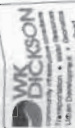


Z-56  
(2013)



PROJECT NAME  
1675 PIEDMONT  
SUBDIVISION

OWNER OR CLIENT  
RICHARD DUNCAN

PLAN SET  
COLOR COLOR COLOR  
COLOR COLOR COLOR

DRAWING TITLE  
ZONING PLAN

DRAWING NUMBER  
01

PLOT DATE: 01/18/2013

NOT FOR PUBLIC RELEASE OR CONSTRUCTION - DRAWING STATUS -

NOT FOR PUBLIC RELEASE OR CONSTRUCTION - DRAWING STATUS -



VICINITY MAP  
DEVELOPER:  
RICHARD DUNCAN  
4502 FAIRMOROCK LANE  
KENNESAW, GA 30144  
PHONE: (878) 881-7824



1675 PIEDMONT ROAD  
TOTAL AREA: 3.82 ACRES  
TRACT 1: 1.6 ACRES  
TRACT 2: 2.22 ACRES  
CURRENT ZONING: R-20  
PROPOSED ZONING: RA-5

LAND LOT 594  
16TH DISTRICT, 2ND SECTION  
COBB COUNTY, GA

FAIRVIEW DRIVE 40'-RW

PIEDMONT ROAD (RW VARIES)

BOBBETT'S ROAD 50' RW

RECEIVED  
AUG 15 2013  
COBB Co. COMM. DEV. AGENCY  
ZONING DIVISION

1052.8

1077.3

1075.5

1078.8

1080.9

1076.8

RA-5

R-20  
STILLWATER  
LAKE  
SUBDIVISION

R-15  
VILLAGE  
NORTH  
SUBDIVISION

1675

1676

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1690

- NOTE:
- TOTAL SITE AREA IS 3.82 ACRES.
  - EXISTING ZONING IS R-20
  - PROPOSED ZONING IS RA-5
  - PROPOSED DENSITY IS 145.62 = 3.86
  - BUILDING SETBACK LINES ARE AS FOLLOWS:  
FRONT - 10 FEET / 25 FEET MAJOR ROADS / 15 FEET IF HOUSE FRONTS  
REAR - 20 FEET / 10 FEET
  - TOTAL NUMBER OF LOTS = 14
  - PROPOSED USE IS FOR SINGLE FAMILY RESIDENTIAL
  - MINIMUM LOT SIZE IS 980 S.F.
  - BOUNDARY INFORMATION TAKEN FROM RECORDED PLATS DATED 08/07/1971, P.S. 4084, PG 248 & PLAT P.S. & PG 194, P.S. 14880, PG 3069 & PG 192, PG 122 AND SURVEY BY TRI-LINE SURVEYING, INC. DATED FEBRUARY 29, 2001.
  - TOPOGRAPHIC INFORMATION TAKEN FROM COBB COUNTY GIS DATA.
  - THESE ARE NO KNOWN UTILITIES, WETLANDS, HISTORICAL OR ARCHAEOLOGICAL SITES, MODERN CEMETERIES OR BURIAL GROUNDS LOCATED ON THIS PROPERTY.
  - MINIMUM LOT SIZE IS 7000 S.F.
  - MINIMUM LOT FRONTAGE IS 70 FEET/205 FEET CUL DE SAC/205 FEET INTERIOR LOT.
  - MINIMUM LOT WIDTH AT BUILDING LINE IS 70 FEET/90 FEET CUL-DE-SAC.

179.1

2646

2673

71.4

1675 PIEDMONT ROAD

**APPLICANT:** Copperleaf Partners, LLC  
678-310-5323

**REPRESENTATIVE:** Charles McCain  
770-616-0261

**TITLEHOLDER:** Glenn D. Martin and Sherri M. Martin

**PROPERTY LOCATION:** Northwest intersection of Fairview Drive  
and Piedmont Road, east of Bob Bettis Road  
(1710 Fairview Drive).

**ACCESS TO PROPERTY:** Fairview Drive, Piedmont Road and  
Bob Bettis Road

**PHYSICAL CHARACTERISTICS TO SITE:** Single-family houses  
and undeveloped lot

**CONTIGUOUS ZONING/DEVELOPMENT**

- NORTH:** RA-5/Stillwater Lake Subdivision
- SOUTH:** R-15/Village North Subdivision and R-20/Sprayberry High School
- EAST:** RA-5/Stillwater Lake Subdivision and R-20 Single-family house
- WEST:** R-15/Bob Bettis Road Subdivision

**PETITION NO:** Z-56

**HEARING DATE (PC):** 09-09-13

**HEARING DATE (BOC):** 09-17-13

**PRESENT ZONING:** R-20

**PROPOSED ZONING:** RA-5

**PROPOSED USE:** Subdivision

**SIZE OF TRACT:** 2.00 acres

**DISTRICT:** 16

**LAND LOT(S):** 594

**PARCEL(S):** 8

**TAXES: PAID** X **DUE** \_\_\_\_\_

**COMMISSION DISTRICT:** 3

**OPPOSITION: NO. OPPOSED** \_\_\_\_\_ **PETITION NO:** \_\_\_\_\_ **SPOKESMAN** \_\_\_\_\_

**PLANNING COMMISSION RECOMMENDATION**

**APPROVED** \_\_\_\_\_ **MOTION BY** \_\_\_\_\_

**REJECTED** \_\_\_\_\_ **SECONDED** \_\_\_\_\_

**HELD** \_\_\_\_\_ **CARRIED** \_\_\_\_\_

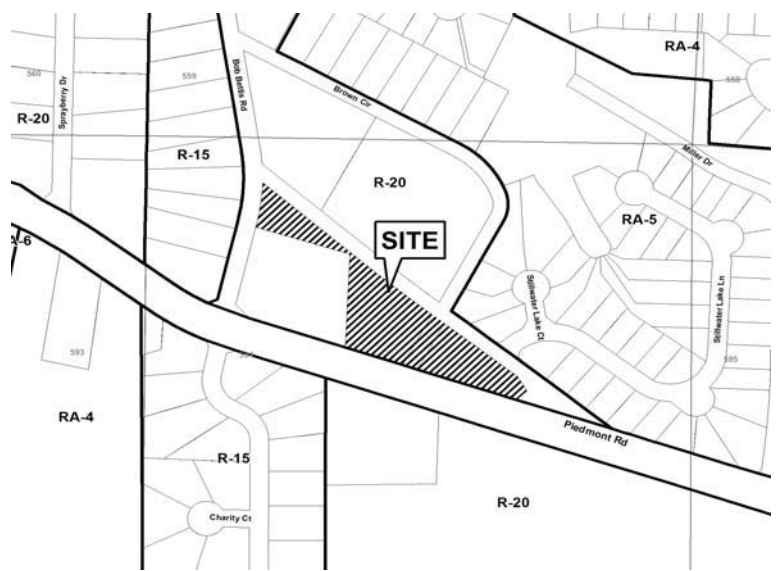
**BOARD OF COMMISSIONERS DECISION**

**APPROVED** \_\_\_\_\_ **MOTION BY** \_\_\_\_\_

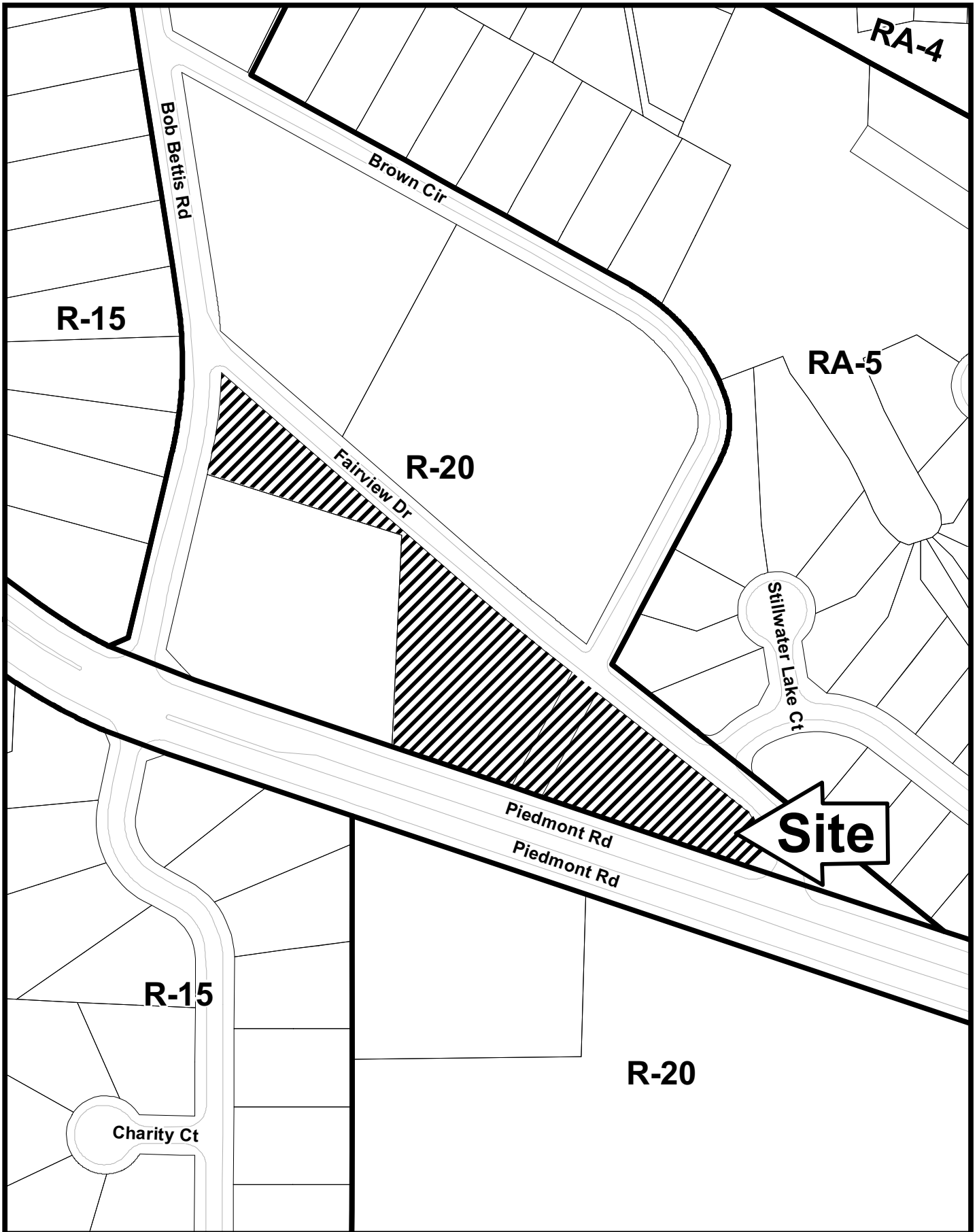
**REJECTED** \_\_\_\_\_ **SECONDED** \_\_\_\_\_

**HELD** \_\_\_\_\_ **CARRIED** \_\_\_\_\_

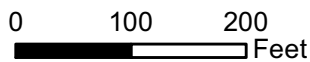
**STIPULATIONS:**





# Z-56



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



-  City Boundary
-  Zoning Boundary

**APPLICANT:** Copperleaf Partners, LLC

**PETITION NO.:** Z-56

**PRESENT ZONING:** R-20

**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:** 14      **Overall Density:** 3.66      **Units/Acre**

**Present Zoning Would Allow:** 6      **Units**      **Increase of:** 8      **Units/Lots**

Applicants for Z-56 and Z-58 have submitted a site plan combining the tracts they each had submitted separately. The combined site plan indicates the houses on lots 12 and 13 will be accessed by a 20-foot driveway easement from Fairview Drive. Each lot is over the required 7,000 square-foot minimum lot size for the RA-5 zoning category. Applicants have indicated that the houses will range in price from the \$200,000s to the \$400,000s. Applicant for Z-56 indicated a mixture of siding to include shake, stone and brick. Applicant for Z-58 indicated the houses will be traditional. The site plan originally submitted for Z-56 indicated six lots on an approximate 2.2-acre section of the overall properties, having a density of 2.7 units per acre. The original site plan for Z-58 indicated five lots on a cul-de-sac coming off Bob Bettis Road, being a tract of 1.6 acres having a density of 3.125.

**Cemetery Preservation:** No comment.

**APPLICANT:** Copperleaf Partners, LLC

**PETITION NO.:** Z-56

**PRESENT ZONING:** R-20

**PETITION FOR:** RA-5

\*\*\*\*\*

**SCHOOL COMMENTS:**

<u>Name of School</u>	<u>Enrollment</u>	<u>Capacity Status</u>	<u>Number of Portable Classrooms</u>
Addison	595	Under	
<b>Elementary</b> Daniell	980	Under	
<b>Middle</b> Sprayberry	1,824	Under	

**High**

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

**Additional Comments:**

\*\*\*\*\*

**FIRE COMMENTS:**

No street parking is approved for this development.



APPLICANT: Copperleaf Partners, LLC

PETITION NO.: Z-56

PRESENT ZONING: R-20

PETITION FOR: RA-5

\*\*\*\*\*

**PLANNING COMMENTS:**

The applicant is requesting a rezoning from R-20 to RA-5 for purpose of residential subdivision. The 2.0 acre site is located on the northwest intersection of Fairview Drive and Piedmont Road, east of Bob Bettis Road.

**Comprehensive Plan**

The parcel is within a Medium Density Residential (**MDR**) future land use category, with R-20 zoning designation. 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.

**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?

APPLICANT Copperfield Partners, LLC

PETITION NO. Z-056

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): **6" DI / S side of Fairview Drive**

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. 170' west with easement(s)**

Estimated Waste Generation (in G.P.D.): **ADF 960 Peak= 2400**

Treatment Plant: **Noonday**

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: Copperleaf Partners, LLC

PETITION NO.: Z-56

PRESENT ZONING: R-20

PETITION FOR: RA-5

\*\*\*\*\*

**STORMWATER MANAGEMENT COMMENTS**

FLOOD HAZARD:  YES  NO  POSSIBLY, NOT VERIFIED

DRAINAGE BASIN: Morgan Lake Tributary 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.

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 downstream receiving system.



APPLICANT: Copperleaf Partners, LLC

PETITION NO.: Z-56

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. This site is located just north of Piedmont Road in the triangle between Fairview Road and Bob Bettis Road. This parcel is contiguous with another zoning case, Z-58. Since these parcels are contiguous and drain to the same discharge point, it is recommended that stormwater management be handled jointly and the developments possibly combined to provide a more efficient layout. The revised plan received 8/15/13 provides for a combined layout. The proposed 20-foot driveway easement will likely need to include a drainage easement as well to provide adequate conveyance of stormwater runoff from lots 4-7 to the proposed detention pond.

\*\*\*\*\*

**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
Piedmont Road	24,900	Arterial	45 mph	Cobb County	100'
Fairview Drive	N/A	Local	25 mph	Cobb County	50'
Bob Bettis Road	N/A	Local	25 mph	Cobb County	50'

*Based on 2004 traffic counting data taken by Cobb DOT (Piedmont Road)*

**COMMENTS AND OBSERVATIONS**

Piedmont 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.

Fairview Drive is classified as a local and according to the available information the existing right-of-way does not meet the minimum requirements for this classification.

Bob Bettis Road is classified as a local 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 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 south side of Fairview Drive, a minimum of 25' from the roadway centerline.

Recommend curb, gutter, and sidewalk along all road frontages.

Recommend no access easement along the Piedmont Road frontage.

Recommend applicant verify that ROW existed and was abandoned as listed on the site plan.

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

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## STAFF RECOMMENDATIONS

### **Z-56 COPPERLEAF PARTNERS, LLC**

- A. It is Staff's opinion that the applicant's rezoning proposal will not permit a use that is suitable in view of the use and development of adjacent and nearby properties. While there are other RA-5 properties across Fairview Drive, the character of the properties in the area is R-20 and R-15.
- B. It is Staff's opinion that the applicant's rezoning proposal will have an adverse affect on the usability of adjacent or nearby property. More properties in this area are characterized with larger lots and lower densities, as found in R-20 and R-15.
- C. It is Staff's opinion that the applicant's rezoning proposal will 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, having densities that range from 2.5 to 5 units per acre. While the subdivision to the northeast is zoned RA-5 (Stillwater Lake) and has a density of 3.59 units per acre, more properties in this area are characterized as having larger lot sizes and are zoned R-20 and R-15 having densities ranging from approximately 1.50 units per acre (Sprayberry Heights, zoned R-20); to approximately 2.30 units per acre (Sandy Mill, zoned R-15); and approximately 2.26 units per acre (Village North, zoned R-15).
- 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, but limiting the density to 2.5 units per acre. There are more properties in this area that have zonings and densities normally found in Low Density Residential (1-2.5 units per acre) than the proposed density of 3.82 units per acre. This will also permit a density that is more in line with the character of the overall development in the area.

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

- Maximum density of 2.5 units per acre, with the District Commissioner approving the final site plan;
- 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.**

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Sept. 2013

**Summary of Intent for Rezoning**

COBB COUNTY ZONING DIVISION

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

- a) Proposed unit square-footage(s): 2500 - 3000 sq Ft excluding any basements
- b) Proposed building architecture: mixture of siding, shake, stone & brick
- c) Proposed selling prices(s): High 300's plus
- d) List all requested variances: \_\_\_\_\_

\_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_

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

N/A

- 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).**

Survey shows abandoned ROW