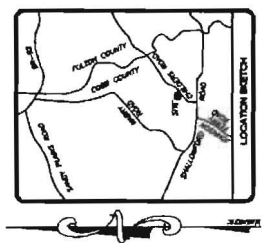
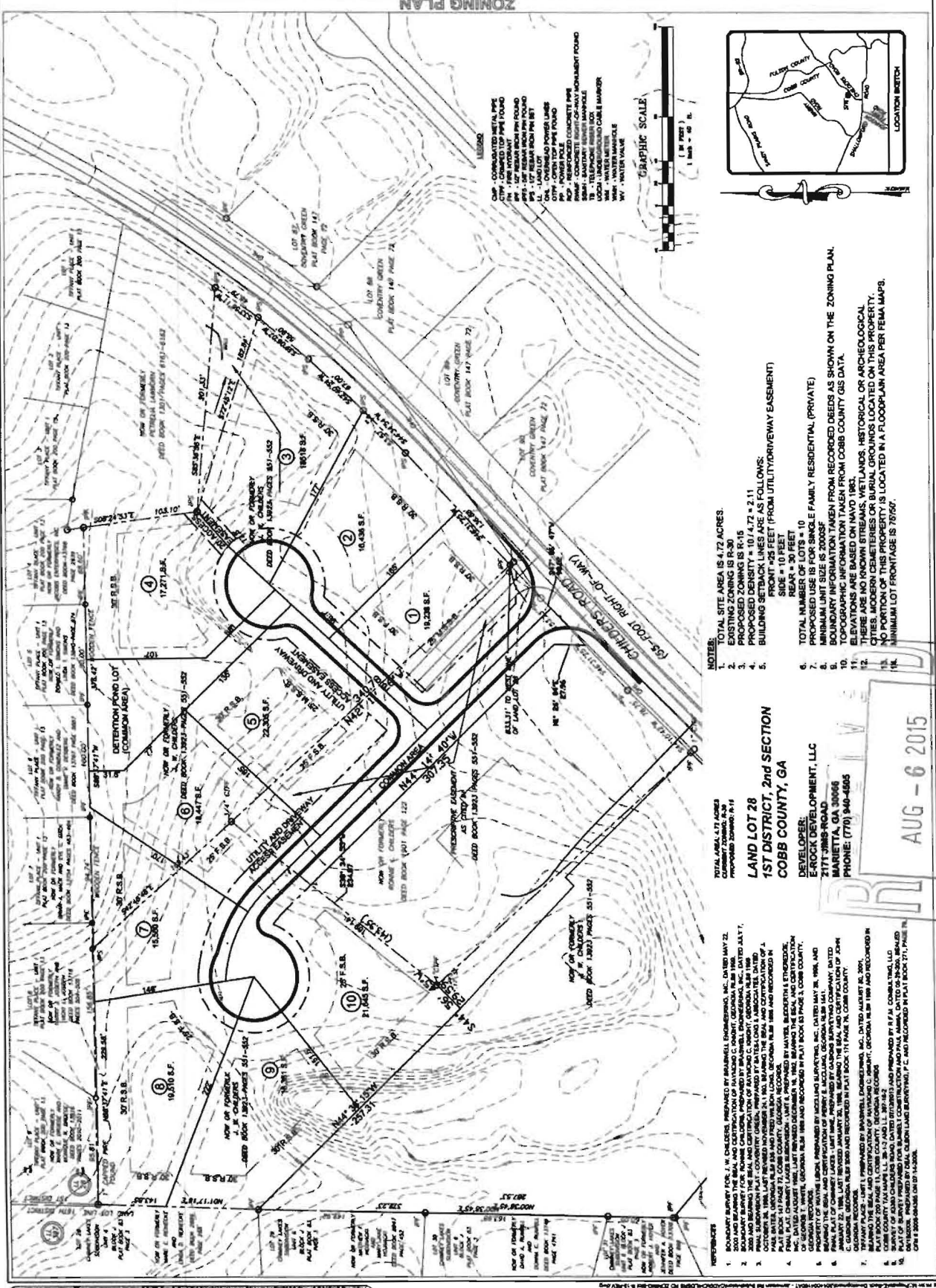




REVISION RECORD table with columns for NO., DESCRIPTION, and DATE.

PROJECT NAME: CHILDERS ROAD SUBDIVISION
DRAWING TITLE: ZONING PLAN

DATE: 08/06/2015
DRAWING NUMBER: Z-01
WALSH PROJECT NO.: 2014000000.00.AT



- LEGEND:
1. CONCRETE DRIVE
2. ASPHALT DRIVE
3. GRAVEL DRIVE
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- NOTES:
1. TOTAL SITE AREA IS 4.72 ACRES.
2. PROPOSED ZONING IS R-15.
3. PROPOSED DENSITY IS 10 / 4.72 = 2.11.
4. PROPOSED ZONING IS R-15.
5. BUILDING SETBACK LINES ARE AS FOLLOWS:
FRONT = 25 FEET (FROM UTILITY/ROWWAY EASEMENT)
REAR = 10 FEET
SIDE = 10 FEET
6. TOTAL MIN. LOT AREA IS 10,000 SQ. FT.
7. MINIMUM LOT SIZE IS 2000 SQ. FT.
8. MINIMUM LOT SIZE IS 2000 SQ. FT.
9. BOUNDARY INFORMATION TAKEN FROM RECORDED DEEDS AS SHOWN ON THE ZONING PLAN.
10. TOPOGRAPHIC INFORMATION TAKEN FROM COBB COUNTY GIS DATA.
11. ELEVATIONS ARE BASED ON NAVD 83.
12. THERE ARE NO KNOWN BARRIERS, SWAMPY LANDS, HISTORICAL OR ARCHEOLOGICAL SITES, OR OTHER FEATURES OF INTEREST LOCATED ON THIS PROPERTY.
13. NO PORTION OF THIS PROPERTY IS LOCATED IN A FLOODPLAIN AREA PER FEMA MAPS.
14. MINIMUM LOT FRONTAGE IS 75 FEET.

DEVELOPER:
ENVOY DEVELOPMENT, LLC
7171 WINDY ROAD
MARIETTA, GA 30066
PHONE: (770) 940-4805

- REFERENCES:
1. BOUNDARY SURVEY FOR LAND AND CONTRIBUTION OF DANIEL ENGINEERING, INC. DATED MAY 22, 2000 AND RECORDED IN THE PUBLIC RECORDS OF COBB COUNTY, GEORGIA IN PLAT BOOK 111, PAGE 11.
2. BOUNDARY SURVEY FOR LAND AND CONTRIBUTION OF DANIEL ENGINEERING, INC. DATED MAY 22, 2000 AND RECORDED IN THE PUBLIC RECORDS OF COBB COUNTY, GEORGIA IN PLAT BOOK 111, PAGE 11.
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AUG - 6 2015

COBB COUNTY COMMUNITY DEVELOPMENT

APPLICANT: E-Rock Development, LLC

PETITION NO: Z-92

PHONE#: (770) 940-4505 **EMAIL:** jonathan_edwards@yahoo.com

HEARING DATE (PC): 10-06-15

REPRESENTATIVE: J. Kevin Moore

HEARING DATE (BOC): 10-20-15

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

PRESENT ZONING: R-30

TITLEHOLDER: Melonee Bates; Petrelia Lawhorn; Nancy L.

Shababy; and Louis M. Shababy

PROPOSED ZONING: R-15

PROPERTY LOCATION: Northwesterly side of Childers Road,

south of Monet Drive

PROPOSED USE: Single-family Residential

(3363 and 3383 Childers Road)

ACCESS TO PROPERTY: Childers Road

SIZE OF TRACT: 4.72 acres

DISTRICT: 1

PHYSICAL CHARACTERISTICS TO SITE: Single-story wood

LAND LOT(S): 28

frame house

PARCEL(S): 2,5

TAXES: PAID X **DUE** _____

COMMISSION DISTRICT: 3

CONTIGUOUS ZONING/DEVELOPMENT

NORTH: R-15/ Tiffany Place Subdivision

SOUTH: R-30/ Single-family Home

EAST: R-15/ Coventry Green Subdivision

WEST: R-20/ Chimney Lakes Subdivision

Adjacent Future Land Use:

North: Low Density Residential (LDR)

East / Southeast: Low Density Residential (LDR) and Park / Recreation / Conservation (P/R/C) - across Childers Road

West / Southwest: Low Density Residential (LDR)

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

PLANNING COMMISSION RECOMMENDATION

APPROVED _____ **MOTION BY** _____

REJECTED _____ **SECONDED** _____

HELD _____ **CARRIED** _____

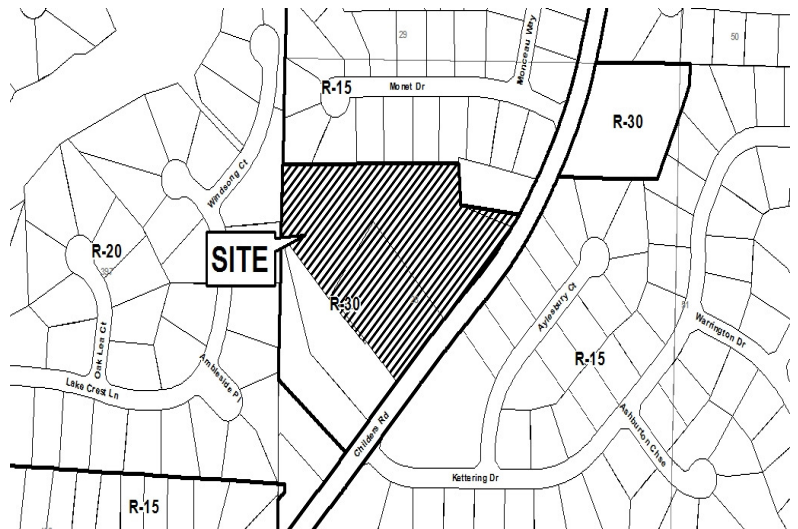
BOARD OF COMMISSIONERS DECISION

APPROVED _____ **MOTION BY** _____

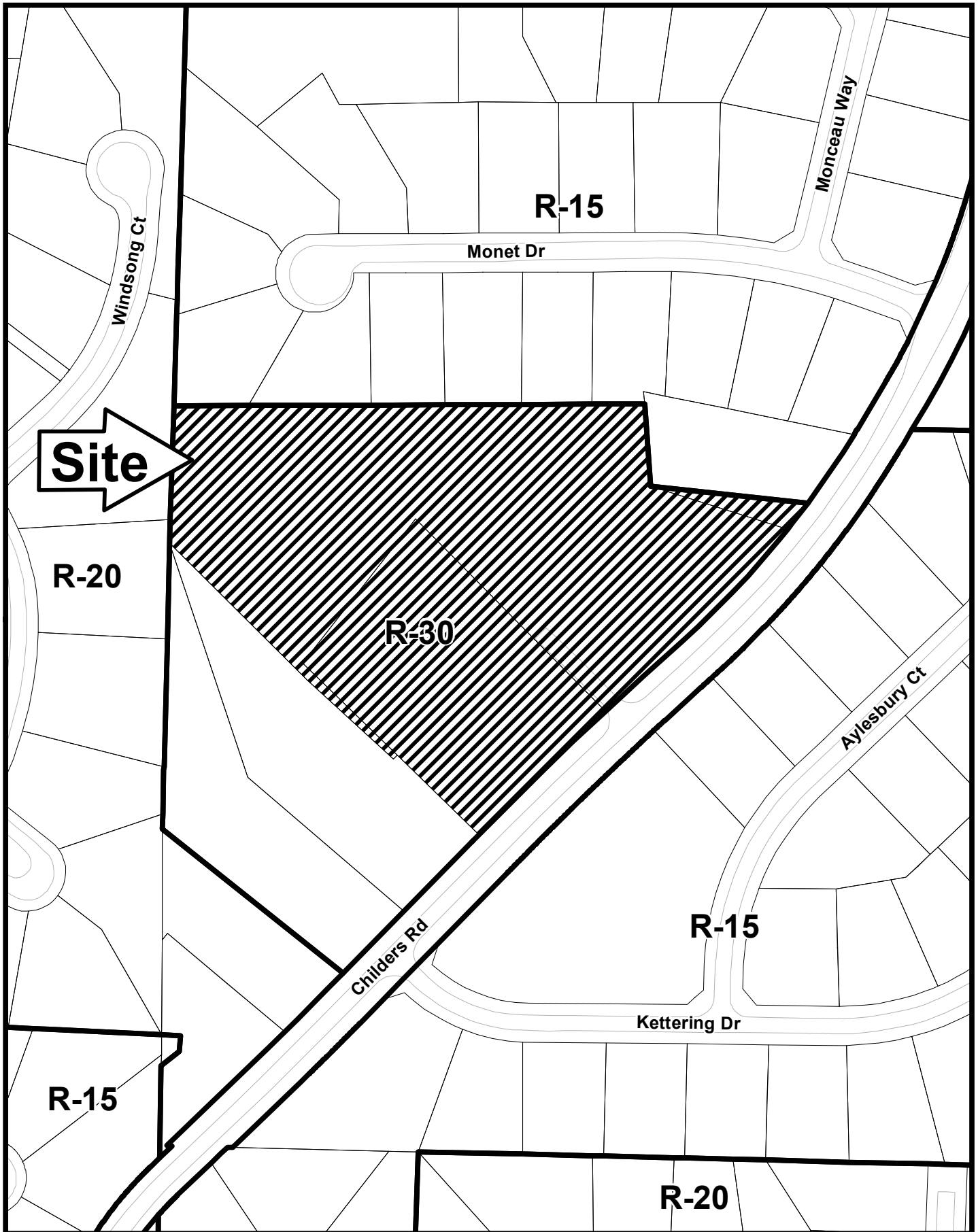
REJECTED _____ **SECONDED** _____

HELD _____ **CARRIED** _____

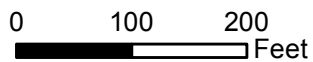
STIPULATIONS:



Z-92



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



City Boundary
Zoning Boundary

APPLICANT: E-Rock Development, LLC

PETITION NO.: Z-92

PRESENT ZONING: R-30

PETITION FOR: R-15

ZONING COMMENTS:

Staff Member Responsible: Terry Martin, MPA

Land Use Plan Recommendation: Low Density Residential (1-2.5 units per acre)

Proposed Number of Units: 10 **Overall Density:** 2.12 **Units/Acre**

Staff estimate for allowable # of units: 5 **Units*** **Increase of:** 5 **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.

The applicant is requesting a rezoning to the R-15 single-family residential zoning district in order to develop a 10 lot subdivision. The homes' sizes will be 3,200 square feet and greater. The proposed architecture is traditional and craftsman with anticipated selling prices in the \$800,000s. Lot sizes range from 15,500 square feet to 22,305 square feet. As presented, the lots within the community will be accessed by a private street within a proposed utility and driveway access easement. The front setbacks are proposed to be no less than 25 feet measured from this utility/driveway easement.

Cemetery Preservation: No comment.

APPLICANT: E-Rock Development, LLC

PETITION NO.: Z-92

PRESENT ZONING: R-30

PETITION FOR: R-15

SCHOOL COMMENTS:

<u>Name of School</u>	<u>Student Capacity</u>	<u>Student Enrollment</u>	<u>Capacity Status</u>
<u>Tritt Elementary</u>	<u>874</u>	<u>892</u>	<u>18 over enrollment</u>
<u>Hightower Trail Middle</u>	<u>911</u>	<u>1,063</u>	<u>152 over enrollment</u>
<u>Pope High</u>	<u>1,912</u>	<u>1,929</u>	<u>17 over enrollment</u>

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

Additional Comments:

Approval of this petition could severely and adversely impact the enrollment at Tritt Elementary School, Hightower Trail Middle School and Pope High School, as all of these schools are 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: E-Rock Development, LLC

PETITION NO.: Z-92

PRESENT ZONING: R-30

PETITION FOR: R-15

PLANNING COMMENTS:

The applicant is requesting a rezoning from R-30 to R-15 for purpose of single family residential. The 4.72 acre site is located on the northwesterly side of Childers Road, south of Monet Drive.

Comprehensive Plan

The parcel is within a Low Density Residential (LDR) 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, and non supportive senior living housing that in certain circumstances may reach five (5) dwelling units per acre, depending on existing conditions such as product type and mix, structure/building height, tract size, topographic conditions, etc in order to provide compatibility with adjacent residential uses. This category presents a range of densities. R-15 is an acceptable zone in LDR, but residential should not exceed 2.5 units per acre and this application would allow up to 2.9 units per acre.

Specific Area Policy Guidelines:

There are no specific policies for this area.

Adjacent Future Land Use:

North: Low Density Residential (LDR)

East / Southeast: Low Density Residential (LDR) and Park / Recreation / Conservation (P/R/C) – across Childers Road

West / Southwest: Low Density Residential (LDR)

Master Plan/Corridor Study

The property is not located within the boundary of a Corridor Study.

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.

APPLICANT: E-Rock Development, LLC

PETITION NO.: Z-92

PRESENT ZONING: R-30

PETITION FOR: R-15

PLANNING COMMENTS: **Continued**

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>.

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 E-Rock Development

PETITION NO. Z-092

PRESENT ZONING R-30

PETITION FOR R-15

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" CI / NW side of Childers Road

Additional Comments: If private streets, CCWS requires master water meter, and all sewer fees to be collected at time of master water meter purchase

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: 15' N in Tiffany Place S/D

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 Sewer easement in Tiffany Place lots 5 and 6 extends to property line
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: E-Rock Development, LLC

PETITION NO.: Z-92

PRESENT ZONING: R-30

PETITION FOR: R-15

STORMWATER MANAGEMENT COMMENTS

FLOOD HAZARD: YES NO POSSIBLY, NOT VERIFIED

DRAINAGE BASIN: Sweat Mountain 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 Chimney Lakes S/D. Elevated 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 systems.

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 just northwest of Childers Road. Average slopes are relatively flat to moderate with maximum of 15%. The site cover is a mixture of open and wooded areas. The majority of the site (2/3) drains to the north into Tiffany Place Subdivision. The rear third drains into the Chimney Lakes Subdivision.
2. The detention facility must be tied directly to the existing downstream system within Tiffany Place S/D (Lot 4). The current channel conveyance through this lot does not have adequate capacity to handle the proposed increased runoff volume.
3. The majority of lots 7-9 will naturally bypass the detention pond. A drainage easement will be required at the rear of lots 4-8 to convey site runoff to the pond. Grading or landscape walls will likely be required to direct all impervious lot runoff to this easement.
4. The proposed development with private roads will require that all stormwater infrastructure be maintained by the HOA.

APPLICANT: E-Rock Development, LLC

PETITION NO.: Z-92

PRESENT ZONING: R-30

PETITION FOR: R-15

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
Childers Road	8,700	Minor Collector	35 mph	Cobb County	60'

Based on 2004 traffic counting data taken by Cobb County DOT on Childers Road

COMMENTS AND OBSERVATIONS

Childers 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 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 Childers 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 west side of Childers Road, a minimum of 30' from the roadway centerline.

Recommend taper for the Childers Road access.

Recommend a no access easement along the lots that border Childers Road.

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

Recommend private streets be constructed to the Cobb County Standard Specifications.

STAFF RECOMMENDATIONS

Z-92 E-ROCK DEVELOPMENT, 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. The requested development will result in a density of 2.12 units per acre that is only slightly above the range of adjacent subdivisions such as Tiffany Place to the north (1.94 units per acre), Chimney Lakes to the west (1.66 units per acre) and Coventry Green to the east (2.06 units per acre).
- 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 development will be similar to existing, adjacent neighborhoods and have access on a proposed internal private street.
- 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*. Located within an area that is delineated as LDR low density residential on the future land use map, the proposed development's density of 2.12 units per acre falls well within the LDR category's prescribed 1-2.5 units per acre.
- 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 proposed development's density of 2.12 is similar to adjacent subdivisions such as Tiffany Place (1.94 units per acre) and Coventry Green (2.06 units per acre) and falls well within the range forecasted by the LDR future land use category 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 August 6, 2015, with the District Commissioner approving minor modifications;
- Fire Department comments and recommendations;
- Sewer and Water Department 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 §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-92(2015)
PC Hearing Date: 10/06/2015
BOC Hearing Date: 10/20/2015

Summary of Intent for Rezoning*

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

- a) **Proposed unit square-footage(s):** Minimum 3,200 square feet, and greater
 - b) **Proposed building architecture:** Traditional/Craftsman
 - c) **Proposed selling prices(s):** \$800s and greater
 - 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)

.....
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.

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