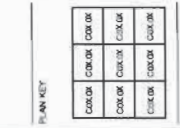


Z-27
(2013)
REVISED SITE
PLAN



| | |
|--------------------|-------------|
| WMO PROJ.: | 2013-004-01 |
| PROJ. ORIGIN DATE: | 11/2012 |
| P.A. NO.: | |
| PERM. NO.: | |
| ISSUE NO.: | 01 |
| DATE: | 4/15/13 |

| | | | | |
|----------|----------|----------|----------|----------|
| PLAN KEY | COLO. OK | COLO. OK | COLO. OK | COLO. OK |
| | COLO. OK | COLO. OK | COLO. OK | COLO. OK |

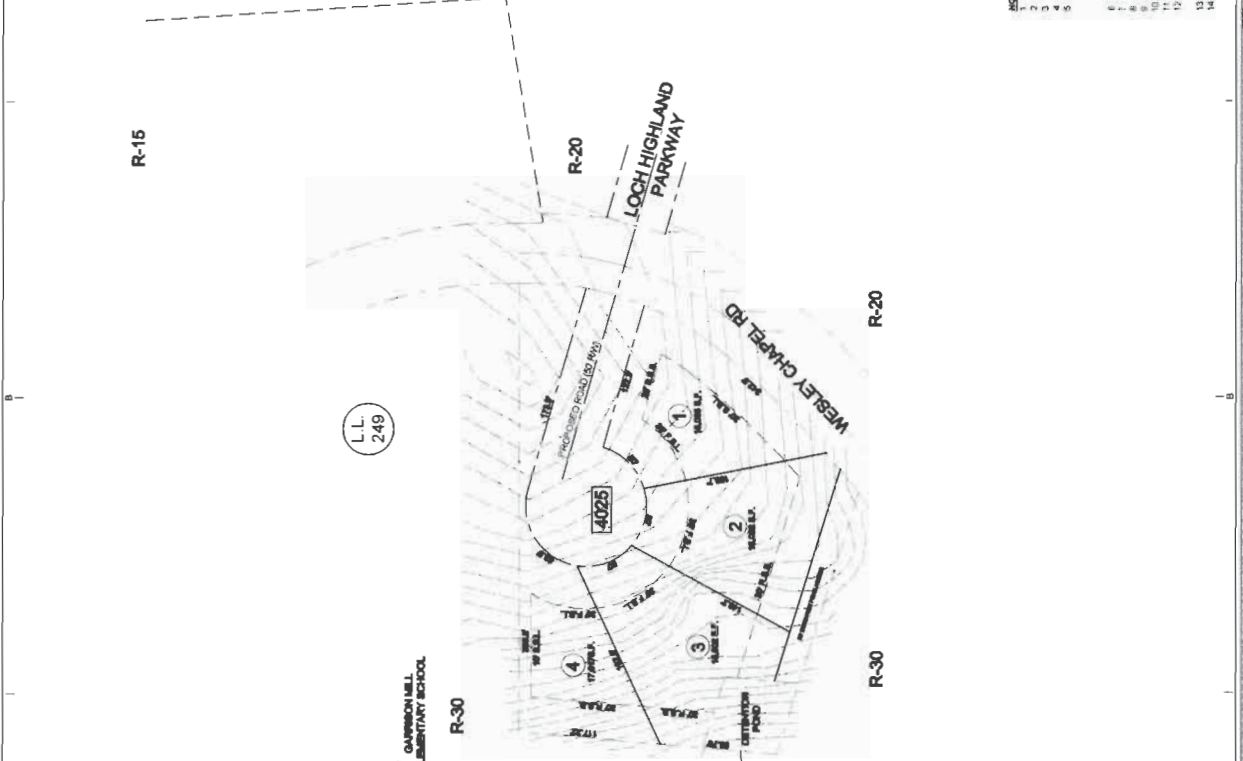


- DRAWING STATUS - NOT FOR PUBLIC RELEASE OR CONSTRUCTION - DRAWING STATUS -



TOTAL AREA: 1.93 ACRES
CURRENT ZONING: R-30
PROPOSED ZONING: R-15
LAND LOT 249
16TH DISTRICT, 2ND SECTION
COBB COUNTY, GA
DEVELOPER:
RICHARD DUNCAN
4302 FARMBROOK LANE
KENNESAW, GA 30144
PHONE: (678) 591-7824

- NOTES:**
- TOTAL SITE AREA IS 1.93 ACRES
 - EXISTING ZONING IS R-30
 - PROPOSED ZONING IS R-15
 - PROPOSED DENSITY IS 40 U/AC
 - BUILDING SETBACK LINES ARE AS FOLLOWS:
FRONT = 10 FEET
REAR = 10 FEET
SIDE = 10 FEET
 - TOTAL NUMBER OF UNITS IS 78
 - PROPOSED USE IS FOR SINGLE-FAMILY RESIDENTIAL
 - MINIMUM UNIT SIZE IS 2000 SF
 - MINIMUM UNIT PRICE IS \$200,000
 - TOPOGRAPHIC INFORMATION TAKEN FROM COBB COUNTY GIS DATA
 - ELEVATIONS ARE BASED ON NAVD 1983
 - THE PROPERTY IS LOCATED IN A FLOODPLAIN AREA PER FEMA MAPS
 - NO PORTION OF THIS PROPERTY IS LOCATED IN A FLOODPLAIN AREA PER FEMA MAPS
 - MINIMUM LOT FRONTAGE IS 175.00 FT



REVISED
Z-27/2013

RECEIVED
APR 15 2013
COBB CO. COMM. DEV. AGENCY
ZONING DIVISION



APPLICANT: Richard Duncan
(678) 591-7624

REPRESENTATIVE: Richard Duncan
(678) 591-7624

TITLEHOLDER: Frederick C. Apple and Nancy L. Apple

PROPERTY LOCATION: West side of Wesley Chapel Road, across
from Loch Highland Parkway
(4025 Wesley Chapel Road).

ACCESS TO PROPERTY: Wesley Chapel Road

PHYSICAL CHARACTERISTICS TO SITE: Single-family house

CONTIGUOUS ZONING/DEVELOPMENT

- NORTH:** R-30/School
- SOUTH:** R-30/Single-family house and accessory structures
- EAST:** R-20/Single-family house and R-15 Loch Highland Subdivision
- WEST:** R-30/School and Single-family house and accessory structures

PETITION NO: Z-27

HEARING DATE (PC): 06-04-13

HEARING DATE (BOC): 06-18-13

PRESENT ZONING: R-30

PROPOSED ZONING: R-15

PROPOSED USE: Residential Subdivision

SIZE OF TRACT: 1.93 acres

DISTRICT: 16

LAND LOT(S): 249

PARCEL(S): 6

TAXES: PAID X **DUE** _____

COMMISSION DISTRICT: 3

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

PLANNING COMMISSION RECOMMENDATION

APPROVED _____ **MOTION BY** _____

REJECTED _____ **SECONDED** _____

HELD _____ **CARRIED** _____

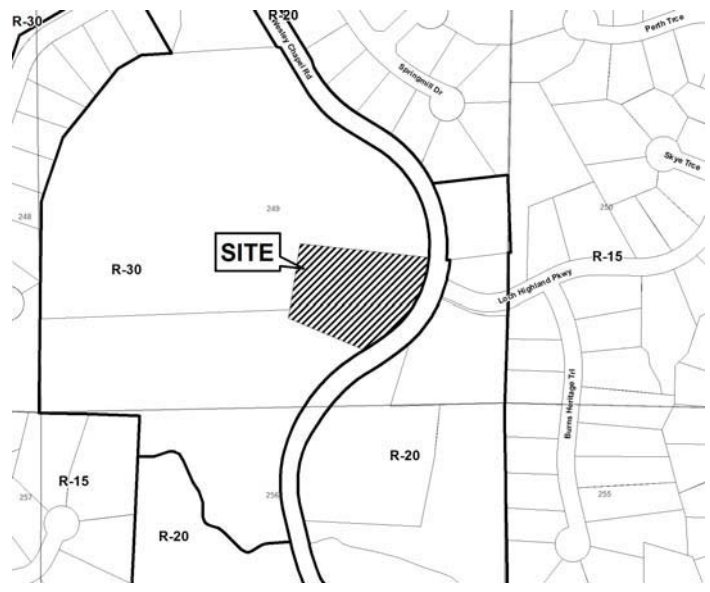
BOARD OF COMMISSIONERS DECISION

APPROVED _____ **MOTION BY** _____

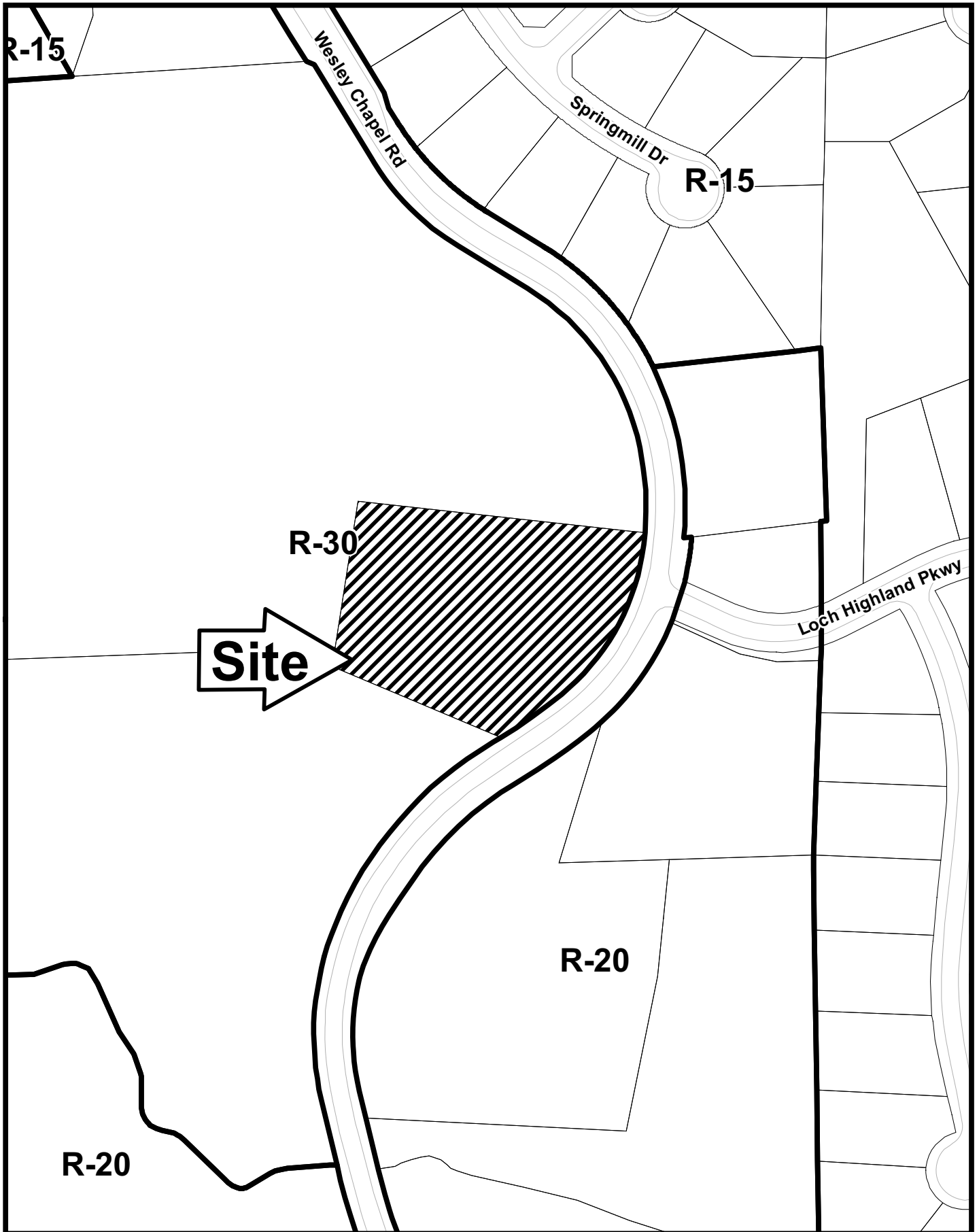
REJECTED _____ **SECONDED** _____

HELD _____ **CARRIED** _____

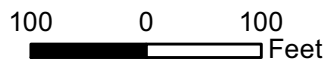
STIPULATIONS:





Z-27



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-27

PRESENT ZONING: R-30

PETITION FOR: R-15

ZONING COMMENTS:

Staff Member Responsible: Jason A. Campbell

Land Use Plan Recommendation: Low Density Residential (1-2.5 units per acre)

Proposed Number of Units: 4 **Overall Density:** 2.07 **Units/Acre**

Present Zoning Would Allow: 2 **Units** **Increase of:** 2 **Units/Lots**

Applicant is requesting the R-15 zoning category for the purpose of developing a single-family residential subdivision. The minimum house size will be 2,600 square feet with three sides to contain brick or stone, stacked stone, cedar shake, batten board or combinations thereof, and will have courtyards. The price range will be from \$400,000 to \$600,000.

Cemetery Preservation: No comment.

APPLICANT: Richard Duncan

PETITION NO.: Z-27

PRESENT ZONING: R-30

PETITION FOR: R-15

SCHOOL COMMENTS:

| <u>Name of School</u> | <u>Enrollment</u> | <u>Capacity Status</u> | <u>Number of Portable Classrooms</u> |
|-----------------------|-------------------|------------------------|--------------------------------------|
| <u>Garrison Mill</u> | <u>718</u> | <u>Under</u> | <u> </u> |
| Elementary | | | |
| <u>Mabry</u> | <u>839</u> | <u>Under</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:

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: Richard Duncan

PETITION NO.: Z-27

PRESENT ZONING: R-30

PETITION FOR: R-15

PLANNING COMMENTS:

The applicant is requesting a rezoning from R-30 to R-15 for purpose of a residential subdivision. The 1.9 acre site is located on the west side of Wesley Chapel Road, across from Loch Highland Parkway.

Comprehensive Plan

The parcel is within a Low Density Residential (**LDR**) future land use category, with R-30 zoning designation. The purpose of the Low Density Residential (LDR) category is to provide for areas that are suitable for low density housing between one (1) and two and one-half (2.5) dwelling units per acre. This category presents a range of densities.

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-027

PRESENT ZONING R-20

PETITION FOR R-15

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 W side of Wesley Chapel 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. 600' S at Sweet Mtn. Creek**

Estimated Waste Generation (in G.P.D.): **A D F 640 Peak= 1600**

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

Drw 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: Easement may be required from property immediately south.

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-27

PRESENT ZONING: R-20

PETITION FOR: R-15

STORMWATER MANAGEMENT COMMENTS

FLOOD HAZARD: YES NO POSSIBLY, NOT VERIFIED

DRAINAGE BASIN: Sweat Mountain 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 property including existing culvert under barn/shed and farm pond.

APPLICANT: Richard Duncan

PETITION NO.: Z-27

PRESENT ZONING: R-20

PETITION FOR: R-15

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 to the west of Wesley Chapel Road and is bounded by the Robert Hicks Farm to the south and Garrison Elementary School to the north and west. Approximately a third of the site drains to the south along the right-of-way of Wesley Chapel Road. The remainder of the site drains to the southeast through the Robert Hicks Farm property. Stormwater conveyance through this parcel is limited. There is an existing 18-inch CMP culvert located at the property line that flows under an existing barn/shed. This pipe discharges into an existing farm pond with limited spillway capacity. Detailed hydraulic analysis will be required at Plan Review to verify no adverse impact to these offsite systems.
2. While the location of the detention pond is at the low point of the site, the proposed access from the right-of-way is along the southern boundary of the site and will require total clearing for maintenance access. This will eliminate any buffer for the adjacent property owner.
3. A pre- and post-development sediment survey will be required for the downstream farm pond.

APPLICANT: Richard Duncan

PETITION NO.: Z-27

PRESENT ZONING: R-20

PETITION FOR: R-15

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 |
|--------------------|---------------------|------------------------|-------------|------------------------|--------------------------|
| Wesley Chapel Road | 2400 | Minor Collector | 35 mph | Cobb County | 60' |
| | | | | | |

Based on 2002 traffic counting data taken by Cobb DOT (Wesley Chapel Road)

COMMENTS AND OBSERVATIONS

Wesley Chapel Road 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.

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 Wesley Chapel Road, a minimum of 30' from the roadway centerline.

Recommend curb, gutter, and sidewalk along the Wesley Chapel Road frontage.

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

Recommend applicant verify that minimum intersection sight distance is available for Wesley Chapel Road access and if it is not, implement remedial measures, subject to the Department's approval, to achieve the minimum requirement of 390 feet.

Recommend no advertising on the right-of-way.

Recommend no monument signs on the right-of-way.

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

THIS

PAGE

INTENTIONALLY

LEFT

BLANK

STAFF RECOMMENDATIONS

Z-27 RICHARD DUNCAN

- A. It is Staff's opinion that the applicant's rezoning proposal will not permit a use that is suitable in view of the use and development of adjacent and nearby properties. While there are R-15 properties in the area, applicant's proposed density is higher than those developed R-15 properties.
- B. It is Staff's opinion that the applicant's rezoning proposal will have an adverse affect on the usability of adjacent or nearby property. Abutting properties are zoned R-30 with a school and a single-family house on a large tract and immediately across Wesley Chapel Road properties are zoned R-20 prior to entering Loch Highland Subdivision.
- C. It is Staff's opinion that the applicant's rezoning proposal will 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*, which delineates this property to be in the Low Density Residential (LDR) land use category having densities ranging from 1-2.5 units per acre. Other R-15 densities in the area range from 1.64 units per acre (The Highlands at Wesley Chapel West); to 1.69 units per acre (Village North Highlands); to 1.71 units per acre (Loch Highland, U3, Section 3); to 1.86 units per acre (Springmill). Applicant's proposed R-15 development had a density of 2.07 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 deleting the applicant's rezoning proposal. Applying the density average of 1.75 units per acre from the Zoning Ordinance for R-20, three lots could be developed yielding an approximate density of 1.55 units per acre, similar to other densities in the area and remaining under two units per acre.

Based on the above analysis, Staff recommends **DELETING** the request to R-20 subject to the following conditions:

- District Commissioner to approve final site plan and minor modifications thereafter;
- Water and Sewer comments and recommendations;
- Stormwater Management Division comments and recommendations;
- DOT 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.

THIS

PAGE

INTENTIONALLY

LEFT

BLANK

Summary of Intent for Rezoning

Z-27
June 2013

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

- a) Proposed unit square-footage(s): 2600 sq FT
- b) Proposed building architecture: 3 side to contain Brick, Stone, Stack Stone, Cedar Shake Bat & Board
- c) Proposed selling prices(s): 400,000 to 600,000
- d) List all requested variances: _____

or combination of sets

.....
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: _____

2013 APR 4 PM 3:41
COBB COUNTY ZONING DIVISION
COBB COUNTY GEORGIA
FILED IN OFFICE

.....
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).

NO

