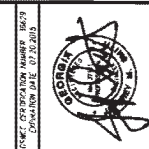


Z-31  
(2014)

RIDGE PLANNING AND ENGINEERING  
1780 WHITE OAKS, SUITE 202, MARIETTA, GA 30066  
JERRY SMITH, P.E. DIRECTOR 404.838.8290 FAX 404.838.1180 0072

LAND LOTS 66 AND 67  
SECTION 2 AND SECTION 3  
PEEBLEBROOK ROAD TRACT  
COUNTY, GEORGIA

OWNER / DEVELOPER  
DOG PEEBLEBROOK

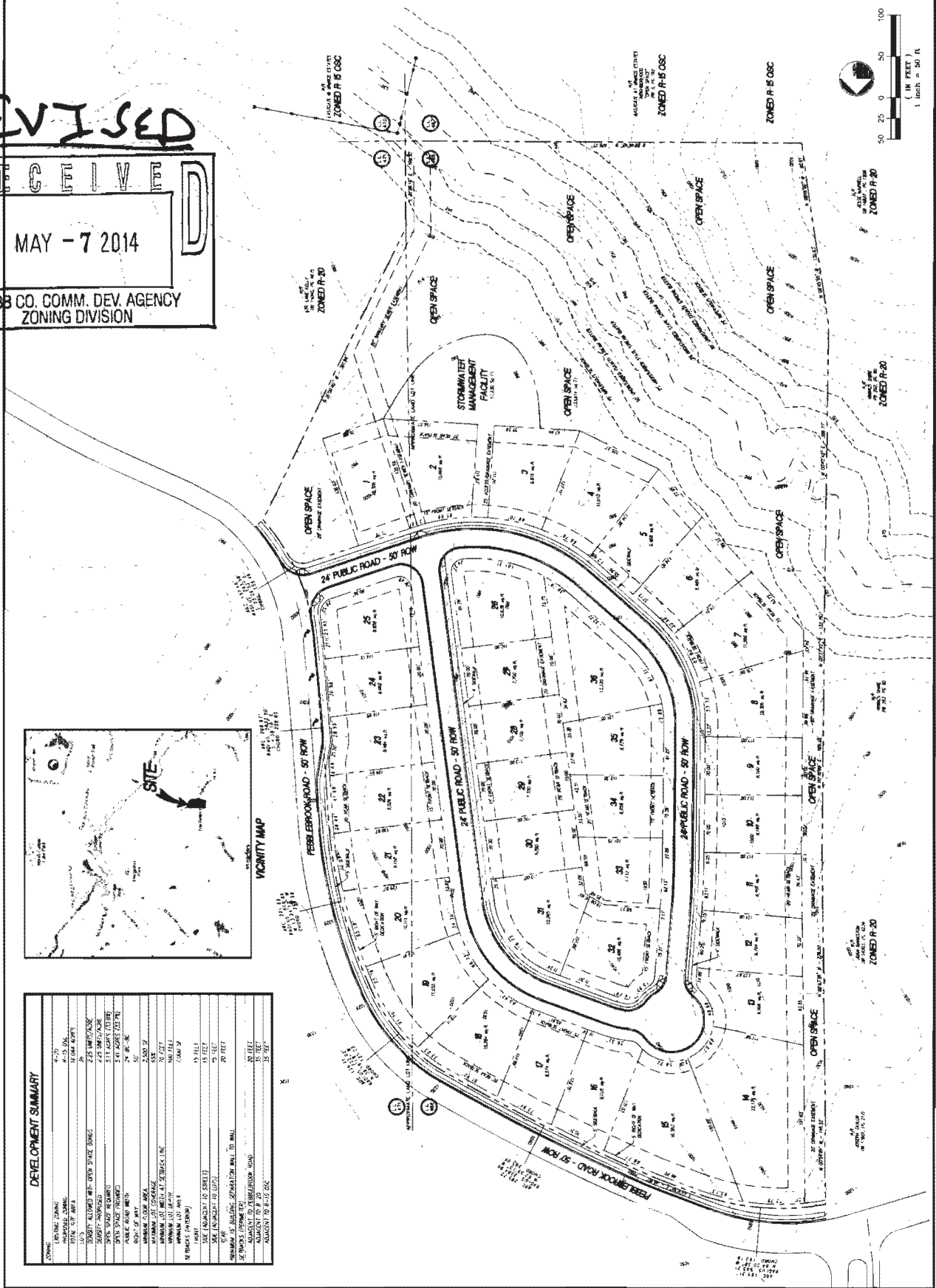


REVISIONS

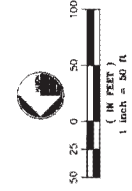
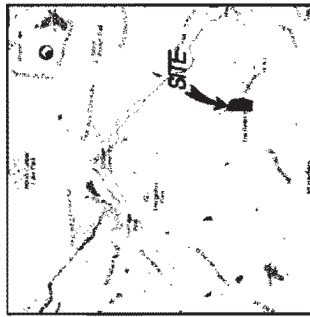
LOT INFORMATION  
C.010

REVISED

RECEIVED  
MAY - 7 2014  
COBB CO. COMM. DEV. AGENCY  
ZONING DIVISION



DEVELOPMENT SUMMARY	
ZONING	R-5 OSC
PERMITTED ZONING	R-5 OSC
PERMITTED AREA	16.04 ACRES
PERMITTED USE	RESIDENTIAL SINGLE-FAMILY
PERMITTED LOT AREA	1.51 ACRES (10,781 SQ FT)
PERMITTED UNIT COUNT	24 UNITS
PERMITTED UNIT TYPE	SINGLE-FAMILY DETACHED
PERMITTED UNIT AREA	2,500 SQ FT
PERMITTED UNIT COVERAGE	55%
PERMITTED UNIT HEIGHT	15 FEET
PERMITTED UNIT SETBACK	5 FEET
PERMITTED UNIT SPACING	10 FEET
PERMITTED UNIT SIDEWALK	5 FEET
PERMITTED UNIT DRIVEWAY	10 FEET
PERMITTED UNIT DRIVEWAY WIDTH	10 FEET
PERMITTED UNIT DRIVEWAY LENGTH	20 FEET
PERMITTED UNIT DRIVEWAY AREA	200 SQ FT
PERMITTED UNIT DRIVEWAY SETBACK	5 FEET
PERMITTED UNIT DRIVEWAY SPACING	10 FEET
PERMITTED UNIT DRIVEWAY WIDTH	10 FEET
PERMITTED UNIT DRIVEWAY LENGTH	20 FEET
PERMITTED UNIT DRIVEWAY AREA	200 SQ FT
PERMITTED UNIT DRIVEWAY SETBACK	5 FEET
PERMITTED UNIT DRIVEWAY SPACING	10 FEET



**APPLICANT:** DCG Pebblebrook, LLC

(770) 868-7591

**REPRESENTATIVE:** John Loyd

(770) 868-7591

**TITLEHOLDER:** Richard Lee Black, Sam Y. Morris, Sandra G. Morris

Katherine S. Hilliard (Executor for Samuel Sherman), Marion Bledsoe

**PROPERTY LOCATION:** South side of Pebblebrook Road, northwest of Highland Preserve Drive

(1020, 1030, 1040 and 1075 Pebblebrook Road).

**ACCESS TO PROPERTY:** Pebblebrook Road

**PHYSICAL CHARACTERISTICS TO SITE:** Two single-family

houses and undeveloped acreage

**PETITION NO:** Z-31

**HEARING DATE (PC):** 06-03-14

**HEARING DATE (BOC):** 06-17-14

**PRESENT ZONING:** R-20

**PROPOSED ZONING:** R-15/OSC

**PROPOSED USE:** Single-Family Residential

**SIZE OF TRACT:** 16.04 acres

**DISTRICT:** 17

**LAND LOT(S):** 466, 471

**PARCEL(S):** 2, 9, 14, 12

**TAXES: PAID** X **DUE** \_\_\_\_\_

**COMMISSION DISTRICT:** 4

**CONTIGUOUS ZONING/DEVELOPMENT**

**NORTH:** Smyrna/Vinings Estates Subdivision

**SOUTH:** R-15/OSC Eastgate at Vinings Subdivision

**EAST:** R-20/Single-family houses and Smyrna/Vinings Estates Subdivision

**WEST:** R-20/Single-family houses and R-20/Vinings Shire

**OPPOSITION:** NO. OPPOSED **PETITION NO:** \_\_\_\_\_ **SPOKESMAN** \_\_\_\_\_

**PLANNING COMMISSION RECOMMENDATION**

**APPROVED** \_\_\_\_\_ **MOTION BY** \_\_\_\_\_

**REJECTED** \_\_\_\_\_ **SECONDED** \_\_\_\_\_

**HELD** \_\_\_\_\_ **CARRIED** \_\_\_\_\_

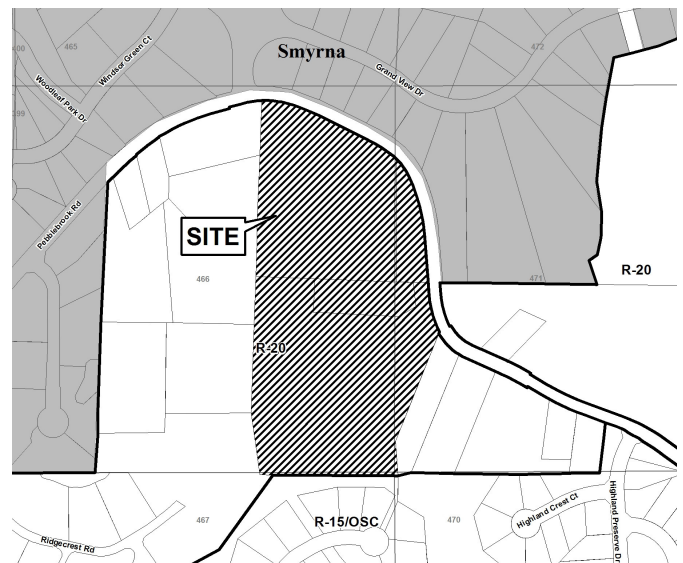
**BOARD OF COMMISSIONERS DECISION**

**APPROVED** \_\_\_\_\_ **MOTION BY** \_\_\_\_\_

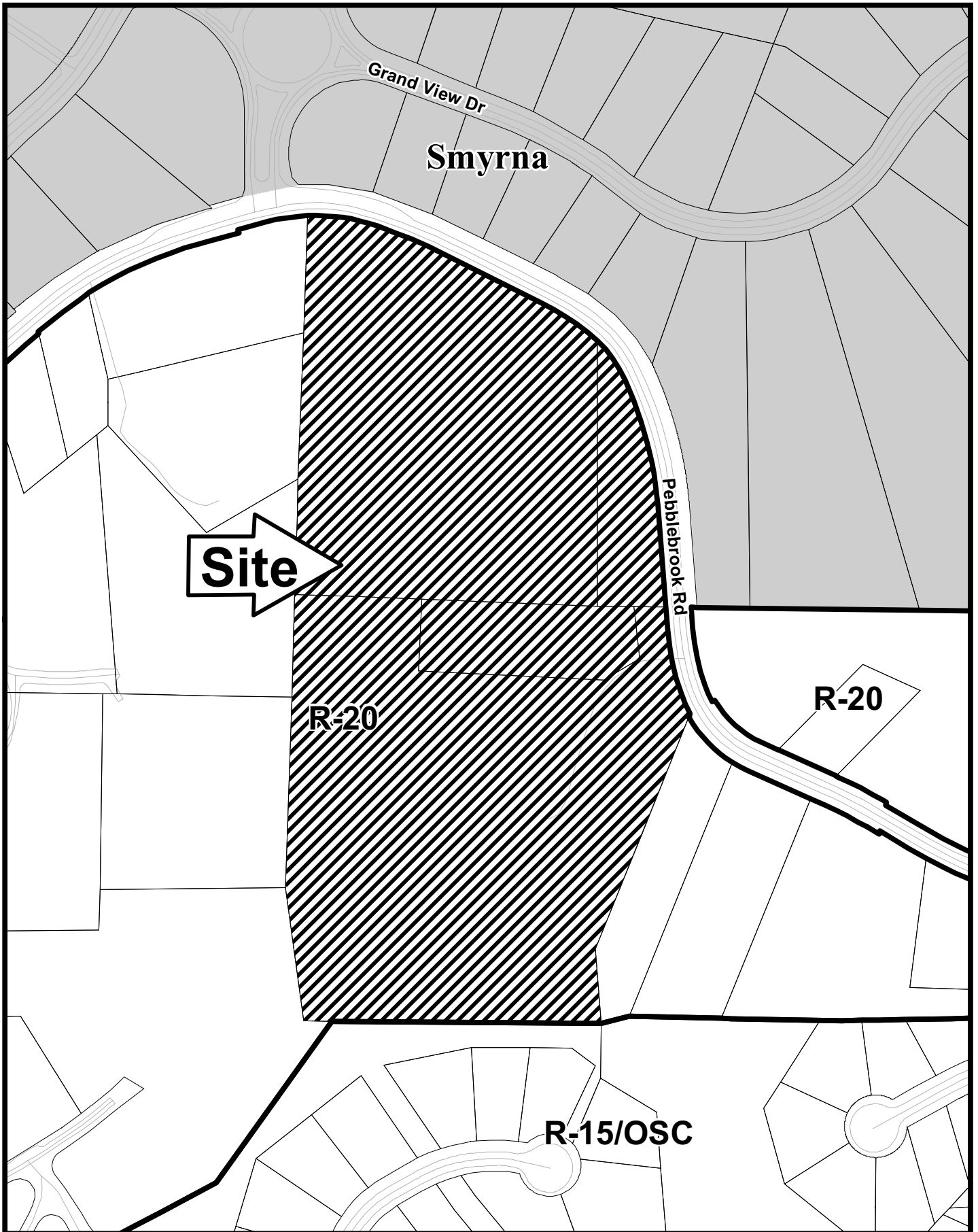
**REJECTED** \_\_\_\_\_ **SECONDED** \_\_\_\_\_

**HELD** \_\_\_\_\_ **CARRIED** \_\_\_\_\_

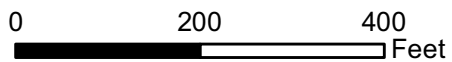
**STIPULATIONS:**





# Z-31



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



-  City Boundary
-  Zoning Boundary

**APPLICANT:** DCG Pebblebrook, LLC

**PETITION NO.:** Z-31

**PRESENT ZONING:** R-20

**PETITION FOR:** R-15/OSC

\*\*\*\*\*

**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:** 36                      **Overall Density:** 2.25                      **Units/Acre**

**Staff estimate for allowable # of units:** 28Units\*                      **Increase of:** 8                      **Units/Lots**

\*Estimate could be higher or lower based on engineered plans taking into account topography, shape of property, utilities, roadways, natural features such as creeks, wetlands, etc., and other unforeseen circumstances.

Applicant is requesting the R-15/Open Space Community (OSC) zoning category for the purpose of developing a single-family detached subdivision. The proposed houses are to be traditional, ranging in size from 1,800 square feet to 3,400 square feet. The selling prices will be from \$400,000 to \$500,000. The applicant has indicated that detention is to be provided onsite per Cobb County Standards and that lots adjacent to the common open space will have architecturally appropriate fencing as needed to delineate open space areas. The site plan indicates 5.41 acres (or 33.7%) open space. The site plan also indicates a 25-foot strip of open space along the western property line of the development and then the individual lot lines with 20-foot rear setbacks.

**Cemetery Preservation:** No comment.

**APPLICANT:** DCG Pebblebrook, LLC

**PETITION NO.:** Z-31

**PRESENT ZONING:** R-20

**PETITION FOR:** R-15/OSC

\*\*\*\*\*

**SCHOOL COMMENTS:**

<u>Name of School</u>	<u>Enrollment</u>	<u>Capacity Status</u>	<u>Number of Portable Classrooms</u>
<u>Harmony Leland</u>	<u>683</u>	<u>478</u>	<u>Over</u>
<b>Elementary</b> <u>Leland 6<sup>th</sup> Academy</u>	<u>587</u>	<u>708</u>	<u>Under</u>
<b>Middle</b> <u>Leland (grades 7 - 8)</u>	<u>1,099</u>	<u>1,046</u>	<u>Over</u>
<b>Middle</b> <u>Pebblebrook</u>	<u>2,148</u>	<u>1,862</u>	<u>Over</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 Harmony Leland Elementary School and Pebblebrook High School, both of which are severely 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:** DCG Pebblebrook, LLC

**PETITION NO.:** Z-31

**PRESENT ZONING:** R-20

**PETITION FOR:** R-15/OSC

\*\*\*\*\*

**PLANNING COMMENTS:**

The applicant is requesting a rezoning from R-20 to R-15/OSC for purpose of single family residential. The 16.04 acre site is located on south side of Pebblebrook Road, northwest of Highland Preserve Drive.

Comprehensive Plan

The parcel is within the Low Density Residential (LDR) area future land use category, with R-20 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

It has been 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 to be considered at site plan review. This survey, if completed, 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.

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?

Incentive Zones

Is the property within an Opportunity Zone?  Yes  No

The Opportunity Zone is an incentive that provides \$3,500 tax credit per job in eligible areas if two or more jobs are being created. This incentive is available for new or existing businesses.

Is the property within an Enterprise Zone?  Yes  No

The Enterprise Zone is an incentive that provides tax abatements and other economic incentives for qualifying businesses locating or expanding within designated areas for new jobs and capital investments.

Is the property eligible for incentives through the Commercial and Industrial Property Rehabilitation Program?

Yes  No

The Commercial and Industrial Property Rehabilitation Program is an incentive that provides a reduction in ad valorem property taxes for qualifying redevelopment in eligible areas.

Special Districts

Is this property within the Cumberland Special District #1 (hotel/motel fee)?

Yes  No

Is this property within the Cumberland Special District #2 (ad valorem tax)?

Yes  No

APPLICANT DCG Pebblbrook, LLC

PETITION NO. Z-031

PRESENT ZONING R-20

PETITION FOR R-15 OSC

\*\*\*\*\*

**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 / S side of Pebblebrook 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: +/- 10' S in Eastgate at Vinings Estates

Estimated Waste Generation (in G.P.D.): A D F= 5760 Peak= 14400

Treatment Plant: South 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 Off-site easement may be necessary depending on property line and existing sewer easement  
Comments: configuration

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: DCG Pebblebrook, LLC

PETITION NO.: Z-31

PRESENT ZONING: R-20

PETITION FOR: R-15/OSC

\*\*\*\*\*

**STORMWATER MANAGEMENT COMMENTS**

FLOOD HAZARD:  YES  NO  POSSIBLY, NOT VERIFIED

DRAINAGE BASIN: Nickajack 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: Within or adjacent to stream buffer

- 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 receiving stream.



APPLICANT: DCG Pebblebrook, LLC

PETITION NO.: Z-31

PRESENT ZONING: R-20

PETITION FOR: R-15/OSC

\*\*\*\*\*

**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 to the south of Pebblebrook Road. The entire site drains to the southeast via an unnamed tributary to Nickajack Creek. The proposed site plan places the rear third of the parcel including all the stream buffer area within designated open space. The proposed detention pond is well-located within the area previously occupied by the original homestead. Based on the proposed layout, a drainage easement will likely be required along the rear of lots 1 through 14 to convey site runoff to the detention pond.
2. Due to the steepness of the existing topography elevated erosion control measures should be utilized. It is recommended that a mulch berm be placed along the southerly limit of disturbance in addition to the required silt fencing.

**APPLICANT: DCG Pebblebrook, LLC**

**PETITION NO.: Z-31**

**PRESENT ZONING: R-20**

**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
Pebblebrook Road	1200	Minor Collector	30 mph	Cobb County	60'

*Based on 2011 traffic counting data taken by Cobb County DOT (Pebblebrook Road)*

**COMMENTS AND OBSERVATIONS**

Pebblebrook 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 to 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 south side of Pebblebrook Road, a minimum of 30' from the roadway centerline.

Recommend curb, gutter, and sidewalk along Pebblebrook Road frontage.

Recommend a deceleration lane for the Pebblebrook Road access.

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

Recommend all local development roadways plan for a 50' right-of-way donation if roadways are to be publicly maintained.

Recommend applicant verify that minimum intersection sight distance is available and if it is not, implement remedial measures, subject to the Department's approval, to achieve the minimum requirement of 335 feet.

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-31 DCG PEBBLEBROOK, LLC**

- 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 along this section of Pebblebrook Road are similarly zoned for single-family residential subdivisions.
- 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. Properties along this portion of Pebblebrook are similarly zoned and have similar densities.
- 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*, which delineates this property to be within the Low Density Residential (LDR) land use category, having densities ranging from 1-2.5 units per acre. Densities of nearby subdivisions include: Vinings Estates Unit 9A (City of Smyrna) at 1.14 units per acre; Eastgate at Vinings Estates Unit I (zoned R-15/OSC) at 1.36 units per acre; Eastgate at Vinings Estates Unit III (zoned R-15/OSC) at 1.89 units per acre; Vinings Estates Unit VIII (City of Smyrna) at 2.09 units per acre; Eastgate at Vinings Estates Unit II (zoned R-15/OSC) at 2.18 units per acre; and Vinings Cove Unit IV (zoned R-15) at 2.26 units per acre. Applicant's proposal of 2.25 units per acre is on the higher end of the allowed LDR range of 1-2.5 units per acre, but is similar to other densities in this area.
- 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. Applicant's requested zoning and proposed density fits the *Cobb County Comprehensive Plan* and the proposed site plan indicates a little more open space than what is required. The required open space is 5.13 acres (33.0%) and the proposed site plan indicates open space to be 5.41 acres (33.7%), which qualifies for the density bonus under the OSC overlay.

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

- Site plan received by the Zoning Division on April 3, 2014, with the District Commissioner approving minor modifications;
- Planning Division analysis and recommendations dated May 9, 2014;
- Historic Preservation comments;
- 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.**

THIS

PAGE

INTENTIONALLY

LEFT

BLANK

COBB COUNTY GEORGIA  
FILED IN OFFICE

2014 APR -3 PM 1:17

COBB COUNTY ZONING DIVISION



Application #: Z-31

PC Hearing Date: 6-3-14

BOC Hearing Date: 6-17-14

## Summary of Intent for Rezoning

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

- a) Proposed unit square-footage(s): 1,800-3,400sft
- b) Proposed building architecture: Traditional
- c) Proposed selling prices(s): \$400,000-\$500,000
- d) List all requested variances: N/A

.....  
**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)**

Detention to be provided onsite per Cobb County Standards. Lots adjacent to Common  
Open Space will have architecturally appropriate fencing as needed to delineate Open Space Areas.

.....  
**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

.....  
**Part 5. Is this application a result of a Code Enforcement action? No \_\_\_; Yes \_\_\_ (If yes, attach a copy of the Notice of Violation and/or tickets to this form).**

Applicant signature: \_\_\_\_\_ Date: \_\_\_\_\_

Applicant name (printed): John Loyd

**COBB COUNTY COMMUNITY DEVELOPMENT AGENCY**

Planning Division  
1150 Powder Springs Street  
Marietta, Georgia 30060  
(770) 528-2018

Planning Staff Analysis

## Z-31

Date: **May 9, 2014**

Contact: Phillip Westbrook

(770) 528-2014

**Property Location:** Southside Pebblebrook Road east of Vinings Estate **Land Lot/District:** 466/17  
**Current Zoning:** R-20 **Proposed Use:** R-15 OSC

**Total Area:** 16.044 acres

**Floodplain /Wetland Area/Cemetery:** 0.0 acres

**Net Buildable Area:** 16.044 acres

**Base Density Allowed:** 2.1 upa

**Base Density Allowed w/Bonus:** 2.25 upa

**Proposed Lots:** 36

**Net Density:** 2.24 upa

**Future Land Use:** Low Density Residential (1 to 2.5 upa)

**Open Space requirement:** 4.81 acres or 30%; for bonus 5.29 acres or 33%

**Open Space provided:** 5.41 acres or 33.7%

**Percentage of Open Space within Floodplain, Wetlands, & Lakes w:** 0%

**Setbacks:**

Front: 15'

Rear: 20'

Side: 5' w/ 15' between buildings

**Comments:**

1. Per OSC code item (f)(1) ... Lots must be designed so to accommodate on site parking for at least two vehicles and provide for side setbacks, the sum of which equals the total sum of side setbacks required for the underlying zoning district, with a minimum of 5'.
2. Must have Cobb Department of Transportation approved lighting plan if outdoor lighting (except individual residential lots) is proposed
3. A Conservation Easement must be recorded in the mandatory subdivision covenants and with Cobb Superior Court, thereby protecting the "Open Space" from development in perpetuity as owned by the mandatory Home Owners Association. Conservation Easement application must be submitted to the Planning Division before final plat approval.
4. Recommend providing architectural renderings and descriptions of the façade treatments that will be used on the proposed housing units

5. For all lots contiguous to commonly owned open space, staff recommends including a deed that explains that said lots are adjacent to commonly owned Open Space that cannot be disturbed.
6. Recommend split rail fence to be installed just on the inside of commonly owned open space and not on the individual lot side of the property.