

APPLICANT: Zero One, LLC

PETITION NO: Z-86

PHONE#: (770) 851-6236 **EMAIL:** larry@idiarchitects.com

HEARING DATE (PC): 12-02-14

REPRESENTATIVE: Parks F. Huff

HEARING DATE (BOC): 12-16-14

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

PRESENT ZONING: R-15

TITLEHOLDER: Zero One, LLC

PROPOSED ZONING: R-15/OSC

PROPERTY LOCATION: South side of Old Alabama Road, west of South Glenn Forest Street, and at the western end of Angelia Drive.

PROPOSED USE: Single-Family Subdivision

ACCESS TO PROPERTY: Old Alabama Road

SIZE OF TRACT: 17.789 acres

DISTRICT: 18

PHYSICAL CHARACTERISTICS TO SITE: Undeveloped

LAND LOT(S): 82, 151

PARCEL(S): 43

TAXES: PAID X **DUE** _____

COMMISSION DISTRICT: 4

CONTIGUOUS ZONING/DEVELOPMENT

- NORTH:** R-20/Church and Dunn Hill Acres Subdivision and Single-family houses
- SOUTH:** R15/Mount Pisgah Estates Subdivision and R-20/Single-family house
- EAST:** R-20/Glenn Forest Subdivision and Church
- WEST:** R-20/Single-family houses

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

PLANNING COMMISSION RECOMMENDATION

APPROVED _____ **MOTION BY** _____

REJECTED _____ **SECONDED** _____

HELD _____ **CARRIED** _____

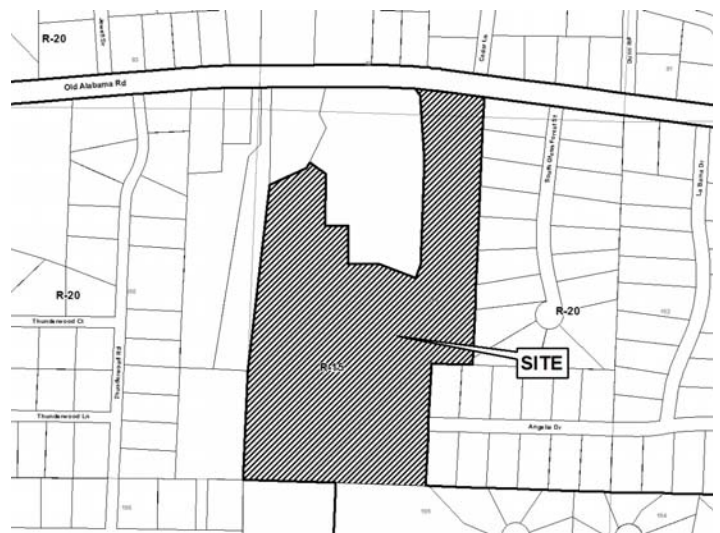
BOARD OF COMMISSIONERS DECISION

APPROVED _____ **MOTION BY** _____

REJECTED _____ **SECONDED** _____

HELD _____ **CARRIED** _____

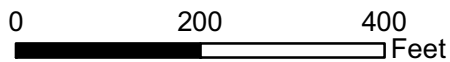
STIPULATIONS:





Z-86



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



-  City Boundary
-  Zoning Boundary

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PRESENT ZONING: R-15

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: 34 **Overall Density:** 2.14 **Units/Acre**

Staff estimate for allowable # of units: 27(per Z-187 of 2005) **Units*Increase of:** 7 **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 R15/OSC zoning category for the development of an open space residential subdivision. The proposed houses will be similar to the attached architectural renderings or other architecture approved by the District Commissioner. The front façade shall have brick or stone with cementitious board siding such as HardiPlank or similar product. The exterior colors will be earth tones. The subject property was previously part of Z-187 of 2005 that included the church property and the entirety of those properties was deleted to R-20 (church) and R-15 for a residential subdivision (minutes attached).

The revised site plan received April 13, 2015, indicates 6.2 acres (or 35%) of the site shall be dedicated open space. The plan also indicates a 35-foot wide buffer behind lots 1-13 to create separation between the proposed subdivision and the existing lots in Glen Forest.

Cemetery Preservation: There is no significant impact on the cemetery site listed in the Cobb County Cemetery Preservation Commission's Inventory Listing which is located in this, or adjacent land lot.

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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>Mableton</u>	<u>965</u>	<u>Over</u>	<u> </u>
Elementary <u>Garrett</u>	<u>816</u>	<u>Under</u>	<u> </u>
Middle <u>Pebblebrook</u>	<u>2,148</u>	<u>Over</u>	<u> </u>

High

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

Additional Comments: Approval of this petition could adversely affect the enrollment at Mableton Elementary School, which is over capacity at this time, but could **severely** and **adversely** affect the enrollment at Pebblebrook High School, which is **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.

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PRESENT ZONING: R-15

PETITION FOR: R-15/OSC

PLANNING COMMENTS:

The applicant is requesting a rezoning from R-15 to RA-5 for purpose of single-family subdivision. The 17.78 acre site is located on the south side of Old Alabama Road, west of South Glenn Forest Street, and at the western end of Angelia Drive.

Comprehensive Plan

The parcel is within a Public Institution (PI) future land use category, with R-15 zoning designation. The purpose of the Public/Institutional (PI) category is to provide for certain state, federal or local government uses and institutional land uses such as government building complexes, police and fire stations, colleges, churches, hospitals, etc.

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.

For more information on incentives, please call the Community Development Agency, Planning Division at 770.528.2018 or find information online at <http://economic.cobbcountyga.gov>.

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PETITION FOR: R-15/OSC

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

COBB COUNTY COMMUNITY DEVELOPMENT AGENCY

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

Planning Staff Analysis based on **Site Plan dated 4-9-15; received via email on 4-13-15**

Z-86 '14

Date: **April 14, 2015**
Contact: Philip Westbrook
(770) 528-2014

Property Location: South side of Old Alabama Road
Land Lot/District: 151 / 18
Current Zoning: R-15
Proposed Use: R-15 OSC

Total Area: 17.79 acres
Floodplain /Wetland Area/Cemetery: 1.89 acres
Amenity Area: 0.011 acres
Net Buildable Area: 15.889 acres
Base Density Allowed: 2.1 upa
Base Density Allowed w/Bonus: 2.25 upa
Proposed Lots: 34
Net Density: 2.14 upa
Future Land Use: Low Density Residential (1 to 2.5 upa)

Open Space requirement: 5.34 acres or 30%; for bonus 5.87 acres or 33%
Open Space provided: 6.8 acres or 38.2%
Percentage of Open Space within Floodplain, Wetlands, & Lakes w: 30.1%

Setbacks:

Front: 20'
Rear: Range from 10' to 40' (See Site Plan dated 4-9-15)
Side Minor: 5' / 20' between units

Comments:

1. Please note density of the project and label all dedicated Open Space on Site Plan.
2. Site Plan shows .473 acres or 25% of Floodplain being removed from Open Space calculations. Although the current proposed Open Space exceeds requirements you must include 100% of the Floodplain within the Open Space calculations. Therefore, your percentage of open space should be 38.2% or .473 acres more than is shown on Site Plan dated 4-9-15.

Recommendations:

3. Recommend fencing or some type of barrier to be installed just on the inside of commonly owned open space and not on the individual lot side of the property. This is to protect open space from land disturbance.

APPLICANT Zero One, LLC

PETITION NO. Z-086

PRESENT ZONING R-15

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): 12" DI / N side of Old Alabama Rd

Additional Comments: Secondary water feed will be required to 6" main in Angelia Drive

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= 7680 Peak= 19200

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 extension by developer required to uppermost property line (Old Alabama Rd). Sewer Comments: should be made available to church. Structures must be located so as to not encroach upon existing sewer easements and setbacks

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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STORMWATER MANAGEMENT COMMENTS

FLOOD HAZARD: YES NO POSSIBLY, NOT VERIFIED

DRAINAGE BASIN: Pine Branch FLOOD HAZARD INFO: Zone AE

- 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 receiving stream and downstream culvert at Thunderwood Road.

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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 entire site discharges to the southwest into Pine Branch that traverses the southwest corner of the property. There is a small tributary to Pine Branch that crosses the southeast corner of the parcel. Both of these streams have 50-foot stream buffers and an additional 25-foot impervious setback.
2. The available building footprints for Lots 15-17 appear to be severely limited by the impervious setback buffer. Lots 24 & 25 do not appear buildable. A revised lot layout is needed to address these issues.
3. A 20-foot drainage easement will likely be required along the rear of lots 31-36 to limit offsite bypass of runoff. This will need to be taken into consideration if any perimeter landscape buffers are proposed.

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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
Old Alabama Road	4300	Major Collector	45 mph	Cobb County	80'

Based on 2006 traffic counting data taken by Cobb County DOT (Old Alabama Road)

COMMENTS AND OBSERVATIONS

Old Alabama Road 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 curb, gutter, and sidewalk along Old Alabama Road frontage.

Recommend a deceleration lane for the Old Alabama Road access.

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

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

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STAFF RECOMMENDATIONS

Z-86 ZERO ONE, LLC

- A. It is Staff's opinion that the applicant's rezoning proposal may permit a use that is suitable in view of the use and development of adjacent and nearby properties. The subject property is bordered by a church and R-20 developments that are at lower densities than what is being proposed in this application.
- B. It is Staff's opinion that the applicant's rezoning proposal may have an adverse affect on the usability of adjacent or nearby property. A previous request for 34 lots in the Conservation Subdivision zoning category was deleted to R-15 for 27 lots.
- C. It is Staff's opinion that the applicant's rezoning proposal may result in a use which would cause an excessive or burdensome use of existing streets, transportation facilities or utilities. This opinion can be supported by the departmental comments contained in this analysis. However, the school system is concerned the proposal could adversely affect certain schools.
- 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 subdivision in the area are zoned R-15 and R-20 with lower densities and include: James Crossing (zoned R-20, 1.21 units per acre); Eddy Frances Estates (zoned R-20, 1.58 units per acre); Hank Floyd Subdivision (zoned R-20, approximately 1.61 units per acre); Landers Farm (zoned R-20, approximately 1.71 units per acre); James Acres (zoned R-20, approximately 1.71 units per acre); Dunn Hill Acres (zoned R-20, approximately 1.907 units per acre); Kristy Manor (zoned R-15 and R-20, 1.93 units per acre); and Bonner's Ridge (zoned R-20, 1.97 units per acre). Applicant's proposed 2.14 units per acre is slightly over the range of several subdivisions in the area, but is within the density range of 1-2.5 units per acre for LDR.
- 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. A previous request to rezone to CS for 34 lots was eventually deleted to R-15 for 27 lots as part of (Z-187 of 2005 – minutes attached). However, the proposed plan for an OSC development will be setting aside 35% of the total area and the applicant has indicated buffers along the exterior boundaries of the property. The proposed density is a little over the densities of other subdivisions in this area, but is within the LDR range of 1-2.5 units per acre.

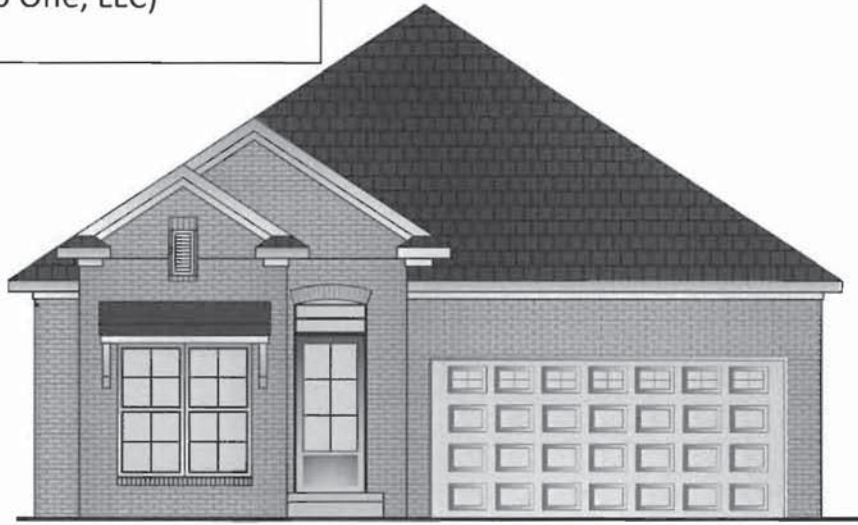
Based on the above analysis, Staff recommends APPROVAL subject to the following conditions:

- Site plan received by the Zoning Division on April 21, 2015, with the District Commissioner approving minor modifications;
- Maximum of 34 lots;
- Fire Department comments and recommendations;
- Water and Sewer Division 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.

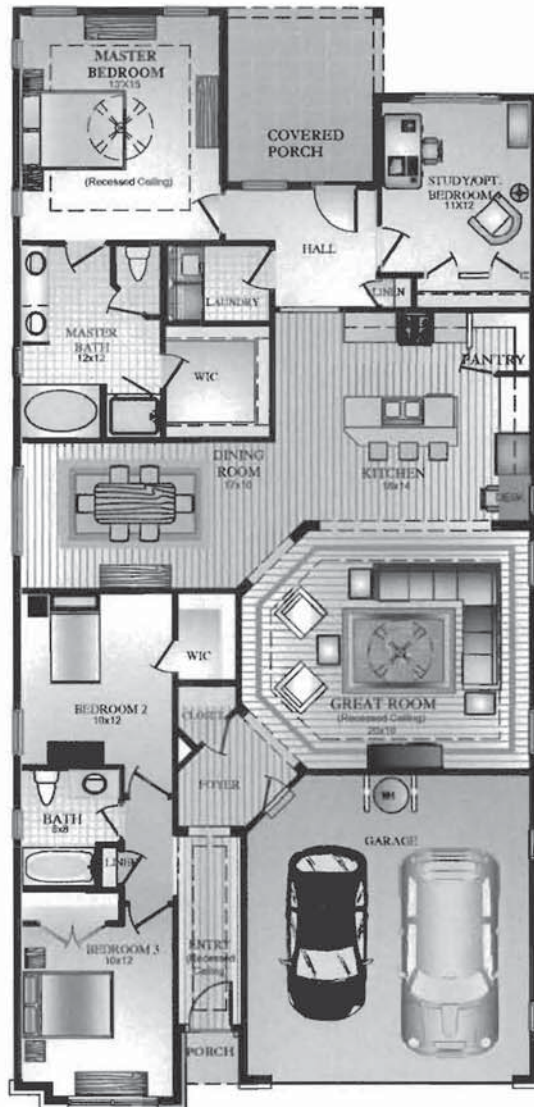
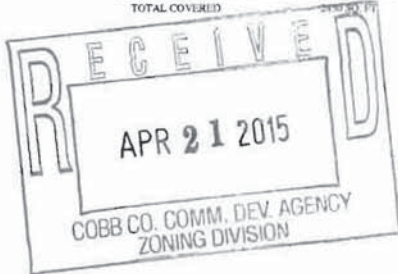
Exhibit C - architectural
renderings
(Zero One, LLC)

PLAN "A"



FRONT ELEVATION

APPROXIMATE AREA	
TOTAL LIVING AREA	1926 SQ. FT.
GARAGE	380 SQ. FT.
FRONT PORCH	24 SQ. FT.
REAR PATIO	120 SQ. FT.
TOTAL COVERED	2450 SQ. FT.

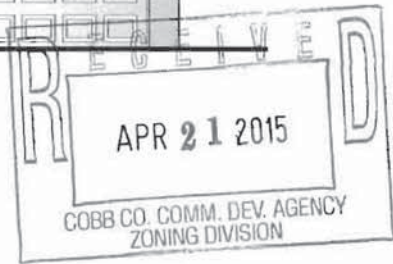


FLOOR PLAN
1926 SQ FT

PLAN "B"

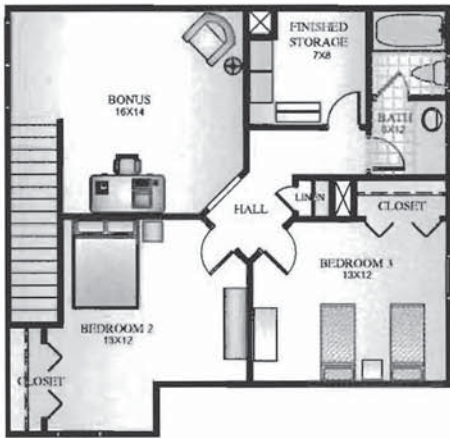


FRONT ELEVATION

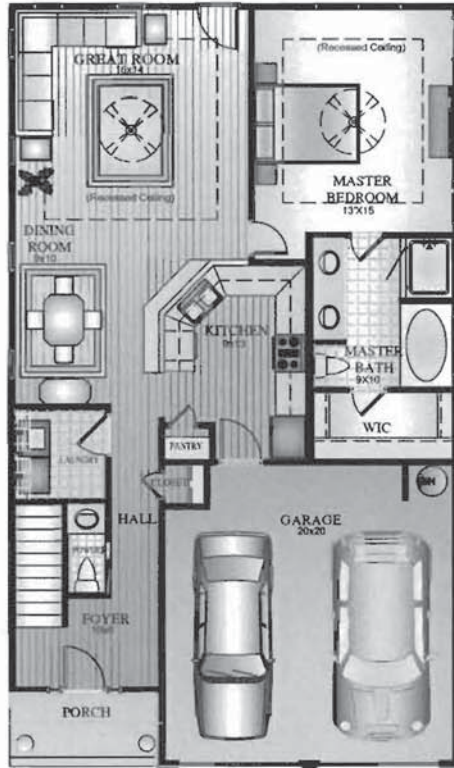


APPROXIMATE AREA

FIRST FLOOR	1095 SQ. FT.
SECOND FLOOR	805 SQ. FT.
TOTAL LIVING AREA	1900 SQ. FT.
GARAGE	400 SQ. FT.
FRONT PORCH	47 SQ. FT.
TOTAL COVERED	2347 SQ. FT.

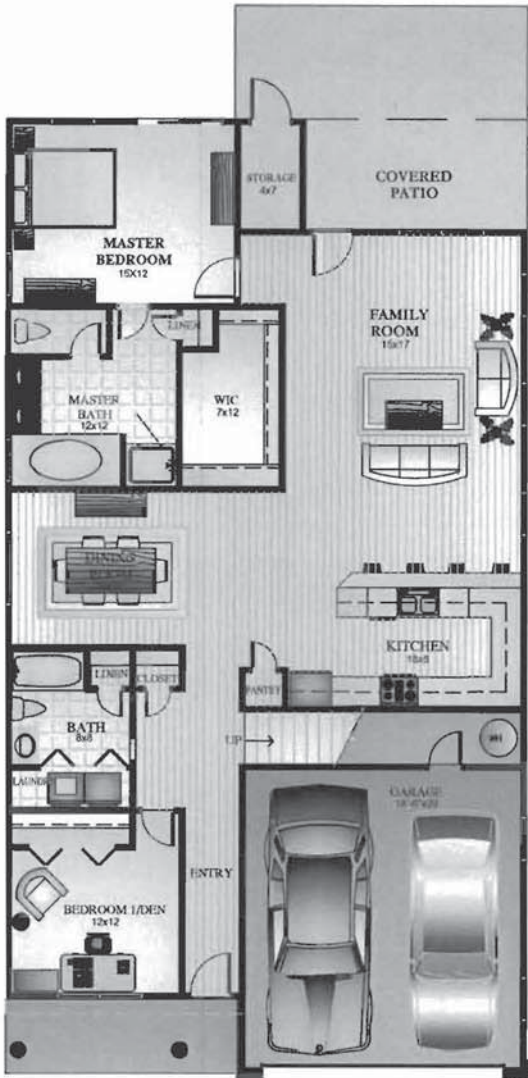


SECOND FLOOR PLAN

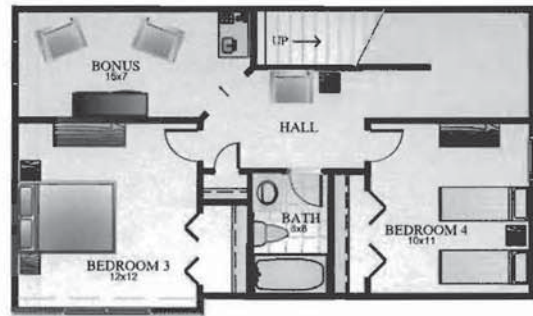


FIRST FLOOR PLAN

PLAN "C"



FIRST FLOOR PLAN
1620 SQ FT

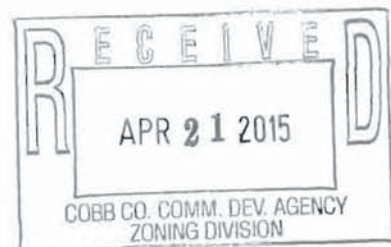


SECOND FLOOR PLAN
700 SQ FT



FRONT ELEVATION

APPROXIMATE AREA	
FIRST FLOOR	1619 SQ. FT.
SECOND FLOOR	700 SQ. FT.
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TOTAL LIVING AREA	3319 SQ. FT.
GARAGE	378 SQ. FT.
FRONT PORCH	76 SQ. FT.
REAR PATIO	110 SQ. FT.
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TOTAL COVERED	2676 SQ. FT.

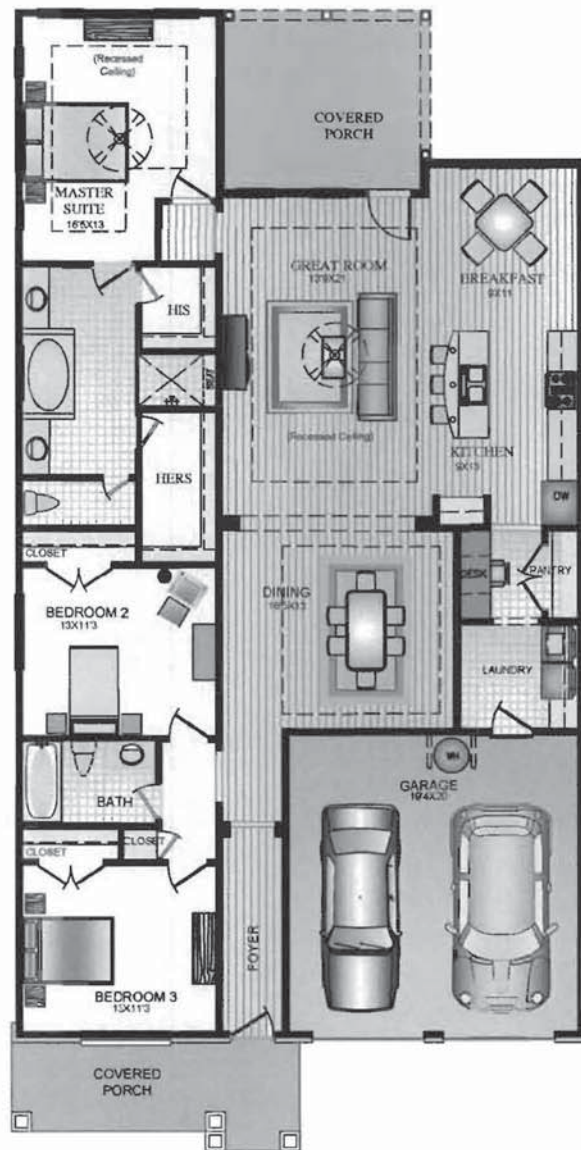
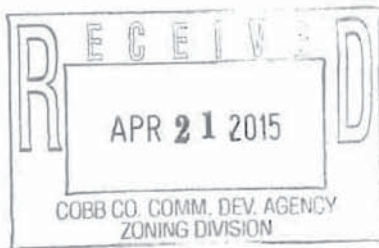


PLAN "D"



FRONT ELEVATION

APPROXIMATE AREA	
TOTAL LIVING AREA	1968 SQ. FT.
GARAGE	896 SQ. FT.
FRONT PORCH	124 SQ. FT.
REAR PATIO	170 SQ. FT.
TOTAL COVERED	2958 SQ. FT.



FLOOR PLAN
2354 SQ FT