

APPLICANT/AGENT

BUILDING SETBACK REQUIREMENTS:

SIDE - 5' (15' BETWEEN STRUCTS)
MAJOR SIDE - 25'

NO REMEDIATION HAVE BEEN FOUND TO BE LOCATED ON THIS SITE.
IF ANY WETLANDS EXIST ON SITE, NONE SHALL BE DISTURBED WITHOUT

NO ARCHEOLOGICAL LANDMARKS HAVE BEEN FOUND TO BE LOCATED ON THIS PROPERTY.

ALL PROPOSED DEVELOPMENT TO BE BUILT IN ACCORDANCE WITH

ALL EXISTING STRUCTURES TO BE REMOVED.

100

1301 SHILOH ROAD, SUITE 1210, KENNESAW, GA. 30144
PHONE: (770) 424-0028 FAX: (770) 424-2399

APPLICANT/AGENT

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MAJOR SIDE - 25'

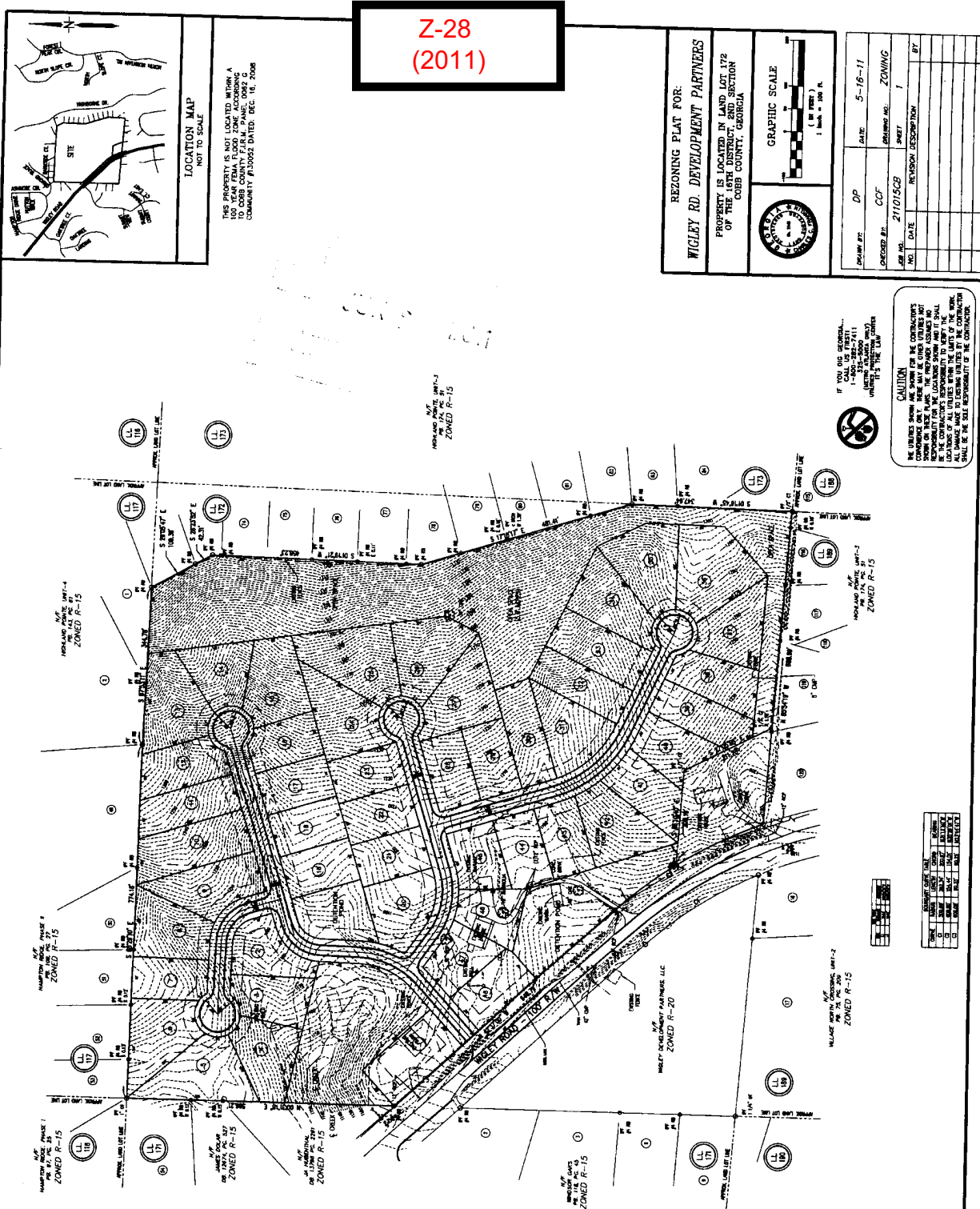
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Z-28
(2011)

WIGLEY RD. DEVELOPMENT PARTNERS

PROPERTY IS LOCATED IN LAND LOT 172
OF THE 16TH DISTRICT, 2ND SECTION
COBB COUNTY, GEORGIA

CCF	ZONING

NO.	DATE	REVISION DESCRIPTION	BY

[illegible]

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APPLICANT: Brooks Chadwick Capital, LLC
404-281-4554

REPRESENTATIVE: John H. Moore 770-429-1499
Moore Ingram Johnson & Steele, LLP

TITLEHOLDER: Wigley Development Partners, LLC

PROPERTY LOCATION: On the northeasterly side of Wigley
Road, northwest of the intersection of Sandy Plains Road and
Wigley Road

ACCESS TO PROPERTY: Wigley Road

PHYSICAL CHARACTERISTICS TO SITE: Single-family
residence with detached barns on acreage

FUTURE LAND USE MAP: Low Density Residential

CONTIGUOUS ZONING/DEVELOPMENT

NORTH: R-15/Hampton Ridge and Highland Pointe Subdivisions

SOUTH: R-15/Highland Pointe Subdivision and R-30/Single-family Residence

EAST: R-15/Highland Pointe Subdivision

WEST: R-15/Hampton Ridge Subdivision

PETITION NO: Z-28

HEARING DATE (PC): 08-02-2011

HEARING DATE (BOC): 08-16-2011

PRESENT ZONING: R-30

PROPOSED ZONING: R-15

PROPOSED USE: Single-Family
Subdivision

SIZE OF TRACT: 31.96 acres

DISTRICT: 16

LAND LOT(S): 172

PARCEL(S): 1

TAXES: PAID ☒ DUE ☐

COMMISSION DISTRICT: 3

OPPOSITION: No. **OPPOSED:** ____ **PETITION No.:** ____ **SPOKESMAN:** ____

PLANNING COMMISSION RECOMMENDATION

APPROVED ____ **MOTION BY** ____

REJECTED ____ **SECONDED** ____

HELD ____ **CARRIED** ____

BOARD OF COMMISSIONERS DECISION

APPROVED ____ **MOTION BY** ____

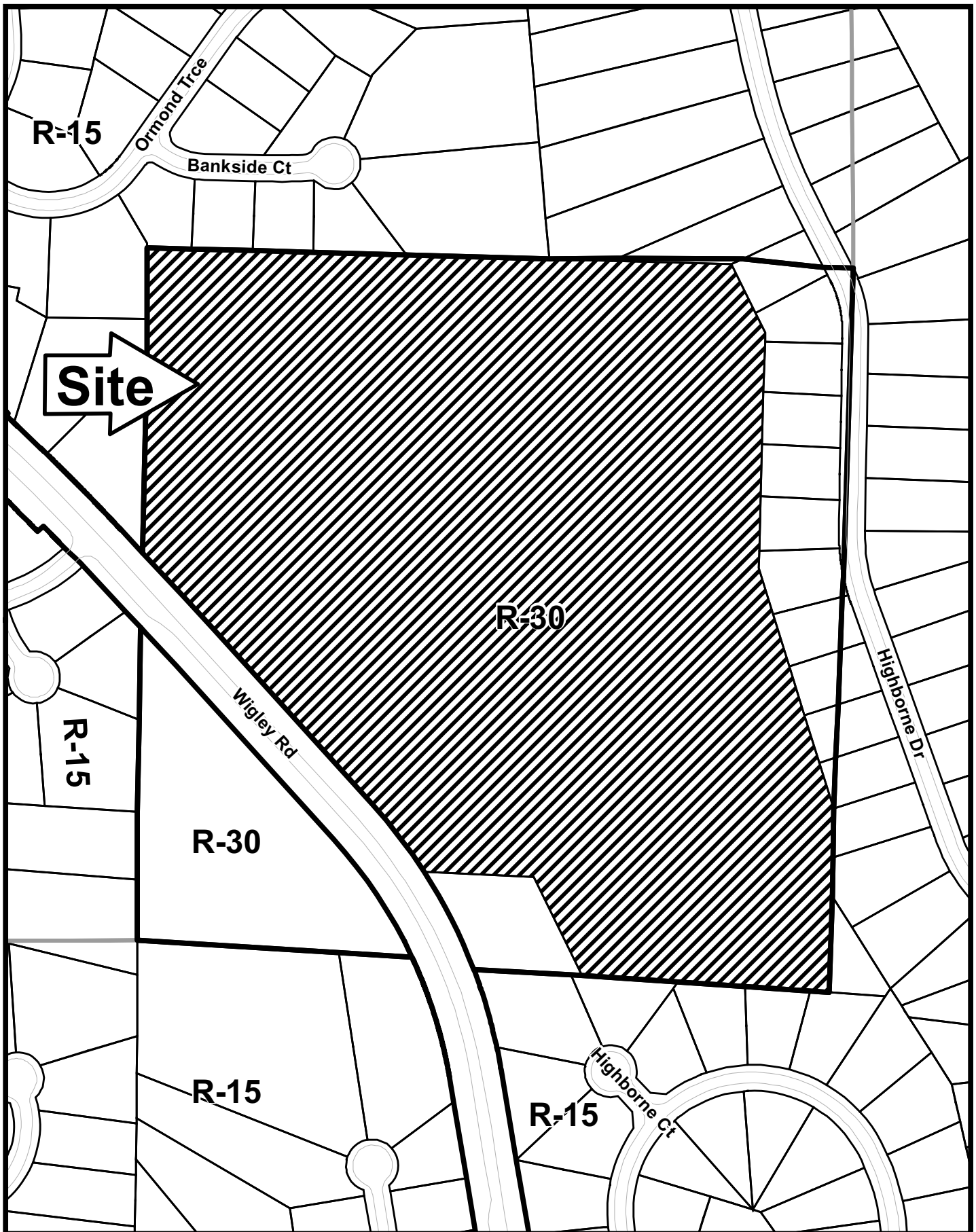
REJECTED ____ **SECONDED** ____

HELD ____ **CARRIED** ____

STIPULATIONS:



Z-28



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

200 0 200 Feet



City Boundary
Zoning Boundary

APPLICANT: Brooks Chadwick Capital, LLC

PETITION No.: Z-28

PRESENT ZONING: R-30

PETITION FOR: R-15

ZONING COMMENTS:

Staff Member Responsible: Jason A. Campbell

Land Use Plan Recommendation: <u>Low Density Residential (1-2.5 units per acre)</u>			
Proposed Number of Units:	<u>48</u>	Overall Density:	<u>1.5</u> Units/Acre
Present Zoning Would Allow:	<u>35</u>	Units Increase of:	<u>13</u> Units/Lots

Applicant is requesting the R-15 category in order to develop a 48-lot single-family residential subdivision. The proposed houses will be traditional with a minimum house size of 2,500 square feet, with prices ranging from \$400,000 to \$600,000. The proposed site plan indicates a five-acre open space along the eastern and southern property boundaries.

Applicant is requesting to reduce the front setbacks from the required 35 feet to 25 feet and reducing the required 10-foot side setbacks to five feet, with 15 feet between structures.

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.

Cemetery Preservation: No comment.

APPLICANT: Brooks Chadwick Capital, LLC

PETITION No.: Z-28

PRESENT ZONING: R-30

PETITION FOR: R-15

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 Brooks Chadwick Capital, LLC

PETITION NO. Z-028

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): ***16" DI / E side Wigley Rd***

Additional Comments: Sweat Mountain High Service Area

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: ***In Wigley Rd approx 200' N of site***

Estimated Waste Generation (in G.P.D.): **A D F** 19200 **Peak=** 48000

Treatment Plant: **Noondav**

Plant Capacity: ☒ Available ☐ Not Available

Line Capacity: ☒ Available ☐ Not Available

Projected Plant Availability: ☒ 0 - 5 years ☐ 5 - 10 years ☐ over 10 years

Drw 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: Brooks Chadwick Capital. LLC

PETITION NO.: Z-28

PRESENT ZONING: R-30

PETITION FOR: R-15

DRAINAGE COMMENTS

FLOOD HAZARD: ☒ YES ☐ NO ☐ POSSIBLY, NOT VERIFIED

DRAINAGE BASIN: _____ FLOOD HAZARD INFO:

- ☐ 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 existing stream.**

- ☒ 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 CONDITION

- ☒ 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 the two downstream receiving systems, including the two existing culvert capacities under Wigley Road.

APPLICANT: Brooks Chadwick Capital. LLC

PETITION NO.: Z-28

PRESENT ZONING: R-30

PETITION FOR: R-15

DRAINAGE 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 within R/W 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 north of Wigley Road at the base of Sweat Mountain, just below Highland Point and Hampton Ridge subdivisions. Slopes on the site range from moderate to very steep. Approximately forty percent of the overall site has slopes greater than or equal to 25%. About 10 percent (5 acres) of this area is proposed as open space. The site has two primary discharge points, one near the southwest corner of the site and one just west of the existing residential driveway.
2. Although this plan is significantly better than the previous plan proposed for this site, the small (15,000 sf) lots and 80 foot lot widths will make controlling lot-to-lot drainage difficult on this steeply sloped property. Although the surrounding parcels are zoned R-15, the topography of the site would be better suited for larger lot areas or at least minimum lot widths of 100 feet to allow room for the required drainage easements and grading to facilitate inter-lot drainage.
3. As a minimum, no grading should be allowed within the designated open space area and individual lot grading plans required for all lots significantly impacted by steep (25%) slopes. For the current layout, this would include lots 4, 8, 12 – 16, 24 – 27 and 30 – 38.

APPLICANT: Brooks Chadwick Capital, LLC

PETITION NO.: Z-28

PRESENT ZONING: R-30

PETITION FOR: R-15

TRANSPORTATION COMMENTS

The following comments and recommendations are based on field investigation and office review of the subject rezoning case:

ROADWAY	AVERAGE DAILY TRIPS	ROADWAY CLASSIFICATION	SPEED LIMIT	JURISDICTIONAL CONTROL	MIN. R.O.W. REQUIREMENTS
Wigley Road	13200	Arterial	45 mph	Cobb County	100'

Based on 2007 traffic counting data taken by Cobb County DOT (Wigley Road)

COMMENTS AND OBSERVATIONS

Wigley 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.

RECOMMENDATIONS

Recommend installing curb, gutter, and sidewalk along the road frontages.

Recommend a deceleration lane at the proposed entrance.

Recommend a left turn lane on Wigley Road at the proposed entrance.

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

Recommend applicant coordinate with the County prior to development plan approval to ensure compatibility with the Wigley Road safety improvement construction project.

Recommend applicant be required to meet all Cobb County Development Standards and Ordinances related to project improvements.

STAFF RECOMMENDATIONS

Z-28 BROOKS CHADWICK CAPITAL, 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. Abutting properties are also zoned R-15 for single-family residential subdivisions, with densities ranging from 1.26 units per acre to approximately 1.9 units per acre.
- 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. Abutting properties are also zoned R-15 and the applicant's density of 1.5 units per acre is compatible with surrounding subdivisions.
- 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 land use category. Low Density Residential has a range of 1 – 2.5 units per acre. Applicant's proposal indicates 1.5 units per acre, well within the Low Density Residential range and within the range of the existing subdivisions abutting the subject property.
- 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. Nearby and abutting subdivisions are also zoned R-15 and have densities ranging from 1.26 to approximately 1.9 units per acre. Applicant's proposal of 1.5 units per acre is within that range.

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

- Site plan received by the Zoning Divison on June 2, 2011, indicating front setbacks of 25 feet and larger rear setbacks of 40 feet, side setbacks of five feet with 15 feet between structures, with the District Commissioner making minor modifications;
- Water and Sewer comments and recommendations;
- Stormwater Management Division comments and recommendations; and
- DOT 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.

Application No. z- 28
(2011)
Aug.

Summary of Intent for Rezoning*

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

- a) Proposed unit square-footage(s): Minimum 2,500 square feet
b) Proposed building architecture: Traditional
c) Proposed selling prices(s): Range of \$400,000-\$600,000
d) List all requested variances: Reduction of front setbacks by 10 feet and
add 10 feet to the rear setbacks; 5 foot side setbacks with 15 feet
between structures
.....

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

- a) Proposed use(s): Not Applicable
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 herein at any time during the rezoning process.**