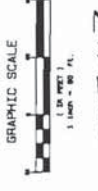
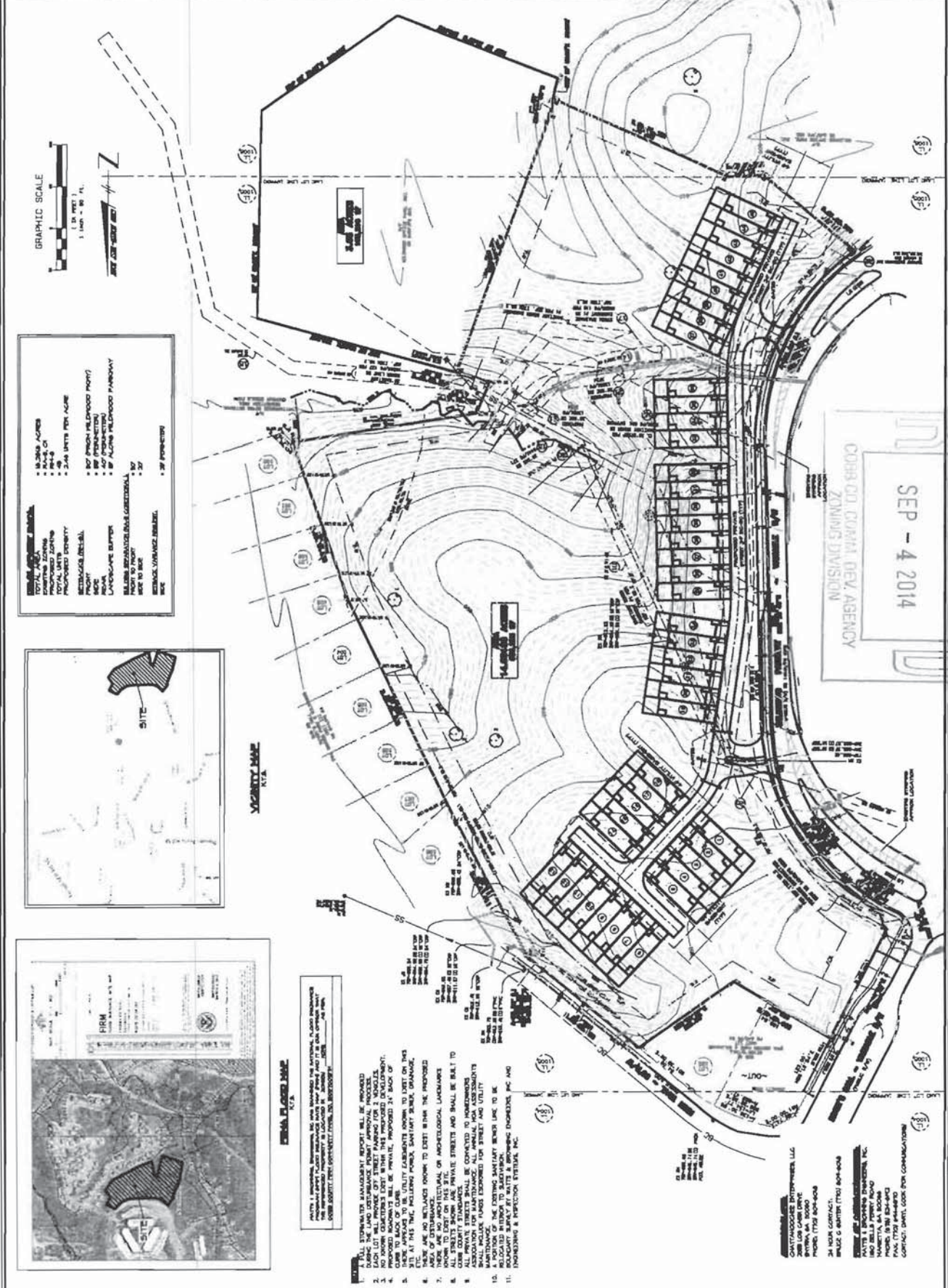


Z-84  
(2014)

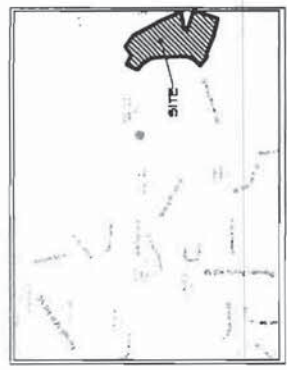


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**LEGEND**

• BOUNDARIES	• 20' BUFFER
• TOTAL AREA	• 20' BUFFER
• IMPROVED ZONING	• 20' BUFFER
• UNIMPROVED ZONING	• 20' BUFFER
• 10' BUFFER	• 20' BUFFER
• 20' BUFFER	• 20' BUFFER
• 30' BUFFER	• 20' BUFFER
• 40' BUFFER	• 20' BUFFER
• 50' BUFFER	• 20' BUFFER
• 60' BUFFER	• 20' BUFFER
• 70' BUFFER	• 20' BUFFER
• 80' BUFFER	• 20' BUFFER
• 90' BUFFER	• 20' BUFFER
• 100' BUFFER	• 20' BUFFER



RECEIVED  
 SEP - 4 2014  
 COBB COUNTY DEV. AGENCY  
 ZONING DIVISION

1. ALL SITEWATER MANAGEMENT REPORT WILL BE PROVIDED TO THE CITY OF ATLANTA AND THE STATE OF GEORGIA FOR REVIEW AND APPROVAL.
2. EASEMENTS SHALL BE PROVIDED FOR ALL UTILITIES AND ALL PUBLIC UTILITIES SHALL BE PROVIDED AT THE FRONT OF EACH LOT.
3. ALL PRIVATE STREETS SHALL BE CONVEYED TO THE CITY OF ATLANTA AND THE STATE OF GEORGIA FOR REVIEW AND APPROVAL.
4. ALL PRIVATE STREETS SHALL BE CONVEYED TO THE CITY OF ATLANTA AND THE STATE OF GEORGIA FOR REVIEW AND APPROVAL.
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11. ALL PRIVATE STREETS SHALL BE CONVEYED TO THE CITY OF ATLANTA AND THE STATE OF GEORGIA FOR REVIEW AND APPROVAL.

WV&B ENGINEERING, LLC  
 24 HOUR CONTACT:  
 PHONE: (770) 808-8008  
 FAX: (770) 808-8009  
 WWW.WV&BENGINEERING.COM

**APPLICANT:** JW Acquisitions, LLC

**PETITION NO:** Z-84

**PHONE#:** (770) 809-6010 **EMAIL:** f.robert.parker@gmail.com

**HEARING DATE (PC):** 11-04-14

**REPRESENTATIVE:** John H. Moore

**HEARING DATE (BOC):** 11-18-14

**PHONE#:** (770) 429-1499 **EMAIL:** jmoore@mijs.com

**PRESENT ZONING:** RA-5, O&I

**TITLEHOLDER:** Cousins Properties Incorporated and Wildwood Associates

**PROPOSED ZONING:** RM-8

**PROPERTY LOCATION:** East side of Wildwood Parkway, southeast side of Rivers Call Boulevard, south side of High Trail.

**PROPOSED USE:** Attached Residential

**ACCESS TO PROPERTY:** Wildwood Parkway

**SIZE OF TRACT:** 18.2818 acres

**DISTRICT:** 17

**PHYSICAL CHARACTERISTICS TO SITE:** Undeveloped acreage

**LAND LOT(S):** 1005,1006

**PARCEL(S):** 1, 30,1

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

**COMMISSION DISTRICT:** 2

**CONTIGUOUS ZONING/DEVELOPMENT**

**NORTH:** RA-5/Rivers Call Subdivision; R-40/Chattahoochee Park Area

**SOUTH:** UC/Undeveloped; R-80/Chattahoochee Park Area

**EAST:** RA-5/Rivers Call; R-80 and R-40/Chattahoochee Park Area

**WEST:** OMR/Wildwood Office Development

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

**PLANNING COMMISSION RECOMMENDATION**

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

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

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

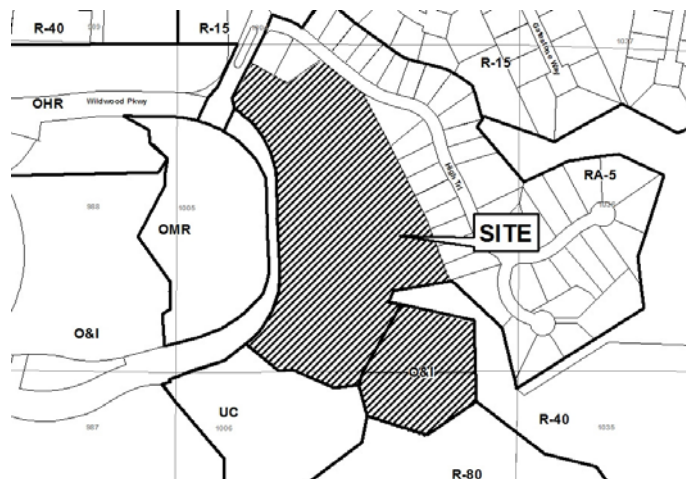
**BOARD OF COMMISSIONERS DECISION**

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

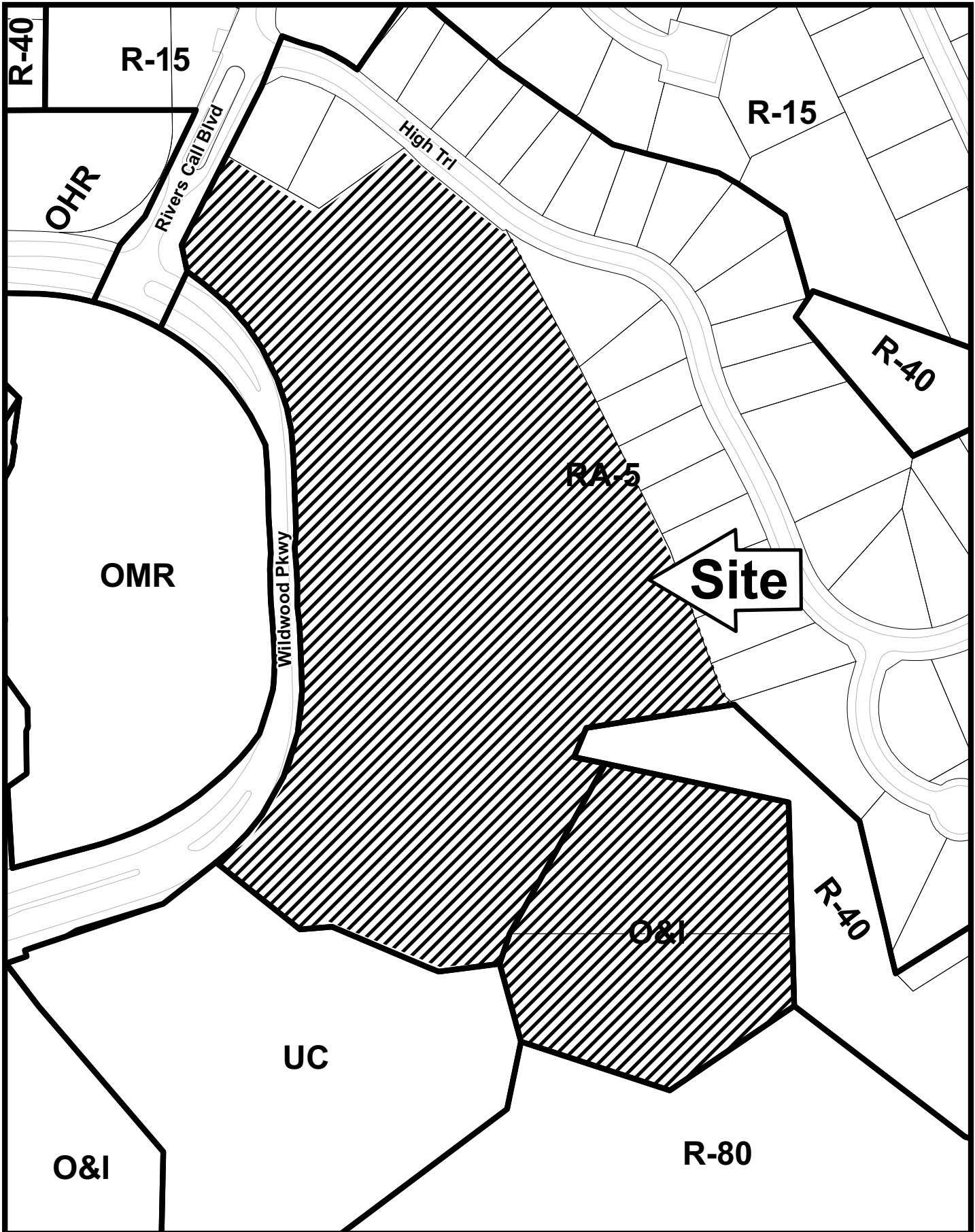
**REJECTED** \_\_\_\_\_ **SECONDED** \_\_\_\_\_

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

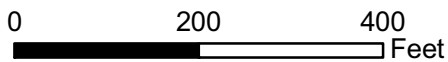
**STIPULATIONS:**



# Z-84



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



City Boundary  
Zoning Boundary

**APPLICANT:** JW Acquisitions, LLC

**PETITION NO.:** Z-84

**PRESENT ZONING:** RA-5, O&I

**PETITION FOR:** RM-8

\*\*\*\*\*

**ZONING COMMENTS:**

**Staff Member Responsible:** Jason A. Campbell

**Land Use Plan Recommendation:** Regional Activity Center (RAC)

**Proposed Number of Units:** 46                      **Overall Density:** 2.46                      **Units/Acre**

**Staff estimate for allowable # of units:** 31(RA-5/Z-139 of 2006)Units\*    **Increase of:** 15                      **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 RM-8 zoning category for the purpose of a 45-unit attached and one single-family detached residential development. The property was previously rezoned as part of Z-139 of 2006 that included the UC property to the south. At that time, the overall approval was for 31 detached units under RA-5 and 342 condominium units in to 18-story towers on the UC portion. The current application only includes the RA-5 portion of the previous case and the existing O&I portion.

The 45-unit attached portion will be located on the eastern side of Wildwood Parkway and the one single-family lot will be located off of a private easement on the current O&I portion that abuts the Chattahoochee Park property to the east. The attached units will be tradition and European with house sizes ranging from 3,500 to 4,500 square feet. The buildings will have brick and stone exteriors. The proposed price points will range from the \$700,000s and greater. This will be a gated community. The attached units may be four stories in height.

The applicant is requesting the following contemporaneous variances:

1. Waive the building height from 35 feet to 40 feet;
2. Waive the side setbacks from 35 feet to 25 feet; and
3. Allow one lot of off a private easement.

**Cemetery Preservation:** No comment.

APPLICANT: JW Acquisitions, LLC

PETITION NO.: Z-84

PRESENT ZONING: RA-5, O&I

PETITION FOR: RM-8

\*\*\*\*\*

**SCHOOL COMMENTS:**

Name of School	Enrollment	Capacity Status	Number of Portable Classrooms
Brumby	1,033	Over	
Elementary East Cobb	1,281	Over	
Middle Wheeler	2,125	Under	

**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 Brumby Elementary School and East Cobb Middle School, both of which are severely over capacity at this time.

\*\*\*\*\*

**FIRE COMMENTS:**

**ACCESS:** Fire apparatus access roads shall extend to within 150 feet of all portions of the facility or any portion of the exterior wall of the first floor (State Modifications IFC 503.1 2006 Edition).

All access roads shall meet the American Association of State and Highway Transportation Officials (AASHTO) design manual live load standard HS20 (75,000 lbs.) with an unobstructed width of not less than 20 feet, 25 foot inside radius, 50 foot outside turning radius and unobstructed vertical clearance of not less than 13 feet 6 inches.

Maximum slope of the access road in reference to the apparatus is 10% Front to Back and 5% Side to Side. Maximum grade of roadways leading to Fire Access roads refer to the Cobb County Development Standard Section 400: 14% for Non-Residential. Maximum angle of departure is 8.5%.

Aerial apparatus access shall be required for all structures over 30 feet in height measured from the lowest level of fire department access to the ceiling height of the highest occupied floor level. Aerial fire apparatus access roads shall be a minimum width of 24 feet maximum of 40 feet from the structure and be positioned parallel to one entire side of the building. No overhead utility and power lines shall be located within the aerial fire apparatus access. (Cobb County Development Standards 401.08.02.1)

**GUEST PARKING:** 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: JW Acquisitions, LLC

PETITION NO.: Z-84

PRESENT ZONING: RA-5, O&I

PETITION FOR: RM-8

\*\*\*\*\*

**PLANNING COMMENTS:**

The applicant is requesting a rezoning from RA-5 and O&I to RM-8 for attached residential. The 18.28 acre site is located on the east side of Wildwood Parkway, southeast side of Rivers Call Boulevard, south side of High Trail.

**Comprehensive Plan**

The parcel is within a Regional Activity Center (RAC) future land use category, with RA-5 and O&I zoning designations. 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?

**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.

APPLICANT: JW Acquisitions, LLC

PETITION NO.: Z-84

PRESENT ZONING: RA-5, O&I

PETITION FOR: RM-8

\*\*\*\*\*

**PLANNING COMMENTS:** (Continued)

**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 JW Acquisitions, LLC

PETITION NO. Z-084

PRESENT ZONING RA-5, O&I

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 / W side of Wildwood Parkway

Additional Comments: Private streets with master water meter arrangement may require review and approval by Georgia EPD as a "public water supply system".

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

Estimated Waste Generation (in G.P.D.): A D F= 7360 Peak= 18400

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

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 Proposed site plan requires relocation of existing on-site sewer.  
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: JW Acquisitions, LLC

PETITION NO.: Z-84

PRESENT ZONING: RA-5. O&I

PETITION FOR: RM-8

\*\*\*\*\*

**STORMWATER MANAGEMENT COMMENTS**

FLOOD HAZARD:  YES  NO  POSSIBLY, NOT VERIFIED

DRAINAGE BASIN: Chattahoochee River 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
- 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: JW Acquisitions, LLC**

**PETITION NO.: Z-84**

**PRESENT ZONING: RA-5. O&I**

**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 between Wildwood Parkway and Rivers Call Subdivision and discharges directly into the National Park Service property to the east. Slopes on this site are steep and approach 35 to 40 percent in some areas. The proposed plan limits the land disturbance to the portion of the site adjacent to Wildwood Parkway. However, due to the close proximity of the project to the Chattahoochee River National Park elevated erosion and sediment control measures are recommended. If possible a temporary mulch berm should be installed at the limit of disturbance as an additional control measure until the site is completely stabilized.
2. There is an existing 42-inch CMP storm drain that conveys offsite runoff through the site. The condition and integrity of this pipe must be verified during plan review. Adequate conveyance of offsite flow through the site must be provided.

**APPLICANT: JW Acquisitions , LLC**

**PETITION NO.: Z-84**

**PRESENT ZONING: RA-5, O&I**

**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
Wildwood Parkway	6900	Minor Collector	30 mph	Cobb County	60'

*Based on 2011 traffic counting data taken by Cobb County DOT (Wildwood Parkway)*

**COMMENTS AND OBSERVATIONS**

Wildwood 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 private road be built to the Cobb County Development Standards.

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

Recommend the proposed gates to meet Cobb County Development Standards.

Recommend an Access Easement to the single residential lot to the southeast.

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’.

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

## STAFF RECOMMENDATIONS

### **Z-84 JW ACQUISITIONS, 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 include a mixture of offices, single-family residential and attached townhomes and condominiums.
- 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 project is less dense than what was originally approved for the subject properties along with the UC property to the south (also on the current zoning calendar as Z-85)
- 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 delineate this property to be within the Regional Activity Center (RAC) land use category, containing mixed use, single-family residential and office developments. The applicant's proposal is compatible with the *Cobb County Comprehensive Plan*.
- 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 larger existing RA-5 portion of this application was part of Z-139 of 2006, which also included the existing UC property to the south. That proposal would have allowed 31 detached units and 342 condominiums in two 18-story towers. The current proposal is for 45 attached units on the current RA-5 portion and one, single-family house on the existing O&I portion to also be rezoned as part of this application as RM-8. The proposed one single-family lot will need to be approved to come off of a private easement.

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

- Site plan to be approved by the Board of Commissioners; District Commissioner to approve minor modifications;
- Fire Department comments and recommendations;
- Water and Sewer comments and recommendations;
- Stormwater Management Division comments and recommendations; and
- Department of Transportation 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.**



Application #: Z- 824 (2014)  
PC Hearing Date: 11/04/2014  
BOC Hearing Date: 11/18/2014

## Summary of Intent for Rezoning\*

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

- a) Proposed unit square-footage(s): 3,500-4,500 heated square feet, and possibly greater
- b) Proposed building architecture: Traditional/European, with brick and stone exteriors
- c) Proposed selling prices(s): \$700,000s, and greater
- d) List all requested variances: (1) height variance from 35 feet to 40 feet;  
(2) Side setback variance from 35 feet to 25 feet.

.....  
**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  ; 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: *John H. Moore* Date: September 4, 2014

John H. Moore; Georgia Bar No. 519800

Applicant name (printed): Attorneys for Applicant and Property Owners

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

*Revised August 21, 2013*