

Z-47  
(2014)

Gaskins

HILLSIDE @ SHALLOWFORD  
FOR TRATON HOMES

ZONING PLAN

PROJECT NO.	FIELD BOOK
DRAWN BY	CHECKED BY
SCALE	SCALE DATE
1" = 50'	
SHEET NUMBER	
1 of 1	

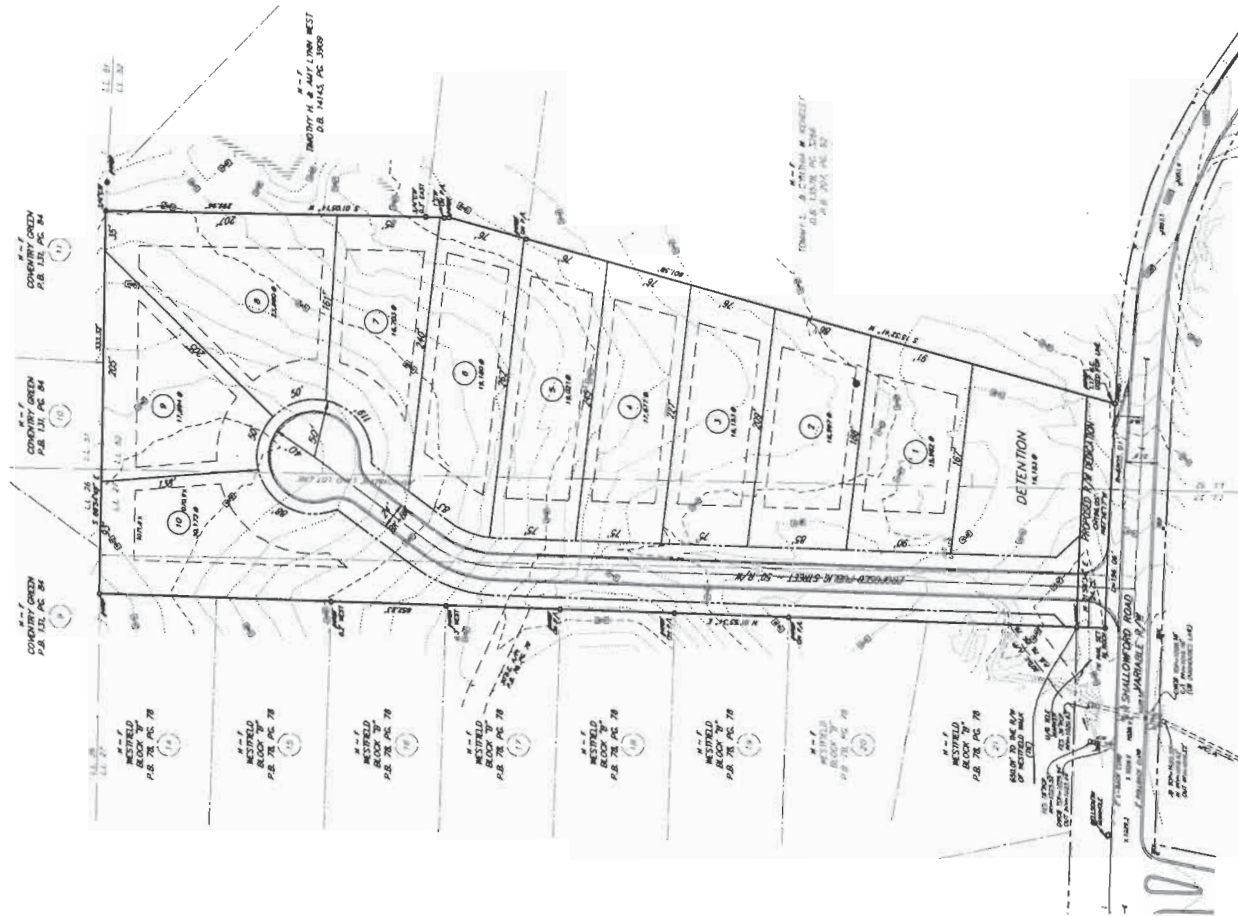
LOCATION MAP 1" = 2000'

ZONING NOTES:

SITE DATA:  
 ACREAGE = 5.87 ACRES  
 EXISTING ZONING R-30  
 PROPOSED ZONING R-15

R-15 CRITERIA  
 LOT AREA 15,000 SF  
 MAX DENSITY 2.1 U/A  
 FRONT SETBACK 35'  
 MAJOR SIDE SETBACK 25' / 35'  
 MINOR SIDE SETBACK 10'  
 REAR SETBACK 30'  
 MAX LOT COVERAGE 35%  
 MAX HEIGHT 35'

PROPOSED DENSITY 1.7 U/A  
 AVERAGE LOT SIZE 19,365 SF



COBB COUNTY ZONING DIVISION

2014 MAY -1 PM 4: 53

COBB COUNTY GEORGIA  
FILED IN OFFICE

**APPLICANT:** Traton Homes, LLC

**PHONE#:** (770) 427-2714 **EMAIL:** \_\_\_\_\_

**REPRESENTATIVE:** J. Kevin Moore

**PHONE#:** (770) 429-1499 **EMAIL:** jkm@mij.com

**TITLEHOLDER:** Traton Homes, LLC

**PROPERTY LOCATION:** North side of Shallowford Road, east of Westfield Walk.

**ACCESS TO PROPERTY:** Shallowford Road

**PHYSICAL CHARACTERISTICS TO SITE:** Single-family house

**CONTIGUOUS ZONING/DEVELOPMENT**

**NORTH:** R-15/Coventry Green Subdivision

**SOUTH:** R-20/Mountain Creek Subdivision

**EAST:** R-30/Single-family Houses

**WEST:** R-20/Westfield Subdivision

**PETITION NO:** Z-47

**HEARING DATE (PC):** 07-01-14

**HEARING DATE (BOC):** 07-15-14

**PRESENT ZONING:** R-30

**PROPOSED ZONING:** R-15

**PROPOSED USE:** Single-Family Residential Subdivision

**SIZE OF TRACT:** 5.87 acres

**DISTRICT:** 1

**LAND LOT(S):** 27, 52

**PARCEL(S):** 36, 17

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

**COMMISSION DISTRICT:** 3

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

**PLANNING COMMISSION RECOMMENDATION**

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

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

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

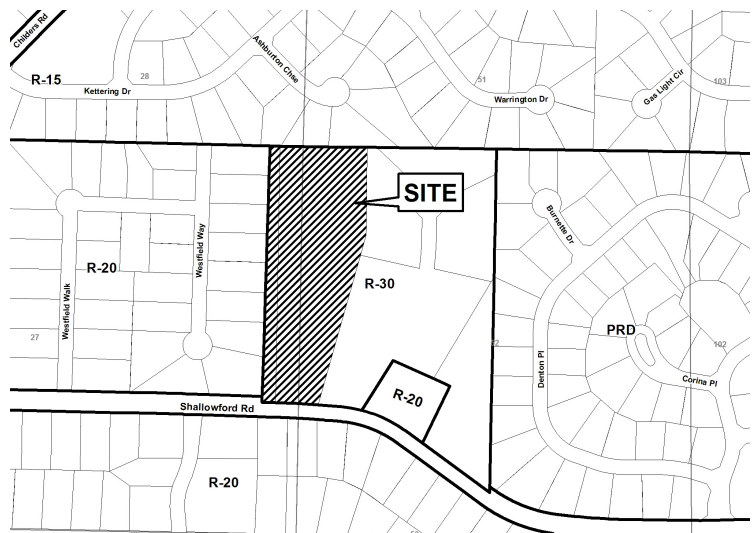
**BOARD OF COMMISSIONERS DECISION**

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

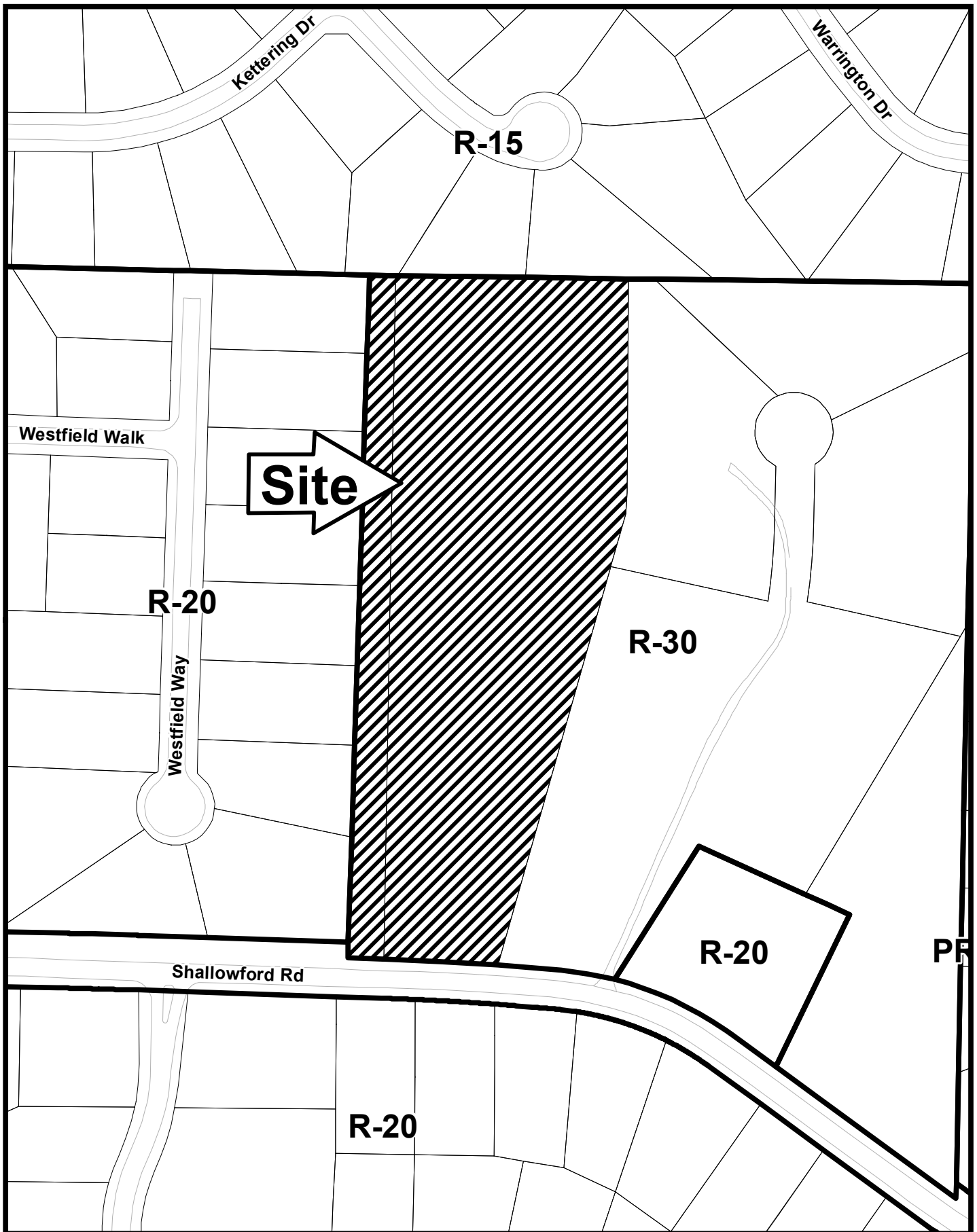
**REJECTED** \_\_\_\_\_ **SECONDED** \_\_\_\_\_

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

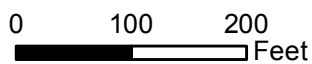
**STIPULATIONS:**



# Z-47



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



City Boundary  
Zoning Boundary

**APPLICANT:** Traton Homes, LLC

**PETITION NO.:** Z-47

**PRESENT ZONING:** R-30

**PETITION FOR:** R-15

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**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:** 10                      **Overall Density:** 1.7 **Units/Acre**

**Staff estimate for allowable # of units:** 6 **Units\***    **Increase of:** 4 **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 zoning category for the development of a 10-lot, single-family residential subdivision. The houses will be traditional and the proposed minimum house size is 2,000 square feet. The proposed selling prices will be from the \$400,000s. The proposed site plan indicates the lots will meet or exceed the minimum R-15 lot size of 15,000 square feet. The proposed average lot size is 19,365 square feet.

**Cemetery Preservation:** No comment.

APPLICANT: Traton Homes, LLC

PETITION NO.: Z-47

PRESENT ZONING: R-30

PETITION FOR: R-15

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**SCHOOL COMMENTS:**

<u>Name of School</u>	<u>Enrollment</u>	<u>Capacity Status</u>	<u>Number of Portable Classrooms</u>
<u>Tritt Elem</u>	<u>892</u>	<u>Over</u>	<u>                    </u>
<b>Elementary</b>			
<u>Hightower Trail Middle</u>	<u>1108</u>	<u>Over</u>	<u>                    </u>
<b>Middle</b>			
<u>Pope High</u>	<u>1828</u>	<u>Under</u>	<u>                    </u>

**High**

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

**Additional Comments:**

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**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: Traton Homes, LLC

PETITION NO.: Z-47

PRESENT ZONING: R-30

PETITION FOR: R-15

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**PLANNING COMMENTS:**

The applicant is requesting a rezoning from R-30 to R-15 for single family residential. The 5.87 acre site is located on the north side of Shallowford Road, east of Westfield Walk.

**Comprehensive Plan**

The parcel is within the Low Density Residential (LDR) area 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?

**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 Traton Homes, Inc.

PETITION NO. Z-047

PRESENT ZONING R-30

PETITION FOR R-15

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**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): 6" AC / S side of Shallowford Rd

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.

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**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: +/- 145' W in Shallowford Rd ROW

Estimated Waste Generation (in G.P.D.): A D F= 1,600 Peak= 4,000

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 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.

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PETITION FOR: R-15

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**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 \_\_\_\_\_.  
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 including the culvert at Mountain Creek Drive.



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**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 north of Shallowford Road just east of Westfield Subdivision and south of Coventry Green Subdivision. The entire parcel drains to the south to an existing culvert under Shallowford Road. The site is mostly wooded with a mixture of soft and hardwood and slopes are less than 10%.
2. Due to the existing topography, a drainage easement will likely be required along the rear of lots 1 through 8 to limit offsite bypass and convey all site runoff to the proposed detention pond.
3. The downstream analysis required for the hydrology study must demonstrate no increase in headwater pool elevations for the existing downstream culvert at Mountain Creek Drive due to an existing low-lying residence.

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**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	14,700	Arterial	35 mph	Cobb County	100'

*Based on 2008 traffic counting data taken by Cobb County 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 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 north side of Shallowford Road, a minimum of 50' from the roadway centerline.

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

Recommend a deceleration lane for the Shallowford Road access.

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

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

## STAFF RECOMMENDATIONS

### **Z-47 TRATON HOMES, 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. Other properties in the area are similarly zoned and have similar densities.
- 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. While other properties are similarly zoned and developed, the topography is of concern for this 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*, which delineates this property to be within the Low Density Residential land use category having densities ranging from 1-2.5 units per acre. Other neighborhoods in this area have the following density ranges: Westfield (approximately 1.93 units per acre, zoned R-20); Edgewater Cove Unit One (2.01 units per acre, zoned PRD); Coventry Green (2.033 units per acre, zoned R-15); Yorktown (2.23 units per acre, zoned R-15); Mountain Creek Unit Two (approximately 2.23 units per acre, zoned R-20); Carriage Lakes (2.17 units per acre, zoned R-15); and Chimney Lakes Unit Nine (2.41 units per acre, zoned R-15).
- 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. While the proposed density and zoning category are compatible with the *Cobb County Comprehensive Plan* designation of Low Density Residential, Staff is concerned with topography issues and drainage problems that have been raised in regard to this proposed project. Staff believes that deleting the request to R-20 and reducing the number of lots will help reduce drainage problems for the development.

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

- Site plan to be approved by the Board of Commissioners;
- Fire Department 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.**

COBB COUNTY GEORGIA  
FILED IN OFFICE

2014 MAY -1 PM 4:52

COBB COUNTY ZONING DIVISION



Application #: Z- 47 (2014)

PC Hearing Date: 07/01/2014

BOC Hearing Date: 07/15/2014

## Summary of Intent for Rezoning\*

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

- a) Proposed unit square-footage(s): Minimum 2,000 square feet
- b) Proposed building architecture: Traditional
- c) Proposed selling prices(s): \$400,000s
- 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.

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

MOORE INGRAM JOHNSON & STEELE, LLP

Applicant signature: BY: [Signature] Date: May 1, 2014

Applicant name (printed): J. Kevin Moore (Georgia Bar No. 519728)

Attorneys for Applicant/Titleholder

**\*Applicant specifically reserves the right to amend any information set forth herein, or in any part of the Application for Rezoning, at any time during the rezoning process.** Revised August 21, 2013