

APPLICANT: CSP Development, LLC

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TITLEHOLDER: CSP Development, LLC

PETITION NO: Z-46

HEARING DATE (PC): 08-01-17

HEARING DATE (BOC): 08-15-17

PRESENT ZONING: R-30

PROPOSED ZONING: R-15

PROPERTY LOCATION: West side of Wesley Chapel Road;
south side of Sandy Plains Road, and at the northwest terminus of
Running Fox Drive (4494 Wesley Chapel Road)

PROPOSED USE: Single-Family Residential

ACCESS TO PROPERTY: Wesley Chapel Road

SIZE OF TRACT: 8.92 acres

DISTRICT: 16

PHYSICAL CHARACTERISTICS TO SITE: Single-family house,
accessory structures and horse riding ring

LAND LOT(S): 176,177

PARCEL(S): 4

TAXES: PAID X DUE _____

COMMISSION DISTRICT: 3

CONTIGUOUS ZONING/DEVELOPMENT

NORTH: R-30/Undeveloped; R-20/Church
SOUTH: R-30/Single-family house
EAST: R-30/Single-family houses
WEST: R-20/Raintree Forest Subdivision

Adjacent Future Land Use:

Northeast Low Density Residential (LDR)
Southeast: Low Density Residential (LDR)
South: Low Density Residential (LDR)
West: Low Density Residential (LDR)
Northwest Very Low Density Residential (VLDR) and
Public Institutional (PI)

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

PLANNING COMMISSION RECOMMENDATION

APPROVED _____ MOTION BY _____

REJECTED _____ SECONDED _____

HELD _____ CARRIED _____

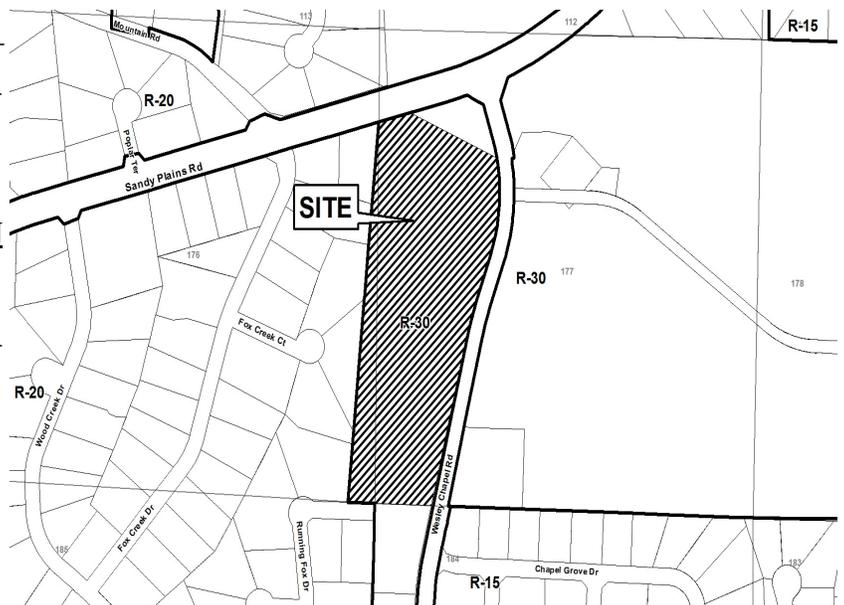
BOARD OF COMMISSIONERS DECISION

APPROVED _____ MOTION BY _____

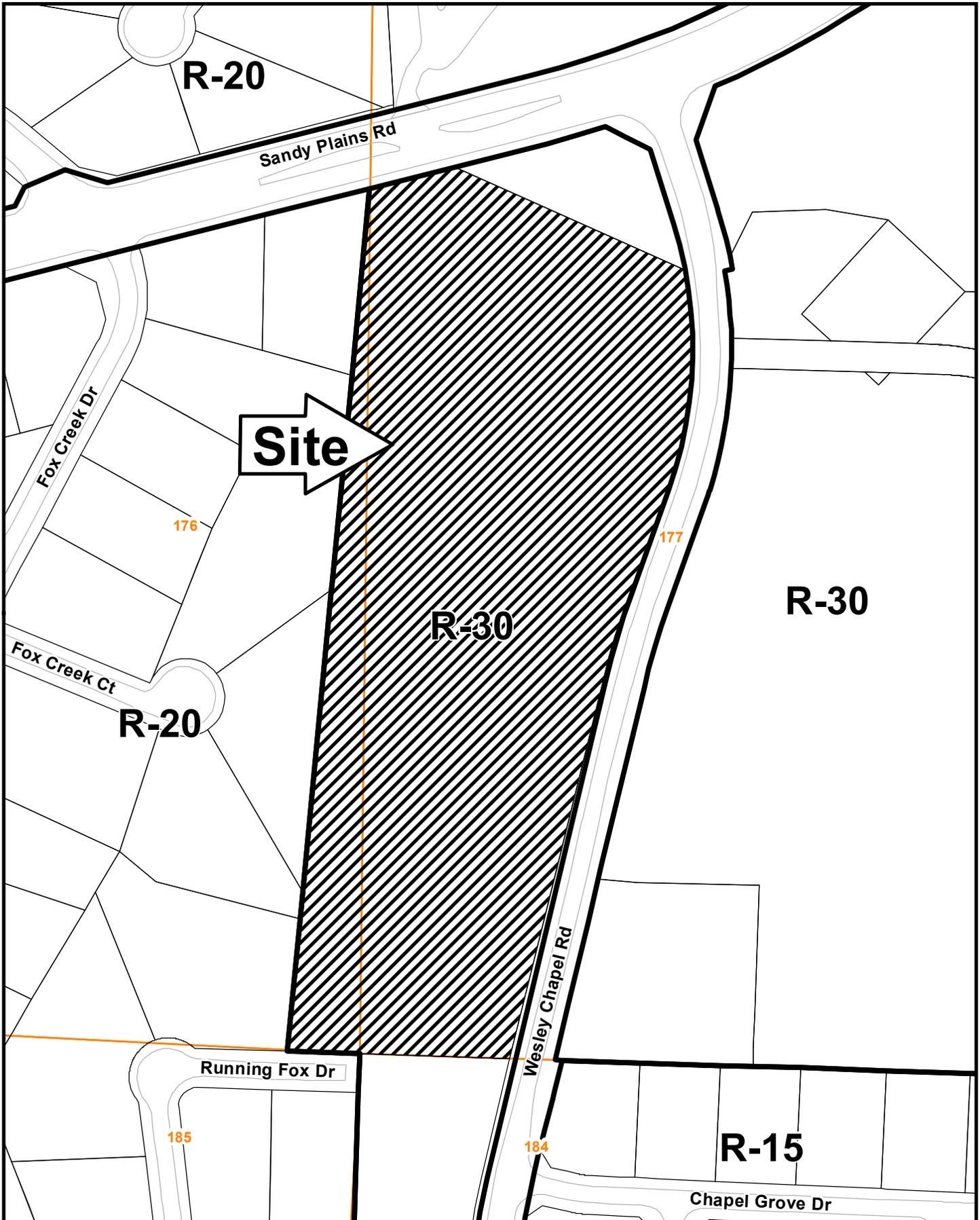
REJECTED _____ SECONDED _____

HELD _____ CARRIED _____

STIPULATIONS:



Z-46 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: CSP Development, LLC

PETITION NO.: Z-46

PRESENT ZONING: R-30

PETITION FOR: R-15

ZONING COMMENTS:

Staff Member Responsible: Jason A. Campbell

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

Proposed Number of Units: 18 **Overall Density:** 2.01 **Units/Acre**

Staff estimate for allowable # of units: 9 **Units*** **Increase of:** 9 **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-15 zoning district for the purpose of developing an 18-lot residential subdivision. The minimum house size will be 3,000 square feet and the architecture will be Traditional/Craftsman.

The proposed site plan will require a contemporaneous variance to waive the front setback from the required 30 feet to 25 feet. The site plan indicates a 40-foot rear setback instead of the 30-foot rear setback required in the R-15 zoning district.

Cemetery Preservation: There is no significant impact on the cemetery site listed in the Cobb County Cemetery Preservation Commission’s Inventory Listing which is located in this, or adjacent Land lot.

APPLICANT: CSP Development, LLC

PETITION NO.: Z-46

PRESENT ZONING: R-30

PETITION FOR: R-15

SCHOOL COMMENTS:

<u>Name of School</u>	<u>Enrollment</u>	<u>Capacity Status</u>	<u>Number of Portable Classrooms</u>
<u>Garrison Mill</u>	<u>663</u>	<u>755</u>	<u> </u>
Elementary			
<u>Mabry</u>	<u>876</u>	<u>1023</u>	<u> </u>
Middle			
<u>Lassiter</u>	<u>2220</u>	<u>2137</u>	<u> </u>

High

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

Additional Comments: Approval of this petition will not have a significant impact on the enrollment at these schools.

APPLICANT: CSP Development

PETITION NO.: Z-46

FIRE COMMENTS:

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

APPLICANT: CSP Development, LLC

PETITION NO.: Z-46

PRESENT ZONING: R-30

PETITION FOR: R-15

PLANNING COMMENTS:

The applicant is requesting a rezoning from R-30 to R-15 for the purpose of single-family residential subdivision. The 8.92 acre site is located on the west side of Westley Chapel Road; south side of Sandy Plains Road, and at the northwest terminus of Running Fox Drive (4494 Westley Chapel 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-30 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:

Northeast Low Density Residential (LDR)
Southeast: Low Density Residential (LDR)
South: Low Density Residential (LDR)
West: Low Density Residential (LDR)
Northwest Very Low Density Residential (VLDR) and Public Institutional (PI)

Master Plan/Corridor Study

The property is not located within the boundary of a Plan or Corridor Study

Historic Preservation

After reviewing various county resources including historic and archeological resource surveys and documented Civil War trench maps, it is determined that a c. 1900 house is located within the project area. Due to the age and location of the structure, information about this resource and its occupants appears to have the potential to contribute significantly to the county's public history. Staff recommends the home either be incorporated into the development or, alternately, documented if destroyed.

In order to properly document this structure, its inhabitants, and the role they played in Cobb County's history, staff requests a history of the home and its occupants (as well as archival-quality photographs of the structure, all outbuildings, and its setting) be completed by a cultural resource consultant. These materials should be submitted to the historic preservation planner.

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

APPLICANT: CSP Development, LLC

PRESENT ZONING: R-30

PETITION NO.: Z-46

PETITION FOR: R-15

PLANNING COMMENTS:

CONT.

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?
- 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 CSP Development LLC

PETITION NO. Z-046

PRESENT ZONING R-30

PETITION FOR R-15

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 Wesley Chapel 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: Running Fox Drive ROW

Estimated Waste Generation (in G.P.D.): A D F= 2,880 Peak= 7,200

Treatment Plant: Big Creek

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: CSP Development, LLC

PETITION NO.: Z-46

PRESENT ZONING: R-30

PETITION FOR: R-15

STORMWATER MANAGEMENT COMMENTS

FLOOD HAZARD: YES NO POSSIBLY, NOT VERIFIED

DRAINAGE BASIN: Sweat Mountain 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/Georgia EPD.

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 easements 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 receiving channels.

APPLICANT: CSP Development, LLC

PETITION NO.: Z-46

PRESENT ZONING: R-30

PETITION FOR: R-15

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 parcel is located at the southwest intersection of Sandy Plains and Wesley Chapel Roads. It is bordered by Sandy Plains and Wesley Chapel Road right-of-way to the north and east, and Raintree Forest Subdivision to the west and south. Approximately 50% of the site is wooded, with the remainder cleared for a horse farm with associated pasture and riding paddock. Average slopes range from 3 to 25%. The entire site drains to the west into and through the Raintree Forest Subdivision.
2. Two stormwater management facilities are proposed to control runoff from the site. Both facilities will discharge into existing recorded drainage easements within the adjacent Raintree Forest Subdivision. If pond walls are required, they must be screened with landscaping and/or decoratively faced with stone, masonry or stamped concrete.

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PETITION NO.: Z-46

PRESENT ZONING: R-30

PETITION FOR: R-15

TRANSPORTATION COMMENTS:

ROADWAY	ROADWAY CLASSIFICATION	SPEED LIMIT	JURISDICTIONAL CONTROL	MIN. R.O.W. REQUIREMENTS
Sandy Plains Road	Arterial	45 mph	Cobb County	100'
Wesley Chapel Road	Minor Collector	35 mph	Cobb County	60'

ROADWAY	LOCATION	AVERAGE DAILY TRIPS	LEVEL OF SERVICE
Sandy Plains Road	North of Mountain Road	26,300	D
Wesley Chapel Road	North of Rivaridge Drive	2,090	C

Based on 2014 traffic counting data taken by Cobb County DOT for Sandy Plains Road.
Based on 2015AADT counting data taken by GDOT, as published on their website, for Wesley Chapel 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

Sandy Plains 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.

Wesley Chapel Road is classified as a minor collector and according to the available information the existing right-of-way does 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 south side of Sandy Plains 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.

Recommend a deceleration lane on Wesley Chapel Road for the entrance.

Recommend curb, gutter, and sidewalk along the Wesley Chapel Road frontage.

Recommend applicant coordinate with Cobb County DOT prior to development plan approval to ensure compatibility with the proposed SPLOST project - Wesley Chapel Sidewalk E7260.

APPLICANT: CSP Development, LLC

PETITION NO.: Z-46

PRESENT ZONING: R-30

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Recommend a no access easement for the lots that border the frontage of Sandy Plains Road and Wesley Chapel Road.

STAFF RECOMMENDATIONS

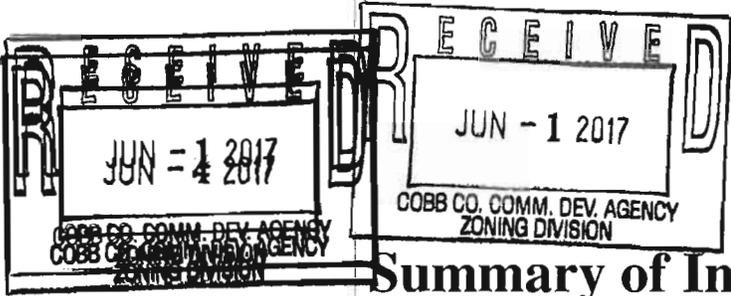
Z-46 CSP DEVELOPMENT, LLC

- 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. Other properties in this area are zoned for single-family residential uses at similar densities.
- 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 zonings in this area for single-family residential development include R-30, R-20, and R-15.
- 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 as being within the Low Density Residential (LDR) land use category for properties having a density range of 1-2.5 units per acre. Developments in the area include: Mountain Creek Estates (zoned R-20 at 1.15 units per acre); Rain Forest Subdivision (zoned R-20 at approximately 1.63 units per acre); The Highlands at Wesley Chapel (zoned R-15 at 2.02 units per acre); and Wesley Manor (zoned R-15 at 2.03 units per acre). The applicant proposed density of 2.01 units per acre is compatible with the LDR land use category range of 1-2.5 units per acre and is within the range of densities of some of the other subdivisions in this area.
- 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. The applicant's proposal of R-15 at 2.01 units per acre is consistent with the *Cobb County Comprehensive Plan* designation of LDR. The applicant's proposal will be consistent with other developments and densities in this area, as well as zoning cases that have been approved in this area in the last several years for R-15 with densities at 2.01 and 2.03 units per acre.

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

1. Site plan received by the Zoning Division on June 1, 2017, with the District Commissioner approving minor modifications;
2. Variance mentioned in the Zoning Comments section;
3. Water and Sewer Division comments and recommendations;
4. Stormwater Management Division comments and recommendations;
5. Department of Transportation comments and recommendations; and
6. Owner/developer to enter into a Development Agreement pursuant to O.C.G.A. §36-71-13 for dedication of system improvements to mitigate traffic concerns.

The recommendations made by the Planning and Zoning Staff are only the opinions of the Planning and Zoning Staff and are by no means the final decision. The Cobb County Board of Commissioners makes the final decisions on all Rezoning and Land Use Permits at an advertised public hearing.



Application No. Z- 46 (2017)
Hearing Dates: PC - 08/01/2017
BOC - 08/15/2017

Summary of Intent for Rezoning*

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

- a) Proposed unit square-footage(s): 3,000 square feet
- b) Proposed building architecture: Traditional/Craftsman
- c) List all requested variances: _____
 (1) Reduce front setback from 35 feet to 25 feet;
 (2) Increase rear setback from 30 feet to forty feet.

.....
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). 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.