

Z-39
(2015)

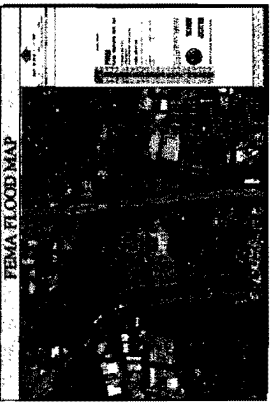
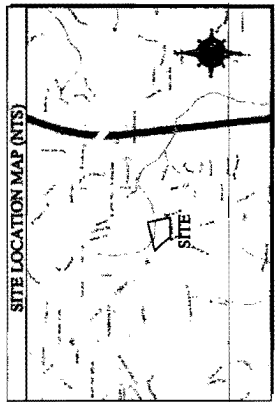
PLANNERS AND ENGINEERS COLLABORATIVE
 WE PROVIDE SOLUTIONS
 Pulte Homes
 A Master Planned Residential Community
WRIGHT ROAD
 2475 Northside Parkway
 Suite 600
 Atlanta, Georgia 30309
 PHONE: 678-245-5208 FAX: 678-245-5208

NO.	DATE	BY	DESCRIPTION
1	01/21/15	JK	CITY COMMENTS

ZONING SITE PLAN

SCALE: 1" = 40'
 DATE: NOV 9th, 2014
 PROJECT: 14105.00

THIS PLAN IS THE PROPERTY OF PLANNERS AND ENGINEERS COLLABORATIVE AND SHALL BE AN ORIGINAL SUBMITTAL.



SITE DATA:

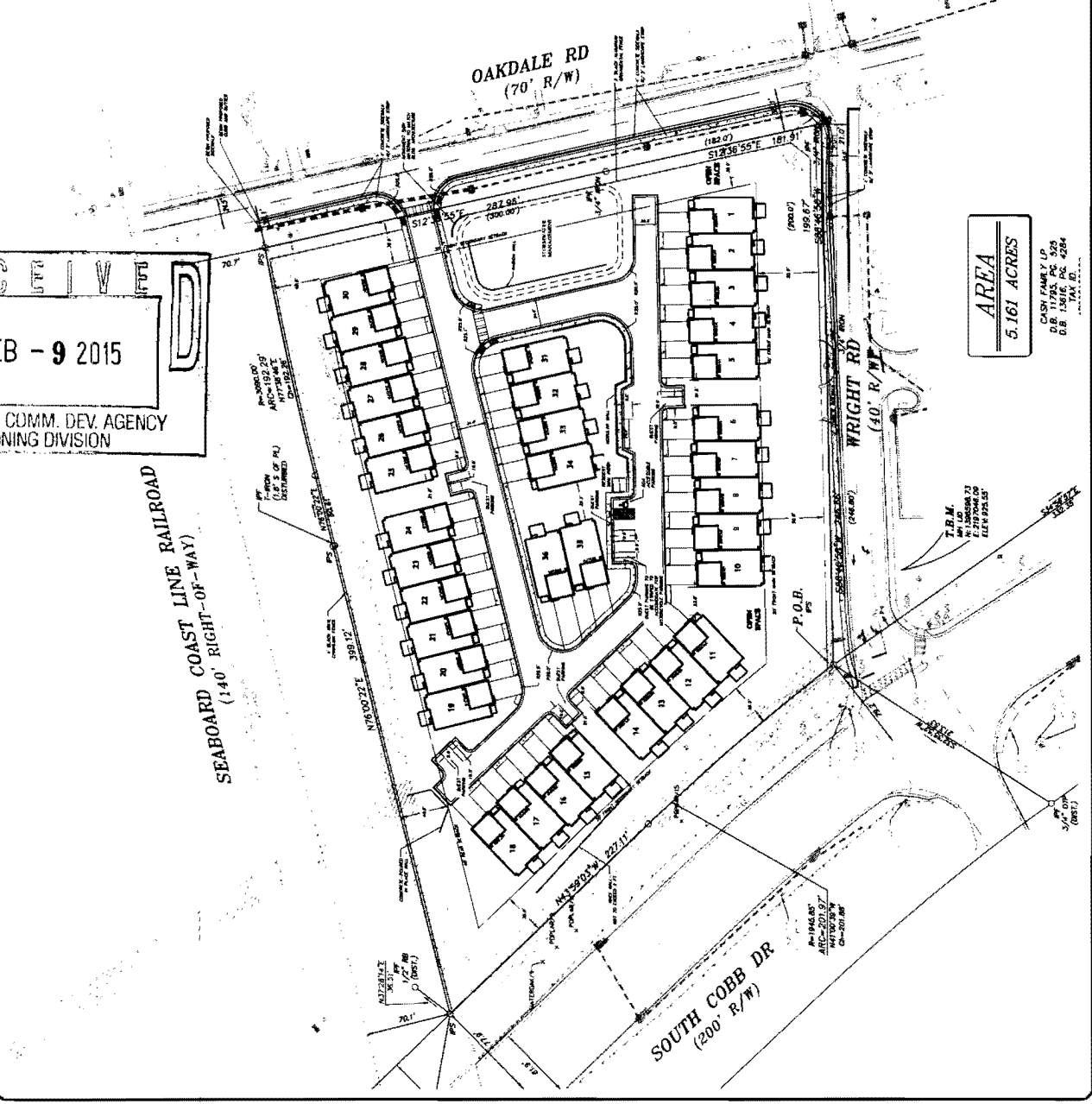
TOTAL SITE AREA: 5.16 ACRES
 ZONING: UNDEVELOPED
 TITLE: PULTE HOMES
 TITLE PLAN NUMBER: 14105.00
 PROPOSED ZONING: R-40
 DATA SUMMARY:
 TOTAL RESIDENTIAL UNITS: 16 UNITS
 TOTAL DENSITY: 3.1 UNITS/AC
 RETRACTION SUMMARY:
 PROPERTY FRONT YIELD: 50 FEET
 PROPERTY FRONT SETBACK: 50 FEET
 PARKING AND SETBACK: 10 FEET
 PARKING:
 GUEST PARKING PROVIDED: 15 SPACES
 ADDITIONAL MOTOR VEHICLE PARKING: 2 SPACES

ZONING DESCRIPTION

R-40 Single-Family Detached Residential District. The minimum lot area shall be 10,000 square feet. The minimum front setback shall be 50 feet. The minimum side and rear setbacks shall be 10 feet. The maximum height shall be 35 feet. The maximum number of units per lot shall be one. The maximum number of stories shall be two. The maximum number of detached units per acre shall be 1.0. The maximum number of detached units per lot shall be one. The maximum number of detached units per acre shall be 1.0. The maximum number of detached units per lot shall be one. The maximum number of detached units per acre shall be 1.0.

24 HOUR CONTACT:
 GAREN SMITH @ 678-245-5208

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 COBB CO. COMM. DEV. AGENCY
 ZONING DIVISION



AREA
 5.161 ACRES

CASH FAMILY LP
 D.B. 15016 P.C. 4284
 TAX ID: ...

T.R.M.
 100 LINDEN DR
 7707048 DR
 TEL: 678-245-5208

APPLICANT: Pulte Home Corporation

PHONE#: (770) 422-7016 **EMAIL:** jballi@slhb-law.com

REPRESENTATIVE: James A. Balli

PHONE#: (770) 422-7016 **EMAIL:** jballi@slhb-law.com

TITLEHOLDER: Cash Family Limited Partnership

PROPERTY LOCATION: Northeast side of South Cobb Drive,
west side of Oakdale Road, north side of Wright Road
(4680 and 4719 South Cobb Drive, 4696 Oakdale Road).

ACCESS TO PROPERTY: Oakdale Road

PHYSICAL CHARACTERISTICS TO SITE: Single-family house
and office/warehouse

CONTIGUOUS ZONING/DEVELOPMENT

- NORTH:** LI/Storage Facility
- SOUTH:** NRC/Advance Auto Parts and R-20
- EAST:** R-20/Single-family house and Oakdale Park Subdivision
- WEST:** City of Smyrna/Industrial use

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:

PETITION NO.: Z-39

HEARING DATE (PC): 04-07-15

HEARING DATE (BOC): 04-21-15

PRESENT ZONING: LI

PROPOSED ZONING: RM-8

PROPOSED USE: Attached Residential
Subdivision

SIZE OF TRACT: 5.161 acres

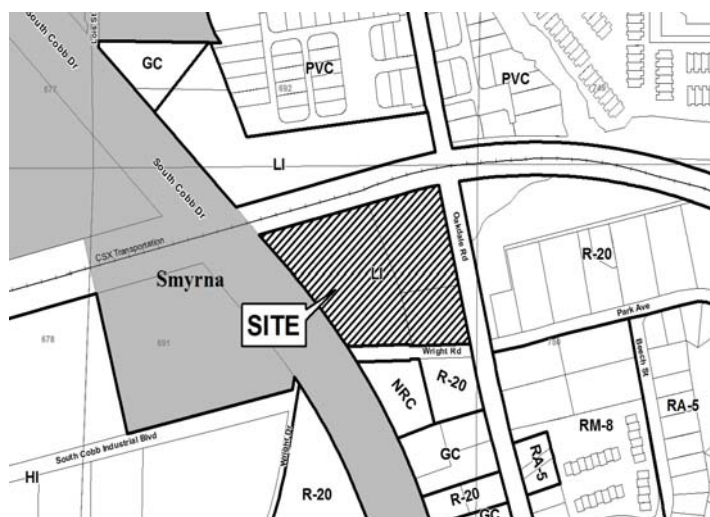
DISTRICT: 17

LAND LOT(S): 691

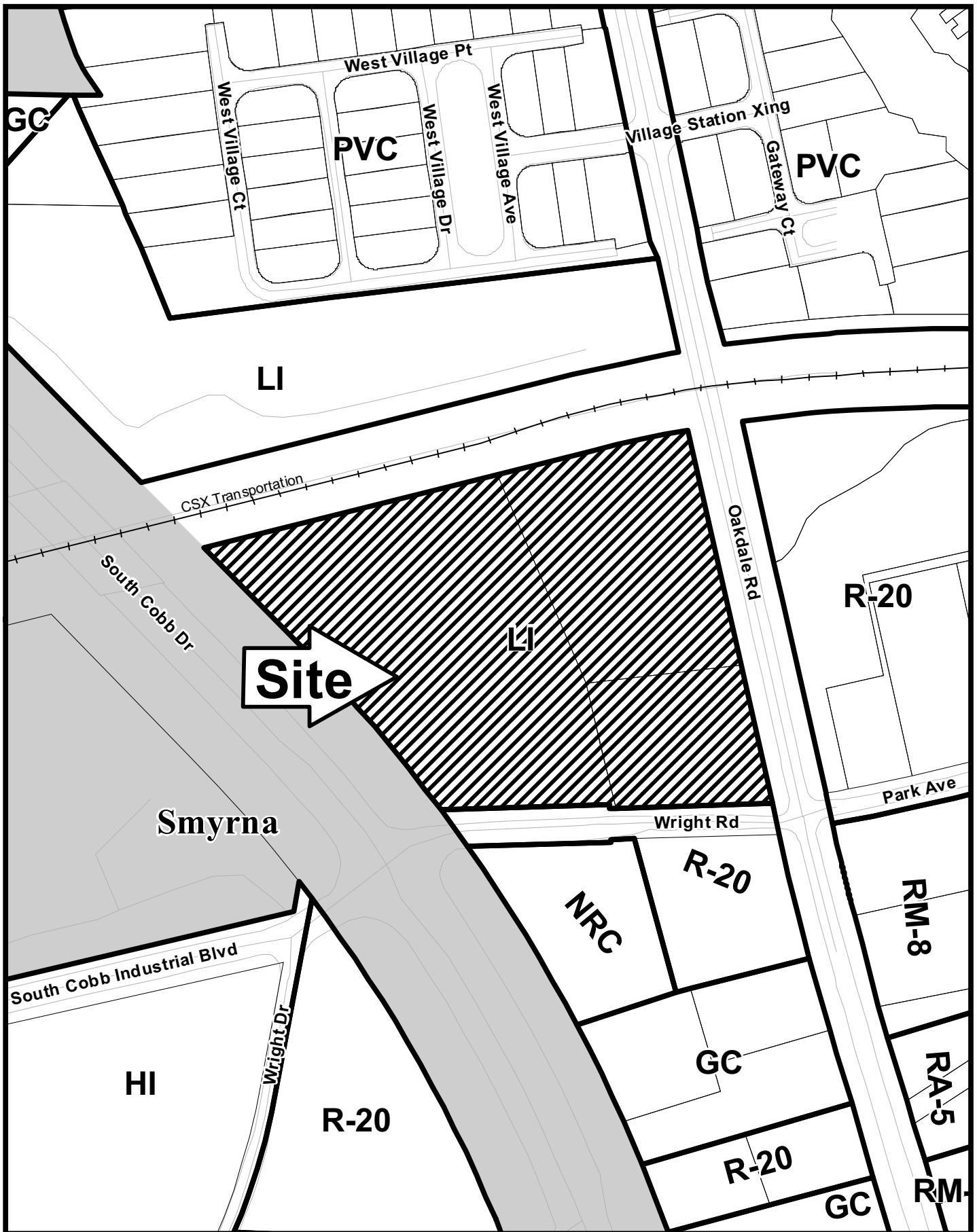
PARCEL(S): 1, 2, 27

TAXES: PAID X **DUE**

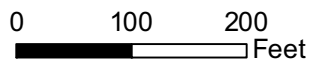
COMMISSION DISTRICT: 2



Z-39



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



City Boundary
Zoning Boundary

APPLICANT: Pulte Home Corporation

PETITION NO.: Z-39

PRESENT ZONING: LI

PETITION FOR: RM-8

ZONING COMMENTS:

Staff Member Responsible: Jason A. Campbell

Land Use Plan Recommendation: Neighborhood Activity Center (NAC)

Proposed Number of Units: 36 **Overall Density:** 5.14** **Units/Acre**

Staff estimate for allowable # of units: 0 **Units*** **Increase of:** 36 **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.

**Based on 7 acres under Code Section 134-167.

Applicant is requesting the RM-8 zoning category for the development of an attached 36-unit residential community. The minimum house size will be 2,500 square feet. The buildings will be traditional with three sided brick and prices will start at \$300,000 and up. The proposed development will have private streets.

Cemetery Preservation: No comment.

APPLICANT: Pulte Home Corporation

PETITION NO.: Z-39

PRESENT ZONING: LI

PETITION FOR: RM-8

SCHOOL COMMENTS:

<u>Name of School</u>	<u>Enrollment</u>	<u>Capacity Status</u>	<u>Number of Portable Classrooms</u>
<u>Nickajack</u>	<u>1126</u>	<u>Over</u>	<u> </u>
Elementary <u>Campbell</u>	<u>1,416</u>	<u>Over</u>	<u> </u>
Middle <u>Campbell</u>	<u>2,509</u>	<u>Under</u>	<u> </u>

High

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

Additional Comments: Approval of this petition could seriously adversely impact the enrollment at Nickajack Elementary School and Campbell Middle School, as both of these schools are severely over capacity at this time.

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: Pulte Home Corporation

PETITION NO.: Z-39

PRESENT ZONING: LI

PETITION FOR: RM-8

PLANNING COMMENTS:

The applicant is requesting a rezoning from LI to RM-8 for purpose of attached residential subdivision use. The 5.16 acre site is located on the northeast side of South Cobb Drive, west side of Oakdale Road, north side of Wright Road.

Comprehensive Plan

The parcel is within a Neighborhood Activity Center (NAC) future land use category, with LI zoning designation. The purpose of the (NAC) category is to provide for areas that serve neighborhood residents and businesses. Typical land uses for these areas include small offices, limited retail and grocery stores.

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: Pulte Home Corporation

PETITION NO.: Z-39

PRESENT ZONING: LI

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

Is this property within the Six Flags Special Service District?

Yes No

APPLICANT Pulte Home Corporation

PETITION NO. Z-039

PRESENT ZONING LI

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): 8" DI / E side of South Cobb Drive

Additional Comments: Master county meter with private submeters required by Code

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= 5,760 Peak= 14,400

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 Sewer flow study may be required at Plan Review 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: Pulte Homes Corporation

PETITION NO.: Z-39

PRESENT ZONING: LI

PETITION FOR: RM-8

STORMWATER MANAGEMENT COMMENTS

FLOOD HAZARD: YES NO POSSIBLY, NOT VERIFIED

DRAINAGE BASIN: Unnamed Trib to 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: within or adjacent to onsite stream channel

- 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 stream.

APPLICANT: Pulte Homes Corporation

PETITION NO.: Z-39

PRESENT ZONING: LI

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 bounded by Oakdale Road to the east, Wright Road to the south, South Cobb Drive to the west and the Railroad to the north. The entire site drains to the east to an existing culvert under Oakdale Road. This culvert has been extended partially through the site. This conveyance drains approximately 75 acres from the drainage basin to the north of the railroad. To accommodate the proposed layout, the existing pipe system will need to be relocated and sized to accommodate the onsite as well as offsite 100-year design flow. This will require a stream buffer variance from Cobb County and GA EPD.

APPLICANT: Pulte Home

PETITION NO.: Z-39

PRESENT ZONING: LI

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
Oakdale Road	-	Local	35	Cobb	50'
Wright Road	-	Local	25	Cobb	50'
South Cobb Drive	21600	Arterial	45	GDOT	100'

Based on [2008] traffic counting data taken by Cobb County DOT

COMMENTS AND OBSERVATIONS

Oakdale Road is classified as a local and according to the available information the existing right-of-way does meet the minimum requirements for this classification.

Wright Road is classified as a local and according to the available information the existing right-of-way does not meet the minimum requirements for this classification.

South Cobb Drive is classified as an arterial, a state route and according to the available information the existing right-of-way does meet the minimum requirements for this classification.

RECOMMENDATIONS

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

Recommend applicant verify that minimum right-of-way is available for Wright Road and if it is not, 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 Wright Road, a minimum of 25' from the roadway centerline.

Recommend deceleration lane for the Oakdale Road access.

Recommend curb, gutter and sidewalk for Oakdale Road frontage and Wright Road frontage.

Recommend sidewalks on, at least, one side of the street within subdivision.

STAFF RECOMMENDATIONS

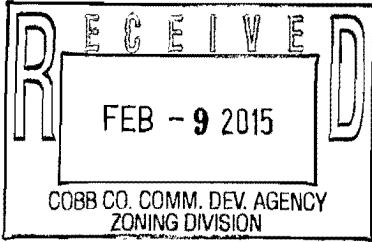
Z-39 PULTE HOME CORPORATION

- 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. This area is a mixture of industrial, commercial and mixed residential.
- 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. Some properties in the area have been rezoned to mixed residential with commercial uses and other properties situated on the South Cobb Drive side have remained industrial.
- 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 not in conformity with the policy and intent of the *Cobb County Comprehensive Plan*, which delineates this property as being in the Neighborhood Activity Center (NAC) land use category. The RM-8 zoning category should be in Medium Density Residential (MDR), High Density Residential (HDR) or Regional Activity Center (RAC) land use categories. However, the *Comprehensive Plan* does encourage Medium Density Residential use in NAC's to provide for a transition in zoning intensity.
- 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. The property is located in an area that contains a mixture of land uses. The applicant's proposal would be compatible with and consistent with other land uses. NAC's do encourage Medium Density uses to serve as transitions in zoning intensity.

Based on the above analysis, Staff recommends DELETING the request to RA-6 subject to the following conditions:

- Maximum of 36 units;
- District Commissioner to approve site plan;
- 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.



Application No. Z-39

April 2015

Summary of Intent for Rezoning

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

- a) Proposed unit square-footage(s): 2,500 Square Feet and up
 - b) Proposed building architecture: Traditional three sided brick
 - c) Proposed selling prices(s): \$300,000 and up
 - d) List all requested variances: Site plan specific (see plan).
- _____
- _____
- _____

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

- a) Proposed use(s): N/A
 - b) Proposed building architecture: N/A
 - c) Proposed hours/days of operation: N/A
 - d) List all requested variances: N/A
- _____
- _____
- _____


.....
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). None known.

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ZONING DIVISION

Stanton/Fairfax/Hawthorne



 DRAWINGS NOT TO SCALE: All measurements shown are approximate and not necessarily to scale. Location, size and construction of doors, windows, walls, fireplaces and other items depicted may vary depending on elevation preference or choice of options and are subject to change without notice due to normal construction tolerances. The size of the room may vary slightly.

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