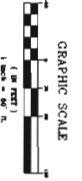
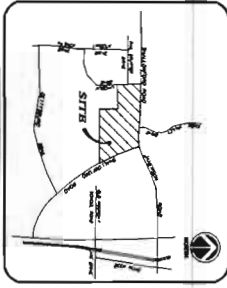
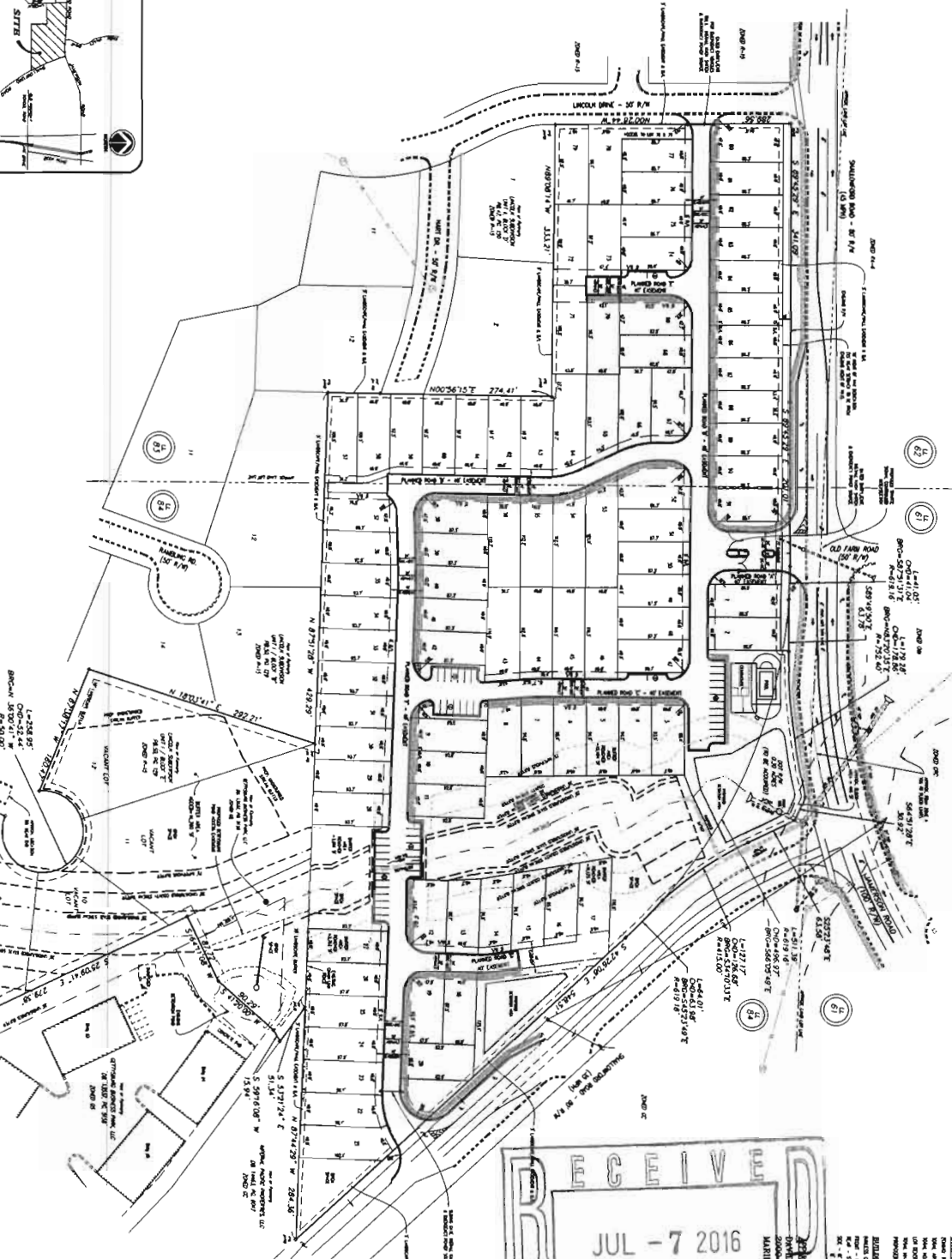


Z-80
(2016)



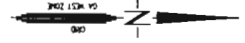
GEORGIA 811
CALL BEFORE YOU DIG

EXHIBIT
THIS PLAN IS A CONCEPTUAL PLAN FOR THE PROPOSED PROJECT AND IS NOT A FINAL PLAN. THE PROPOSED PROJECT IS SUBJECT TO THE APPROVAL OF THE COBB COUNTY COMMISSION AND THE COBB COUNTY ZONING DIVISION. THE PROPOSED PROJECT IS SUBJECT TO THE APPROVAL OF THE COBB COUNTY COMMISSION AND THE COBB COUNTY ZONING DIVISION.



RECEIVED
JUL - 7 2016
COBB CO. COMM. DEV. AGENCY
ZONING DIVISION

PLANNING CONTACT:
DAVID PARSONS
2000-NEWSPRING SUITE 400
MARIETTA, GEORGIA 30062
770-321-5622



NO	DATE	REVISION DESCRIPTION	BY

CONCEPTUAL PLAN FOR:
VILLAGES AT SHALLOWFORD
LAND LOT 83 & 84, 14TH DISTRICT, 2ND SECTION
COBB COUNTY, GEORGIA

centerline
Surveying and Land Planning, Inc.
104 WILSON ROAD, SUITE 114, KENNESAW, GA 30144
PHONE: (770) 424-8888 FAX: (770) 424-8889



APPLICANT: First Center, Inc.

PHONE#: (770)-321-5032 **EMAIL:** nik@davidpearsoncommunities.com

REPRESENTATIVE: J. Kevin Moore

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

TITLEHOLDER: First Center, Inc.; David Pearson, Elizabeth Pearson,

Gettysburg Business Park, LLC

PROPERTY LOCATION: Southwest intersection of Shallowford Road and Jamerson Road; north side of Backwoods Court, and at the eastern terminus of Hart Drive

682,780,792 Shallowford Road; 4671,4681,4682,4686 Backwoods Court

ACCESS TO PROPERTY: Shallowford Road, Lincoln Drive, Backwoods Court

PHYSICAL CHARACTERISTICS TO SITE: Single-family houses undeveloped acreage

PETITION NO: Z-80

HEARING DATE (PC): 09-08-16

HEARING DATE (BOC): 09-20-16

PRESENT ZONING: RA-6, R-15, OS

PROPOSED ZONING: RA-6

PROPOSED USE: Residential

SIZE OF TRACT: 15.17 acres

DISTRICT: 16

LAND LOT(S): 83, 84

PARCEL(S): 1,2,8,9,31,37,38,39

TAXES: PAID X **DUE** _____

COMMISSION DISTRICT: 3

CONTIGUOUS ZONING/DEVELOPMENT

NORTH: RA-6/Chadd's Ridge; O&I, CRC and GC/
Commercial developments

SOUTH: R-15/Lincoln Subdivision; OS, GC & LI/Commercial
and Industrial developments

EAST: GC and CRC/Offices and Warehouses

WEST: R-15/Lincoln Subdivision

Adjacent Future Land Use:

North: Medium Density Residential (MDR),
Park / Recreation / Conservation (PRC) and
Neighborhood Activity Center (NAC)

Northeast: Neighborhood Activity Center
(NAC)

South: Neighborhood Activity Center (NAC),
Industrial Compatible (IC) and Low Density
Residential (LDR)

West: Low Density Residential (LDR)

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

PLANNING COMMISSION RECOMMENDATION

APPROVED _____ **MOTION BY** _____

REJECTED _____ **SECONDED** _____

HELD _____ **CARRIED** _____

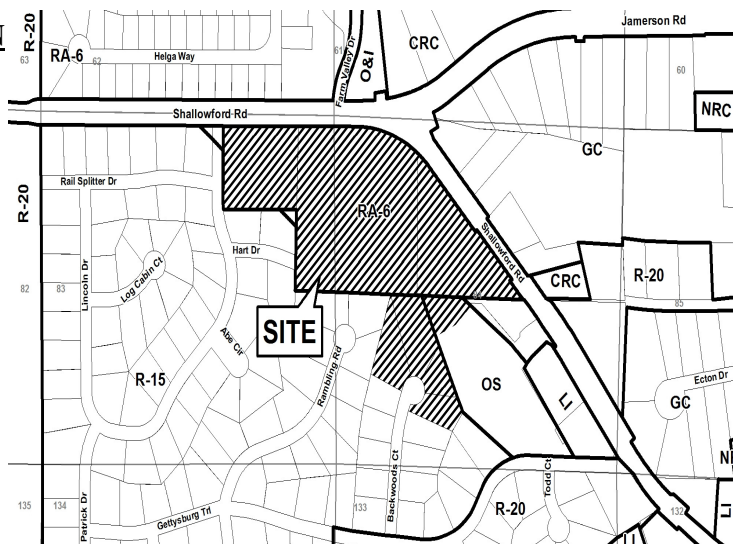
BOARD OF COMMISSIONERS DECISION

APPROVED _____ **MOTION BY** _____

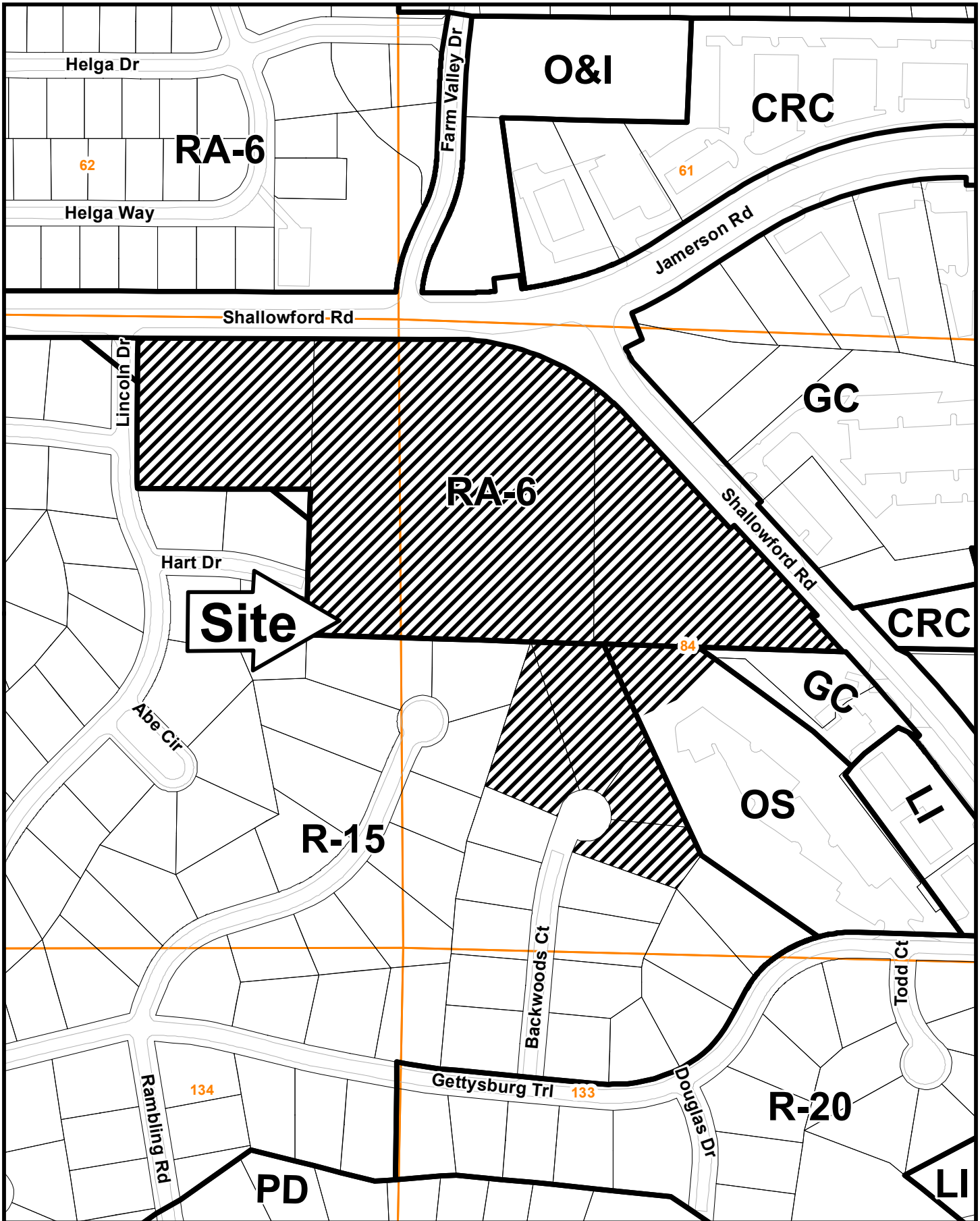
REJECTED _____ **SECONDED** _____

HELD _____ **CARRIED** _____

STIPULATIONS:



Z-80-2016 GIS



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

0 200 400 Feet

City Boundary
Zoning Boundary

APPLICANT: First Center, Inc.

PETITION NO.: Z-80

PRESENT ZONING: RA-6, R-15, OS

PETITION FOR: RA-6

ZONING COMMENTS:

Staff Member Responsible: Jason A. Campbell

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

Low Density Residential (1-2.5 units per acre); and Industrial Compatible

Proposed Number of Units: 91

Overall Density: 6.0 **Units/Acre**

Staff estimate for allowable # of units: 70 (per Z-37 of 2014) **Units*** **Increase of:** 21 **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-6 zoning district for the development of a 91-lot residential subdivision. The proposed houses will be traditional and a minimum of 2,000 square feet. The prices will range from the \$350,000s and greater. The applicant is proposing the development as a gated community.

The proposed site plan will requires setbacks geared toward the proposed private streets instead of public roads.

Cemetery Preservation: No comment

APPLICANT: First Center, Inc.

PETITION NO.: Z-80

PRESENT ZONING: RA-6, R-15, OS

PETITION FOR: RA-6

SCHOOL COMMENTS:

<u>Name of School</u>	<u>Enrollment</u>	<u>Capacity Status</u>	<u>Number of Portable Classrooms</u>
Nicholson Elem	517	560	
Elementary McClesky Middle	704	843	
Middle Kell High	1483	1912	

High

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

Additional Comments:

Approval of this petition will not have a significant impact on the enrollment at these schools.

APPLICANT: First Center

PETITION NO.: Z-80

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: First Center, Inc.

PETITION NO.: Z-80

PRESENT ZONING: RA-6, R-15 and OS

PETITION FOR: RA-6

PLANNING COMMENTS:

The applicant is requesting a rezoning from RA-6, R-15 and OS to RA-6 for the purpose of residential. The 15.17 acre site is located southwest intersection of Shallowford Road and Jamerson Road; north side of Backwoods Court, and at the eastern terminus of Hart Drive (682, 780, 792 Shallowford Road; 4671, 4681, 4682, 4686 Backwoods Court).

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 parcels are within Medium Density Residential (MDR), Low Density Residential (LDR) and Industrial Compatible (IC) future land use categories, with RA-6, R-15 and OS zoning designations. 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. 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. The purpose of Industrial Compatible (IC) category is to provide for areas that can support light industrial, office /warehouse, and distribution uses. Typical land uses for these areas include professional business parks and distribution centers.

Specific Area Policy Guidelines:

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

Adjacent Future Land Use:

North: Medium Density Residential (MDR), Park / Recreation / Conservation (PRC) and Neighborhood Activity Center (NAC)
Northeast: Neighborhood Activity Center (NAC)
South: Neighborhood Activity Center (NAC), Industrial Compatible (IC) and Low Density Residential (LDR)
West: Low Density Residential (LDR)

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.

APPLICANT: First Center, Inc.

PRESENT ZONING: RA-6, R-15 and OS

PETITION NO.: Z-80

PETITION FOR: RA-6

PLANNING COMMENTS:

CONT.

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>.

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 First Center, Inc.

PETITION NO. Z-080

PRESENT ZONING RA-6, R-15, OS

PETITION FOR RA-6

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 / S side of Shallowford Road

Additional Comments: Development appears to encroach upon a Cobb Marietta Water Authority easement

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: 110' N across Shallowford Road

Estimated Waste Generation (in G.P.D.): A D F= 14,560 Peak= 36,400

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 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: First Center, Inc.

PETITION NO.: Z-80

PRESENT ZONING: RA-6, R-15, OS

PETITION FOR: RA-6

STORMWATER MANAGEMENT COMMENTS

FLOOD HAZARD: YES NO POSSIBLY, NOT VERIFIED

DRAINAGE BASIN: Trib to Noonday 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: within and adjacent to 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 existing downstream receiving culverts.

APPLICANT: First Center, Inc.

PETITION NO.: Z-80

PRESENT ZONING: RA-6, R-15, OS

PETITION FOR: RA-6

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. The site is located at the southwest intersection of Shallowford and Jamerson Roads. The majority of the site (80%) drains to the north via two existing culverts under Shallowford Road. The remainder of the site drains to the west to Lincoln Drive and into the adjacent Lincoln Subdivision. The existing site is fairly heavily wooded with slopes ranging from approximately 5 to 25%.
2. A drainage easement will likely be required along the side or rear of lots 72, 72 and 78-80 to limit offsite runoff bypass.
3. Since private streets are proposed all stormwater management within the development including the detention pond(s) will be privately maintained in perpetuity by the HOA.
4. The proposed site plan layout reflects and will require a stream buffer variance utilizing buffer averaging.
5. The location of the main detention pond will require abandonment of existing DOT right-of-way and may require reconfiguration pending verification of Cobb Marietta Water Authority line location.

APPLICANT: First Center, Inc.

PETITION NO.: Z-80

PRESENT ZONING: RA-6, R-15, OS

PETITION FOR: RA-6

TRANSPORTATION COMMENTS:

ROADWAY	AVERAGE DAILY TRIPS	ROADWAY CLASSIFICATION	SPEED LIMIT	JURISDICTIONAL CONTROL	MIN. R.O.W. REQUIREMENTS
Shallowford Road NE	12,800	Arterial	45 mph	Cobb County	100'
Shallowford Road	3,900	Minor Collector	35 mph	Cobb County	60'

*Based on 2012 traffic counting data taken by Cobb County DOT for Shallowford Road NE.
Based on 2011 traffic counting data taken by Cobb County DOT for Shallowford Road.*

COMMENTS AND OBSERVATIONS

Shallowford Road NE is classified as an arterial and according to the available information the existing right-of-way does not meet the minimum requirements for this classification.

Shallowford Road is classified as a minor collector 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 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 south side of Shallowford Road NE, a minimum of 50' from the roadway centerline.

Recommend a deceleration lane on Shallowford Rd and Shallowford Road NE for the entrance.

Recommend curb, gutter, and sidewalk along the Maybreeze Road frontage.

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

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

Recommend the proposed gates to meet Cobb County Development Standards.

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

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

Recommend coordinating with Cobb County DOT regarding right-of-way abandonment at the corner of Shallowford Road and Shallowford Road NE during plan review.

STAFF RECOMMENDATIONS

Z-80 FIRST CENTER, INC.

- A. It is Staff's opinion that the applicant's rezoning proposal will not permit a use that is suitable in view of the use and development of adjacent and nearby properties. Other residential properties in this area are developed at lower densities.
- B. It is Staff's opinion that the applicant's rezoning proposal will have an adverse effect on the usability of adjacent or nearby property. While other properties in this area are developed with single-family homes, Staff feels the proposed density is too intense for the area.
- 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 as being in the following land use categories: Medium Density Residential (MDR), for properties having 2.5-5 units per acre; Low Density Residential (LDR), for properties having 1-2.5 units per acre; and Industrial Compatible (IC). The densities of other developments in this area include: Lincoln Subdivision Unit I (Zoned R-15 and R-20 at approximately 1.92 units per acre); Dover Downs Unit I (zoned PD at approximately 1.75 units per acre); Lincoln Subdivision Unit II (zoned R-15 at approximately 2.58 units per acre); Chadds Ridge, Unit I (zoned RA-6 at 2.9 units per acre); Chadds Ridge Unit III (zoned RA-6 at 3.02 units per acre); and Old Farm Place II (zoned RM-10T at approximately 4.19 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 deleting the applicant's rezoning proposal. Staff believes applicant's proposed density of 6.0 units per acre is too intense when compared to the densities listed above. Staff believes rezoning the property to RA-5 will provide a suitable transition in zoning intensity.

Based on the above analysis, Staff recommends DELETING the request to RA-5 subject to the following conditions:

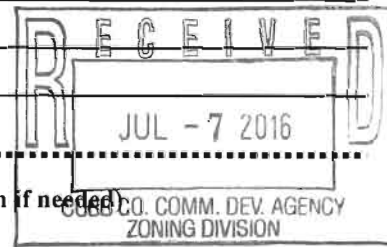
1. Site plan received by the Zoning Division on July 7, 2016, with the District Commissioner approving minor modifications;
2. Maximum density of five units per acre;
3. Water and Sewer Division comments and recommendations;
4. Stormwater Management Division comments and recommendations;
5. Department of Transportation comments and recommendations; and
6. 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.

Summary of Intent for Rezoning*

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

- a) Proposed unit square-footage(s): Minimum 2,000 square feet
b) Proposed building architecture: Traditional
c) Proposed selling prices(s): \$350,000s 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 this Summary of Intent to Rezone, or any other portion of the Application for Rezoning, at any time during the rezoning process.