

**Z-38
(2017)**

<p>W&M WATERBURY & MANNING PLANNING & ARCHITECTURE 1101 E. JEFFERSON SUITE 200 DALLAS, TEXAS 75201 TEL: 214.760.1100 WWW.WAMANNING.COM</p>	<p>PRELIMINARY DEVELOPMENT PLAN</p> <p>PROJECT NAME: The Preserve at Ellis Lake</p> <p>DATE: 11.01.2017</p> <p>SCALE: AS SHOWN</p> <p>PROJECT NO: 17-001</p>	<p>24 HR CONTACT MOBILE: 214.247.1414</p>	<p>24 HR CONTACT MOBILE: 214.247.1414</p>	<p>24 HR CONTACT MOBILE: 214.247.1414</p>	<p>24 HR CONTACT MOBILE: 214.247.1414</p>
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SITE

APPLICANT: Pebblebrook Development, LLC

PHONE #: (404) 915-0914 **EMAIL:** mitchnimey@gmail.com

REPRESENTATIVE: J. Kevin Moore

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

TITLEHOLDER: Nell Hutcheson; Myrna Joyce Wood Ice and

Paul L. Ice

PROPERTY LOCATION: South side of Old Dallas Road, southwest
of the intersection of Dallas Highway and Old Dallas Road
(2069 and 2089 Old Dallas Road)

ACCESS TO PROPERTY: Old Dallas Road

PHYSICAL CHARACTERISTICS TO SITE: Single-family houses
on wooded acreage

PETITION NO: Z-38

HEARING DATE (PC): 07-06-17

HEARING DATE (BOC): 07-18-17

PRESENT ZONING: R-80

PROPOSED ZONING: R-20

PROPOSED USE: Single-family Residential

SIZE OF TRACT: 6.65 acres

DISTRICT: 19

LAND LOT(S): 30

PARCEL(S): 4,14,15,22

TAXES: PAID X **DUE** _____

COMMISSION DISTRICT: 1

CONTIGUOUS ZONING/DEVELOPMENT

- NORTH:** R-80/Two wooded undeveloped parcels
- SOUTH:** R-80/Undeveloped parcels
- EAST:** R-80/Single-family houses and undeveloped parcels
- WEST:** R-20/Undeveloped parcels

Adjacent Future Land Use:

- North: Low Density Residential (LDR)
- East: Low Density Residential (LDR)
- South: Low Density Residential (LDR)
- West: Low Density Residential (LDR)

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

PLANNING COMMISSION RECOMMENDATION

APPROVED _____ **MOTION BY** _____

REJECTED _____ **SECONDED** _____

HELD _____ **CARRIED** _____

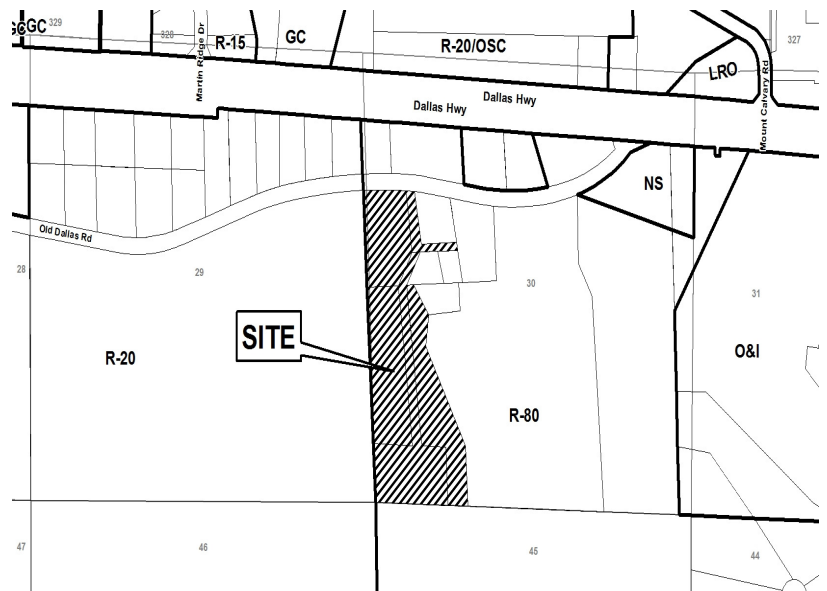
BOARD OF COMMISSIONERS DECISION

APPROVED _____ **MOTION BY** _____

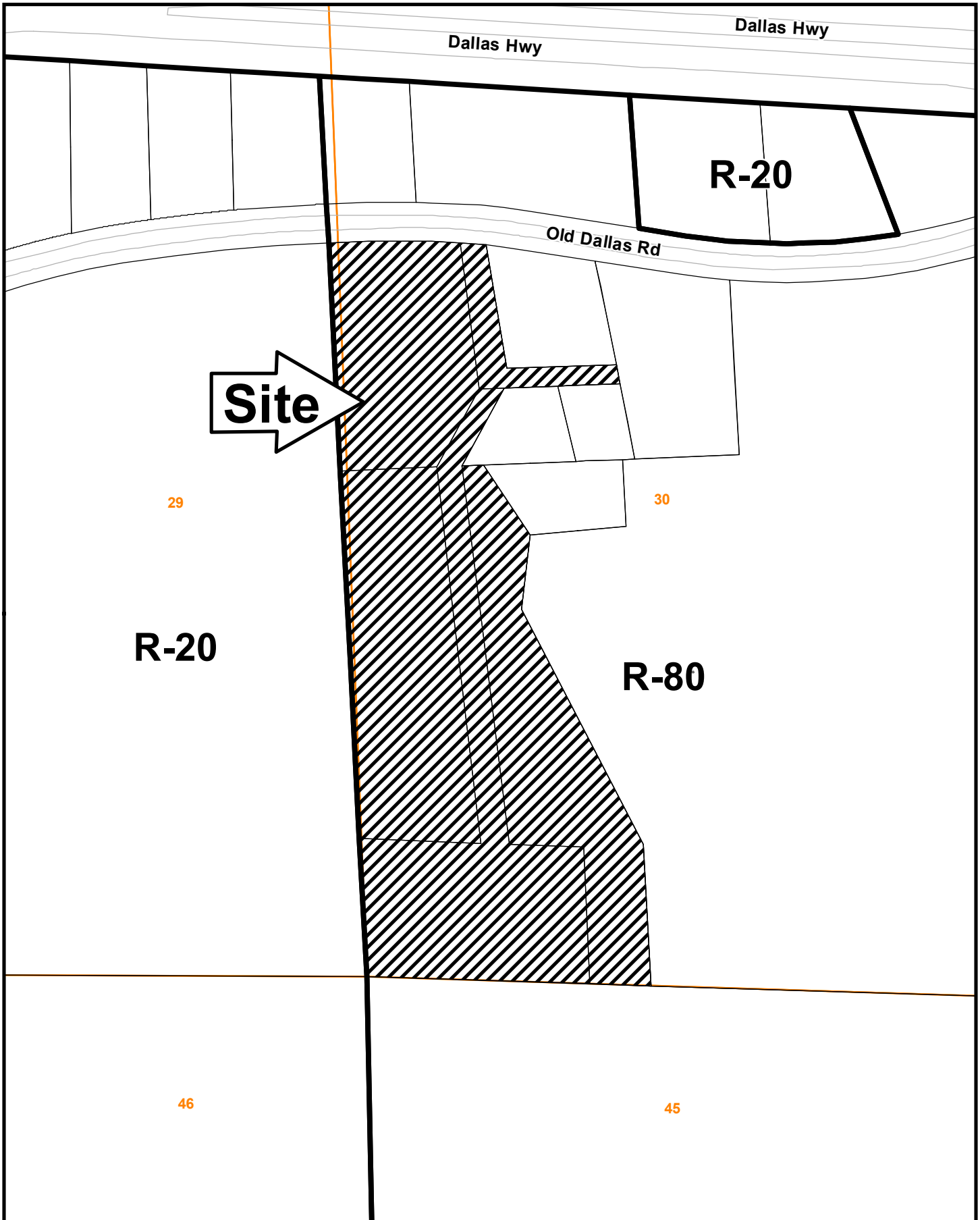
REJECTED _____ **SECONDED** _____

HELD _____ **CARRIED** _____

STIPULATIONS:



Z-38 2017-GIS



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

0 100 200 Feet

City Boundary
Zoning Boundary

APPLICANT: Pebblebrook Development, LLC

PETITION NO.: Z-38

PRESENT ZONING: R-80

PETITION FOR: R-20

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: 5 **Overall Density:** 0.75 **Units/Acre**

Staff estimate for allowable # of units: 3 **Units*** **Increase of:** 2 **Units/Lots**

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

Applicant is requesting the R-20 zoning district for the purpose of adding five single-family residential lots and amenity area to the applicant’s proposed development that was approved as Z-47 of 2016. The proposed houses will be 2,800 to 4,000 square feet and greater. The houses will have brick, stacked stone, cedar, Hardi-plank, cementitious siding, or combinations thereof. The subject property is abutted on three sides by the applicant’s 2016 zoning case and will be included in that overall development, which was a total of 120.56 acres.

Cemetery Preservation: No comments.

APPLICANT: Pebblebrook Development, LLC

PETITION NO.: Z-38

PRESENT ZONING: R-80

PETITION FOR: R-20

SCHOOL COMMENTS:

<u>Name of School</u>	<u>Enrollment</u>	<u>Capacity Status</u>	<u>Number of Portable Classrooms</u>
<u>Cheatham Hill</u>	<u>1118</u>	<u>1073</u>	<u> </u>
Elementary <u>Lovinggood</u>	<u>1415</u>	<u>1046</u>	<u> </u>
Middle <u>Hillgrove</u>	<u>2466</u>	<u>1912</u>	<u> </u>

High

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

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

FIRE COMMENTS:

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

ACCESS: Fire apparatus access roads shall extend to within 150 feet of all portions of the facility or any portion of the exterior wall of the first floor (State Modifications IFC 503.1 2006 Edition).

All access roads shall meet the American Association of State and Highway Transportation Officials (AASHTO) design manual live load standard HS20 (75,000 lbs.) with an unobstructed width of not less than 20 feet, 25 foot inside radius, 50 foot outside turning radius and unobstructed vertical clearance of not less than 13 feet 6 inches.

Maximum slope of the access road in reference to the apparatus is 10% Front to Back and 5% Side to Side. Maximum grade of roadways leading to Fire Access roads refer to the Cobb County Development Standard Section 400: 14% for Non-Residential. Maximum angle of departure is 8.5%.

Dead-end access roads in excess of 150 feet shall be provided with a turn-around (IFC 503.2.5 2006 Edition). Cul-de-sac with or without an island: minimum 60-foot radius to outside curb, measured to inside of curb and a minimum lane width = 24 feet (Cobb County Development Standard 401.09). Single-Family cul-de-sac without island: 38-foot outside radius with island reverts to commercial dimensions. Hammerhead turn-around: total of 110 feet needed (45 feet + 20 feet wide roadway + 45 feet).

APPLICANT: Pebblebrook Development, LLC

PETITION NO.: Z-38

PRESENT ZONING: R-80

PETITION FOR: R-20

PLANNING COMMENTS:

The applicant is requesting a rezoning from R-80 to R-20 for the purpose of single-family residential. The 6.65 acre site is located on the south side of Old Dallas Road, southwest of the intersection of Dallas Highway and Old Dallas Road (2069 and 2089 Old Dallas 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-80 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: Low Density Residential (LDR)
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

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: Pebblebrook Development, LLC

PETITION NO.: Z-38

PRESENT ZONING: R-80

PETITION FOR: R-20

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)
- Noise Zone
- Bird / Wildlife Air Strike Hazard (BASH) area

APPLICANT Pebblebrook Development LLC

PETITION NO. Z-038

PRESENT ZONING R-80

PETITION FOR R-20

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" CI / S side of Old Dallas 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: 1,500'W **

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

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: ** sewer will be at site and easements will not be required upon construction of entirety of Preserve at Ellis Lake

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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PETITION FOR: R-20

STORMWATER MANAGEMENT COMMENTS

FLOOD HAZARD: YES NO POSSIBLY, NOT VERIFIED

DRAINAGE BASIN: Noses Creek FLOOD HAZARD INFO: Zone A

- 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 – must locate residential buildings out of hazard (Lot 199).

WETLANDS: YES NO POSSIBLY, NOT VERIFIED

Location: within and adjacent to stream channels and floodplain

- 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 lake and proposed road crossing.

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STORMWATER MANAGEMENT COMMENTS – Continued

SPECIAL SITE CONDITIONS

- Provide comprehensive hydrology/stormwater controls to include development of out parcels.
- Submit all proposed site improvements to Plan Review.
- Any **spring activity** uncovered must be addressed by a qualified geotechnical engineer (PE).
- Structural fill _____ must be placed under the direction of a qualified registered Georgia geotechnical engineer (PE).
- Existing facility.
- Project must comply with the Water Quality requirements of the CWA-NPDES-NPS Permit and County Water Quality Ordinance.
- Water Quality/Quantity contributions of the existing lake/pond on site must be continued as baseline conditions into proposed project.
- Calculate and provide % impervious of project site.
- Revisit design; reduce pavement area to reduce runoff and pollution.

INSUFFICIENT INFORMATION

- No Stormwater controls shown _____
- Copy of survey is not current – Additional comments may be forthcoming when current site conditions are exposed.
- No site improvements showing on exhibit.

ADDITIONAL COMMENTS

1. This site is located south of Old Dallas Road just downstream of Sagebrush Lake and adds additional development area to the previous Z-47 (June 2016) rezoning.
2. A multi-dam dam-break analysis will be required to verify that all proposed house pads will be located outside the breach zone. Use of USACE HEC-RAS 5.0 will be adequate.

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TRANSPORTATION COMMENTS:

ROADWAY	ROADWAY CLASSIFICATION	SPEED LIMIT	JURISDICTIONAL CONTROL	MIN. R.O.W. REQUIREMENTS
Old Dallas Road	Local	25 mph	Cobb County	50'

ROADWAY	LOCATION	AVERAGE DAILY TRIPS	LEVEL OF SERVICE
Old Dallas Road	N/A	N/A	N/A

COMMENTS AND OBSERVATIONS

Old Dallas Road 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, gutter, and sidewalk along the Old Dallas Road frontage.

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

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

STAFF RECOMMENDATIONS

Z-38 PEBBLEBROOK DEVELOPMENT, 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. The property is almost surrounded on three sides by applicant's property that was rezoned as Z-47 in 2016. Adjacent and nearby property are similarly zoned for single-family houses.
- 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. Other adjoining properties are zoned for single-family houses that include R-80 and R-20, and commercial developments that include O&I.
- C. It is Staff's opinion that the applicant's rezoning proposal will not result in a use which would cause an excessive or burdensome use of existing streets, transportation facilities, utilities, or schools. This opinion can be supported by the departmental comments contained in this analysis.
- D. It is Staff's opinion that the applicant's rezoning proposal is in conformity with the policy and intent of the *Cobb County Comprehensive Plan*, which delineates this property to be within the Low Density Residential (LDR) land use category for properties having a density of 1-2.5 units per acre. The proposed density is within the LDR range. The applicant's abutting rezoning from last year was deleted to R-20 and R-80 and with the addition of the subject property the density will be 1.62 units per acre. The zoning and densities of some of the other residential developments in the area include the following: Wynthrop Manor (zoned R-80 and R-20 at 0.44 units per acre) Hays Farm Unit 1 (zoned R-20 at 1.20 units per acre); Nob Ridge (zoned R-20 at 1.29 units per acre); Cheatham Woods (zoned R-20 at approximately 1.37 units per acre); and Cheatham Springs Unit Two (zoned R-20 at approximately 1.56 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. Applicant's proposal is consistent with the *Cobb County Comprehensive Plan* designation of LDR. The property will be developed as part of the overall development from applicant's case Z-47 from 2016, obtaining an overall density of 1.62 units per acre.

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

1. District Commissioner to approve final site plan;
2. Stipulations of Z-47 of 2016, not otherwise in conflict;
3. Fire Department comments and recommendations;
4. Water and Sewer Division comments and recommendations;
5. Stormwater Management Division comments and recommendations; and
6. 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): 2,800 - 4,000 square feet, and greater
- b) Proposed building architecture: Brick, Stacked Stone, Cedar, Hardi-Plank, Cementious Siding, or 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). 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.