

APPLICANT: Paces Ferry Partners I, LLC

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REPRESENTATIVE: John H. Moore

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TITLEHOLDER: 3085 Paces Mill Associates, LLC

PROPERTY LOCATION: Located on the northwesterly side of Paces Mill Road, easterly of Paces Ferry Road

ACCESS TO PROPERTY: Paces Mill Road

PHYSICAL CHARACTERISTICS TO SITE: House that has been used as an office

CONTIGUOUS ZONING/DEVELOPMENT

- NORTH:** NS/Vinings Methodist Church
- SOUTH:** RA-6/Highgrove Subdivision
- EAST:** RM-8/Vinings Mill Subdivision
- WEST:** RA-4/Carters Grove; CRC/Ruth Carter Vanneman Foundation

PETITION NO: Z-90

HEARING DATE (PC): 10-04-16

HEARING DATE (BOC): 10-18-16

PRESENT ZONING: LRO

PROPOSED ZONING: RM-8

PROPOSED USE: Residential townhomes

SIZE OF TRACT: .834 acres

DISTRICT: 17

LAND LOT(S): 952

PARCEL(S): 11

TAXES: PAID X **DUE** _____

COMMISSION DISTRICT: 2

Adjacent Future Land Use:
 Northeast: Public Institutional (PI)
 Southeast: High Density Residential (HDR)
 West: Neighborhood Activity Center (NAC) and Medium Density Residential (MDR)

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

PLANNING COMMISSION RECOMMENDATION

APPROVED _____ **MOTION BY** _____

REJECTED _____ **SECONDED** _____

HELD _____ **CARRIED** _____

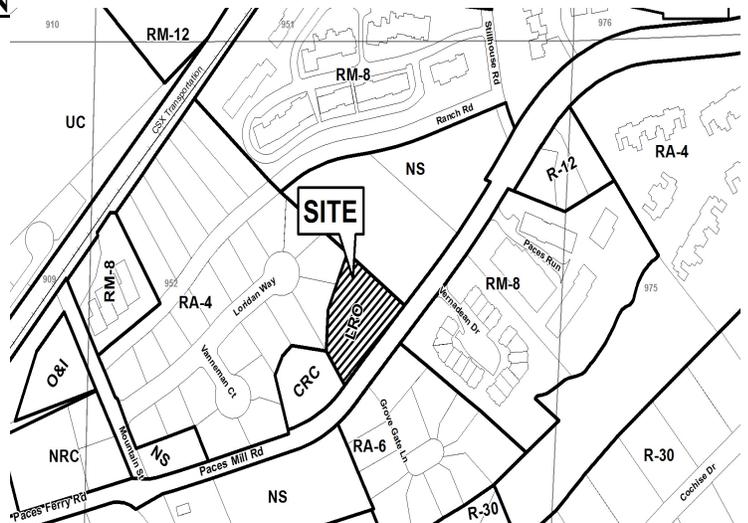
BOARD OF COMMISSIONERS DECISION

APPROVED _____ **MOTION BY** _____

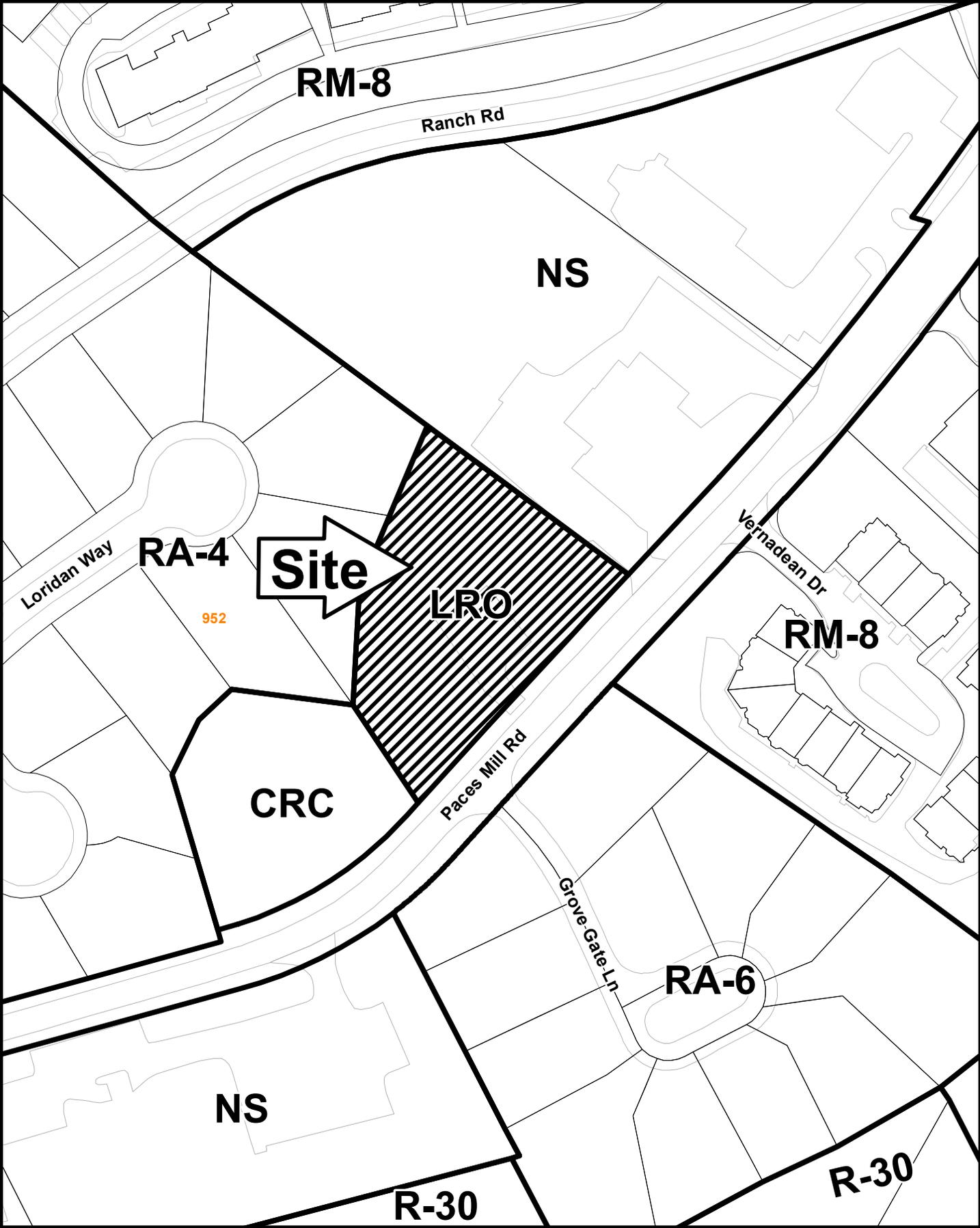
REJECTED _____ **SECONDED** _____

HELD _____ **CARRIED** _____

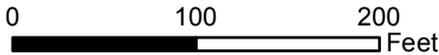
STIPULATIONS:



Z-90-2016 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: Paces Ferry Partners I, LLC

PETITION NO.: Z-90

PRESENT ZONING: LRO

PETITION FOR: RM-8

ZONING COMMENTS:

Staff Member Responsible: Jason A. Campbell

Land Use Plan Recommendation: Neighborhood Activity Center (NAC)

Proposed Number of Units: 6 **Overall Density:** 7.194 **Units/Acre**

Staff estimate for allowable # of units: 0 **Units*** **Increase of:** 6 **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 RM-8 zoning district for the purpose of developing a six-unit attached townhouse subdivision. The units will be traditional/European and will range in size from 4,000 square feet and greater. The selling prices will be \$1.3 Million and greater.

The applicant is requesting the following contemporaneous variances:

1. Waiving the required front setback from 50 feet to 30 feet;
2. Waiving the required rear setback from 40 feet to 30 feet;
3. Waiving the required side setback from 35 feet to 7.6 feet on the northeasterly side and 15 feet on the northwesterly side;
4. Allowance of RM-8 in the NAC land use category;
5. Waiving the minimum lot size from 80,000 square feet to 36,350 square feet; and
6. Waiving the required 25-foot landscape buffers required abutting residentially zoned properties.

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: Paces Ferry Partners I, LLC

PETITION NO.: Z-90

PRESENT ZONING: LRO

PETITION FOR: RM-8

SCHOOL COMMENTS:

<u>Name of School</u>	<u>Enrollment</u>	<u>Capacity Status</u>	<u>Number of Portable Classrooms</u>
<u>Teasley Elem</u>	<u>837</u>	<u>771</u>	<u> </u>
Elementary <u>Campbell Middle</u>	<u>1437</u>	<u>1203</u>	<u> </u>
Middle <u>Campbell High</u>	<u>2669</u>	<u>2637</u>	<u> </u>

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.

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: Paces Ferry Partners I, LLC

PETITION NO.: Z-90

PRESENT ZONING: LRO

PETITION FOR: RM-9

PLANNING COMMENTS:

The applicant is requesting a rezoning from LRO to RM-8 for the purpose of residential townhomes. The .834 acre site is located on the northwesterly side of Paces Mill Road, easterly of Paces ferry 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 Neighborhood Activity Center (NAC) future land use category, with LRO zoning designation. The purpose of the Neighborhood Activity Center (NAC) category is to provide for areas that serve neighborhood residents and businesses. Typical land uses for these areas include small offices, limited retail and grocery stores.

Specific Area Policy Guidelines:

In an effort to mitigate any future land use conflicts and to ensure the preservation of the stable low-density, single-family residential neighborhoods that make up Vinings, it is recommended that the Neighborhood Activity Center (NAC) future land use that currently exists at and around the intersection of Paces Ferry Road and Paces Mill Road and east of the railroad tracks should not be allowed to expand or enlarge. Any new commercial or office development or redevelopment should stay within the confines of the existing NAC. Any new development or redevelopment outside of the existing NAC should be residential in nature at the appropriate density for its future land use category.

Adjacent Future Land Use:

Northeast: Public Institutional (PI)
Southeast: High Density Residential (HDR)
West: Neighborhood Activity Center (NAC) and Medium Density Residential (MDR)

Master Plan/Corridor Study

The property is located within the boundary of The Vinings Vision Plan.

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

APPLICANT: Paces Ferry Partners I, LLC

PETITION NO.: Z-90

PRESENT ZONING: LRO

PETITION FOR: RM-9

PLANNING COMMENTS:

CONT.

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 Paces Ferry Partners I, LLC

PETITION NO. Z-090

PRESENT ZONING LRO

PETITION FOR RM-8

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): 16" DI / SE side of Paces Mill Rd

Additional Comments: Water meters to be set along public R/O/W

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: In Paces Mill Rd R/O/W

Estimated Waste Generation (in G.P.D.): A D F= 960 Peak= 2,400

Treatment Plant: Sutton

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 easement to Loridan Way may be necessary depending on final elevations
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.

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PRESENT ZONING: LRO

PETITION FOR: RM-8

STORMWATER MANAGEMENT COMMENTS

FLOOD HAZARD: YES NO POSSIBLY, NOT VERIFIED

DRAINAGE BASIN: Unnamed Trib to Chattahoochee River 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 existing Ranch Road drainage system.

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PETITION NO.: Z-90

PRESENT ZONING: LRO

PETITION FOR: RM-8

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 to the north of Paces Mill Road just opposite its intersection with Grove Gate Lane. The entire site drains to the northwest through the Carters Grove S/D. The site has average slopes ranging from approximately 5 to 20%.
2. The limited site area will likely require underground detention or a walled pond. 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.
3. There is currently no adequate drainage path for a concentrated discharge through the adjacent Carters Grove S/D. A drainage easement through the adjacent Vinings Methodist Church will be required to provide a suitable discharge path to the downstream receiving channel along Ranch Road.

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PETITION FOR: RM-8

TRANSPORTATION COMMENTS:

ROADWAY	AVERAGE DAILY TRIPS	ROADWAY CLASSIFICATION	SPEED LIMIT	JURISDICTIONAL CONTROL	MIN. R.O.W. REQUIREMENTS
Paces Mill Road	13,300	Major Collector	35 mph	Cobb County	80'

Based on 2016 traffic counting data taken by Cobb County DOT for Paces Mill Road.

COMMENTS AND OBSERVATIONS

Paces Mill 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.

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 north side of Paces Mill 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 a no access easement along the lots that border Paces Mill Road.

Recommend development street either directly align or have an offset of a minimum of 125 feet from Grove Gate Lane per Development Standard 401.10.

Recommend the proposed access gate meet Cobb County Development Standards.

Recommend applicant verify that minimum intersection sight distance is available for Paces Mill Road access and if it is not, implement remedial measures, subject to the Department's approval, to achieve the minimum requirement of 390'.

STAFF RECOMMENDATIONS

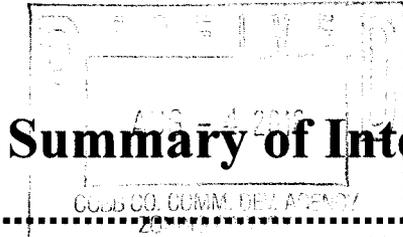
Z-90 PACES FERRY PARTNERS I, LLC

- A. It is Staff's opinion that the applicant's rezoning proposal will may permit a use that is suitable in view of the use and development of adjacent and nearby properties. The area has a mixture of single-family, attached and detached, institutional and retail 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 proposed residential use will be similar to other residential densities in the area. The proposed residential use will generate less traffic than the property's current LRO zoning, which would allow two office buildings.
- 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 not in conformity with the policy and intent of the *Cobb County Comprehensive Plan*, which delineates this property as being within the Neighborhood Activity Center (NAC) land use category. Some of the other residential properties in this area include: Carter's Grove (zoned RA-4 at approximately 3.88 units per acre); Highgrove Subdivision (zoned RA-6 at approximately 4.013 units per acre); Vinings Mill Townhomes (zoned RM-8 at approximately 7.65 units per acre); and Vinings Ridge Townhomes (zoned RM-8 at approximately 8.03 units per acre). The properties are in residential land use categories and not the NAC category. NACs do allow for transitional residential densities, which Staff believes should be no more than five 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 but at a density not to exceed five units per acre. The requested RM-8 with a density of 7.194 is not compatible with the NAC land use category. The Vinings Vision Plan encourages single-family developments and encourages no expansion of NAC areas. The proposed residential use may be less intense than if the property were to be developed for the two office buildings that were the subject of the previous zoning on this property (Z-150 of 1999).

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

1. Maximum of five units per acre;
2. District Commissioner to approve final site plan;
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 4,000 sf and greater
- b) Proposed building architecture: Traditional/European
- c) Proposed selling prices(s): \$1.3 million, and greater
- d) List all requested variances: Front - 30 feet;
Rear - 30 feet;
Side - 7.6 feet side setback on the
northeasterly side
15 feet side setback on the
northwesterly side

.....
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.**

Z-90 (2016)
Rendering

REBELOW
AUG - 4 2016
COBB CO. COMM. DEV. ACFT. &
ZONING DIVISION

