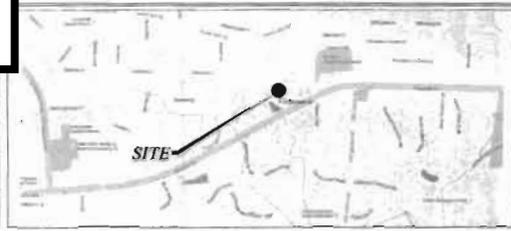


Z-97
(2016)



- GENERAL NOTES**
- Owner: Wilma J. Lupton
 - Total Site Area: 298,299.25 sq ft or 6.82 Acres
 - Location: #1189 Vester Drive Marietta, Cobb County, Georgia 30062
 - Tax Parcel ID(s): 2609200110 & 1009200110
 - Zoning: Single-Family Residential Detached Homes, RA-5
 - Proposed Improvement: Develop & Construct Detached Homes (10 units max.)
 - Property Setbacks: Front - 20', Rear - 40', Side - 5'00"
 - There are state waters located on this site.
 - There are no wetlands located on this site.
 - Portable Water service is provided by Cobb County Water Authority.
 - Sanitary Sewer service is provided by Cobb County Water Authority.
 - Electricity service provided by Georgia Power.
 - Telephone service provided by AT&T.
 - The Landlord will own the construction project in private.
 - All work shall comply with Cobb County Development Regulations and Code and O.S.H.A. standards.
 - Contractor shall obtain all permits prior to starting construction.
 - Contractor is responsible for calling utility protection! Owner and determining the location and status of all utilities prior to any construction! 811
 - The person ultimately responsible for the installation and maintenance of any and all sediment control practices on this site and who is to be contacted in the event of a Stop-Work Order is Robert Young, 404-992-2191.



811
Know what's below.
Call before you dig.

CAUTION
THE UTILITIES SHOWN ARE SHOWN FOR THE CONTRACTOR'S INFORMATION ONLY. THERE WILL BE OTHER UTILITIES NOT SHOWN ON THIS PLAN. THE CONTRACTOR ASSUMES RESPONSIBILITY FOR THE LOCATION AND DEPTH OF ALL UTILITIES. THE CONTRACTOR IS RESPONSIBLE TO VERIFY THE LOCATION OF ALL UTILITIES BEFORE THE START OF THE PROJECT. CONSULT WITH 811.CALLTHEUTILITIES BY THE CONTRACTOR SHALL BE THE ONLY RESPONSIBILITY ON THE CONSTRUCTION.

THE KELLE GROUP
250 Amherst Avenue, Marietta, Georgia 30062
770.546.9486 (P) - Lee Kelly@TheKelleGroup.biz (C)
Real Estate - Development Services

APPLICANT/DEVELOPER/BUILDER
Royal Residential, LLC
1400 Old Peach Road, #1550
Atlanta, Georgia 30325
Robert Young, 404-992-2191

SITE PLAN FOR
Single-Family Homes (RA-5)
#1189 Vester Drive
Landlot 962 of the 16th District
Marietta, Cobb County, Georgia

DATE
August 24, 2016

SCALE
1" = 40'

SHEET NUMBER
1

RECEIVED
AUG 31 2016
COBB CO. COMM. DEV. AGENCY
ZONING DIVISION

APPLICANT: Royal Residential, Inc.

PHONE# 404-993-2191 **EMAIL:** NOT GIVEN

REPRESENTATIVE: Robert Yung

PHONE# 404-993-2191 **EMAIL:** NOT GIVEN

TITLEHOLDER: Wilma J. Layton

PROPERTY LOCATION: Northwest intersection of Roswell Road and Vester Drive

(1189 Vester Drive and 2931 Roswell Road)

ACCESS TO PROPERTY: Vester Drive

PHYSICAL CHARACTERISTICS TO SITE: Single story residential house and lake

CONTIGUOUS ZONING/DEVELOPMENT

NORTH: R-20, R-15/ Single-family residential

SOUTH: R-15, RA-4/ Blackwell Farm and Camden Glen subdivisions

EAST: RA-5/ Kaylyssa Park Subdivision

WEST: R-20/ Cemetery

PETITION NO: Z-97

HEARING DATE (PC): 11-01-16

HEARING DATE (BOC): 11-15-16

PRESENT ZONING: R-20

PROPOSED ZONING: RA-5

PROPOSED USE: Subdivision

SIZE OF TRACT: 2.022 acre(s)

DISTRICT: 16

LAND LOT(S): 962

PARCEL(S): 10,11

TAXES: PAID X **DUE** _____

COMMISSION DISTRICT: 3

Adjacent Future Land Use:

North: Low Density Residential (LDR)

East: Medium Density Residential (MDR)

South: Low Density Residential (LDR)

West: Public Institution (PI), Medium Density Residential (MDR) and Low Density Residential (LDR)

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

PLANNING COMMISSION RECOMMENDATION

APPROVED _____ **MOTION BY** _____

REJECTED _____ **SECONDED** _____

HELD _____ **CARRIED** _____

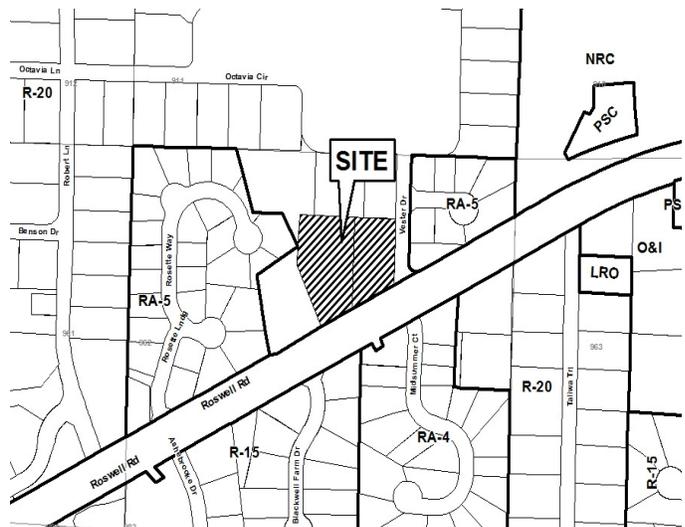
BOARD OF COMMISSIONERS DECISION

APPROVED _____ **MOTION BY** _____

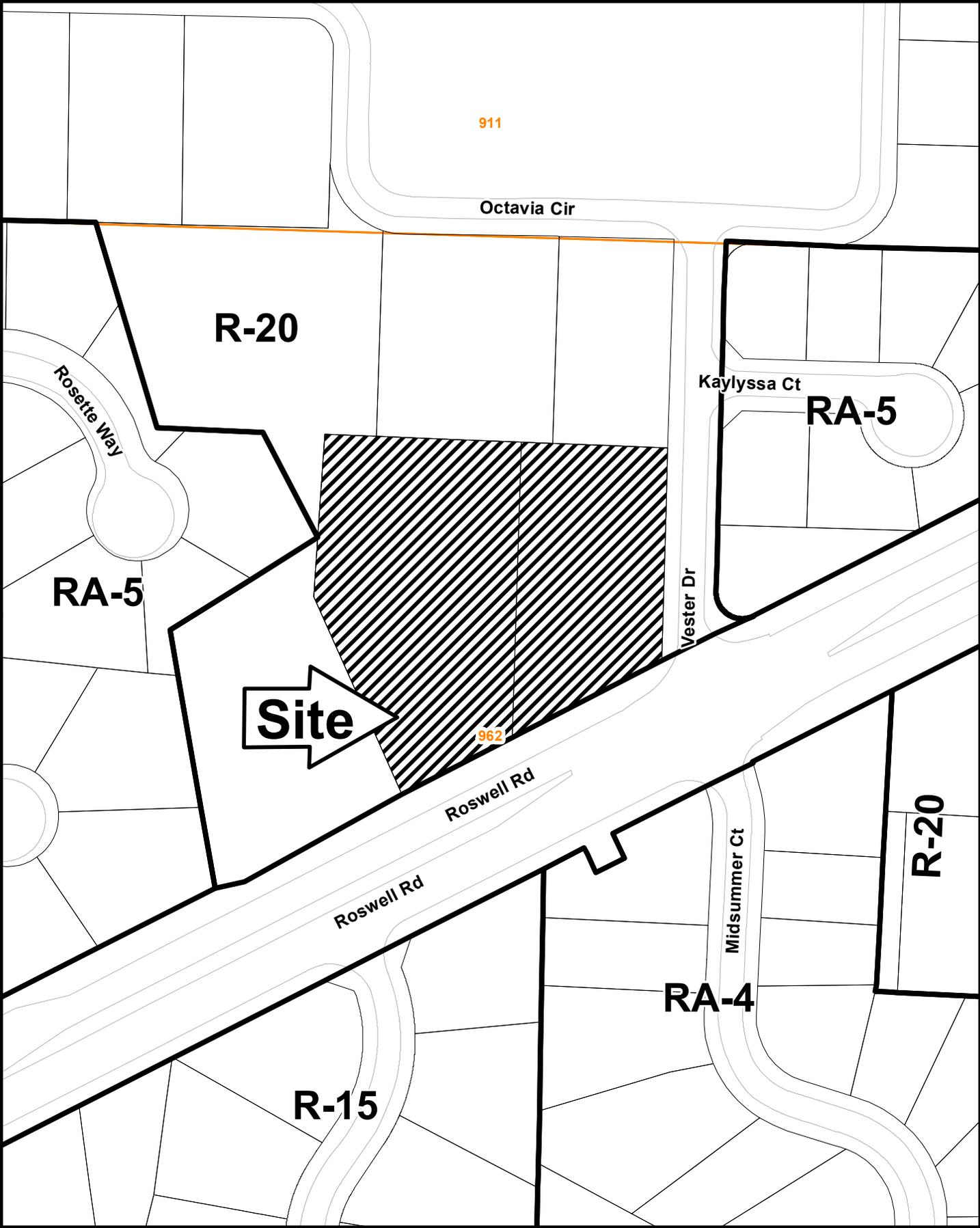
REJECTED _____ **SECONDED** _____

HELD _____ **CARRIED** _____

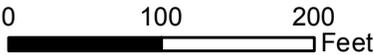
STIPULATIONS:



Z-97-2016 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: Royal Residential Inc.

PETITION NO.: Z-97

PRESENT ZONING: R-20

PETITION FOR: RA-5

ZONING COMMENTS:

Staff Member Responsible: Terry Martin, MPA

Land Use Plan Recommendation: Low Density Residential (1-2.5 units per acre)

Proposed Number of Units: 8 **Overall Density:** 3.96 **Units/Acre**

Staff estimate for allowable # of units: 4 **Units*** **Increase of:** 4 **Units/Lots**

*Estimate could be higher or lower based on engineered plans taking into account topography, shape of property, utilities, roadways, natural features such as creeks, wetlands, etc., and other unforeseen circumstances.

The applicant is requesting a rezoning of the subject property from the R-20 single-family residential district to the RA-5 single-family residential district in order to develop an eight (8) lot subdivision. The homes will be 3,000 to 3,500 square feet in size and be of traditional architecture with anticipated selling prices in the \$500,000 to \$700,000 range. The proposed public street will end in a cul-de-sac and a ninth lot will be provided to accommodate stormwater detention. All lots are more than the minimum required 7,000 sq. ft. in size and meet all applicable setbacks on the front, sides, and rear.

As the proposed development abuts a cemetery to the west, a cemetery buffer may be required along this side that is not shown on the current site plan. Also, a ten foot landscape buffer will be required along the northern edge where the development abuts a more restrictively zoned property.

APPLICANT: Royal Residential Inc.

PETITION NO.: Z-97

PRESENT ZONING: R-20

PETITION FOR: RA-5

Cemetery Preservation: Zoning petition Z-97 2016 (in land lot 962 of the 16th District) shows the presence of Antioch cemetery on the western border of the project. The Cobb Cemetery Preservation Ordinance and the County Development Standards for Cemeteries call for:

- A. Prepare a site plan identifying the full boundaries with a metes and bounds description.
- B. Provide a fifty (50) foot undisturbed natural buffer from the common property line; or a fifty (50) foot undisturbed natural buffer around the perimeter of the outermost burials of the cemetery; whichever provides the greatest protection for the cemetery.
- C. Lots adjacent to the fifty (50) foot undisturbed natural buffer shall have setbacks in addition to the buffer.
- D. The fifty (50) foot undisturbed natural buffer shall be recorded as a conservation easement with the Cemetery Preservation Commission having third party right of enforcement.
- E. Provide and install a permanent six (6) foot chain link fence on the outer perimeter of the fifty foot undisturbed buffer. Fence must be 9 gauge with top and bottom rails and fence posts must be set in concrete. Fence may be upgraded to black vinyl coated chain link and/or wrought iron.
- F. Provide and install an orange protective fence on the outer perimeter of the fifty (50) foot undisturbed natural buffer before beginning construction. The protective fence to be maintained in good repair throughout the development phase of the project. At completion of the project, the orange protective fence shall be removed from the premises.
- G. Permanent signs stating CEMETERY PRESERVATION BUFFER – DO NOT DISTURB shall be erected at fifty (50) foot intervals along the outer perimeter of the fifty (50) foot undisturbed natural cemetery preservation buffer.
- H. Compliance with all State and local laws and ordinances.
- I. All Cemetery Preservation requirements must be Site Plan specific.

APPLICANT: Royal Residential Inc.

PETITION NO.: Z-97

PRESENT ZONING: R-20

PETITION FOR: RA-5

SCHOOL COMMENTS:

| <u>Name of School</u> | <u>Enrollment</u> | <u>Capacity Status</u> | <u>Number of Portable Classrooms</u> |
|---|-------------------|------------------------|--------------------------------------|
| <u>East Side Elementary</u> | <u>1231</u> | <u>1141</u> | <u> </u> |
| Elementary <u>Dodgen Middle</u> | <u>1251</u> | <u>1046</u> | <u> </u> |
| Middle <u>Walton High</u> | <u>2710</u> | <u>2362</u> | <u> </u> |

High

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

Additional 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: Royal Residential

PETITION NO.: Z-97

FIRE COMMENTS:

Modifications may be required to incorporate the Cobb County Fire Marshal's Office comments.

GUEST PARKING: When projects contemplate less than 20 foot separation between units, guest parking shall be provided at a ratio of one-half space for each dwelling unit (1 space/ 2 units).

APPLICANT: Royal Residential Inc.

PETITION NO.: Z-97

PRESENT ZONING: R-20

PETITION FOR: RA-5

PLANNING COMMENTS:

The applicant is requesting a rezoning from R-20 with stipulations to RA-5 for the purpose of subdivision. The 2.022 acre site is located at the northwest intersection Roswell Road and Vester Drive (1189 Vester Drive and 2931 Roswell 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 Low Density Residential (LDR) future land use category, with R-20 zoning designation. 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. This category presents a range of densities.

Specific Area Policy Guidelines:

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

Adjacent Future Land Use:

North: Low Density Residential (LDR)
East: Medium Density Residential (MDR)
South: Low Density Residential (LDR)
West: Public Institution (PI), Medium Density Residential (MDR) and 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.

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: Royal Residential Inc. _____

PRESENT ZONING: R-20 _____

PETITION NO.: Z-97 _____

PETITION FOR: RA-5 _____

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 Royal Residential, Inc.

PETITION NO. Z-097

PRESENT ZONING R-20

PETITION FOR RA-5

WATER COMMENTS: NOTE: Comments reflect only what facilities were in existence at the time of this review.

Available at Development: Yes No

Fire Flow Test Required: Yes No

Size / Location of Existing Water Main(s): 6" AC / W side of Vester Dr.

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: On site

Estimated Waste Generation (in G.P.D.): A D F= 1,440 Peak= 3,600

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 Comments: Relocation of existing sewer may be necessary, depending on final lot layout.

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: Royal Residential LLC

PETITION NO.: Z-97

PRESENT ZONING: R-20

PETITION FOR: RA-5

STORMWATER MANAGEMENT COMMENTS

FLOOD HAZARD: YES NO POSSIBLY, NOT VERIFIED

DRAINAGE BASIN: Tributary to Robertson 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 existing onsite lake.

- 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 system (under Roswell Road and within Camden Glen S/D).

APPLICANT: Royal Residential LLC

PETITION NO.: Z-97

PRESENT ZONING: R-20

PETITION FOR: RA-5

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 at the northwest intersection of Roswell Road and Vester Drive. Approximately one quarter of the site is currently occupied by a 0.5 acre lake that is located in the center of the parcel. The storage effect of this lake provides a stormwater mitigating benefit for downstream property owners that must be maintained or recreated within this redevelopment.
2. The proposed layout will also need to accommodate an adequate drainage system to convey the existing upstream runoff through the site. This will require a 20-foot drainage easement along the rear of Lot 4 and between Lots 3 & 4.

APPLICANT: Royal Residential Inc

PETITION NO.: Z-97

PRESENT ZONING: R-30

PETITION FOR: RA-5

TRANSPORTATION COMMENTS:

| ROADWAY | AVERAGE DAILY TRIPS | ROADWAY CLASSIFICATION | SPEED LIMIT | JURISDICTIONAL CONTROL | MIN. R.O.W. REQUIREMENTS |
|--------------|---------------------|------------------------|-------------|------------------------|--------------------------|
| Roswell Road | 38,900 | Arterial | 45 mph | Georgia DOT | 100' |
| Vester Drive | N/A | Local | 25 mph | Cobb County | 50' |

Based on 2008 traffic counting data taken by Cobb County DOT for Roswell Road.

COMMENTS AND OBSERVATIONS

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

Vester Drove is classified as a local 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 curb and gutter along both sides and sidewalk along one side of proposed development roadway.

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

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

Recommend entrance be located a minimum of 50 feet from the intersection of Vester Drive and Roswell Road.

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

STAFF RECOMMENDATIONS

Z-97 ROYAL RESIDENTIAL, INC.

- 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 requested category of RA-5 is in keeping to those other similar subdivisions in the area such as Kaylyssa Park to the east, Camden Glen to the south, and Rutledge Place on Roswell Road to the west.
- 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. Though it may be argued that the proposed development is of a higher density to those in the immediate area, it follows all applicable lot size and setback requirements. Also, due to its unique location at the corner of Vester Drive and Roswell Road and abutting a cemetery, impact upon adjacent neighbors will be negligible. Also, the Code required ten foot landscape buffer along the northern edge adjacent to more restrictively zoned property will further alleviate any negative impact.
- 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 the property to be within the LDR low density residential future land use area. This category, suggests areas that may be developed with a housing density of between one (1) and two and one-half (2.5) dwelling units per acre (upa). While the applicant's proposal results in a density of 3.96 upa, it does so meeting all requirements of the RA-5 category such as minimum lot size and setbacks. Furthermore, those other existing subdivisions in the immediate area of the RA-4 and RA-5 categories are all over the upper limit forecast by the LDR future land use category (Kaylyssa Park – 3.1 upa, Camden Glen – 2.9 upa, and Rutledge Place on Roswell Road – 2.9 upa).
- 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 but at a lower density. The property's unique location situated at the corner of two roads and adjacent to an existing cemetery as well as the Code required ten foot landscape buffer adjacent to the north, will help to ensure minimal impact to adjacent neighbors. While the intended density of 3.96 upa is higher than forecast by the property's LDR future land use category (1-2.5 upa), the development adheres to all RA-5 requirements including lot sizes and setbacks and follows a pattern of higher density exhibited by surrounding developments that range from 2.9 to 3.1 upa already. Approving the proposal at a maximum density of three (3) units per acre would be more typical of the area.

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

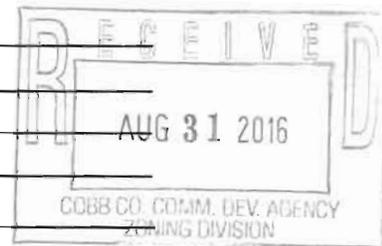
1. Maximum of three (3) units per acre;
2. Site plan to be approved by the District Commissioner;
3. Code-required ten foot landscape buffer adjacent to northern neighbors to be reviewed and approved by County Arborist;
4. Cemetery Preservation Commission comments and recommendations;
5. Water and Sewer 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.

Summary of Intent for Rezoning

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

- a) Proposed unit square-footage(s): 3,000 - 3,500 heated square feet
- b) Proposed building architecture: Traditional
- c) Proposed selling prices(s): \$500,000.00 - \$700,000.00
- d) List all requested variances: _____



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

- a) Proposed use(s): _____
- 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).
