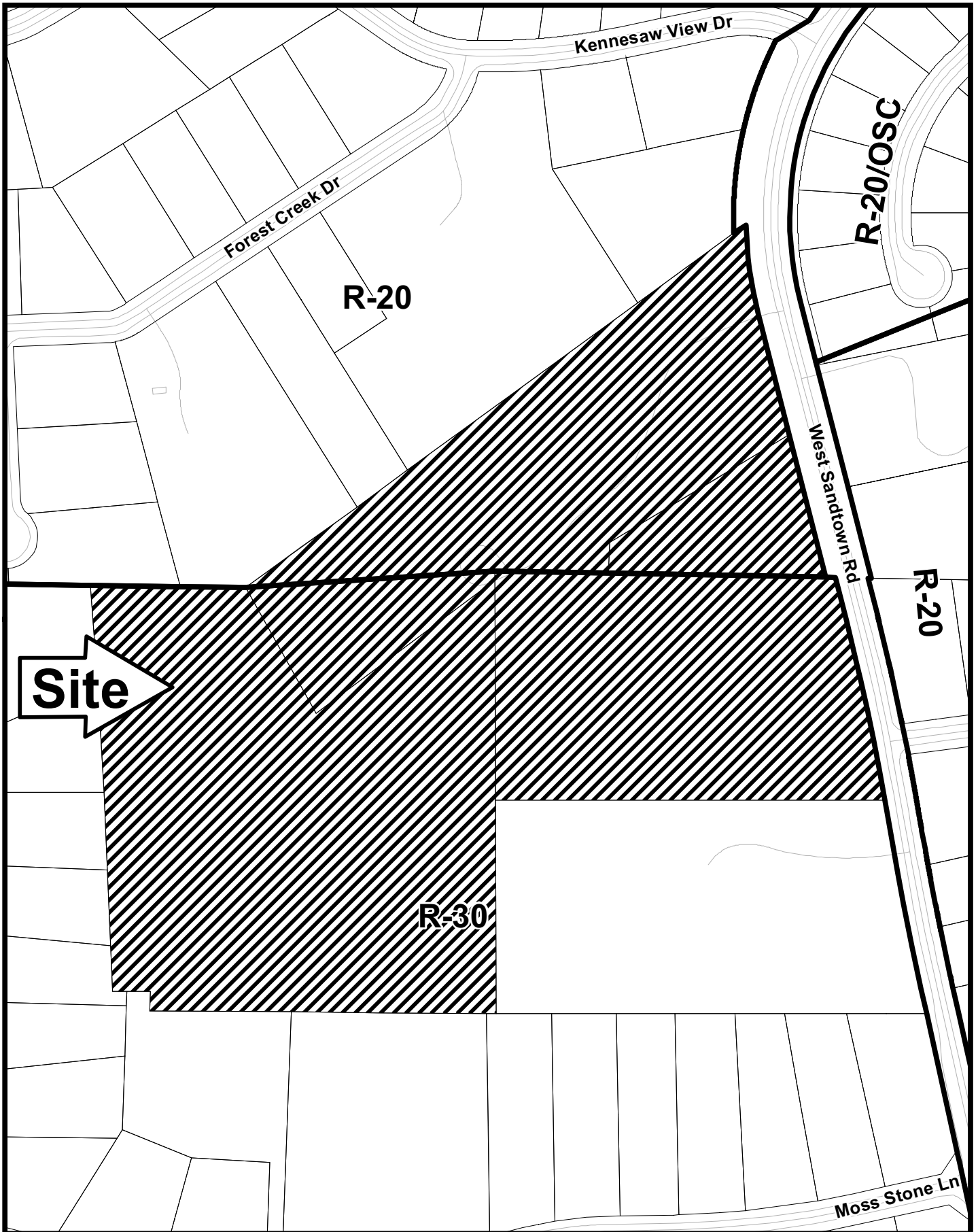
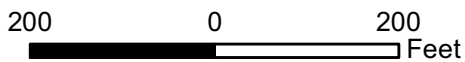




Z-33



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



-  City Boundary
-  Zoning Boundary

APPLICANT: Blake Properties, Inc.

PETITION NO.: Z-33

PRESENT ZONING: R-20 and 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: 32 **Overall Density:** 1.68 **Units/Acre**

Present Zoning Would Allow: R-20/12 Units **Increase of:** 7 **Units/Lots**

R-30/13 Units

Applicant is requesting the R-20/Open Space Community (OSC) zoning category for the purpose of developing a single-family detached subdivision. The proposed houses will range in size from 2,700 square feet to 4,500 square feet. The houses will be traditional with all four sides of each home consisting of a mixture of either brick, stone, hardy plank or hardy shake. The prices will range from \$350,000 to \$500,000. The revised site plan received by the Zoning Division on May 8, 2013, indicates 8.12 acres as open space for the development, which is 38.8%, as opposed to the required 35%. The plan also indicates rear setbacks of 35 feet on the northern property lines, same as abutting R-20 properties; and 40 feet along the southern property lines, the same for the abutting R-30 properties.

Cemetery Preservation: No comment.

APPLICANT: Blake Properties, Inc.

PETITION NO.: Z-33

PRESENT ZONING: R-20 and 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>Still Elementary</u>	<u>735</u>	<u>Under</u>	<u> </u>
<u>Lovinggood Middle</u>	<u>1,331</u>	<u>Over</u>	<u> </u>
<u>Hillgrove High</u>	<u>2,139</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 affect the enrollment at Lovinggood Middle School and Hillgrove High Schools, both of which are over capacity at this time.

FIRE COMMENTS:

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: Blake Properties, Inc.

PETITION NO.: Z-33

PRESENT ZONING: R-20 and R-30

PETITION FOR: R-20/OSC

PLANNING COMMENTS:

The applicant is requesting a rezoning from R-20 and R-30 to R-20/OSC for purpose of single-family detached residential subdivision. The 20.91 acre site is located on the west side of West Sandtown Road, southwest of Dallas Highway, across from Old Dallas Road.

Comprehensive Plan

The parcel is within a Very Low Density Residential (VLDR) future land use category, with R-20 and R-30 zoning designations. 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.

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?

OSC Comments

Date: **June 7, 2013**

Contact: Philip Westbrook

(770) 528-2014

Property Location: 300 West Sandtown Rd.

Land Lot/District: 22, 23, 322, 323 / 19, 20

Current Zoning: R-20 & R-30

Proposed Use: R-20 OSC

Total Area: 20.91

Floodplain/Wetland Area/Cemetery: 1.87

Net Buildable Area: 19.04

Base Density Allowed: 1.75 upa

Base Density Allowed w/Bonus: 1.92 upa

Proposed Lots: 32

Net Density: 1.68 upa

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

APPLICANT: Blake Properties, Inc.

PETITION NO.: Z-33

PRESENT ZONING: R-20 and R-30

PETITION FOR: R-20/OSC

PLANNING COMMENTS:

OSC Comments (Continued)

Open Space Requirement: 7.32 acres or 35% for Bonus 8.05 acres or 38.5%

Open Space Provided: 8.11 acres or 38.8%

Percentage of Open Space within Floodplain, Wetlands, & Lakes w: 23%

Setbacks:

Front: 20'

Rear: 20' – R-30 setback 40', R-20 setback 35'

Side: 5'

Comments:

1. Precedent has been set that in this area of the county lots within OSC communities have not been smaller than 10,000 square feet. Staff recommends increasing lots 3 through 7 and 14 through 17 to greater than 10,000 square feet.
2. Applicant should incorporate larger lots to the exterior of development and design smaller lots to the interior.
3. As another form of privacy barrier staff recommends installing a 6' high green, black or brown chain link fence between the open space and lots 1 through 12 and 13 through 19.
4. For all lots contiguous to open space please include 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.
5. Must have Cobb Department of Transportation approved lighting plan in if outdoor lighting (except individual residential lots) is proposed
6. Provide architectural renderings and description of the façade treatments that will be used on the proposed housing units
7. 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.

APPLICANT Blake Properties, Inc.

PETITION NO. Z-033

PRESENT ZONING R-20, 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): **6" AC / E side of West Sandtown 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: **Approx. 400' S in Moss Stone Lane ROW**

Estimated Waste Generation (in G.P.D.): **ADF 5120 Peak= 12800**

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

Drv 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: Blake Properties , Inc.

PETITION NO.: Z-33

PRESENT ZONING: R-20 & R-30

PETITION FOR: R-20 OSC

STORMWATER MANAGEMENT COMMENTS

FLOOD HAZARD: YES NO POSSIBLY, NOT VERIFIED

DRAINAGE BASIN: Trib to Mud 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: adjacent to existing stream and onsite lake

- 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 within Stillwaters Subdivision.
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 receiving stream and downstream lake.

APPLICANT: Blake Properties, Inc.

PETITION NO.: Z-33

PRESENT ZONING: R-20 & R-30

PETITION FOR: R-20 OSC

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 placed within the existing lake bed must be performed 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 just west of West Sandtown Road on an unnamed tributary to Mud Creek. The entire site drains to creek which bisects the western half of the site. There is a small existing farm pond (~1/3 acre) located near the center of the site.
2. The proposed plan shows the elimination of the existing farm pond. The water quality benefit and storage effect of the existing pond must be recreated in the proposed stormwater management facility.
3. A footbridge across the creek is proposed to provide trail access to the open space area to the west of the stream. A hydraulic analysis will be required to provide an no-rise certification for this structure. No approach fill within the floodplain will be allowed.

APPLICANT: Blake Properties, Inc.

PETITION NO.: Z-33

PRESENT ZONING: R-20 and R-30

PETITION FOR: R-20/OSC

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
West Sandtown Road	5000	Major Collector	45 mph	Cobb County	80'

Based on 2008 traffic counting data taken by Cobb DOT (West Sandtown Road)

COMMENTS AND OBSERVATIONS

West Sandtown Road is classified as a major 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 west side of West Sandtown Road, a minimum of 40' from the roadway centerline.

Recommend curb, gutter, and sidewalk for the West Sandtown Road frontage.

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

Recommend a deceleration lane on West Sandtown Road for the entrance.

Recommend removing and closing driveway apron along West Sandtown Road frontage that development renders unnecessary.

Recommend applicant verify that minimum intersection sight distance is available for West Sandtown Road access and if it is not, implement remedial measures, subject to the Department's approval, to achieve the minimum requirement of 500 feet.

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

STAFF RECOMMENDATIONS

Z-33 BLAKE PROPERTIES, INC.

- 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. A nearby development, Rosemont Park, was rezoned to R-20/OSC in 2003 (Z-158) on 13.49 acres.
- 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. Applicant's proposed site plan indicates a density of 1.68 units per acre, which is similar to other developments in the area.
- 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 Very Low Density Residential (VLDR) land use category with densities ranging from 0-2 units per acre. Applicant's proposed site plan illustrates a net density of 1.68 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. While the proposed density is within the VLDR land use range of 0-2 units per acre, the R-20/OSC previously approved in the area (Rosemont Park) has a density of 2.08 units per acre and the lot sizes are all 10,000 square feet or larger. Densities in the area range from approximately 0.45 units per acre (Stillwaters Units I & II, zoned R-30); to 1.02 units per acre (Stonebridge at Mud Creek, zoned R-30); to approximately 1.57 units per acre (Mountain Breeze Estate, zoned R-20); to approximately 1.87 units per acre (Mountain Breeze Estate, Section 4, zoned R-20); and finally, the previously mentioned 2.08 units per acre for Rosemont Park, zoned R-20/OSC.

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

- District Commissioner to approve final site plan;
- OSC Comments in Planning Staff Analysis dated June 7, 2013;
- Fire Department comments and recommendations;
- Water and Sewer comments and recommendations;
- Stormwater Management Division 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.

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Application No. z-33

July 2013

Summary of Intent for Rezoning *

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

- a) Proposed unit square-footage(s): 2,700 sq. ft. - 4,500 sq. ft.
- b) Proposed building architecture: Traditional with all four sides of each home consisting of a mixture of either brick, stone, hardy plank or hardy shake.
- c) Proposed selling prices(s): \$350,000.00 - \$500,000.00
- d) List all requested variances: None 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: _____

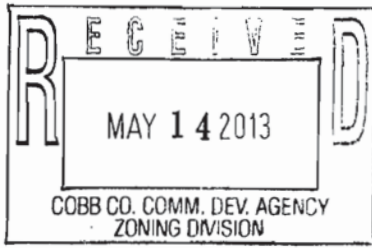
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Part 3. Other Pertinent Information (List or attach additional information if needed)

The subject property is located in an area denominated as Very Low Density Residential (VLDR) which contemplates densities ranging up to 2 units per acre. Additionally, the subject property is directly across West Sandtown Road from an existing R-20 OSC Community.

.....
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).

*The Applicant reserves the right to amend the Summary of Intent for Rezoning and the preliminary information provided therein at any time during the rezoning process.



Application No. Z-33
PC Hearing Date: July 8, 2013
BOC Hearing Date: July 16, 2013

OSC NARRATIVE ANALYSIS

On behalf of Blake Properties, Inc., we have submitted a proposed Master Planned Single-Family Residential Community in West Cobb County which is located south of the intersection of West Sandtown Road and Dallas Highway. This plan is being submitted as a 20.91 acre Community and Blake Properties is planning to build Single Family Homes ranging in size from 2,700 sq. ft. to 4,500 sq. ft. with proposed price points ranging from \$350,000.00 to \$500,000.00.

The subject property has varying topography with Mud Creek entering the property from the northwestern boundary and exiting out of the subject property at the southwestern border. There is a spring-fed pond located roughly in the center of the property which feeds into Mud Creek. The creek has a fifty foot (50') undisturbed buffer and is within the one-hundred (100) year flood plain. The proposal includes draining the pond and leaving the spring to feed into Mud Creek as a stream with appropriate buffers. Vegetative cover on the side consists of open pasture and deciduous tree cover.

Currently, 6.81 acres of the subject property are zoned R-20 and 12.23 acres are zoned R-30. In view of the fact that the property lends itself to preserving that portion of the property west of Mud Creek, the OSC category is appropriate for the site. Moreover, there is a higher density R-20 OSC Subdivision directly across West Sandtown Road from the subject property.

The total amount of Open Space needed to qualify for OSC for this property is 35% of the total site area. However, the total amount of open space provided is 38.8% (8.12 acres) which qualifies the Applicant to secure a maximum density with a bonus up to 1.92 units per acre. However, Blake Properties, Inc. has, instead, Master Planned the subject property for a total number of thirty-two (32) lots at a density of 1.68 units per acre which is below the 1.75 units per acre which would be the allowable density under a straight R-20.

I. General site data for the project is as follows:

Total site area: 20.9 acres (1.87 acres in flood plain)

Total lots shown: 32

Net density: 1.68 units per acre

Present zoning: R-20 & R-30

Proposed zoning: R-20 OSC

Minimum space between structures: 15 feet

Minimum lot width at Building Line: 65 feet

Building setbacks:

Front: 20 feet

Rear: 20 feet

Side: 5 feet (15 feet between homes)

II. Density/Open Space Calculations

Site area:

R-20 – 6.81 acres

R-30 – 12.23 acres (14.1 acres less 1.87 acres in flood plain)

R-20 Maximum Base Density: 1.75 units per acre X 19.04 acres = 33.32 units

R-20 Maximum Density with Bonus: 1.92 units X 19.04 acres = 36.56 units

R-20 OSC Actual Density per Site Plan: 32 Lots on 19.4 acres consisting of a density of 1.68 units per acre.