

APPLICANT: The Stonehenge Group
PHONE#: (770) 876-0917 EMAIL: jonconway@hotmail.com
REPRESENTATIVE: Jonathan Conway
PHONE#: (770) 876-0917 EMAIL: jonconway@hotmail.com
TITLEHOLDER: AM & S Enterprises, Inc.; Lisa Carol Tilson
<b>PROPERTY LOCATION:</b> East side of Lecroy Drive, and on the north
side of Robinson Road
(810 and 820 Lecroy Drive).
ACCESS TO PROPERTY: Lecroy Drive
PHYSICAL CHARACTERISTICS TO SITE: Single-family house

**PHYSICAL CHARACTERISTICS TO SITE:** Single-family house and wooded lot

# **CONTIGUOUS ZONING/DEVELOPMENT**

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NORTH:	O&I/Retirement Community	North: Community A
SOUTH:	R-20/Single-family houses	(CAC)
EAST:	R-20/Single-family house on wooded acreage	East: Low Density Reside South: Low Density Reside
WEST:	O&I/Office condominiums; PSC/Single-family house;	West: Community Activit
	PSC/Undeveloped; CRC/Retail	(CAC)

OPPOSITION: NO. OPPOSED \_\_\_\_PETITION NO: \_\_\_\_SPOKESMAN

PLANNING COMMISSION RECOMMENDATION

APPROVED\_\_\_\_MOTION BY\_\_\_\_\_

REJECTED\_\_\_\_SECONDED\_\_\_\_

HELD\_\_\_\_\_VOTE\_\_\_\_\_

<b>BOARD OF COMM</b>	AISSIONERS DECISION
APPROVED	_MOTION BY
REJECTED	_SECONDED
HELD	VOTE



 
 PETITION NO:
 Z-32
 **HEARING DATE (PC):** 04-01-16 **HEARING DATE (BOC):** 04-19-16 PRESENT ZONING: R-15, O&I PROPOSED ZONING: RA-5, FST **PROPOSED USE:** Detached And Attached Single-Family Subdivision SIZE OF TRACT: 3.165 acres **DISTRICT:** 16 LAND LOT(S): 1030 **PARCEL(S):** 4, 5

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

COMMISSION DISTRICT: 2

# Adiacent Future Land Use:

Activity Center lential (LDR) idential (LDR) rity Center

**STIPULATIONS:** 

**Z-32** 



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

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City Boundary Zoning Boundary

APPLICANT: The Stonehen	ge Group	PET	TITION NO.: 2	Z-32
PRESENT ZONING: R-15, 0	J&I	PET	TITION FOR:	RA-5, FST
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ZONING COMMENTS:	Staff Member Re	esponsible: Jason	A. Campbell	
Land Use Plan Recommendat	tion: Low Density Residen	tial (1-2.5 units per acre) and C	Community Activity Cer	nter (CAC)
Proposed Number of Units:	19	Overall Density:_6	5.0 <b>Units/A</b>	cre
Staff estimate for allowable # *Estimate could be higher or lower ba natural features such as creeks, wetland	used on engineered plans	taking into account topog		

Applicant is requesting the RA-5 and Fee-Simple Townhouse (FST) zoning districts for the purpose of a residential development consisting of detached and attached homes. Tract 1 of the subject property consists of 2.248 acres along Lecroy Drive going north from Robinson Road and will be the RA-5 section for the development of 10 detached houses. Tract 2 is a 0.917 acre section immediately north of Tract 1 and will be developed with nine attached townhouses. The RA-5 houses will be 4,500 square feet and will range in price from \$350,000 to \$450,000. The townhouses will be 2,500 square feet and will range in price from \$300,000 to \$400,000. The applicant has also submitted the attached landscape plan.

The proposal will require the following contemporaneous variances:

- 1. Waiving the road frontage from the required 70 feet to 50 feet for the RA-5 portion;
- 2. Waiving the front setbacks from the required 40 feet to 10 feet for the RA-5 portion;
- 3. Waiving the major side setback along Robinson Road from the required 25 feet to 15 feet for the RA-5 portion;
- 4. Waiving the rear setbacks from the required 30 feet to 20 feet for the RA-5 portion;
- 5. Waiving minimum lot size requirements from the required 7,000 square feet to range from 6,260 square feet to 6,500 square feet as shown on the revised site plan received March 4, 2016;
- 6. Waiving the major side setback along Lecroy Drive from the required 25 feet to 10 feet for the FST portion; and
- 7. Allowing front and rear setbacks to be based on the proposed private drive for the FST portion.

Cemetery Preservation: No comment.

#### PRESENT ZONING: R-15, O&I

**PETITION NO.:** Z-32

**PETITION FOR:** RA-5, FST

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# **SCHOOL COMMENTS:**

			Number of
		Capacity	Portable
Name of School	Enrollment	Status	Classrooms
East Valley	679	Over	
<b>Elementary</b> East Cobb	1,230	Over	
<b>Middle</b> Wheeler	2,161	Under	

#### High

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

Additional Comments: Approval of this petition could adversely impact the enrollment at East Valley Elementary School, as this school is over capacity at this time.

# FIRE COMMENTS:

Cobb County Fire Marshal's Office recommendations:

- Guest Parking be implemented to facilitate the roadways remain clear for emergency vehicles
- No physical boundaries along Lecroy Dr otherwise the Private Alley will require a fire department turn-around meeting the specifications listed below

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.

Dead-end access roads in excess of 150 feet shall be provided with a turn-around (IFC 503.2.5 2006 Edition). Cul-de-sac with or without an island: minimum 60-foot radius to outside curb, measured to inside of curb and a minimum lane width = 24 feet (Cobb County Development Standard 401.09). Single-Family cul-de-sac without island: 38-foot outside radius with island reverts to commercial dimensions. Hammerhead turn-around: total of 110 feet needed (45 feet + 20 feet wide roadway + 45 feet).

PRESENT ZONING: R-15, O&I

PETITION NO.: Z-32 PETITION FOR: RA-5, FST

FIRE COMMENTS: Continued

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:	The Stonehenge Group	<b>PETITION NO.:</b> <u>Z-32</u>
PRESENT ZON	NING: <u>R-15, O&amp;I</u>	PETITION FOR: RA-5, FST
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#### PLANNING COMMENTS:

The applicant is requesting a rezoning from R-15 and O&I to RA-5 and FST for the purpose of a detached and attached single-family subdivision. The 3.165 acre site is located on the east side of Lecroy Drive, and on the north side of Robinson Road.

#### HB-489 Intergovernmental Agreement Zoning Amendment Notification:

Is the application site within one half $(1/2)$ mile of a city boundary?	■ Yes	□ No
If yes, has the city of Marietta been notified?	■ Yes	🗖 No / N/A

#### Comprehensive Plan

The parcels are within a Community Activity Center (CAC) and a Low Density Residential (LDR) future land use category. The purpose of the Community Activity Center (CAC) category is to provide for areas that can meet the immediate needs of several neighborhoods or communities. Typical land uses for these areas include low to mid-rise office buildings and department stores. 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.

#### Specific Area Policy Guidelines:

There are no specific policy guidelines for this area in the Comprehensive Plan.

#### Adjacent Future Land Use:

North:	Community Activity Center (CAC)
East:	Low Density Residential (LDR)
South:	Low Density Residential (LDR)
West:	Community Activity Center (CAC)

#### Master Plan/Corridor Study

The property is not located within the boundary of a Plan or 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.

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PRESENT ZONING: R-15, O&I	PETITION FOR: RA-5, FST
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PLANNING COMMENTS: (Continued)	
<u>Design Guidelines</u>	
Is the parcel in an area with Design Guidelines?	■ No ts?
Incentive Zones	
Is the property within an Opportunity Zone?	■ No
The Opportunity Zone is an incentive that provides \$3,500 ta jobs are being created. This incentive is available for new or e	1 0 0
Is the property within an Enterprise Zone?	
Is the property eligible for incentives through the Comm Program?	■ No ram is an incentive that provides a reduction in
For more information on incentives, please call the Commur 770.528.2018 or find information online at <u>http://economic.co</u>	
Special Districts	
Is this property within the Cumberland Special District #1 (ho □ Yes ■ No	otel/motel fee)?
Is this property within the Cumberland Special District #2 (ad ☐ Yes ■ No	l valorem tax)?
Is this property within the Six Flags Special Service District? □ Yes ■ No	
<ul> <li>Is the property within the Dobbins Airfield Safety Zone?</li> <li>Yes □ No</li> <li>If so, which particular safety zone is this property within?</li> <li>□ CZ (Clear Zone) □ APZ I (Accident Potential Zone)</li> <li>□ APZ II (Accident Potential Zone II)</li> <li>■ Bird / Wildlife Air Strike Hazard (BASH) area</li> </ul>	one I)

APPLICANT <u>The Stonehenge Group</u>		PETITION NO. <u>Z-032</u>
PRESENT ZONING <u>R-15 and O&amp;I</u>		PETITION FOR <u>RA-5 and FST</u>
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WATER COMMENTS: NOTE: Commer	nts reflect only what facilitie	es 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 / E side of Lecre	oy Drive
Additional Comments:		
Developer may be required to install/upgrade water mains, b Review Process.	ased on fire flow test results or Fin	re Department Code. This will be resolved in the Plan
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SEWER COMMENTS: NOTE: Com	nents reflect only what faci	lities were in existence at the time of this review.
In Drainage Basin:	✓ Yes	□ No
At Development:	☐ Yes	✓ No
Approximate Distance to Nearest Sewer:	1,750 E along Robinso	on at Mary Ann Dr
Estimated Waste Generation (in G.P.D.):	A D F= 3,040	Peak= 7,600
Treatment Plant:	Sut	ton
Plant Capacity:	✓ Available	□ Not Available
Line Capacity:	✓ Available	□ Not Available
Projected Plant Availability:	$\checkmark$ 0 - 5 years	$\Box$ 5 - 10 vears $\Box$ over 10 vears
Drv Sewers Required:	□ Yes	☑ No
Off-site Easements Required:	□ Yes*	✓ No *If off-site easements are required, Developer must submit easements to CCWS for
Flow Test Required:	□ Yes	No review/approval as to form and stipulations prior to the execution of easements by the
Letter of Allocation issued:	□ Yes	No property owners. All easement acquisitions are the responsibility of the Developer
Septic Tank Recommended by this Depart	tment: 🗌 Yes	✓ No
Subject to Health Department Approval:	□ Yes	✓ No
Additional Sewer flow study may be re Comments:	equired at Plan Review	

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: <u>The Stonehenge Group</u>

# PETITION NO.: <u>Z-32</u>

# PRESENT ZONING: R-15, O&I

PETITION FOR: <u>RA-5. FST</u>

# STORMWATER MANAGEMENT COMMENTS

FLOOD HAZARD: YES NO POSSIBLY, NOT VERIFIED
<ul> <li>DRAINAGE BASIN: <u>Campground Creek/Sope Creek</u> FLOOD HAZARD INFO: Zone X</li> <li>FEMA Designated 100 year Floodplain Flood.</li> <li>Flood Damage Prevention Ordinance DESIGNATED FLOOD HAZARD.</li> <li>Project subject to the Cobb County Flood Damage Prevention Ordinance Requirements.</li> <li>Dam Breach zone from (upstream) (onsite) lake - need to keep residential buildings out of hazard.</li> </ul>
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 X NO POSSIBLY, NOT VERIFIED
<ul> <li>Metropolitan River Protection Area (within 2000' of Chattahoochee River) ARC (review 35' undisturbed buffer each side of waterway).</li> <li>Chattahoochee River Corridor Tributary Area - County review (<u>undisturbed</u> buffer each side).</li> <li>Georgia Erosion-Sediment Control Law and County Ordinance - County Review/State Review.</li> <li>Georgia DNR Variance may be required to work in 25 foot streambank buffers.</li> <li>County Buffer Ordinance: 50', 75', 100' or 200' each side of creek channel.</li> </ul>
DOWNSTREAM CONDITIONS
<ul> <li>Potential or Known drainage problems exist for developments downstream from this site.</li> <li>Stormwater discharges must be controlled not to exceed the capacity available in the downstream storm drainage systems.</li> </ul>
<ul> <li>Minimize runoff into public roads.</li> <li>Minimize the effect of concentrated stormwater discharges onto adjacent properties.</li> <li>Developer must secure any R.O.W required to receive concentrated discharges where none exist</li> </ul>
naturally Existing Lake Downstream - Mulling's Lake ~ 450' downstream. Additional BMP's for erosion sediment controls will be required.
<ul> <li>Lake Study needed to document sediment levels.</li> <li>Stormwater discharges through an established residential neighborhood downstream.</li> <li>Project engineer must evaluate the impact of increased volume of runoff generated by the proposed</li> </ul>

project on downstream receiving systems.

#### APPLICANT: <u>The Stonehenge Group</u>

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#### PRESENT ZONING: <u>R-15, O&I</u>

#### PETITION FOR: <u>RA-5. FST</u>

#### **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 at the northeast intersection of Robinson Road and Lecroy Drive. Average slopes on the site range from approximately 5 to 10%. The northern half of the site drains to the east to the adjacent Mullings tract and lake. The southern half of the site drains across Robinson Road into and through the Azalea Springs Apartment complex.
- 2. The existing channel conveyance through the Mulling property is not well-defined and has limited capacity. Site discharges must be limited to the existing conveyance capacity.
- 3. As mentioned in the Downstream Conditions Comments, Mulling's Lake is located approximately 450 downstream of the site. Elevated erosion control measures will be required to protect the lake. A pre- and post-development sediment survey will be required to document any adverse sediment impact to the lake during development.
- 4. As a private development, the stormwater infrastructure will be maintained by the required HOA.

#### APPLICANT: The Stonehenge Group

#### PETITION NO.: Z-32

#### PRESENT ZONING: <u>R-15 and O&I</u>

#### PETITION FOR: <u>RA-5 and FST</u>

#### 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
Robinson Road	5700	Major Collector	35 mph	Cobb County	80'
Lecroy Drive	N/A	Local	25 mph	Cobb County	50'

Based on 2008 traffic counting data taken by Cobb County DOT for Robinson Road.

#### **COMMENTS AND OBSERVATIONS**

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

Lecroy Drive is classified as a local and according to the available information the existing rightof-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 consider entering into a development agreement pursuant of 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 Robinson Road, a minimum of 40' from the roadway centerline.

Recommend applicant consider entering into a development agreement pursuant of 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 east side of Lecroy Drive, a minimum of 25' from the roadway centerline.

Recommend sidewalk along the Robinson Road frontage.

Recommend sidewalk along the Lecroy Drive frontage.

Recommend deceleration lane for the Lecroy Drive access point.

Recommend a no access easement along the Robinson Road frontage.

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

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# **STAFF RECOMMENDATIONS**

# **Z-32 THE STONEHENGE GROUP**

- 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 area contains a mixture of single-family residential, office institutional, retail and office uses.
- 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 proposal if for single-family detached houses to be arranged along Lecroy Drive abutting existing R-20 to the east and the attached townhouse and the attached townhouses will abut office and institutional.
- 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 or utilities. This opinion can be supported by the departmental comments contained in this analysis. However, the school system has expressed concerns regarding this application.
- 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 the property as being within the Low Density Residential (LDR) for properties having a density range of 1-2.5 units per acre and Community Activity Center (CAC). The RA-5 zoning district can be requested for any property located within or on the edge of properties delineated for any residential category. The FST zoning district is for properties delineated for medium and high density residential and regional activity center land use categories.
- 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 proposed development could serve as a transition between commercial and residential zonings and land use. Staff believes deleting the request to RA-6 could better serve as a transition area between commercial and residential.

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

- 1. Site plan received March 4, 2016, with the District Commissioner approving minor modifications;
- 2. Maximum of 19 lots;
- 3. Fire Department comments and recommendations;
- 4. Water and Sewer Division comments and recommendations;
- 5. Stormwater Management Division comments and recommendations;
- 6. Department of Transportation comments and recommendations; and
- 7. 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.

FEB -	<u>- 5</u> 2016				Applic	ation No	0. <u>Z-32</u> April 201
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<b>VOIANA</b>	IS DIVISION		nary or				
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b)	Pro	oosed building a	rchitecture: ST	ANDARD RE	SIDENTIAL, SE	E ELEVATION	EXAMPLE
c)					50K; TRACT 2-		
d)	Lis	all requested var	riances: <u>TRAC</u>	T 1- FRONT S	SETBACK 25 RE	EDUCTION, M	IN
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