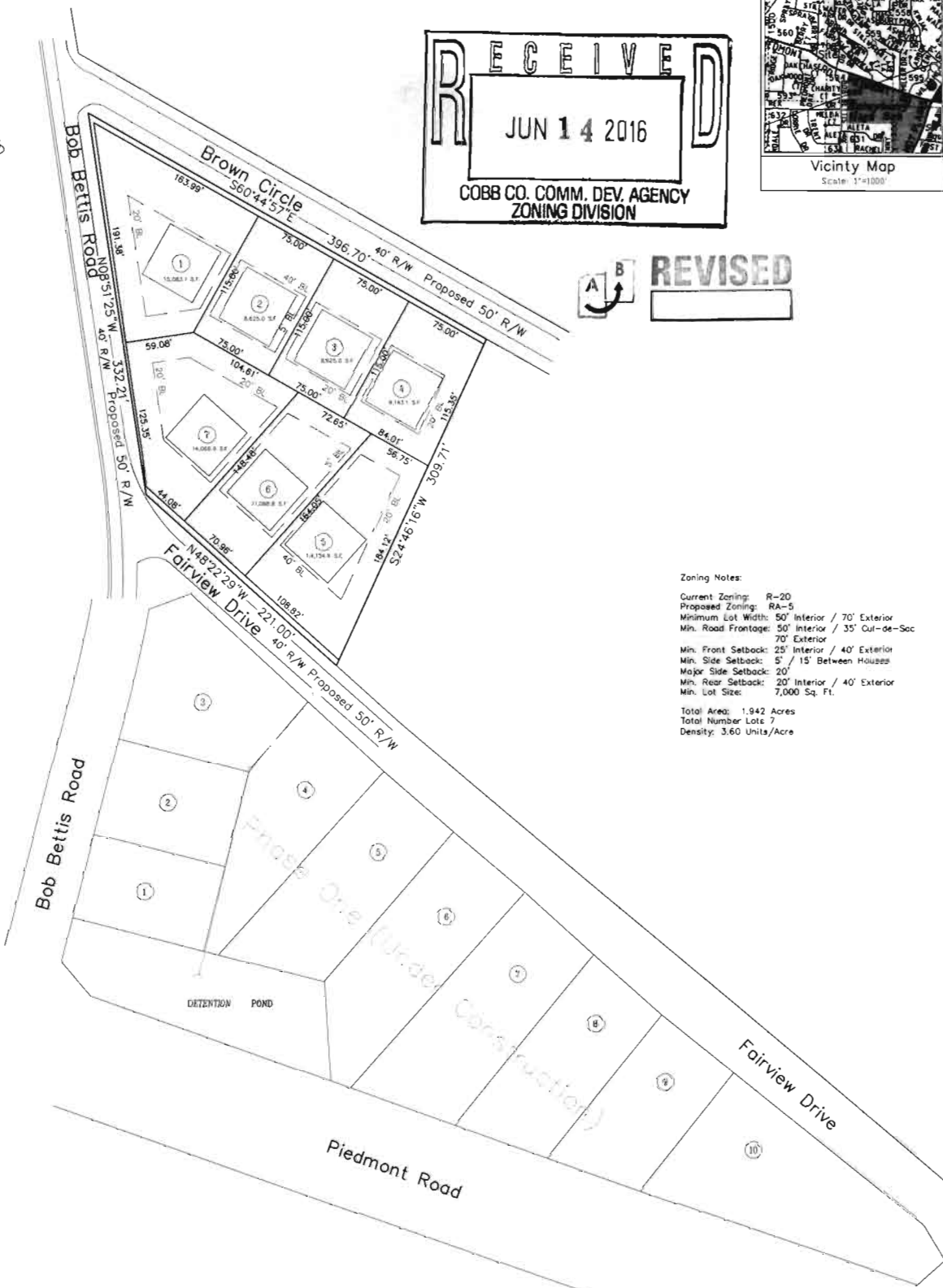
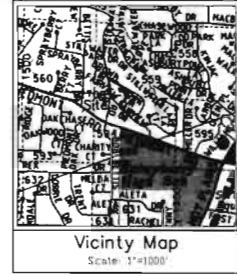


Z-60
(2016)

RECEIVED
JUN 14 2016
COBB CO. COMM. DEV. AGENCY
ZONING DIVISION



REVISED

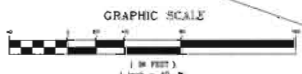
Zoning Notes:
Current Zoning: R-20
Proposed Zoning: RA-5
Minimum Lot Width: 50' Interior / 70' Exterior
Min. Road Frontage: 50' Interior / 35' Cul-de-Sac
70' Exterior
Min. Front Setback: 25' Interior / 40' Exterior
Min. Side Setback: 5' / 15' Between Houses
Major Side Setback: 20'
Min. Rear Setback: 20' Interior / 40' Exterior
Min. Lot Size: 7,000 Sq. Ft.

Total Area: 1.942 Acres
Total Number Lots: 7
Density: 3.60 Units/Acre

General Notes:
1. Boundary information taken from Survey For Copperleaf Partners, LLC, prepared by Betterton Surveyors & Design, Inc. Dated August 25, 2015.

THIS PROPERTY (SEITE NO.) IS LOCATED IN A FEDERAL FLOOD AREA AS INDICATED BY FIA OFFICIAL FLOOD HAZARD MAPS MAP # 15007C 0044F, DATED 01/16/2008.
THE FIELD DATA UPON WHICH THIS PLAT IS BASED HAS A CLOSURE PRECISION OF ONE FOOT IN 17,730 FEET AND AN ANGULAR ERROR OF 1" PER ANGLE POINT AND WAS ADJUSTED USING THE LEAST SQUARES METHOD.
THIS PLAT HAS BEEN CALCULATED FOR CLOSURE AND IS FOUND TO BE ACCURATE WITHIN ONE FOOT IN 17,730 FEET.
EQUIPMENT UTILIZED: ANGULAR: Transimeter
LINEAR: Sokkia Station
UNLESS OTHERWISE SHOWN THERE MAY BE NATIONAL GEODETIC SURVEY MONUMENTS WITHIN 500 FEET OF THIS PROPERTY. ALL MATTERS PERTAINING TO TITLES ARE EXCEPTED.
LARRY D. NEESE, GEORGIA REGISTERED LAND SURVEYOR NO. 2235

Revised: June 09, 2016



	Larry D. Neese, PLS ENGINEERS PLANNERS SURVEYORS 194 Cadence Trail Canton, Georgia 30115 (770) 428 - 2122 E-Mail: Lneese2235@aol.com	Preliminary Subdivision Layout Richard Duncan 2712 Bob Bettis Road Land Lots 559 & 594 16th District 2nd Section Cobb County Georgia	SHEET
	Date: May 4, 2016 Scale: 1"=40'	Job No. 160025	

APPLICANT: Duncan Land Investments, LLC

PHONE#: 678-591-7624 **EMAIL:** duncanlandinvest@yahoo.com

REPRESENTATIVE: Richard Duncan

PHONE#: 678-591-7264 **EMAIL:** duncanlandinvest@yahoo.com

TITLEHOLDER: Spero G. Kara

PROPERTY LOCATION: East side of Bob Bettis Road, south side of Brown Circle, north side of Fairview Drive

(2712 Bob Bettis Road)

ACCESS TO PROPERTY: Fairview Drive, Brown Circle

PHYSICAL CHARACTERISTICS TO SITE: Wooded acreage

PETITION NO: Z-60

HEARING DATE (PC): 07-07-16

HEARING DATE (BOC): 07-19-16

PRESENT ZONING: R-20

PROPOSED ZONING: RA-5

PROPOSED USE: Subdivision

SIZE OF TRACT: 2.2 acres

DISTRICT: 16

LAND LOT(S): 559, 594

PARCEL(S): 4

TAXES: PAID X **DUE** _____

COMMISSION DISTRICT: 3

CONTIGUOUS ZONING/DEVELOPMENT

NORTH: RA-5/Stillwater Registry; R-20/Single-family house

SOUTH: RA-5/Undeveloped (Z-56 & Z-58 of 2013)

EAST: R-20/Single-family house

WEST: R-15/Bob Bettis Road Subdivision

Adjacent Future Land Use:

Northeast: Medium Density Residential (MDR)

Southeast: Medium Density Residential (MDR)

Southwest: Medium Density Residential (MDR))

Northwest: Low Density Residential (LDR) (Across Bob Bettis Road.)

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

PLANNING COMMISSION RECOMMENDATION

APPROVED _____ **MOTION BY** _____

REJECTED _____ **SECONDED** _____

HELD _____ **CARRIED** _____

BOARD OF COMMISSIONERS DECISION

APPROVED _____ **MOTION BY** _____

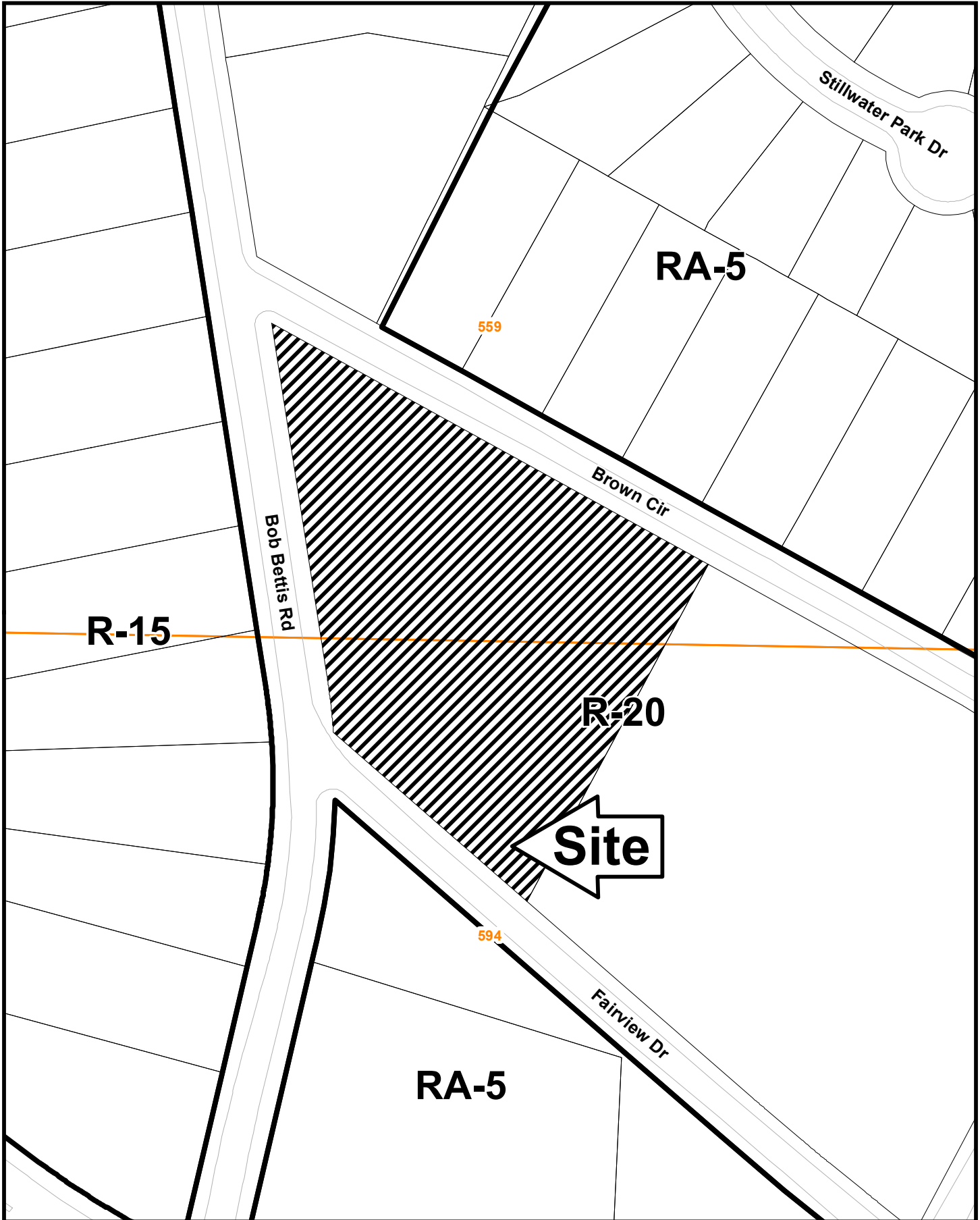
REJECTED _____ **SECONDED** _____

HELD _____ **CARRIED** _____

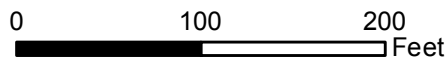
STIPULATIONS:





Z-60-2016 GIS



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



-  City Boundary
-  Zoning Boundary

APPLICANT: Duncan Land Investments, LLC

PETITION NO.: Z-60

PRESENT ZONING: R-20

PETITION FOR: RA-5

ZONING COMMENTS:

Staff Member Responsible: Jason A. Campbell

Land Use Plan Recommendation: Medium Density Residential (2.5-5 units per acre)

Proposed Number of Units: 7 **Overall Density:** 3.60 **Units/Acre**

Staff estimate for allowable # of units: 3 **Units*** **Increase of:** 4 **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 RA-5 zoning district for the purpose of developing a seven-lot single-family subdivision. The proposed houses will be Craftsman style and will range in price from the mid \$300,000s to mid \$400,000s. The proposed minimum house size is 2,400 square feet. The applicant was also one of the applicants and is the developer for RA-5 property to the south. The detention for the development to the south will also serve this development.

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.

APPLICANT: Duncan Land Investments, Inc

PETITION NO.: Z-60

PRESENT ZONING: R-20

PETITION FOR: RA-5

SCHOOL COMMENTS:

<u>Name of School</u>	<u>Enrollment</u>	<u>Capacity Status</u>	<u>Number of Portable Classrooms</u>
Addison Elementary	610	626	
Elementary Daniell Middle	943	1046	
Middle Sprayberry High	1759	2062	

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

Additional Comments:

- Approval of this petition does not appear to adversely impact our schools' enrollment capacity at this time.

APPLICANT: Duncan Land Investments

PETITION NO.: Z-60

PRESENT ZONING: R-20

PETITION FOR: RA-5

FIRE COMMENTS:

NO 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: Duncan Land Investments, LLC

PETITION NO.: Z-60

PRESENT ZONING: R-20

PETITION FOR: RA-5

PLANNING COMMENTS:

The applicant is requesting a rezoning from R-20 to RA-5 for the purpose of a subdivision. The 2.2 acre site is located on the northwest east side of Bob Bettis Road, south side of Brown Circle, north side of Fairview Drive (2712 Bob Bettis 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 _____ been notified? Yes No / N/A

Comprehensive Plan

The parcel is within a Medium Density Residential (MDR) future land use category, with RSL zoning designation. The purpose of the Medium Density Residential (MDR) category is to provide for areas that are suitable for moderate density housing between two and one-half (2.5) and five (5) dwelling units per acre. 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:

Northeast: Medium Density Residential (MDR)
Southeast: Medium Density Residential (MDR)
Southwest: Medium Density Residential (MDR))
Northwest: Low Density Residential (LDR) (Across Bob Bettis Road.)

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.

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: Duncan Land Investments, LLC

PRESENT ZONING: R-20

PETITION NO.: Z-60

PETITION FOR: RA-5

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

Is the property within the Dobbins Airfield Safety Zone?

Yes No

If so, which particular safety zone is this property within?

CZ (Clear Zone) APZ I (Accident Potential Zone I)

APZ II (Accident Potential Zone II)

Bird / Wildlife Air Strike Hazard (BASH) area

APPLICANT Duncan Land Investments, LLC

PETITION NO. Z-060

PRESENT ZONING R-20

PETITION FOR RA-5

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): 6" DI / S side of Brown Circle

Additional Comments: Fairview Dr water main extension may be required to serve lots 5 & 6

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: Fairview Drive ROW

Estimated Waste Generation (in G.P.D.): A D F= 1,120 Peak= 2,800

Treatment Plant: Noontday

Plant Capacity: Available Not Available

Line Capacity: Available Not Available

Projected Plant Availability: 0 - 5 years 5 - 10 years over 10 years

Dry 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 available w/o easement via sewer extension by Duncan subdivision under construction
Comments: south of Fairview Dr.

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: Duncan Land Investments, LLC

PETITION NO.: Z-60

PRESENT ZONING: R-20

PETITION FOR: RA-5

STORMWATER MANAGEMENT COMMENTS

FLOOD HAZARD: YES NO POSSIBLY, NOT VERIFIED

DRAINAGE BASIN: Morgan Lake Tributary 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 CONDITIONS

- 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 system.

APPLICANT: Duncan Land Investments, LLC

PETITION NO.: Z-60

PRESENT ZONING: R-20

PETITION FOR: RA-5

STORMWATER MANAGEMENT COMMENTS – Continued

SPECIAL SITE CONDITIONS

- Provide stormwater conveyance to accommodate 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 to the east of Bob Bettis Road between Brown Circle and Fairview Drive. The parcel is completely wooded with average slopes of less than 5%. The entire site drains to the west to the Bob Bettis Road right-of-way.
2. Stormwater management for this development is proposed to be accommodated within the facility currently under construction immediately to the south at the corner of East Piedmont and Bob Bettis Roads. The pond design must be revised to account for this additional site area.

APPLICANT: Duncan Land Investments, LLC

PETITION NO.: Z-60

PRESENT ZONING: R-20

PETITION FOR: RA-5

TRANSPORTATION COMMENTS:

ROADWAY	AVERAGE DAILY TRIPS	ROADWAY CLASSIFICATION	SPEED LIMIT	JURISDICTIONAL CONTROL	MIN. R.O.W. REQUIREMENTS
Brown Circle	N/A	Local	25 mph	Cobb County	50'
Bob Bettis Road	530	Local	25 mph	Cobb County	50'
Fairview Drive	N/A	Local	25 mph	Cobb County	50'

Based on 2015 traffic counting data taken by Cobb County DOT for Bob Bettis Road.

COMMENTS AND OBSERVATIONS

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

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

Fairview Drive is classified a local 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 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 south side of Brown Circle, a minimum of 25' from the roadway centerline upon redevelopment.

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 Bob Bettis Road, a minimum of 25' from the roadway centerline upon redevelopment.

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 Fairview Drive, a minimum of 25' from the roadway centerline upon redevelopment.

Recommend curb, gutter, and sidewalk along the frontage of Brown Circle, Bob Bettis Road, and Fairview Drive.

Recommend driveways be at least 50 feet from the intersection of Bob Bettis Road.

STAFF RECOMMENDATIONS

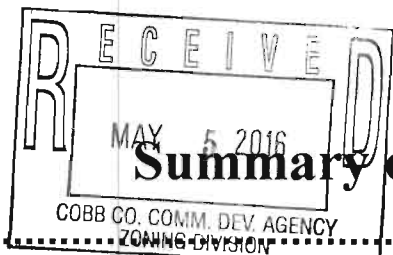
Z-60 DUNCAN LAND INVESTMENTS, LLC

- 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. There are other RA-5 properties across Fairview Drive and Brown Circle.
- B. It is Staff's opinion that the applicant's rezoning proposal will not have an adverse effect on the usability of adjacent or nearby property. The area contains a mixture of zoning uses.
- 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 delineates this property to be within the Medium Density Residential (MDR) land use category, having densities that range from 2.5 to 5 units per acre. The subdivision to the northeast is zoned RA-5 (Stillwater Lake) and has a density of 3.59 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. There is a mixture of properties in this area that have a range of zonings and densities. The proposal is consistent with the *Cobb County Comprehensive Plan*. The proposal would be compatible with nearby and adjacent properties.

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

1. Site plan received June 14, 2016, with the District Commission approving minor modifications;
2. Water and Sewer Division comments and recommendations;
3. Stormwater Management Division comments and recommendations;
4. Department of Transportation comments and recommendations; and
5. 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-60

July 2016

Summary of Intent for Rezoning

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

- a) Proposed unit square-footage(s): 2,400
- b) Proposed building architecture: Craftsman style
- c) Proposed selling prices(s): mid 300's to mid 400's
- d) List all requested variances: none

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

- a) Proposed use(s): N/A
- 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).

no