

APPLICANT: Century Partners, LLC	PETITION NO:	Z-44
404-256-2127	HEARING DATE (PC):	08-06-13
REPRESENTATIVE: Chris A. Weathers	HEARING DATE (BOC):	08-20-13
404-256-2127	PRESENT ZONING:	R-20, RA-4,
TITLEHOLDER: Century Partners, LLC		RA-5, LRO
	PROPOSED ZONING:	RA-5
PROPERTY LOCATION: Northeasterly intersection of Robinson		
Road and Sadlers Walk	PROPOSED USE: Reside	ntial Subdivision
(3711, 3731 Robinson Road).		
ACCESS TO PROPERTY: Robinson Road	SIZE OF TRACT:	2.673 acres
	DISTRICT:	16
PHYSICAL CHARACTERISTICS TO SITE: Two single-family	LAND LOT(S):	
houses		
	TAXES: PAID X DU	
CONTIGUOUS ZONING/DEVELOPMENT	COMMISSION DISTRICT	2

NORTH: O&I/Offices; LRO/House used as office; and RA-4/Glenside Subdivision

SOUTH: R-15/Single-family house

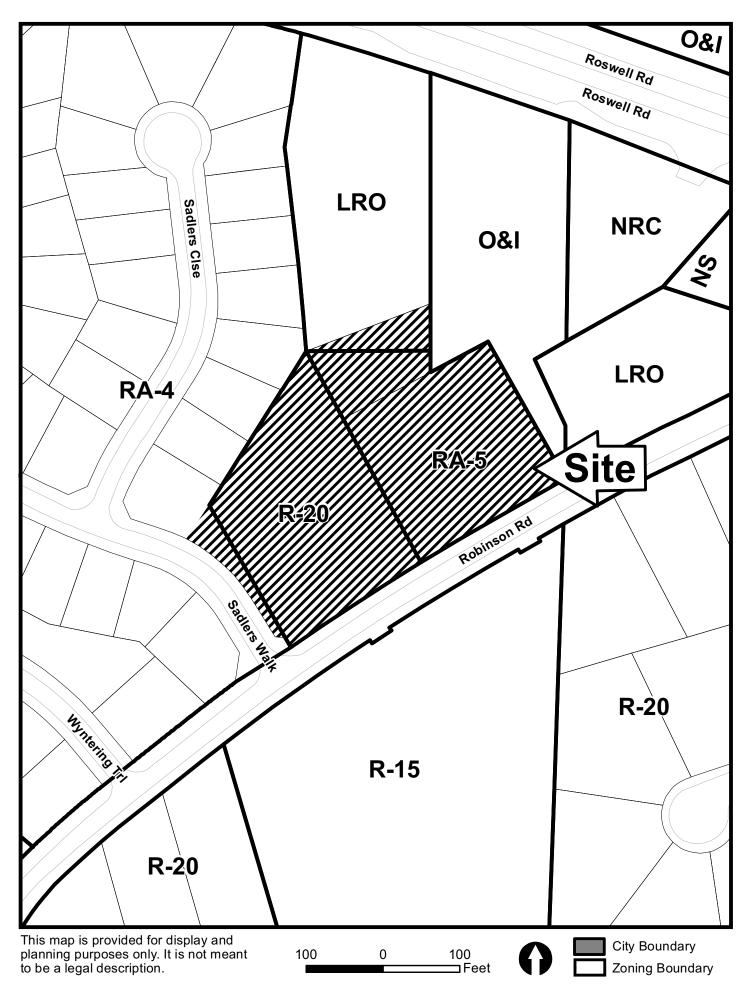
EAST: O&I/Offices

WEST: RA-4/Glenside Subdivision

OPPOSITION: NO. OPPOSED ____PETITION NO: ____SPOKESMAN _____

Canvasback Ct PLANNING COMMISSION RECOMMENDATION _______R-20 R-15 APPROVED____MOTION BY_____ REJECTED____SECONDED_____ 081 Roswell Rd Roswell Rd HELD____CARRIED_____ 0&1 LRO NAC NS GC LRO RA-4 0&1 **BOARD OF COMMISSIONERS DECISION** SITE APPROVED____MOTION BY_____ REJECTED SECONDED HELD____CARRIED____ 5 R-15 R-20 **STIPULATIONS:** Clubtan

Z-44



APPLICANT: Cent	tury Partners, LLC	PETITION NO.:	Z-44
PRESENT ZONING:	R-20, RA-4, RA-5, LRO	PETITION FOR:	RA-5
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ZONING COMMEN	TS: Staff Member Responsible:	Jason A. Campbell	
Land Use Plan Recon	mendation: Medium Density Resid	lential (2.5—5 units per acre	e)
Proposed Number of	Units: 11 Overal	Density: 4.12 Unit	ts/Acre
Present Zoning Woul	d Allow: <u>R-20</u> - 2/RA-5 - 7 Units	Increase of: 2	Units/Lots

Applicant is requesting the RA-5 zoning category for the purpose of developing an 11-lot single-family detached subdivision. The houses will be traditional and will be a minimum of 2,800 square feet. The price of the houses will range from \$500,000s to \$700,000s.

Applicant is requesting to be zoned to the site plan submitted to the Zoning Division on May 31, 2013, which indicates that variances are needed for the rear setbacks for lots 1 through 5 from the required 40 feet for exterior lots to 20 feet; and for lots 6-11 from the required 30 feet for interior lots to 20 feet. Also, a variance will be required for the major side setbacks (along Robinson Road) to waive the minimum requirement of 20 feet to 10 feet.

Cemetery Preservation: No comment.

APPLICANT:	Century l	Partners, LLC			PETI	TION	NO.:		Z-44	
PRESENT ZONI	ING:	R-20, RA-4, I	RA-5, LRO		PETI	TION	FOR:		RA-5	
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SCHOOL COMMENTS:

			Number of
		Capacity	Portable
Name of School	Enrollment	Status	Classrooms
East Side	1,181	Over	
Elementary Dodgen	1,188	Over	
Middle Walton	2,636	Over	

High

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

Additional Comments: Approval of this petition could seriously and adversely affect the enrollment at Walton High School, which is severely over capacity at this time, and it could adversely affect the enrollment at Dodgen Middle School, which is also over capacity at this time.

FIRE COMMENTS:

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.

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PLANNING COMMENTS:

The applicant is requesting a rezoning from R-20, RA-4, RA-5, and LRO to RA-5 for purpose of residential subdivision. The 2.673 acre site is located at the northeasterly intersection of Robinson Road and Sadlers Walk.

Comprehensive Plan

The parcel is within a Medium Density Residential (MDR) future land use category, with R-20, RA-4, RA-5, and LRO zoning designations. The purpose of the Medium Density Residential (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.

<u>Design Guidelines</u>

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?	

APPLICANT Century Partners, LLC				PE	TITION NO. <u>Z-044</u>
PRESENT ZONING R-20,RA-4,RA-5,LF	<u>RO</u>			PE'	TITION FOR <u>RA-5</u>
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WATER COMMENTS: NOTE: Comment	s reflect on	ly what facilitie	es were	in exi	stence 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 / .	N side of Rob	inson k	Road	
Additional Comments: County meters to be	set at pub	olic ROW			
Developer may be required to install/upgrade water main in the Plan Review Process.	is, based on	fire flow test resu	ults or Fir	e Depa	artment Code. This will be resolved
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SEWER COMMENTS: NOTE: Comm	ents reflect	only what facil	ities we	re in e	existence at the time of this review.
In Drainage Basin:	\checkmark	Yes			No
At Development:	\checkmark	Yes			No
Approximate Distance to Nearest Sewer:	In ROW	of Sadlers W	alk, if e	levat	tions allow
Estimated Waste Generation (in G.P.D.):	A D F	1760		F	Peak= 4400
Treatment Plant:		Sut	ton		
Plant Capacity:	\checkmark	Available		Not	Available
Line Capacity:	\checkmark	Available		Not	Available
Proiected Plant Availability:	\checkmark	0 - 5 vears		5 - 1	0 vears \Box over 10 vears
Drv Sewers Reauired:		Yes	\checkmark	No	
Off-site Easements Required:		Yes*		No	*If off-site easements are required, Develope must submit easements to CCWS for
Flow Test Required:		Yes	\checkmark	No	review/approval as to form and stipulations prior to the execution of easements by the
Letter of Allocation issued:		Yes	\checkmark	No	property owners. All easement acquisitions are the responsibility of the Developer
Septic Tank Recommended by this Department	nent:	Yes		No	
Subject to Health Department Approval:		Yes		No	
Additional <u>If sewer in Sadlers Walk car</u> Comments:	not serve	by gravity, ea	isement	<u>s wil</u>	l be required

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: Century Partners, LLC

PETITION NO.: <u>Z-44</u>

PRESENT ZONING: <u>R-20/RA-4/RA-5/LRO</u>

PETITION FOR: <u>RA-5</u>

STORMWATER MANAGEMENT COMMENTS

FLOOD HAZARD: YES NO POSSIBLY, NOT VERIFIED
 DRAINAGE BASIN: <u>Sewell Mill Creek</u> 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.
$\underline{\text{WETLANDS:}} \ \Box \ \text{YES} \ \ \boxtimes \ \text{NO} \ \ \ \Box \ \text{POSSIBLY, NOT VERIFIED}$
Location:
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 (<u>undisturbed</u> 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.

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

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PRESENT ZONING: <u>R-20/RA-4/RA-5/LRO</u>

PETITION FOR: <u>RA-5</u>

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 north of Robinson Road just east of Sadler's Walk. The majority of the site drains to the north through a large residential parcel (3700 Roswell Road) before discharging into the rear yards of several lots within Glenside Subdivision along Sadlers Close.
- 2. There is no well-defined conveyance for the discharge from the proposed detention pond through the adjacent parcel and existing drainage issues within Glenside Subdivision. A piped conveyance is needed to tie directly into the existing downstream system. This issue will need to be addressed in Plan Review.

PRESENT ZONING: <u>R-20, RA-4, RA-5, LRO</u> PETITION FOR: <u>RA-5</u>

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
Robinson Road	7400	Major Collector	35 mph	Cobb County	80'
Sadlers Walk	N/A	Local	25 mph	Cobb County	50'

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

COMMENTS AND OBSERVATIONS

Robinson 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 north side of Robinson Road, a minimum of 30' from the roadway centerline and an additional 5' of roadway easement from the proposed right-of-way.

Recommend applicant verify that minimum intersection sight distance is available for Robinson Road access and if it is not, implement remedial measures, subject to the Department's approval, to achieve the minimum requirement of 390'.

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

Recommend replacing disturbed curb, gutter, and sidewalk along the Robinson Road and Sadlers Walk frontages.

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

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

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STAFF RECOMMENDATIONS

Z-44 CENTURY PARTNERS, 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 on this side of Robinson Road are similarly zoned with densities in the Medium Density Range of 2.5—5 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. The proposed development will not have as many lots as other similarly zoned properties and the proposed density is slightly over the density of the RA-4 developments at 4.12 units per acre.
- 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 land use category with densities ranging from 2.5—5 units per acre. The abutting RA-4 properties to the west and northwest of the subject property have densities of 3.86 units per acre (Glenside f/k/a Sadlers Ridge) and 3.59 units per acre (Wyntergreen); while properties further south along Robinson Road are zoned R-15 (Robinson Walk Unit One) having a density of approximately 2.08 units per acre and R-20 (Indian Hills Country Club Unit Six) having a density of approximately 1.77 units per acre. The proposed RA-5 zoning category and the proposed density of 4.12 units per acre are compatible with the *Cobb County Comprehensive Plan* delineation of MDR for densities ranging from 2.5—5 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 existing RA-5 portion of the subject rezoning was a result of a rezoning request in which the Board of Commissioners deleted the property to RA-5. The overall proposed RA-5 rezoning and the proposed density of 4.12 units per acre are compatible with the MDR land use designation.

Based on the above analysis, Staff recommends <u>APPROVAL</u> subject to the following conditions:

- Site plan submitted to the Zoning Division on May 31, 2013, with the District Commissioner approving minor modifications;
- 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. <u>2-44</u>

Summary of Intent for Rezoning

Part 1.	Reside	ential Rezoning Information (attach additional information if needed)	•	
	a)	Proposed unit square-footage(s): M, nimyri 2,800 SF	_	
	b)	Proposed building architecture: <u>Traditional</u>	_	
	c)	Proposed selling prices(s): \$500's to \$700's		
	d)	List all requested variances: <u>Request to p</u> zoned to the site plan		
art 2.	Non-r	esidential Rezoning Information (attach additional information if needed)	-	
	a)	Proposed use(s):	_	
	b)	Proposed building architecture:		
	c)	Proposed hours/days of operation:	2013 HAY	
	d)	List all requested variances:	IC AV	1.50 22
		Aver data atom atom atom atom atom atom atom a	AM	02
		Proposed hours/days of operation:	11:13	OFFICE
Part 3	3. Oth	er Pertinent Information (List or attach additional information if needed)	••	
	n/	6	_	
			_	
			_	
Part 4.	Is an	y of the property included on the proposed site plan owned by the Local, State, or Federal Gov	ernm	ent?
		se list all Right-of-Ways, Government owned lots, County owned parcels and/or remnants, etc.		
		learly showing where these properties are located).		

n/4



Re: Application of Century Partners, LLC to Rezone a 2.673 Acre Tract from R-20, RA-4, RA-5, & LRO to RA-5 (No. Z-44)

Dear Jason:

We are seeking the rezoning of the Subject Property from the existing zoning categories of R-20, RA-4, RA-5 and LRO to the proposed zoning category of RA-5, site plan specific to the Zoning Site Plan prepared by Christopher Planning & Engineering, dated, and submitted to the Zoning Office on May 31, 2013. A reduced copy of the revised Zoning Site Plan is attached for ease of reference as Exhibit "A" and incorporated herein by reference.

- The Subject Property consists of 2.673 acres of total site area and shall be developed for the construction of a maximum number of eleven (11) Single-Family Detached Homes at a maximum density of 4.12 units per acre (RA-5 allows 5 units per acre).
- The minimum house size for the proposed residential community shall be twenty-eight hundred (2,800) sq. ft. Each of the homes shall have an attached two (2) or three (3) car garage which shall be used for the parking and storage of vehicles. Most driveways will be 18' wide, allowing for the off street parking of four (4) additional vehicles.
- 3. The architectural style and composition of the homes on the front and sides will consist of brick, stacked stone, cedar shake, or a combination thereof with cement based siding allowed under eves and gables. The rear elevation will be bricked on

the terrace level on all basement lots and will have a minimum three foot (3') masonry water table on any slab lots.

- The creation of a mandatory Homeowner's Association ("HOA") and the submission of Declaration of Covenants, Conditions and Restrictions ("CCRs"), which shall include, among other components, strict architectural controls.
- 5. Subdivision entrance signage and landscaping shall be constructed pursuant to the Glenside Park Conceptual Frontage/Entry Plan prepared by Land Design and Consulting, LLC, dated 6/23/13 and submitted herewith. The entrance landscaping shall be fully landscaped and irrigated. The HOA shall be responsible for maintenance of fencing, landscaping and the entrance to the subdivision, including, signage, lighting and irrigation.
- Century Partners, LLC has been in discussion with the GlenSide HOA. We have committed to reconstruct their signage and landscape to be consistent with ours as shown on the attached plans.
- 7. All lots will have professionally drawn landscape plans which will meet all Cobb County Code requirements.
- The stormwater management facility shall be fenced with a five (5) foot high black vinyl coated chain link fencing and landscaped with evergreen planting to visually screen the facility and fence. Fencing shall be installed according to the provisions of the Cobb County Code.
- 9. We plan to install a six foot (6'), wooden, decorative privacy fence along the lots adjacent to GlenSide subdivision lots and also on the lots adjacent to the business parking lot on the Northeast corner of the property. Fence to be maintained in perpetuity by HOA.
- 10. We agree to adhere to the following construction hours:
 - a. 7:00 am until 8:00 pm, Monday through Friday from April 1st through September 30th.
 - b. 7:00 am until 7:00 pm Monday through Friday from October 1st through March 31st.
 - c. 9:00 am until 6:00 pm on Saturdays.
 - d. No outside work on Sundays unless approved ahead of time by the District Commissioner.
- 11.All construction and worker vehicles and equipment shall be parked, and otherwise located on, the Subject Property during development of infrastructure and construction of residences, and shall not be parked on either Robinson Road or Sadlers Walk.

- 12. The roads within the subdivision shall be public roads and built to the County's design and detail specifications.
- 13. The Developer agrees to allow The Georgia Native Plant Society to conduct a plant rescue prior to the commencement of construction on the subject property.
- 14. Minor modifications to the referenced Zoning Site Plan, including, but not limited to, the layout of lots, landscaping, and elevations, may be approved by the District Commissioner, as needed.

Please call me at 404-256-2127, or my cell, 404-372-8043, if you have any questions. Thank you for your consideration.

Sincerely,

A. Westhe

Chris A. Weathers

Enclosures

Cc: John Pederson, Cobb Co. Zoning Division John Fabrini, President GlenSide Homeowner's Association Jill Flamm and Trish Steiner, East Cobb Civic Association, Inc.

