

OPEN SPACE COMMUNITY REVIEWS AND APPROVALS

OSC 17-02

PURPOSE

To consider approval of an R-20 Open Space Community Overlay application for W&H Investments, LLC regarding Application OSC 17-02 filed December 6, 2016, for property located on the west side of Mount Calvary Road, north of Dallas Highway in Land Lot 328 of the 20th District and Land Lot 30 of the 19th District, Cobb County, Georgia.

BACKGROUND

According to the Open Space Community (OSC) Overlay Zoning District ordinance, applicants without formal property rezoning may apply for OSC overlay utilization. The project is reviewed by the Planning Commission during a public hearing and is given a recommendation of approval or denial to the Board of Commissioners.

This request is to review the attached site plan, staff comments and recommendations. and take action regarding the recommended approval or denial of the petition.

FUNDING

N/A

RECOMMENDATION

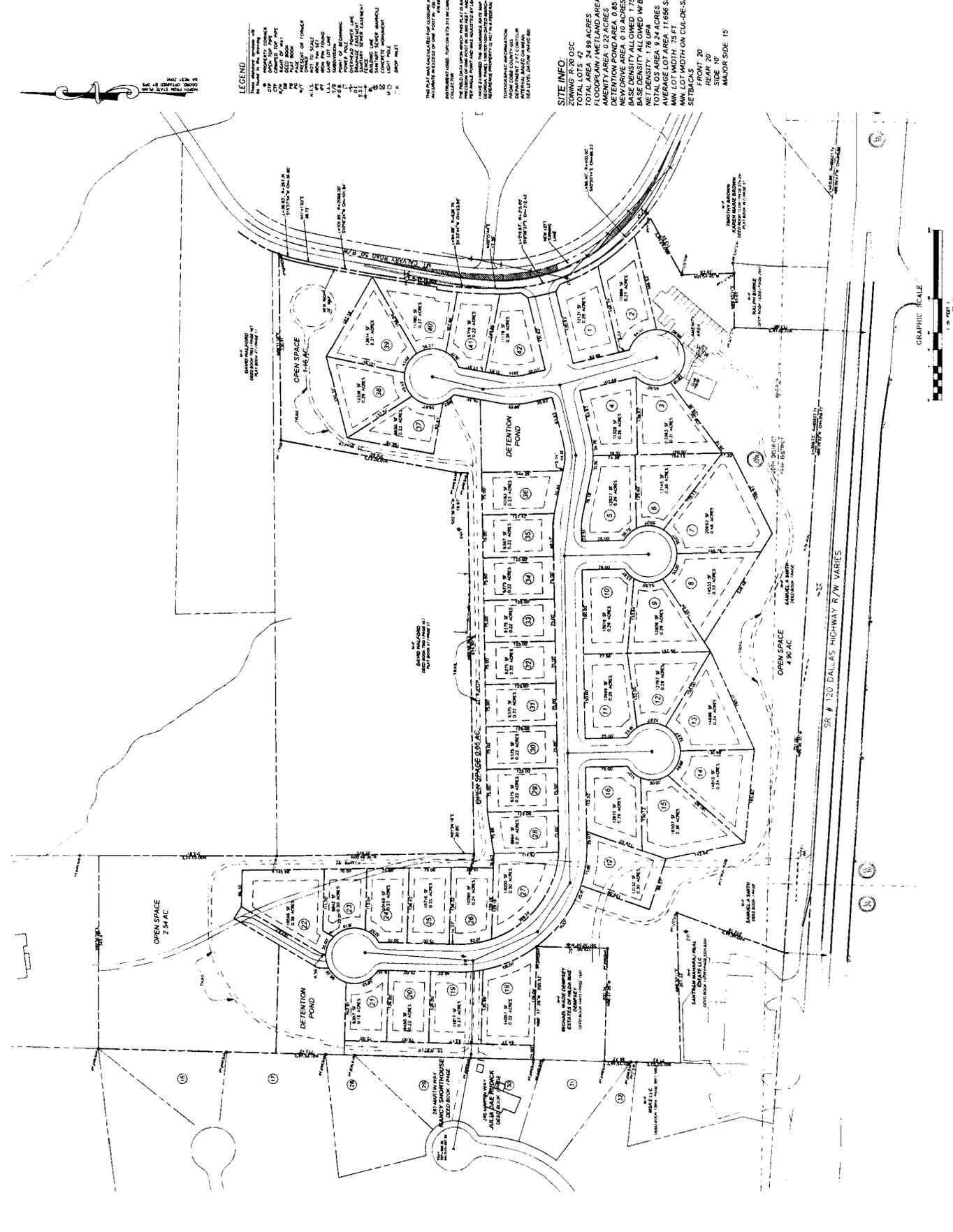
The Planning Commission to consider a recommendation to the Board of Commissioners to review the site plan and the staff recommendations regarding OSC 17-02.

ATTACHMENTS

OSC 17-02 Site Plan received December 30, 2016
Narrative Site Analysis
Preliminary Site Plan layout utilizing existing zoning
Staff Analysis
Staff Recommendation

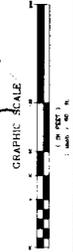
OSC-17-02
(Plan date 12-19-16)

MT. CALVARY ROAD
 ZONING PLAN R-20 OSC FOR
 LAND SYSTEMS, LLC
 (40) 780-7461 / 710-445-620
 DATE: _____
 REVISIONS: _____
 SHEET NO. **Z-2**



- LEGEND**
- 1. 1/4" = 1' (1/8" = 1')
 - 2. 1/8" = 1' (1/16" = 1')
 - 3. 1/16" = 1' (1/32" = 1')
 - 4. 1/32" = 1' (1/64" = 1')
 - 5. 1/64" = 1' (1/128" = 1')
 - 6. 1/128" = 1' (1/256" = 1')
 - 7. 1/256" = 1' (1/512" = 1')
 - 8. 1/512" = 1' (1/1024" = 1')
 - 9. 1/1024" = 1' (1/2048" = 1')
 - 10. 1/2048" = 1' (1/4096" = 1')
 - 11. 1/4096" = 1' (1/8192" = 1')
 - 12. 1/8192" = 1' (1/16384" = 1')
 - 13. 1/16384" = 1' (1/32768" = 1')
 - 14. 1/32768" = 1' (1/65536" = 1')
 - 15. 1/65536" = 1' (1/131072" = 1')
 - 16. 1/131072" = 1' (1/262144" = 1')
 - 17. 1/262144" = 1' (1/524288" = 1')
 - 18. 1/524288" = 1' (1/1048576" = 1')
 - 19. 1/1048576" = 1' (1/2097152" = 1')
 - 20. 1/2097152" = 1' (1/4194304" = 1')
 - 21. 1/4194304" = 1' (1/8388608" = 1')
 - 22. 1/8388608" = 1' (1/16777216" = 1')
 - 23. 1/16777216" = 1' (1/33554432" = 1')
 - 24. 1/33554432" = 1' (1/67108864" = 1')
 - 25. 1/67108864" = 1' (1/134217728" = 1')
 - 26. 1/134217728" = 1' (1/268435456" = 1')
 - 27. 1/268435456" = 1' (1/536870912" = 1')
 - 28. 1/536870912" = 1' (1/1073741824" = 1')
 - 29. 1/1073741824" = 1' (1/2147483648" = 1')
 - 30. 1/2147483648" = 1' (1/4294967296" = 1')
 - 31. 1/4294967296" = 1' (1/8589934592" = 1')
 - 32. 1/8589934592" = 1' (1/17179869184" = 1')
 - 33. 1/17179869184" = 1' (1/34359738368" = 1')
 - 34. 1/34359738368" = 1' (1/68719476736" = 1')
 - 35. 1/68719476736" = 1' (1/137438953472" = 1')
 - 36. 1/137438953472" = 1' (1/274877906944" = 1')
 - 37. 1/274877906944" = 1' (1/549755813888" = 1')
 - 38. 1/549755813888" = 1' (1/1099511627776" = 1')

SITE INFO:
 ZONING R-20 OSC
 TOTAL LOTS: 42
 FLOODPLAIN/WETLAND AREA: 0.00 ACRES
 AMENITY AREA: 0.22 ACRES
 DETENTION POND AREA: 0.85 AC
 OPEN SPACE AREA: 0.00 ACRES
 BASE DENSITY: 1.78 UPA
 BASE DENSITY ALLOWED W/BONUS: 1.92 UPA
 NET DENSITY: 1.78 UPA
 TOTAL OS AREA: 9.24 ACRES
 MIN. LOT WIDTH: 75 FT. 666 SF
 MIN. LOT WIDTH ON CUL-DE-SAC: 35 FT
 SETBACKS:
 FRONT: 20'
 REAR: 20'
 SIDE: 10'
 MAJOR SIDE: 15'



APPLICANT: W&H Investments, LLC

404-372-5739

REPRESENTATIVE: Skip Harper

404-372-5739

TITLEHOLDER: The Estate of Hazel Greer,

Samuel Auborn Smith

PROPERTY LOCATION: West of Mt. Calvary Road, north of Dallas

Highway

ACCESS TO PROPERTY: Mt. Calvary Road

PHYSICAL CHARACTERISTICS TO SITE: Mix of grassland, pine & hardwoods. Topography is gentle, with steepest area being northwest. Some rock

PETITION NO: OSC 17-02

HEARING DATE (PC): 02-07-17

HEARING DATE (BOC): 02-21-17

PRESENT ZONING: R-20

PROPOSED ZONING: R-20 OSC

PROPOSED USE: _____

Single Family Residential

SIZE OF TRACT: 24.994 acres

DISTRICT: 20 / 19

LAND LOT(S): 20/328, 19/30

PARCEL(S): 20032801090, 19003000230
19003000130, 20032800050

TAXES: PAID X **DUE:** _____

COMMISSION DISTRICT: 1

CONTIGUOUS ZONING/DEVELOPMENT

NORTH: R-20 & R-80/SF Houses
SOUTH: R-20 & R-80/SF Houses
EAST: R-20/SF Houses
WEST: R-20 & GC/SF Houses/Vacant Service Station

NORTH FLU: Low Density Residential
SOUTH FLU: Low Density Residential
EAST FLU: Low Density Residential
WEST FLU: Low Density Residential

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

PLANNING COMMISSION RECOMMENDATION

APPROVED _____ **MOTION BY** _____

REJECTED _____ **SECONDED** _____

HELD _____ **CARRIED** _____

BOARD OF COMMISSIONERS DECISION

APPROVED _____ **MOTION BY** _____

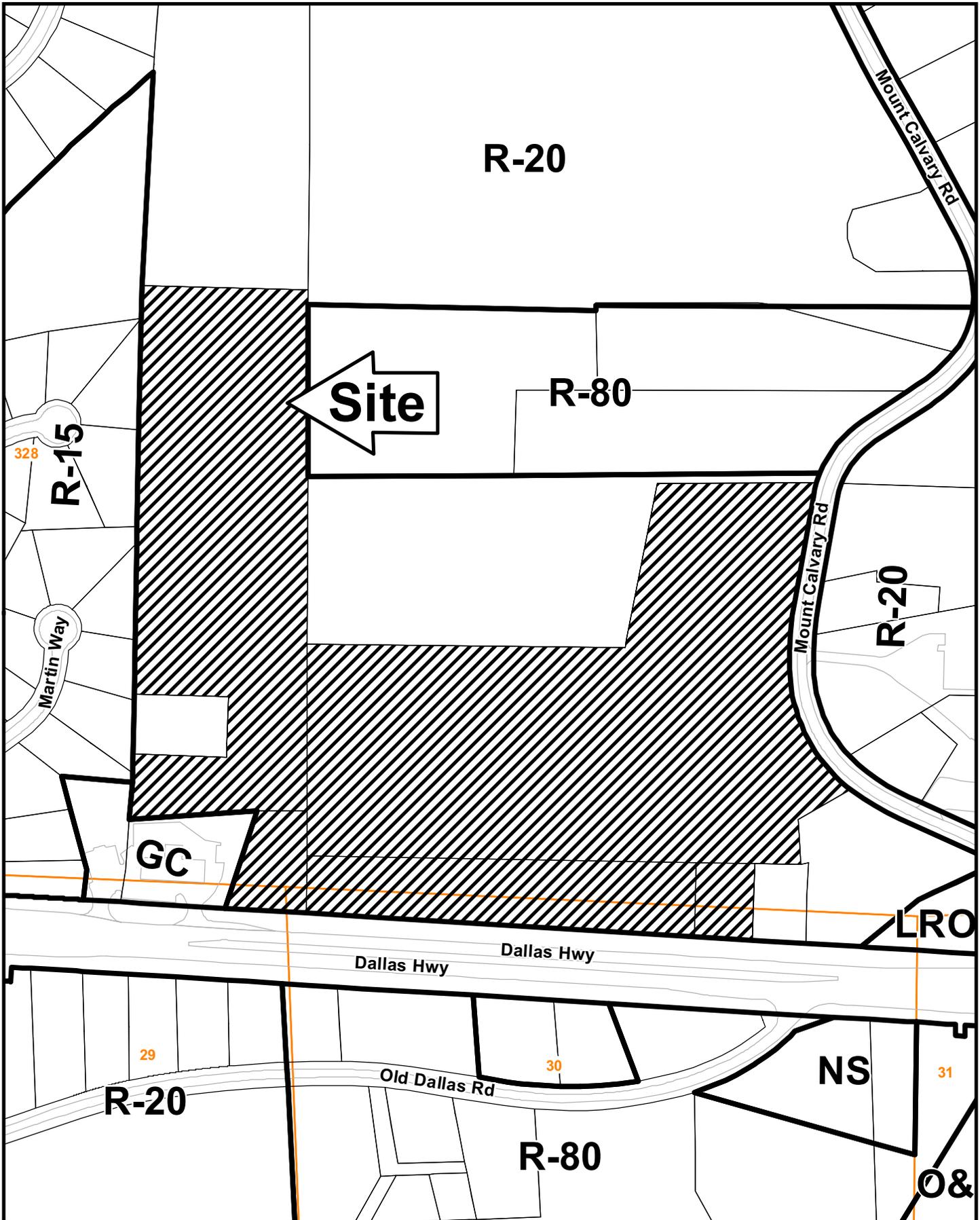
REJECTED _____ **SECONDED** _____

HELD _____ **CARRIED** _____

STIPULATIONS:



OSC-02-2017 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: W& H Investments, LLC

PETITION NO.: OSC 17-02

PRESENT ZONING: R-20

PETITION FOR: R-20 OSC

ZONING COMMENTS:

Land Use Plan Recommendation: Low Density Residential

Proposed Number of Units: 42 Overall Density: 1.76 Units/Acre

Staff estimate for allowable # of units: 42 Units* Increase of: 0 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.

The applicant is requesting an R-20 OSC overlay to develop a 42 lot single-family residential community that will be an active adult neighborhood. Although the zoning is proposed as R-20 OSC, it will be age restricted to residents aged 55 and up (with exceptions as mandated by HUD regulations). Amenities will consist of a clubhouse with general purpose and exercise rooms. An activity lawn will be located beside the clubhouse with potentially a croquet court and putting green. The mandatory homeowners association will provide landscape service for the common areas and homeowner’s yards. The proposed OSC plan would preserve 9.24 acres or 36.9% of open space.

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.

FIRE COMMENTS:

NO COMMENTS: After analyzing the information presented for a Preliminary Review, the Cobb County Fire Marshall’s Office is confident that all other items can be addressed during the Plan Review Stage.

PLANNING COMMENTS:

The applicant is requesting Open Space Community overlay district approval for the purpose of a 42 lot subdivision. The 24.9 acre site consist of 4 parcels located on the north side of Dallas Highway west of Mount Calvary 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 parcel is within a Low Density Residential (LDR) future land use category, with R-20 zoning designation in an Open Space Community overlay district. 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.

**RESIDENTIAL LAND REZONING IMPACT ANALYSIS
COBB COUNTY SCHOOL DISTRICT**

PETITION NUMBER: _____ PLANNING COMMISSION HEARING DATE: 02/07/17

JURISDICTION: _____ BD OF COMMISSIONERS HEARING DATE: 02/21/17

APPLICANT NAME: Prepared for Phillip Westbrook, Cobb County Community Development

REPRESENTATIVE: _____

PROPERTY LOCATION: Dallas Highway, Mt. Calvary Road

PRESENT ZONING: R-

PROPOSED ZONING: R-20 OSC

School	Student Capacity	Student Enrollment	Capacity Status
Cheatham Hill Elem	1073	1118	45 over enrollment
Pine Mtn Middle	820	583	237 under enrollment
Kennesaw Mtn High	1987	2165	178 over enrollment

- School attendance zones are subject to revision at any time

COMMENTS

Approval of this petition will cause concern for Cobb County School District, as it will result in a nominal impact on the enrollment for schools already over capacity.

APPLICANT: W& H Investments, LLC

PETITION NO.: OSC 17-02

PRESENT ZONING: R-20

PETITION FOR: R-20 OSC

PLANNING COMMENTS (CONT.):

Specific Area Policy Guidelines:

In an effort to mitigate any potential land use conflicts which could arise from the conversion of single-family residences and lots into more intense residential development along Dallas Highway between Martin Ridge Subdivision and Mount Calvary Road, it is recommended to limit the intensity of zoning applications for consideration in this area. New developments in this area along Dallas Highway located in Land Lot 328 of the 20th District are recommended to be part of an assemblage proposal with vehicular access onto Mount Calvary Road. Provide sufficient buffering (determined by District Commissioner) adjacent to the existing service station to the southwest. Development shall be limited to LDR designation.

Adjacent Future Land Use:

- North: Low Density Residential (LDR)
- East: Low Density Residential (LDR)/Public Institutional (PI)
- South: 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

It has been determined that the project area is in the immediate vicinity of documented Civil War trenches. In order to determine if any significant Civil War features are located within the project area, an archeological field survey performed by a cultural resource professional should be considered. This survey, if completed, should be submitted to the historic preservation planner. Based on the determination of either the presence or absence of potentially significant features, further recommendations (such as buffers, fencing, interpretive signage, etc.) shall be made by staff.

Design Guidelines

Is the parcel in an area with Design Guidelines? Yes No

If yes, design guidelines area Dallas Highway Design Guidelines

Does the current site plan comply with the design requirements?

- Pedestrian access to buildings
 - Yes No Not applicable
- Streetscape elements
 - Yes No Not applicable
 - 5-foot sidewalks are required along Dallas highway and all public streets.
 - Street trees shall be planted along Dallas Highway with 35 foot separations and at least 16 feet behind the curb of traffic lanes.
- Building Frontage
 - Yes No Not applicable
- Parking Standard
 - Yes No Not applicable

APPLICANT: W& H Investments, LLC

PETITION NO.: OSC 17-02

PRESENT ZONING: R-20

PETITION FOR: R-20 OSC

PLANNING COMMENTS (CONT.):

- Architecture standard
 - Yes
 - No
 - Not applicable

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.

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: W& H Investments, LLC

PETITION NO.: OSC 17-02

PRESENT ZONING: R-20

PETITION FOR: R-20 OSC

PLANNING COMMENTS (CONT.):

Open Space Community Overlay District Comments

Property Location: Mount Calvary Road north of Dallas Highway
Land Lot/District: 328 / 20
Current Zoning: R-20
Proposed Use: R-20 OSC

Total Area: 24.994 acres
Floodplain/Wetland Area/Cemetery: 0
Community Area: .22 acres
Net Buildable Area: 24.774
Base Density Allowed: 1.75 upa
Base Density Allowed w/Bonus: 1.92 upa
Proposed Lots: 42
Net Density: 1.70 upa
Future Land Use: Low Density Residential (0 to 2.5 upa)

Open Space Requirement: 8.74 acres or 35%; for bonus 9.6 acres or 38.5%
Open Space Proposed: 9.24 acres or 36.9%
Percentage of Open Space within Floodplain, Wetlands, & Lakes: 0

Setbacks:
Front: 20'
Rear: 20'
Side: 10', major side: 15'

NOTE: Open Space community overlay plans are approved as site plan specific

Comments:

1. Overall residential development shall be compatible with neighboring residential uses. In areas where adjoining residential uses are larger than those proposed, the plan should incorporate larger lots adjacent to those existing residential uses with smaller lots designed to the interior. Lots 28-36 & 19-21 are considerably smaller than neighboring residential uses. Applicant should work toward larger lot sizes for those exterior lots mentioned previously. As a way to compensate, Lots 1-17, which are more toward the interior of the project and adjacent to open space and Dallas Highway, could be modified to offset the differences.
2. Proposed trail network within open space will need to be constructed of porous materials and noted on site plan submitted for LDP.
3. Driveway located within the open space toward the northwest corner of project will need to be calculated out of open space if it is constructed of impervious material.
4. A Conservation Easement must be recorded in the mandatory subdivision covenants and with Cobb Superior Court, thereby protecting the "Open Space" from development in perpetuity as owned by the mandatory Home Owners Association. Conservation Easement application must be submitted to the Planning Division before final plat approval.

APPLICANT: W& H Investments, LLC

PETITION NO.: OSC 17-02

PRESENT ZONING: R-20

PETITION FOR: R-20 OSC

PLANNING COMMENTS (CONT.):

Recommendations:

5. For all lots contiguous to open space staff recommends including a deed during sale of homes so that future lot owners are aware that commonly owned open space exists adjacent to their property and cannot be built on.
6. As another form of privacy barrier staff recommends installing fence (split rail or any fencing compatible with architecture/landscaping/design of development) to the rear of lots that are adjacent to open space

APPLICANT W&H Investments, LLC

PETITION NO. OSC 17-02

PRESENT ZONING R-20

PETITION FOR R-20/OSC

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" AC / W side of Mount Calvary Rd

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: 160' W in Martin Way cul-de-sac

Estimated Waste Generation (in G.P.D.): A D F= 16,800 Peak= 6,720

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: W & H Investments LLC

PETITION NO.: OSC 17-02

PRESENT ZONING: R-20

PETITION FOR: R-20 OSC

STORMWATER MANAGEMENT COMMENTS

FLOOD HAZARD: YES NO POSSIBLY, NOT VERIFIED

DRAINAGE BASIN: Trib to Noses 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: _____

- 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 – Halford Lake (private).
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 lake and detention pond.

APPLICANT: W & H Investments LLC

PETITION NO.: OSC 17-02

PRESENT ZONING: R-20

PETITION FOR: R-20 OSC

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.

ADDITIONAL COMMENTS

1. This site is located to the north of Dallas Highway just west of Mount Calvary Road. The majority of the site (19.6 acres) drains north into and through several large estate-sized parcels to the Noses Creek floodplain. The remainder of the site (5.4 acres) drains to the northwest into and through the Martin Ridge Subdivision. The parcel is predominately wooded with average slopes ranging from approximately 5 to 20%.
2. The proposed open space layout provides for two stormwater management facilities to control runoff from the site. These are located at the current discharge points from the site. The straight R-20 layout has only one facility shown. This location would require an offsite drainage easement (~10-15 feet) from the adjacent property owner to accommodate this new concentrated discharge point, but provides several advantages over multiple ponds.

APPLICANT: W&H Investments, LLC

PETITION NO.: OSC 17-02

PRESENT ZONING: R-20

PETITION FOR: R-20 OSC

TRANSPORTATION COMMENTS:

ROADWAY	AVERAGE DAILY TRIPS	ROADWAY CLASSIFICATION	SPEED LIMIT	JURISDICTIONAL CONTROL	MIN. R.O.W. REQUIREMENTS
Dallas Highway	38,900	Arterial	55 mph	Georgia DOT	80'
Mount Calvary Road	1,900	Minor Collector	35 mph	Cobb County	60'

*Based on 2007 traffic counting data taken by Cobb County DOT for Dallas Highway.
Based on 2010 traffic counting data taken by Cobb County DOT for Mount Calvary Road.*

COMMENTS AND OBSERVATIONS

Dallas Highway is classified as an arterial and according to the available information the existing right-of-way does meet the minimum requirements for this classification.

Mount Calvary Road is classified as a minor 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 west side of Mount Calvary Road, a minimum of 30' 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 curb, gutter, and sidewalk along the frontage of Dallas Highway and Mount Calvary Road.

As necessitated by this development, recommend Mount Calvary Road access include deceleration lane and left turn lane. Recommend location and design be determined during plan review, subject to Cobb County DOT approval.

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

Recommend a no access easement along the Dallas Highway frontage.

Recommend GDOT permits for all work that encroaches upon State right-of-way.

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STAFF RECOMMENDATIONS

- A. It is Staff's opinion that the applicant's use of the OSC overlay will permit a use that is suitable in view of the use of adjacent and nearby properties as long as appropriate measures are taking, which are highlighted within staffs comments. The compatibility of lot sizes are not suitable compared to lot sizes adjacent to proposed development. Lots for the proposed OSC overlay are considerably less than adjacent residential lots. Adjustments to the site plan may be considered.
- B. It is Staff's opinion that the applicant's use of the OSC overlay will not have an adverse effect on the usability of adjacent or nearby property. The applicant's proposal is the same number of lots that would be currently allowed based on the submitted straight R-20 plan, which provides at least 20,000 SQFT lots, appropriate street dimensions and detention pond. The proposed development has a density that is compatible with nearby neighborhoods, in addition to preserving 36.9% open space.
- C. It is Staff's opinion that the applicant's use of the OSC overlay district 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 is concerned the proposal could have a nominal impact on the enrollment for schools already over capacity.
- D. It is Staff's opinion that the applicant's proposal is in conformity with the policy and intent of the *Cobb County Comprehensive Plan*, which delineates this property as being Low Density Residential on the Future Land Use Map, having a density range of 1-2.5 units per acre. In addition, there is a specific area policy guideline that provides further guidance as to how this area is expected to develop. The proposed plan is consistent with the detail policy guidance that is provided under the Planning Comments. The proposed development has a density of 1.70 units per acre. Zonings surrounding the proposed tract are GC, R-15, R-20 & R-80. There is only one subdivision (Martins Ridge, R-15) to the west of the proposed tract and has a density around 1.6 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.

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

1. Maximum of 42 lots
2. District Commissioner to approve final site plan.
3. Fire Department Comments and recommendations
4. Planning Division Comments and recommendations
5. Water and Sewer Division comments and recommendations
6. Stormwater Management Division comments and recommendations; and
7. Department of Transportation comments and recommendations

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.

W&H
INVESTMENTS
A LIMITED LIABILITY COMPANY

December 29, 2016

Mr. John Pederson
1150 Powder Springs Street
Suite 400
Marietta, GA 30064



Re: Application for OSC 17-02

Dear Mr. Pederson,

We have attached the revised site plan based off the comments received from our meeting with the application review departments on December 12, 2016. We have enclosed the following documents based off the application meeting;

1. Two full size copies, Five 11" x 17" copies, and Two 8.5" x 11" copies of the straight R-20 layout.
2. Two full size copies, Five 11" x 17" copies, and Two 8.5" x 11" copies of the R-20 OSC layout.
3. A map of the Civil War trench lines showing the Subject property does not contain any trench lines.

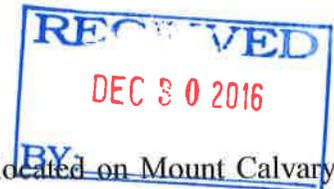
Additionally, we will be submitting our stipulations letter prior to our scheduled hearing. If you have any questions regarding our application, I can be reached directly at 404-386-0322 or colby@hseproperties.com.

Sincerely,

Colby Henson

cc: Phillip Westbrook

Open Space Community Narrative

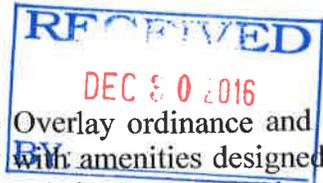


The subject property is an assemblage of two tracts totaling +/-24.99 acres located on Mount Calvary Road and Dallas Highway, a quarter mile west of the Kennesaw Mountain National Battlefield Park and a quarter mile east of the commercial node at Dallas Highway and Barrett Parkway. Adjacent zoning classifications include R-15 and GC (west), R-20 and R-80 (north), R-20 (east) and Dallas Highway (south). The property has approximately 1100 ft. of frontage along Dallas Highway. The property has a mix of grassland, mixed pine and hardwoods in the central area, and mostly hardwoods in the northwestern section. The topography is relatively gentle, with the steepest area being in the northwestern area. This area also contains occasional rock outcroppings.

The theme of the community will be an active adult neighborhood that feels like a traditional neighborhood rather than a condominium development. In that effort, homes will be built a minimum of 20 ft. apart, and the average lot size will exceed 11,000 sq. ft. Although the zoning is proposed as R-20 OSC, it will be age restricted to residents aged 55 and up (with exceptions as mandated by HUD regulations). Amenities will consist of a clubhouse with general purpose and exercise rooms. An activity lawn will be located beside the clubhouse with potentially a croquet court and putting green. The mandatory homeowners association will provide landscape service for the common areas and the homeowner's yards. Two homes (2010 and 2020 Dallas Highway) currently access their homes with easements through the subject. These homes are not a party to the rezoning but will be provided paved access and underground power through the proposed community.

In planning the design of the community, thought was given to the FLUM and a step down approach was utilized regarding the densities of the contiguous communities to the east and west (Hayes Farm, 1.36 and Martin's Ridge, 2.12 units per acre). We sought to protect the northwestern most (slopes, hardwoods, and rock outcroppings) and southernmost (1100 ft. of Dallas Highway frontage), and the northeastern (adjacent to R-20 and R-80) sections of the property, with minimal grading in open space areas. The primary objective with the highway frontage was to maintain the cut slope and thick stand of pine trees in this area to provide a sight and sound barrier between the homes and the highway. This will enhance the property value of the homes, the property owner's quality of life in their back yards, and the motorists view from Dallas Highway. Rather than place the neighborhood entrance on Dallas Highway, we placed it on Mt. Calvary to provide a more serene residential character. A sight distance profile has been provided to DOT, and it was determined that the entrance will allow entry from either direction and departure by a right out only. The lots have a minimum of 75 ft. of width at the front building line. The front building setback is reduced to 20 ft. to reduce impervious area of the driveways and grading requirements. The road system is cut short on the northern section of the property, which allows for a very efficient layout with five desirable cul de sacs. The clubhouse and activity lawn are located in the first cul de sac as is the trailhead of the community walking path which connects the three primary open space areas and creates a loop throughout the neighborhood. The amenities, trail, and sidewalk system are designed to encourage residents to exercise and remain active. A twenty five ft. minimum buffer is maintained around the perimeter of the property, and split rail fencing shall be erected along the backs of lots that touch this buffer to distinguish the demarcation from public to private property.

Homes in the community shall be traditional in architecture with materials consisting of brick or stone, board and batten, cedar shake, and cement based lap siding. Master bedrooms will be located on the main living floor and open floorplans shall be incorporated. Homes shall range in size from 2400 to 3000 sq. ft. of heated space, and all shall have a minimum of two car garages.



We believe that the proposed design meets the intent of the Open Space Overlay ordinance and will allow active adults to enjoy a traditional single family feeling community with amenities designed for their lifestyle. This land use will have minimal impact on the environment, infrastructure, and public services. With a location in close proximity to the city of Marietta, the Kennesaw Mountain Battlefield Park and the commercial amenities located in the Barrett Parkway/Dallas Highway node, coupled with the physical features this property is uniquely qualified for this concept.

A summary of the Open Space Community is show below:

NET BUILDABLE AREA: 24.99 ACRES

OPEN SPACE SHOWN: +/-9.24 ACRES = 38.79 (>38.5% QUALIFIES FOR DENSITY BONUS)

DENSITY ALLOWED FOR R-20 OSC WITH DENSITY BONUS: 1.92 UPA

1.92 UPA X 23.82 NET BUILDABLE ACRES = 45.7 DENSITY ALLOWED

TOTAL NO. OF LOTS SHOWN: 42

AVG. LOT SIZE SHOWN: 11,656

MIN. LOT WIDTH: 75'

FRONT SETBACK: 20'

SIDE SETBACK: 10' WITH MIN. 20' BETWEEN BUILDINGS

REAR SETBACK: 20'

MIN. HOUSE SIZE: 2,400 SQFT

