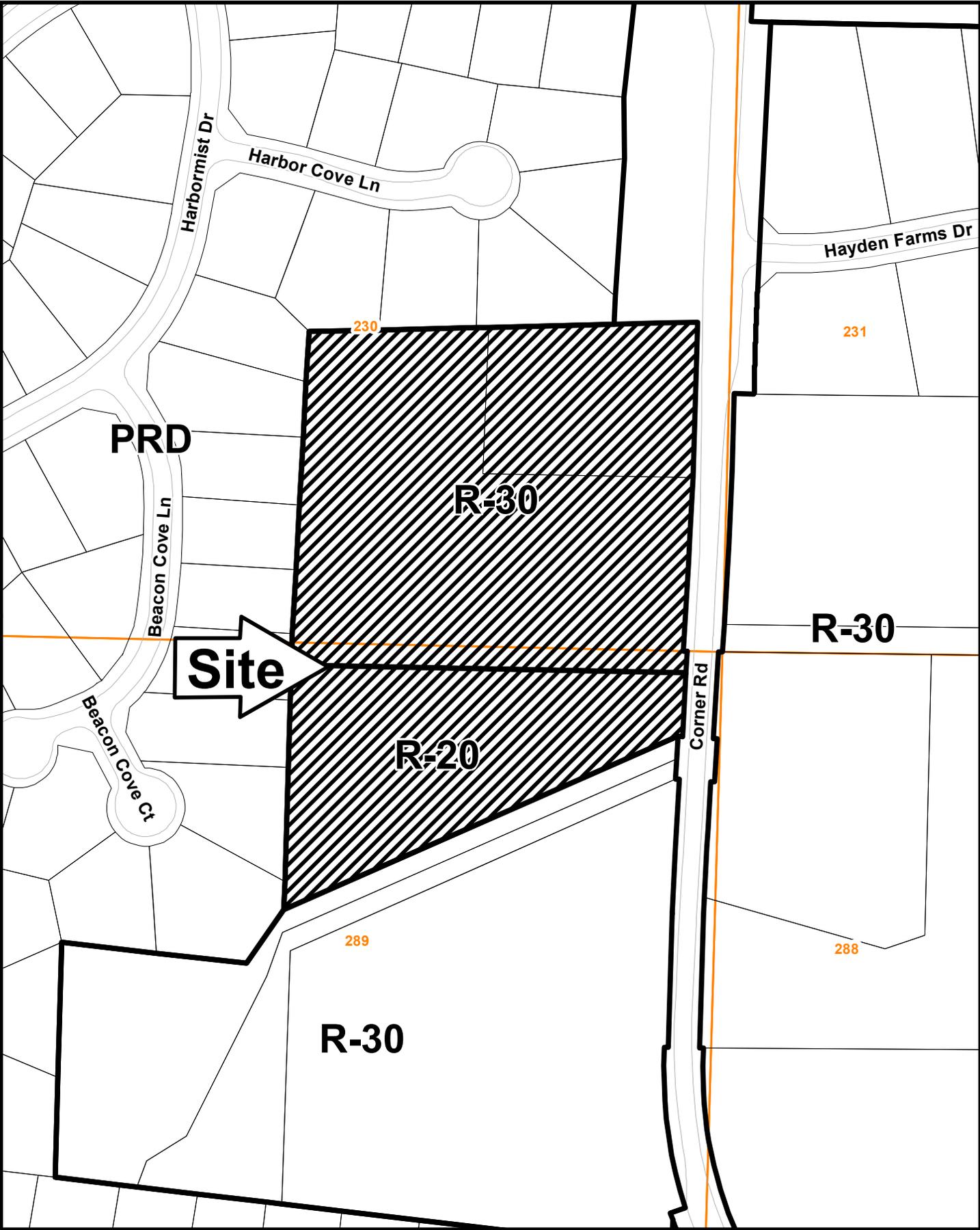


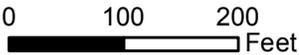




# Z-88-2016 GIS



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



-  City Boundary
-  Zoning Boundary

**APPLICANT:** Mr. and Mrs. Charles Adedoyin

**PETITION NO.:** Z-88

**PRESENT ZONING:** R-20, R-30

**PETITION FOR:** R-20

\*\*\*\*\*

**ZONING COMMENTS:**

**Staff Member Responsible:** Terry Martin, MPA

**Land Use Plan Recommendation:** VLDR Very Low Density Residential

**Proposed Number of Units:** 10                      **Overall Density:** 1.37                      **Units/Acre**

**Staff estimate for allowable # of units:** 8                      **Units\***                      **Increase of:** 2                      **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. Based on 3 lots zoned R-20 per Z-26 (2016) and 5 acres zoned R-30.

The applicant is requesting rezoning of the subject property in order to develop a 10 lot subdivision. The request to rezone to the R-20 category includes property that is currently zoned R-30 as well as property that is R-20 subject to recent case Z-27 of 2016 (this case was approved to a three (3) lot site plan with two (2) being accessed by private easement and one having reduced public road frontage). The current proposal includes no variances, all lots meeting minimum required size as well as setbacks and being accessed by internal public streets. The applicant has indicated that the intended homes will range in size of 4,000 sq. ft. or greater, be of traditional two-story construction, and have anticipated selling prices of \$620,000 to \$780,000 or more.

**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:** Mr. and Mrs. Charles Adedoyin

**PETITION NO.:** Z-88

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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>Kemp Elem</u>	<u>982</u>	<u>1004</u>	<u>                    </u>
<b>Elementary</b>			
<u>Lost Mtn Middle</u>	<u>1064</u>	<u>1046</u>	<u>                    </u>
<b>Middle</b>			
<u>Hillgrove High</u>	<u>2404</u>	<u>1912</u>	<u>                    </u>

**High**

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

**Additional Comments:**

Approval of this petition will not have an impact on the enrollment at Cobb County schools.

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**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: Mr. & Mrs. Charles Adedoyin**

**PETITION NO.: Z-88**

**PRESENT ZONING: R-20 & R-30**

**PETITION FOR: R-20**

\*\*\*\*\*

**PLANNING COMMENTS:**

The applicant is requesting a rezoning from R-20 and R-30 to R-20 for the purpose of residential subdivision. The 9.794 acre site is located on the west side of Corner Road, south of Hayden Farms Drive.

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 Very Low Density Residential (VLDR) future land use category, with R-30 zoning designation. The purpose of the Very Low Density Residential (VLDR) category is to provide for areas that are suitable for very low density housing, particularly in locations which may not have basic services such as sewer, or where the existing or desired residential development pattern is zero to two (2) dwelling units per acre.

Specific Area Policy Guidelines:

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

Adjacent Future Land Use:

North: Very Low Density Residential (VLDR)  
East: Very Low Density Residential (VLDR)  
Southeast: Very Low Density Residential (VLDR)  
West: Very Low Density Residential (VLDR)

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: Mr. & Mrs. Charles Adedoyin**

**PRESENT ZONING: R-20 & R-30**

**PETITION NO.: Z-88**

**PETITION FOR: R-20**

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**PLANNING COMMENTS:**

CONT.

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 Mr. and Mrs. Charles Adedoyin

PETITION NO. Z-088

PRESENT ZONING R-20, R-30

PETITION FOR R-20

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**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): 10" DI / W side of Corner Road

Additional Comments:

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: 200' W in Beacon Cove Ct

Estimated Waste Generation (in G.P.D.): A D F= 2,080 Peak= 5,200

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

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 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: Mr. & Mrs. Charles Adedoyin

PETITION NO.: Z-88

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**STORMWATER MANAGEMENT COMMENTS**

FLOOD HAZARD:  YES  NO  POSSIBLY, NOT VERIFIED

DRAINAGE BASIN: Florence Br (E), Mill Cr Trib #1 (W) 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 downstream receiving systems within Echo Mill Subdivision (5292 Beacon Cove Court and 1301 Beacon Cove Lane).

APPLICANT: Mr. & Mrs. Charles Adedoyin

PETITION NO.: Z-88

PRESENT ZONING: R-20, R-30

PETITION FOR: R-20

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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. The existing site is wooded with a mixture of soft and hardwoods. Slopes range from an average of 5 to 15%. The trapezoidal-shaped site has a ridge running through the middle such that approximately 2/3 of the site drains to the west into Echo Mill Subdivision via to existing drainage easements. The remaining 1/3 drains to the east to the Corner Road right-of-way.
2. It appears that the area allotted for the stormwater management facility is sufficient to not require a wall to provide adequate storage. However, if a pond wall becomes necessary to meet required discharge limitations then landscape screening and/or decorative treatment of the wall should be provided to mitigate visual impact to existing adjacent property owners. The pond discharge will be required to be tied directly to the existing stormwater infrastructure pipe near the property line.

**APPLICANT:** Mr. and Mrs. Charles Adedoyin

**PETITION NO.:** Z-88

**PRESENT ZONING:** R-20, R-30

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**TRANSPORTATION COMMENTS:**

ROADWAY	AVERAGE DAILY TRIPS	ROADWAY CLASSIFICATION	SPEED LIMIT	JURISDICTIONAL CONTROL	MIN. R.O.W. REQUIREMENTS
Corner Road	7,500	Major Collector	35 mph	Cobb County	80'

*Based on 2016 traffic counting data taken by Cobb County DOT for Corner Road.*

**COMMENTS AND OBSERVATIONS**

Corner Road 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.

**RECOMMENDATIONS**

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 Corner Road, a minimum of 40' from the roadway centerline

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

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

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

Recommend a short deceleration lane on Corner Road for the entrance. Length to be determined in plan review.

Recommend the proposed gate meet Cobb County Development Standards.

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

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

## STAFF RECOMMENDATIONS

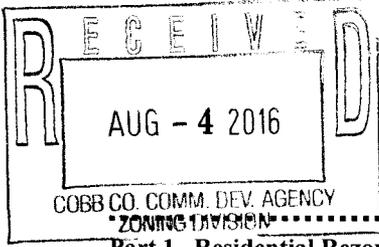
### **Z-88 MR. AND MRS. CHARLES ADEDOYIN**

- 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 request is to rezone in order to develop a 10 lot subdivision similar to those found in the immediate area.
- 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 request for single-family zoning to the R-20 category will not adversely affect adjacent property resulting in a development that is less dense than those in the immediate area such as Echo Mill (2.21 upa vs. 1.37 upa proposed).
- 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 VLDR very low density residential future land use category. This category is intended to encourage areas for very low density housing of zero to two (2) dwelling units per acre. The current proposal would result in a density of 1.37 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 request is to develop a 10 lot subdivision similar to those in the surrounding area. The requested rezoning to R-20 will not only allow a development of less density than that of immediate subdivisions, but it will also allow for incorporation of and a better layout overall to the area just recently rezoned under case Z-27 of 2016 (these three lots no longer requiring waivers of frontage and lot size).

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

1. Site plan received by the Zoning Division on September 15, 2016, with District Commissioner approving minor modifications;
2. House architecture to be approved by District Commissioner;
3. Fire Department comments and recommendations;
4. Sewer and Water 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.**



Application No. Z-88

PC Hearing: October 4, 2016  
BOC Hearing: October 18, 2016

# Summary of Intent for Rezoning \*

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

- a) Proposed unit square-footage(s): 4,000 square feet or greater
- b) Proposed building architecture: Traditional 2-story (submitted under separate cover)
- c) Proposed selling prices(s): \$620,000 - \$780,000 or greater
- d) List all requested variances: None shown at this time.

.....  
**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)**

The subject property is presently zoned R-20 & R-30 and is contiguous and to the east of a subdivision (Echo Mill Unit VIII) zoned PRD with lot sizes ranging from 11,360 square feet to 46,967 square feet and in an area on the Future Land Use Map which allows densities up to 2 units per acre.

.....  
**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).** N/A

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