties.
- 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*. The property lies within an area delineated as MDR medium density residential on the future land use map. The *Plan* states that the purpose of the Medium Density Residential (MDR) category is to provide for areas that are suitable for moderate density housing, between two and one-half (2.5) and five (5) dwelling units per acre. The applicant's proposal represents a density of 3.62 units per acre. The abutting subdivision to the west (Shallowford Green) is also zoned RA-5 and also has a density of 3.62 units per acre. Another subdivision in this area is Hedgerow (Unit IIA) at approximately 2.0 units per acre. Also on the north side of Shallowford Road and west of the subject property is Shallowford Trace, zoned RA-5 at a density of 3.45 units per acre.
- 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 property lies adjacent to existing RA-5 zoned property and provides a landscape buffer where it is bounded by the Hedgerow Subdivision which is zoned R-15. The project proposes access directly from Shallowford Road by means of a public street. Also, representing a density of 3.62 units per acre, the proposed development falls well within the projected range of its MDR future land use category of 2.5 to 5 dwelling units per acre.

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

- Site plan received by Zoning Division on May 2, 2013 with District Commissioner approving minor modifications;
- Fire Department comments and recommendations;
- Cobb County Marietta Water Authority comments and recommendations;
- Water and Sewer Division comments and recommendations;
- Stormwater Management Division comments and recommendations;
- Department of Transportation comments and recommendations; and
- Owner/developer to enter into a Development Agreement pursuant to O.C.G.A. §36-71-13 for dedication of system improvements to mitigate traffic concerns.

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.

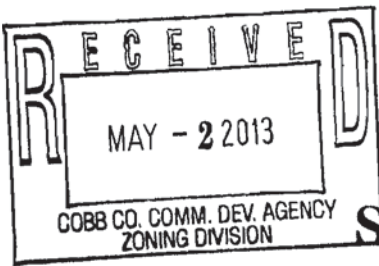
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Application No. Z-35
July 2013

Summary of Intent for Rezoning

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

- a) Proposed unit square-footage(s): 2100
- b) Proposed building architecture: Old style Craftsman
- c) Proposed selling prices(s): 300,000 to 400,000
- d) List all requested variances: _____

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

- a) Proposed use(s): _____

- 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 these properties are located).

