

Z-42
(2012)

A PORTION OF THIS PROPERTY IS LOCATED WITHIN
A FEMA 100 YEAR FLOOD ZONE ACCORDING
TO COBB COUNTY F.I.R.M. PANEL 0133 G
COMMUNITY #130052 DATED: DEC. 16, 2008

TRACT CONTAINS:
6.59 ACRES
PROPERTY ADDRESS:
590 & 570 WOODLAWN DRIVE
MARIETTA, GEORGIA 30062

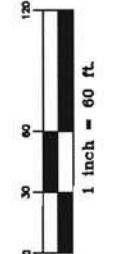
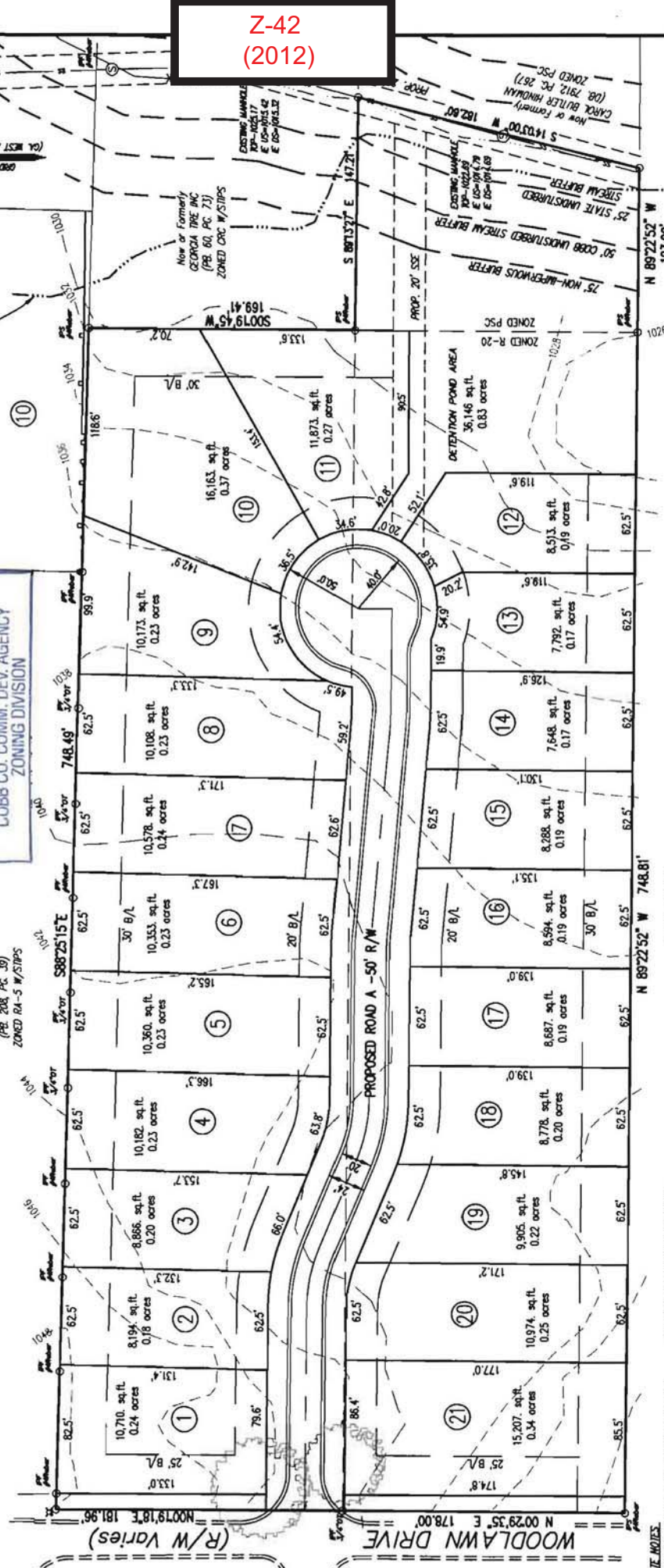
ZONING CONCEPTUAL PLAN FOR:
BROOKS CHADWICK CAPITAL, LLC

BEING A PORTION OF LOT 4 AND 5
OF THE MRS. JOHN SAULS ESTATE
PROPERTY IS LOCATED IN LAND LOT 70
IN THE 1ST DISTRICT, 2ND SECTION
COBB COUNTY, GEORGIA
SCALE: 1" = 60' DATE: AUG. 8, 2012



Now or Formerly
WOODLAWN WALK S/D
(PRE. 208, PG. 39)
ZONED RA-5 W/STIPS

ZONE A FLOOD PLAN
PER FEMA MAP
NUMBER 130670013G



1 inch = 60 ft.

Now or Formerly
CAROL BUTLER HINDMAN
(08. 7912, PG. 267)
ZONED R-20

BUILDING SETBACK REQUIREMENTS:
(UNLESS OTHERWISE SHOWN)
SETBACK OFF WOODLAWN DRIVE - 25'
SETBACK OFF FRONT - 20'
SETBACK OFF REAR - 30'
SIDE - 5' (15' BETWEEN BOUNDS)

SITE NOTES:
PROPOSED USE: SINGLE FAMILY RESIDENTIAL
CURRENT ZONING - R-20 & PSC
PROPOSED ZONING - RA-5
TOTAL AREA - 6.59 ACRES
TOTAL LOTS - 21
OVERALL DENSITY - 1.19 LOTS PER ACRE
MINIMUM LOT SIZE - 7,000 SQ.FT.

Centerline Surveying Systems, Inc.
1301 SHILOH ROAD, SUITE 1210, KENNESAW, GA 30144
PHONE: (770) 424-0028 FAX: (770) 424-3389
712002C6A.F

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

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

TITLEHOLDER: Wilce Frasier, Jr. and Carol Hindman Butler

PROPERTY LOCATION: On the east side of Woodlawn Drive,
south of Lower Roswell Road
(570 and 590 Woodlawn Drive).

ACCESS TO PROPERTY: Woodlawn Drive

PHYSICAL CHARACTERISTICS TO SITE: Existing single-family
house on each parcel

CONTIGUOUS ZONING/DEVELOPMENT

- NORTH:** RA-5/Woodlawn Walk Subdivision
- SOUTH:** R-20/Single-family house
- EAST:** CRC/Tire Store and GC/Convenience Store with Fuel Sales
- WEST:** RA-4/Whitehall Subdivision and RA-4/Single-family house

PETITION NO: Z-42

HEARING DATE (PC): 10-02-12

HEARING DATE (BOC): 10-16-12

PRESENT ZONING: R-20, PSC

PROPOSED ZONING: RA-5

PROPOSED USE: Subdivision

SIZE OF TRACT: 6.07 acres

DISTRICT: 1

LAND LOT(S): 70

PARCEL(S): 17

TAXES: PAID X **DUE** _____

COMMISSION DISTRICT: 2

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

PLANNING COMMISSION RECOMMENDATION

APPROVED _____ **MOTION BY** _____

REJECTED _____ **SECONDED** _____

HELD _____ **CARRIED** _____

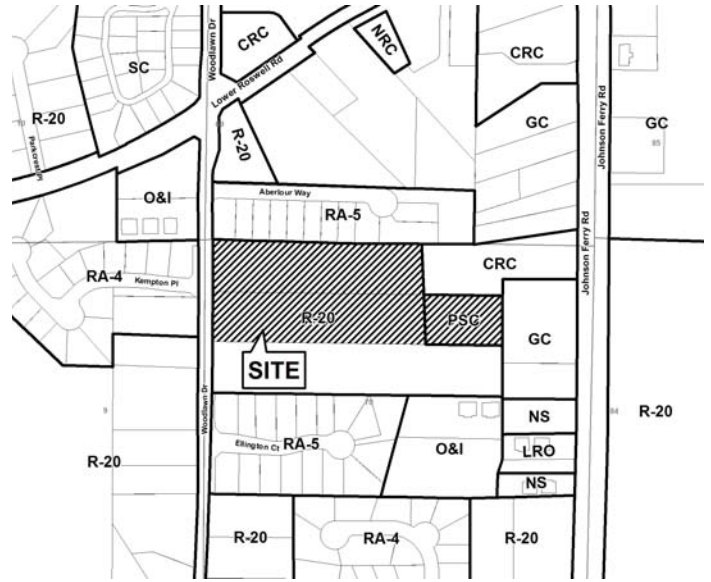
BOARD OF COMMISSIONERS DECISION

APPROVED _____ **MOTION BY** _____

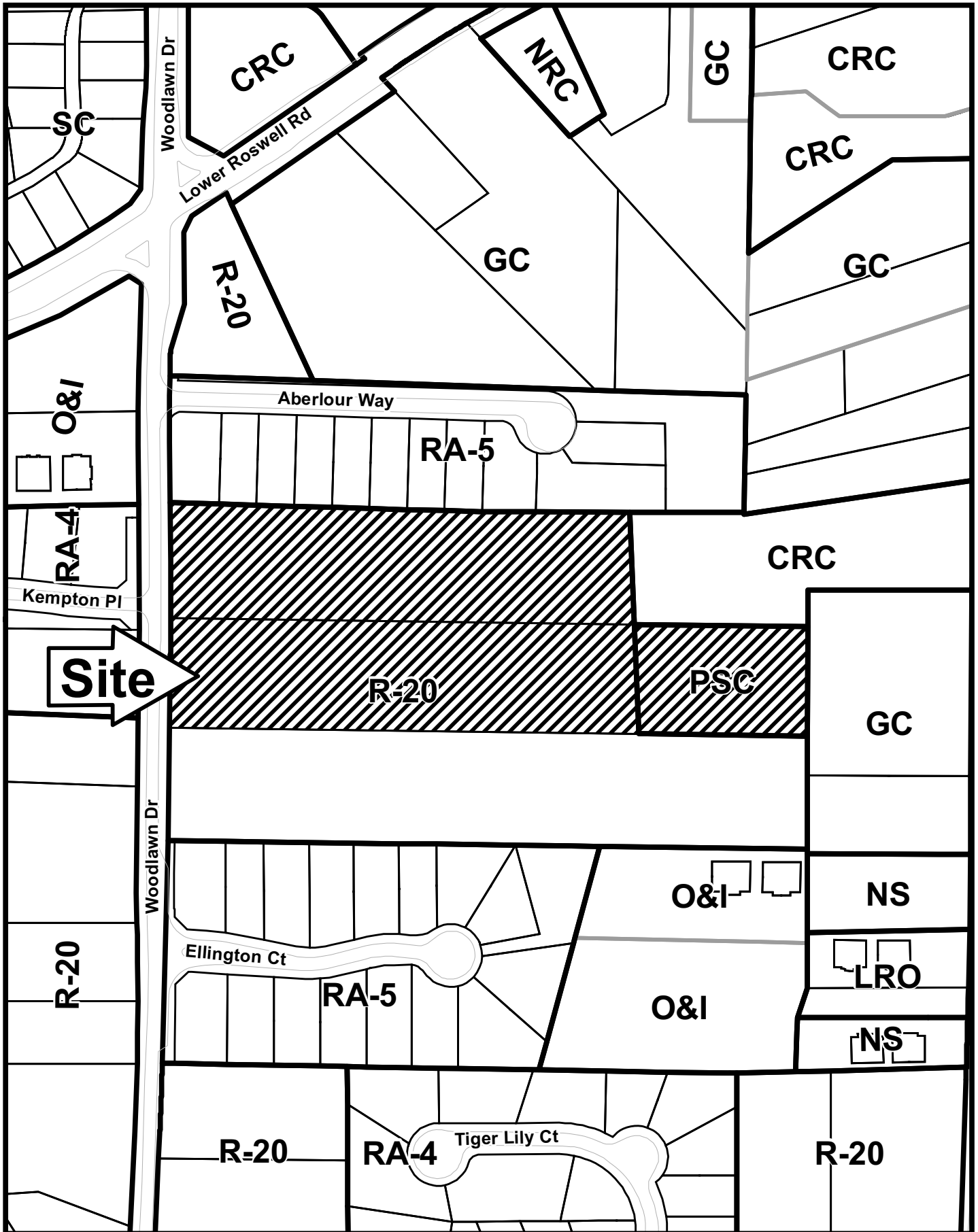
REJECTED _____ **SECONDED** _____

HELD _____ **CARRIED** _____

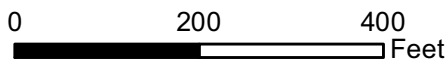
STIPULATIONS:





Z-42



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



-  City Boundary
-  Zoning Boundary

APPLICANT: Brooks Chadwick Capital, LLC

PETITION NO.: Z-42

PRESENT ZONING: R-20, PSC

PETITION FOR: RA-5

ZONING COMMENTS:

Staff Member Responsible: Jason A. Campbell

Land Use Plan Recommendation: Medium Density Residential (2.5 – 5 units per acre)

Proposed Number of Units: 21 Overall Density: 3.19 Units/Acre

Present Zoning Would Allow: 11 Units Increase of: 10 Units/Lots

Applicant is requesting the RA-5 zoning category for the purpose of developing a 21-lot single-family subdivision. The houses will be traditional/European and start at a minimum of 2,500 square feet and will range in price from \$700,000 and greater. The road for the proposed development will be a public road.

Applicant will need a contemporaneous variance to waive the exterior rear setbacks from the required 40 feet to 30 feet.

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.

PLANNING COMMENTS:

The applicant is requesting a rezoning from R-20 to RA-5 for purposes of a subdivision. The 6.07 acre site is located on the east side of Woodlawn Drive, south of Lower Roswell Road.

Comprehensive Plan

The parcel is within a Medium Density Residential (MDR) future land use category, with GC zoning designation. The purpose of the MDR category is to provide for areas that are suitable for moderate density housing between two and one-half (2.5) and five (5) dwelling units per acre.

Master Plan/Corridor Study

Not applicable.

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?

Yes No Not applicable

APPLICANT: Brooks Chadwick Capital, LLC.

PETITION NO.: Z-42

PRESENT ZONING: R-20, PSC

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>Mount Bethel</u>	<u>989</u>	<u>Under</u>	<u> </u>
Elementary <u>Dickerson</u>	<u>1,207</u>	<u>Over</u>	<u> </u>
Middle <u>Walton</u>	<u>2,636</u>	<u>Over</u>	<u> </u>

High

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

Additional Comments:

Approval of this petition could adversely impact the enrollment at Dickerson Middle School and Walton High School, both of which are over enrollment at this time.

FIRE COMMENTS:

HYDRANT: Show fire hydrants arranged to have a hydrant available for the distribution of hose to any portion of any building on premises at distances not exceeding 500 feet (driving distance). Hydrants shall be at least 40 feet from the building (steamer connection facing street) (NFPA 24-7.2.3). Fire hydrants shall be spaced not more than 500 feet apart. Hydrants shall not be connected to water lines on the positive side (discharge side) of a fire pump. Minimum 8” supply lines to all hydrants.

GUEST PARKING: When projects contemplate less than 20 foot separation between units, guest parking shall be provided or the streets shall be labeled as a fire lane.

APPLICANT Brooks Chadwick Capital, LLC

PETITION NO. Z-042

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): *12" DI / E side of Woodlawn Drive*

Additional Comments: CCMWA must approve any road improvements that may impact their transmission line on E / side of Woodlawn Dr.

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: *At site along stream at eastern property line*

Estimated Waste Generation (in G.P.D.): **ADF** 3200 **Peak=** 8000

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

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 Proposed 20-lot subdivision
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-42

PRESENT ZONING: R-20

PETITION FOR: RA-5

STORMWATER MANAGEMENT COMMENTS

FLOOD HAZARD: YES NO POSSIBLY, NOT VERIFIED

DRAINAGE BASIN: Powers 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 - need to keep residential buildings out of hazard.

WETLANDS: YES NO POSSIBLY, NOT VERIFIED

Location: along stream and associated buffer

- 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 neighborhoods downstream.
- Project engineer must evaluate the impact of increased volume of runoff generated by the proposed project on the receiving stream.

APPLICANT: Brooks Chadwick Capital, LLC

PETITION NO.: Z-42

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. The majority of the site, 4.29 acres, drains to the east directly to Powers Creek which flows along the eastern boundary of the site. The remainder of the site drains to the southeast to the Woodlawn Drive right-of-way. The proposed plan will direct almost the entire site to the proposed stormwater management facility located at the easternmost portion of the site adjacent to Powers Creek.
2. A 20-foot drainage easement will be required along the rear of lots 10-20 to ensure that all site runoff will be directed to the proposed detention pond.

APPLICANT: Brooks Chadwick Capital, LLC

PETITION NO.: Z-42

PRESENT ZONING: R-20

PETITION FOR: RA-5

COBB COUNTY DEPARTMENT OF TRANSPORTATION RECOMMENDATIONS

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
Woodlawn Drive	5500	Minor Collector	35 mph	Cobb County	60'

Based on 2009 traffic counting data taken by Cobb County DOT (Woodlawn Drive)

COMMENTS AND OBSERVATIONS

Woodlawn Drive is classified as a minor collector 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 of 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 Woodlawn Drive, a minimum of 30' from the roadway centerline.

Recommend curb, gutter, and sidewalk along Woodlawn Drive frontage.

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

Recommend a deceleration lane on Woodlawn Drive for the 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 of 390 feet.

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

STAFF RECOMMENDATIONS

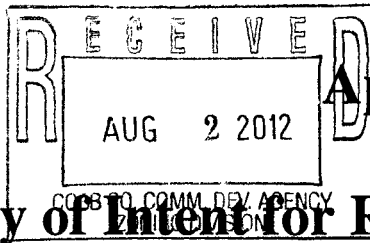
Z-42 BROOKS CHADWICK CAPITAL, LLC.

- 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. Other properties in the area are similarly zoned for single-family subdivisions.
- 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. Adjacent and nearby properties are also zoned for cluster single-family residential 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 Medium Density Residential (MDR) land use category with densities ranging from 2.5 to 5 units per acre. Applicant's proposal fits this scenario and actually indicates a density of 3.19 units per acre. Other similarly zoned properties have densities ranging from 2.65 to 3.3 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. The requested zoning is compatible with the land use plan and the proposed density falls in the range of other similarly zoned subdivisions in the area.

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

- Amended site plan received by the Zoning Division on August 10, 2012, with the District Commissioner approving minor modifications;
- Fire Department comments and recommendations;
- Water and Sewer comments and recommendations;
- Stormwater Management comments and recommendations;
- DOT comments and recommendations; and
- 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-42
(2012)

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/European
 - c) Proposed selling prices(s): \$400,00 and greater
 - d) List all requested variances: None known at this time
- _____
- _____
- _____

.....
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 herein, or within the Application for Rezoning, at any time during the rezoning process.**