

Z-15 (2017) PROPOSED R-20/OSC PLAN

DEVELOPMENT SUMMARY

Item	Quantity	Notes
Single-Family Units	50	
Open Space	150,000 sq. ft.	
Stormwater Management Facility	1	
Other		

APPROVED BY THE PLANNING COMMISSION AND BOARD OF ALDERMEN ON FEBRUARY 2, 2017.
 APPROVED BY THE CITY COUNCIL AND BOARD OF ALDERMEN ON FEBRUARY 2, 2017.
 APPROVED BY THE CITY COUNCIL AND BOARD OF ALDERMEN ON FEBRUARY 2, 2017.

DATE: FEBRUARY 2, 2017
 DRAWN BY: [Name]
 CHECKED BY: [Name]

PROJECT NAME: [Name]
 ADDRESS: [Address]
 CITY: [City]

OWNER: [Name]
 ARCHITECT: [Name]

DATE: [Date]
 SCALE: [Scale]

PROJECT NO.: [Number]

DATE: [Date]

SCALE: [Scale]

PROJECT NO.: [Number]

DATE: [Date]

SCALE: [Scale]

PROJECT NO.: [Number]

DATE: [Date]

SCALE: [Scale]

PROJECT NO.: [Number]

DATE: [Date]

SCALE: [Scale]

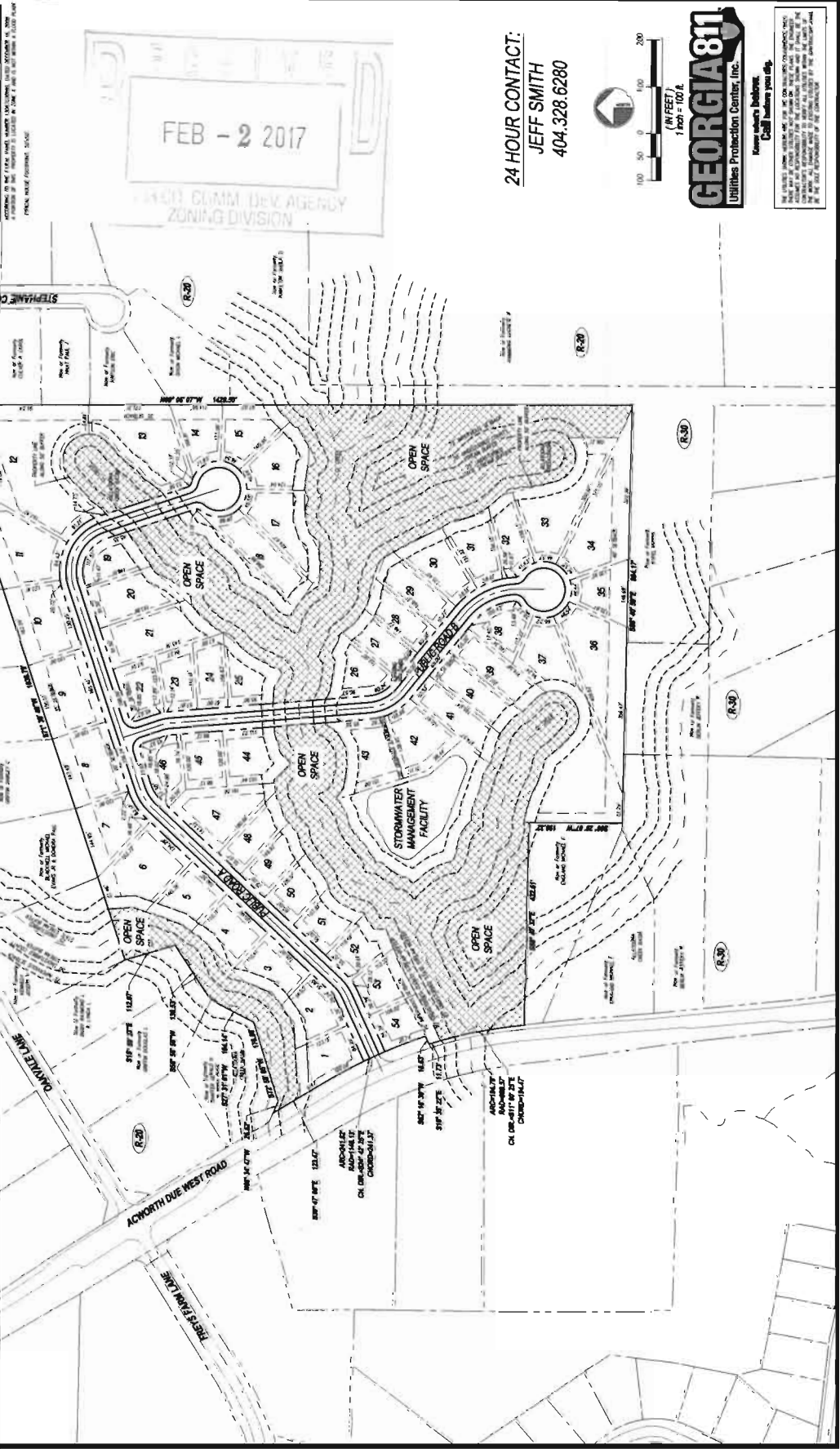
PROJECT NO.: [Number]

DATE: [Date]

SCALE: [Scale]

PROJECT NO.: [Number]

DATE: [Date]



AD LOT 198
 20M. DISTRICT
 COUNTY, GEORGIA
 ZONING PLAN
 DEVELOPER

DATE: FEBRUARY 2, 2017
 SCALE: [Scale]

PROJECT NO.: [Number]

DATE: [Date]

SCALE: [Scale]

PROJECT NO.: [Number]

DATE: [Date]

24 HOUR CONTACT:
 JEFF SMITH
 404.328.6280



GEORGIA811
 Utilities Protection Center, Inc.
 Have others before. Call before you dig.

THE CITY OF ATLANTA, GEORGIA, IS PROVIDING THIS INFORMATION FOR YOUR INFORMATION ONLY. THE CITY DOES NOT WARRANT THE ACCURACY OF THE INFORMATION PROVIDED. THE CITY IS NOT RESPONSIBLE FOR ANY DAMAGE TO PERSONS OR PROPERTY THAT MAY OCCUR AS A RESULT OF THE USE OF THIS INFORMATION.

RIDGE PLANNING AND ENGINEERING
 1590 KENNESAW CIRCLE - SUITE A
 DUNWOODY, GA 30328
 PHONE: 770.818.9000

DATE: FEBRUARY 2, 2017

SCALE: [Scale]

PROJECT NO.: [Number]

DATE: [Date]

SCALE: [Scale]

PROJECT NO.: [Number]

DATE: [Date]

SCALE: [Scale]

PROJECT NO.: [Number]

DATE: [Date]

SCALE: [Scale]

PROJECT NO.: [Number]

DATE: [Date]

SCALE: [Scale]

PROJECT NO.: [Number]

DATE: [Date]

SCALE: [Scale]

PROJECT NO.: [Number]

DATE: [Date]

SCALE: [Scale]

PROJECT NO.: [Number]

DATE: [Date]

SCALE: [Scale]

PROJECT NO.: [Number]

DATE: [Date]

SCALE: [Scale]

PROJECT NO.: [Number]

DATE: [Date]

APPLICANT: Kerley Family Homes, LLC

PHONE#: (770) 792-5500 **EMAIL:** N/A

REPRESENTATIVE: J. Kevin Moore

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

TITLEHOLDER: The Estate of Nellie Duncan England; Mary Nichols

Miltiades, as Successor Trustee of the Evans John Nichols Rev Trust

PROPERTY LOCATION: East side of Acworth Due West Road,

north of Stilesboro Road

(2000 and 2040 Acworth Due West Road)

ACCESS TO PROPERTY: Acworth Due West Road

PHYSICAL CHARACTERISTICS TO SITE: Single-family houses

and undeveloped acreage

PETITION NO: Z-15

HEARING DATE (PC): 04-04-17

HEARING DATE (BOC): 04-18-17

PRESENT ZONING: R-30

PROPOSED ZONING: R-20/OSC

PROPOSED USE: Single-Family Residential

SIZE OF TRACT: 34.2 acres

DISTRICT: 20

LAND LOT(S): 198

PARCEL(S): 4,54,55,83

TAXES: PAID X **DUE** _____

COMMISSION DISTRICT: 1

CONTIGUOUS ZONING/DEVELOPMENT

NORTH: R-20/Oak Mountain Farms

SOUTH: R-30/Single-family houses

EAST: R-20/Stilesboro Hills and Single-family houses

WEST: R-30/Single-family houses

Adjacent Future Land Use:

Northwest: Very Low Density Residential (VLDR)

East: Low Density Residential (LDR)

South: Very Low Density Residential (VLDR)

West: Very Low Density Residential (VLDR)

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

PLANNING COMMISSION RECOMMENDATION

APPROVED _____ **MOTION BY** _____

REJECTED _____ **SECONDED** _____

HELD _____ **CARRIED** _____

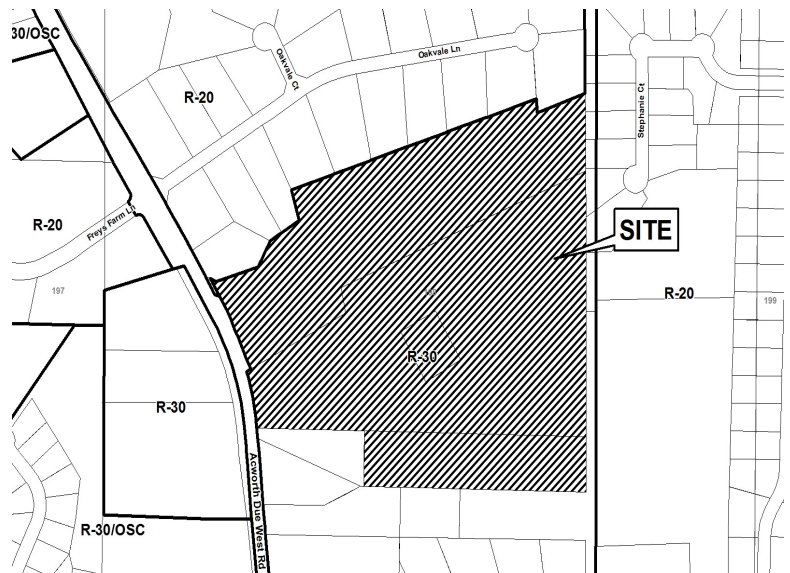
BOARD OF COMMISSIONERS DECISION

APPROVED _____ **MOTION BY** _____

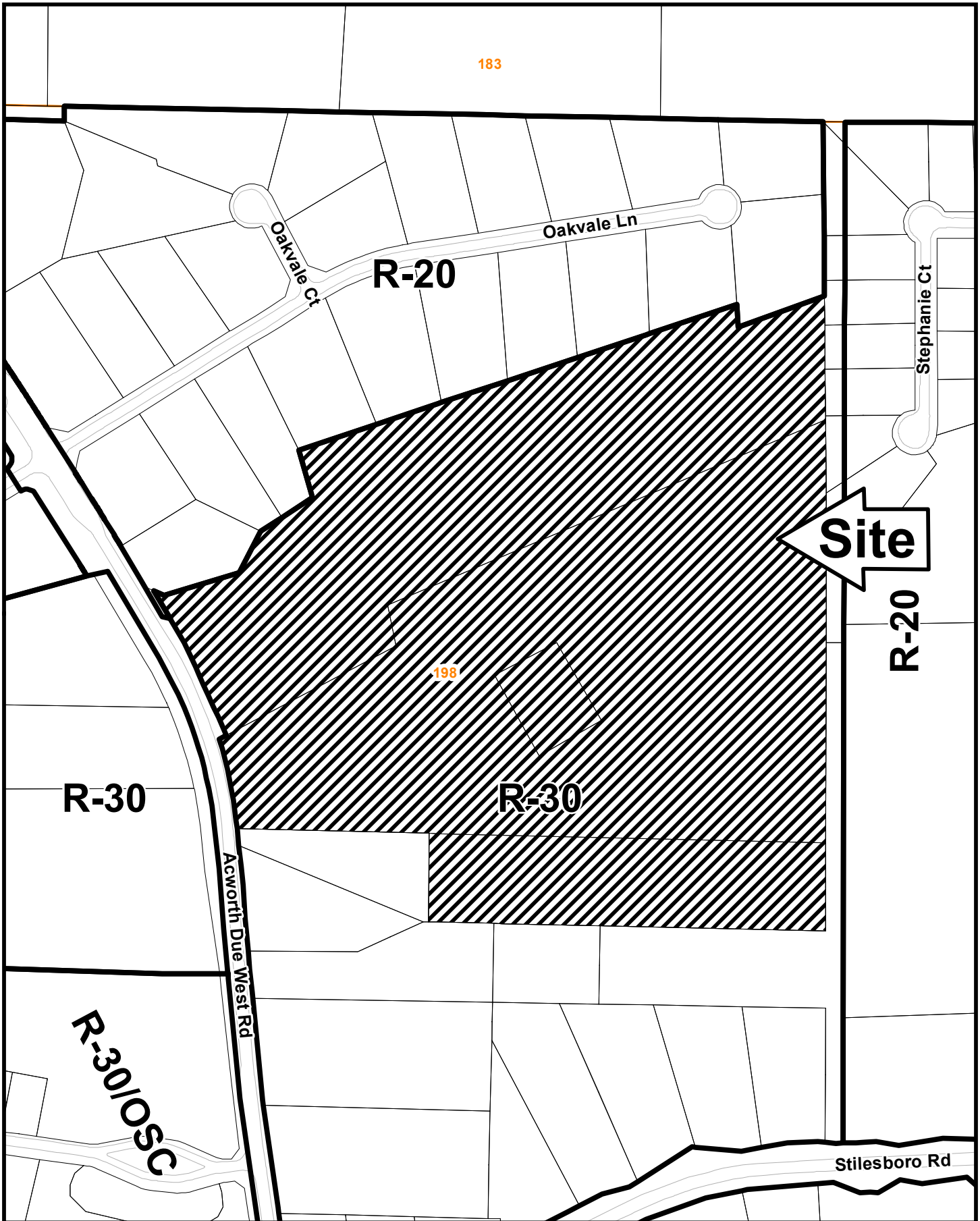
REJECTED _____ **SECONDED** _____

HELD _____ **CARRIED** _____

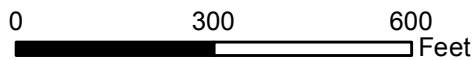
STIPULATIONS:





Z-15-2017 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: Kerley Family Homes, LLC

PETITION NO.: Z-15

PRESENT ZONING: R-30

PETITION FOR: R-20/OSC

ZONING COMMENTS:

Staff Member Responsible: Jason A. Campbell

Land Use Plan Recommendation: Very Low Density Residential (0-2 units per acre)

Proposed Number of Units: 54 **Overall Density:** 1.58 **Units/Acre**

Staff estimate for allowable # of units: 37 **Units*** **Increase of:** 17 **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 R-20/Open Space Community (R-20/OSC) zoning district for the purpose of developing a 54-lot open space, single-family subdivision. The proposed houses will range in size from 3,300 square feet to 4,200 square feet. The architecture of the houses will be Craftsman, with stone, brick, shake, horizontal siding and combinations thereof.

The proposed site plan indicates 12.03 acres (35%) of the overall property set aside as open space.

Cemetery Preservation: No comment.

APPLICANT: Kerley Family Homes, LLC

PETITION NO.: Z-15

PRESENT ZONING: R-30

PETITION FOR: R-20/OSC

SCHOOL COMMENTS:

<u>Name of School</u>	<u>Enrollment</u>	<u>Capacity Status</u>	<u>Number of Portable Classrooms</u>
<u>Bullard</u>	<u>823</u>	<u>1109</u>	<u> </u>
Elementary <u>McClure</u>	<u>1240</u>	<u>1046</u>	<u> </u>
Middle <u>Allatoona</u>	<u>1715</u>	<u>1912</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 an impact on the enrollment for schools already over capacity.

FIRE COMMENTS:

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

GUEST PARKING: When projects contemplate less than 20-ft separation between units (10-ft side setbacks), guest parking shall be provided at a ratio of one-half space for each dwelling unit (1 space/ 2 units) distributed throughout the community.

APPLICANT: Kerley Family Homes, LLC

PETITION NO.: Z-15

PRESENT ZONING: R-30

PETITION FOR: R-20 / OSC

PLANNING COMMENTS:

The applicant is requesting a rezoning from R-30 to R-20 / OSC for the purpose of single family residential. The 34.2 acre site is located on the east side of Acworth Due West Road, north of Stilesboro Road (2000 and 2040 Acworth Due West 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 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:

Northwest: Very Low Density Residential (VLDR)
East: Low Density Residential (LDR)
South: 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

The property in question is the Cheney-Newcomer House (c. 1850), a locally designated historic property. The applicant is requesting a rezoning to a residential category and will be preserving the house. Staff makes no further request of the applicant at this time and believes that the rezoning will be in the best interest of this historic property.

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: Kerley Family Homes, LLC

PETITION NO.: Z-15

PRESENT ZONING: R-30

PETITION FOR: R-20 / OSC

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?
- CZ (Clear Zone)
- APZ I (Accident Potential Zone I)
- APZ II (Accident Potential Zone II)
- Bird / Wildlife Air Strike Hazard (BASH) area

OSC Comment:

Land Lot/District: 198 / 20

Total Area: 34.2 acres

Floodplain/Wetland Area/Cemetery: 0

Net Buildable Area: 34.2

Base Density Allowed: 1.75 upa

Base Density Allowed w/Bonus: 1.92 upa

Proposed Lots: 54

Net Density: 1.58 upa

Future Land Use: Very Low Density Residential (0 to 2 upa)

Open Space Requirement: 11.97 acres or 35%; for bonus 13.17 acres or 38.5%

Open Space Proposed: 12.03 acres or 35.2%

Percentage of Open Space within Floodplain, Wetlands, & Lakes: 0

Setbacks:

Front: 20'

Rear: 20'; Adj. to R-20: 35'; Adj. to R-30: 40'

Side: 7.5'

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

PLANNING COMMENTS:

CONT.

Comments:

- 9. According to the straight, preliminary R-20 layout that was submitted with the OSC plan there are several lots that can't be built on due to stream buffers and the concern of an additional stormwater management facility. Comparison of plans would not yield a sufficient analysis.
- 10. If walking or bike trails are proposed throughout open space please add them to site plan and note that they must be constructed of porous materials.
- 11. Must have Cobb Department of Transportation approved lighting plan in if outdoor lighting (except individual residential lots) is proposed
- 12. Mass grading of the project tract is discouraged unless done to facilitate the clustering of lots or to protect open space remaining on overall tract.
- 13. 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.

Recommendations:

- 14. Provide stipulation letter
- 15. Provide lot sizes

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. 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 Kerley Family Homes

PETITION NO. Z-015

PRESENT ZONING R-30

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): 12" DI / W side of Acworth Due West 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: +/- 1,800' NW in Walnut Creek Drive

Estimated Waste Generation (in G.P.D.): A D F= 15,840 Peak= 39,600

Treatment Plant: Northwest

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: Kerley Family Homes, LLC

PETITION NO.: Z-15

PRESENT ZONING: R-30

PETITION FOR: R-20/OSC

STORMWATER MANAGEMENT COMMENTS

REVISED 3-17-17

FLOOD HAZARD: YES NO POSSIBLY, NOT VERIFIED

DRAINAGE BASIN: Trib to Allatoona 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 or adjacent to stream channels

- 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 systems.
- 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 neighborhoods downstream.
- Project engineer must evaluate the impact of increased volume of runoff generated by the proposed project on downstream receiving stream as well as existing downstream culverts at Acworth Due West Road.

APPLICANT: Kerley Family Homes, LLC

PETITION NO.: Z-15

PRESENT ZONING: R-30

PETITION FOR: R-20/OSC

STORMWATER MANAGEMENT COMMENTS – Continued

REVISED 3-17-17

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 east of Acworth Due West Road just north of Stilesboro Road. The site is wooded with a mixture of both pine and hardwood species. Slopes on the site range from 5 to 25%. The entire site drains to the west into and through Acworth Due West Road R/W. The site is significantly impacted by stream buffers.
2. The straight R-20 plan provided has 12 lots (2, 16, 17, 23, 24, 34, 37, 40-43, & 48) that appear to be too impacted by stream buffers to be viable.
3. The lot for the proposed stormwater management facility located behind Lots 42 & 43 must be extended to the public right-of-way (with minimum 20-foot width). It cannot be accessed by an easement through private property.
4. It is very likely that a second stormwater management facility will be required somewhere in the vicinity of Lots 1-4 to provide adequate detention and water quality for the development. This will probably mean the loss of one or two lots.

APPLICANT: Kerley Family Homes, LLC

PETITION NO.: Z-15

PRESENT ZONING: R-30

PETITION FOR: R-20/OSC

TRANSPORTATION COMMENTS:

ROADWAY	ROADWAY CLASSIFICATION	SPEED LIMIT	JURISDICTIONAL CONTROL	MIN. R.O.W. REQUIREMENTS
Acworth Due West Road	Arterial	40 mph	Cobb County	100'

ROADWAY	LOCATION	AVERAGE DAILY TRIPS	LEVEL OF SERVICE
Acworth Due West Road	North of Old Stilesboro Road	9,750	D

*Based on 2016 traffic counting data taken by Cobb County DOT for Acworth Due West Road.
 Planning Level of Service based on available Average Daily Trips using GRTA guideline thresholds. Classification thresholds for LOS A and LOS B are not available for local roads from this data source.
 LOS C or D is acceptable based on GDOT Design Policy Manual criteria.*

COMMENTS AND OBSERVATIONS

Acworth Due West 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 east side of Acworth Due West Road, a minimum of 50' 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.

As necessitated by this development, recommend Acworth Due West 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 replacing disturbed curb, gutter, and sidewalk along the Acworth Due West Road frontage.

Recommend applicant verify that minimum intersection sight distance is available for Acworth Due West Road access and if it is not, implement remedial measures, subject to the Department's approval, to achieve the minimum requirement of 445'.

STAFF RECOMMENDATIONS

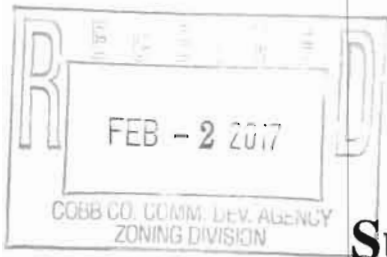
Z-15 KERLEY FAMILY HOMES, LLC

- 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. Other properties in the area include single-family houses on larger lots, single-family subdivision, including other OSC communities.
- 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 area is made up of single-family subdivisions zoned R-30, R-20, R-30/OSC, R-20/OSC and single-family houses on larger tracts.
- 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 or utilities. However, the Cobb County School District has concerns that this request will have an impact on enrollment at certain schools.
- D. It is Staff's opinion that the applicant's rezoning proposal is in conformity with the policy and intent of the *Cobb County Comprehensive Plan*, which delineates this property as being within the Very Low Density Residential (VLDR) land use category, having densities ranging from 0-2 units per acre. The proposed development has a density of 1.58 units per acre. Other zonings and densities in this area include: Frey's Farm (zoned R-20 at 0.36 units per acre); Oak Mountain Farms (zoned R-20 at 0.9 units per acre); Canterbury Estates (zoned R-30/OSC at 1.17 units per acre); Madison Falls (zoned R-30/OSC at 1.24 units per acre); and Stilesboro Hills, Phase II (zoned R-20 at approximately 1.73 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. The proposal is consistent with future land use map designation of VLDR. The proposal will set aside 35% of the overall property as open space.

Based on the above analysis, Staff recommends DELETING to R-30/OSC subject to the following conditions:

1. Site plan to be approved by the Board of Commissioners, with the District Commissioner approving minor modifications;
2. Fire Department comments and recommendations;
3. Planning Division comments and recommendations;
4. Water and Sewer 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-15 (2017)

PC Hearing Date: 04/04/2017

BOC Hearing Date: 04/18/2017

Summary of Intent for Rezoning*

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

- a) Proposed unit square-footage(s): 3,300 - 4,200 square feet
- b) Proposed building architecture: Craftsman, with stone, brick, shake, horizontal siding, and combinations thereof
- c) List all requested variances: None known at this time

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

- a) Proposed use(s): Not Applicable
- b) Proposed building architecture: Not Applicable
- c) Proposed hours/days of operation: Not Applicable
- d) List all requested variances: Not Applicable

.....
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). No, to the best of our knowledge, information, and belief.

***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.**

