



**Z-18
(2015)**

VANQUISH PROPERTY PARTNERS, LLC
COBB COUNTY, GEORGIA - LAND LOT 310, 16TH DISTRICT
ATLANTA, GEORGIA

Not Released For Construction

DATE	11/28/14
JOB NO.	14023
DWG FILE	14023.pdw
DRAWN BY	TJS
CHECKED	TJS
SCALE	1"=30'
SHEET	P-1
	1 of 1

THE SCHEMATIC PLAN



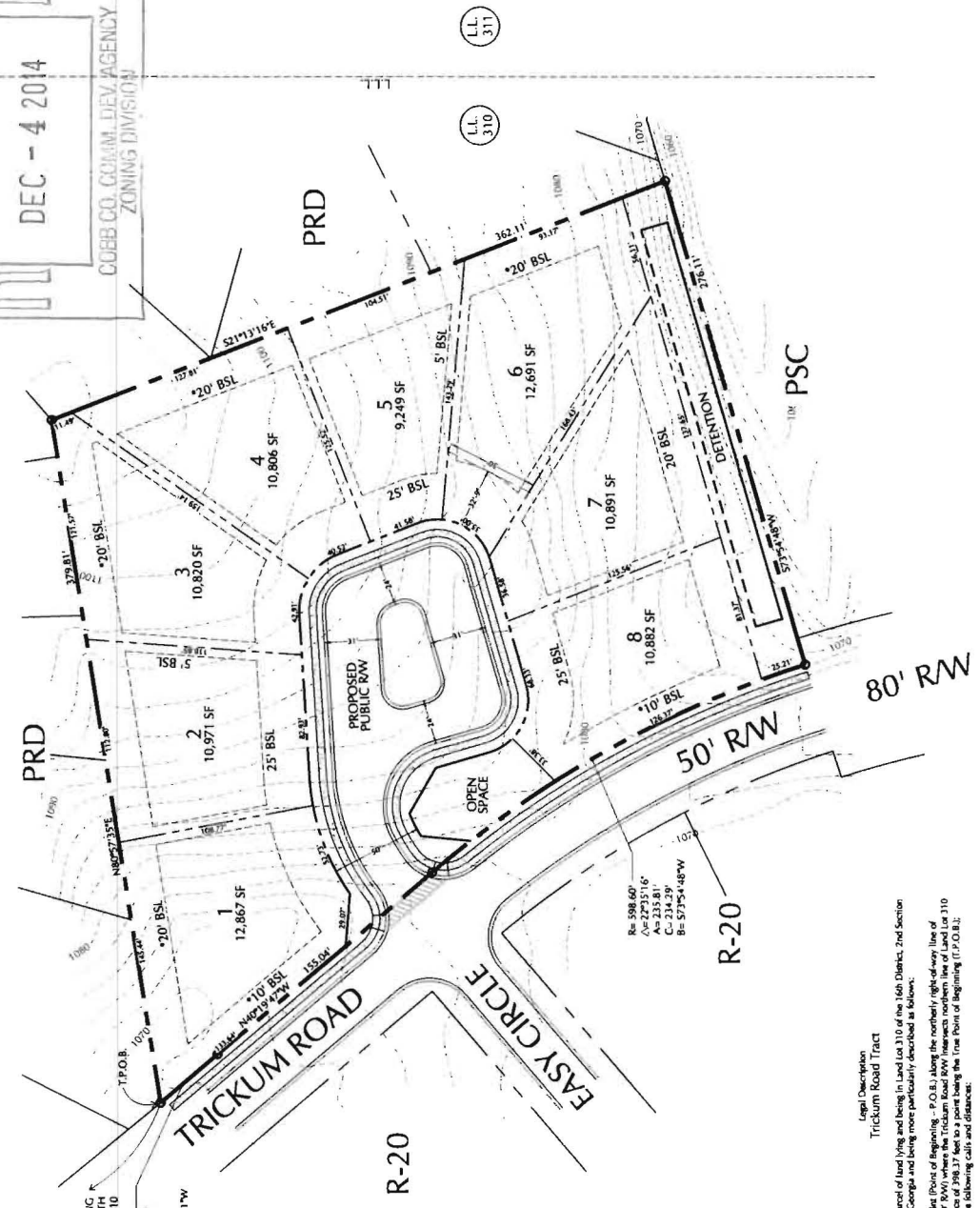
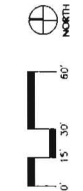
SUMMARY

SITE AREA 2.69 AC
EXISTING ZONING R-20
PROPOSED ZONING RA-5
PROPOSED UNITS 8
DENSITY 2.974 U/AC

LOT DEVELOPMENT STANDARDS

MINIMUM SIZE 7,000 SF
MINIMUM WIDTH 70' (50' INTERIOR)
MINIMUM FRONTAGE 50' (35' ON CUL-DE-SAC)
MINIMUM SETBACKS BY ORDINANCE
FRONT 25'/40'
SIDE 5'/20' (15' BETWEEN HOUSES)
CORNER SIDE 15'/25'
REAR 20'/40'
*VARIANCES FROM ABOVE SETBACKS ILLUSTRATED ON PLAN

- NOTES:**
- 1) According to FIRM Panel #130052335F, dated 8-18-92, no portion of this property is within the 100 year flood zone.
 - 2) No archeological or architectural landmarks are known to exist on this site.
 - 3) No cemetery is known to exist on this site.
 - 4) No stream is known to exist on this site.
 - 5) No wetlands are known to exist on this site.
 - 6) Boundary source is survey prepared by Southern Surveying & Mapping Co., Inc., and dated 6/6/95.
 - 7) Topographic information source: Cobb County GIS



Legal Description
Trickum Road Tract

All that tract or part of land lying and being in Land Lot 310 of the 16th District, 2nd Section of Cobb County, Georgia and being more particularly described as follows:
Beginning at a point (Point of Beginning - P.O.B.) Along the northerly right-of-way line of Trickum Road (50' RW) where the Trickum Road ROW intersects northern line of Land Lot 310 (1070.00' long) and running easterly and southerly along the True Point of Beginning (T.P.O.B.), containing therein the following call and distances:
Leaving said Trickum Road right-of-way values 75.52', a distance of 379.81 feet to a point, thence S77°54'48"W a chord distance of 234.29 feet to a point, thence N46°29'11"W a distance of 155.04 feet to a point, thence N46°29'11"W a chord distance of 41.24 feet to the True Point of Beginning (T.P.O.B.).
Said tract total 7.69 acres.

APPLICANT: Vanquish Property Partners, LLC

PHONE#: (404)569-9756 **EMAIL:** mike@vanquishpartanersga.com

REPRESENTATIVE: J. Kevin Moore, Moore Ingram Johnson & Steele,LLP

PHONE#: (770)429-1499 **EMAIL:** jkm@mijs.com

TITLEHOLDER: The Estate of Shurlin Hunley (a.k.a Shurlin J.

Hunley or S.J. Hunley)

PROPERTY LOCATION: Northeasterly side of Trickum Road,

north of Shallowford Road, across from Easy Circle

(3870 Trickum Road).

ACCESS TO PROPERTY: Trickum Road

PHYSICAL CHARACTERISTICS TO SITE: Existing,

single-family house

PETITION NO: Z-18

HEARING DATE (PC): 02-03-15

HEARING DATE (BOC): 02-17-15

PRESENT ZONING: R-20

PROPOSED ZONING: RA-5

PROPOSED USE: Detached Single-Family

Residential

SIZE OF TRACT: 2.69 acres

DISTRICT: 16

LAND LOT(S): 310

PARCEL(S): 2

TAXES: PAID X **DUE** _____

COMMISSION DISTRICT: 3

CONTIGUOUS ZONING/DEVELOPMENT

NORTH: PRD/ Cambridge Crossing Subdivision

SOUTH: PSC/ Shallowford Crossing Shopping Center

EAST: PRD/ Cambridge Crossing Subdivision

WEST: R-20/ Trickum Heights Subdivision

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

PLANNING COMMISSION RECOMMENDATION

APPROVED _____ **MOTION BY** _____

REJECTED _____ **SECONDED** _____

HELD _____ **CARRIED** _____

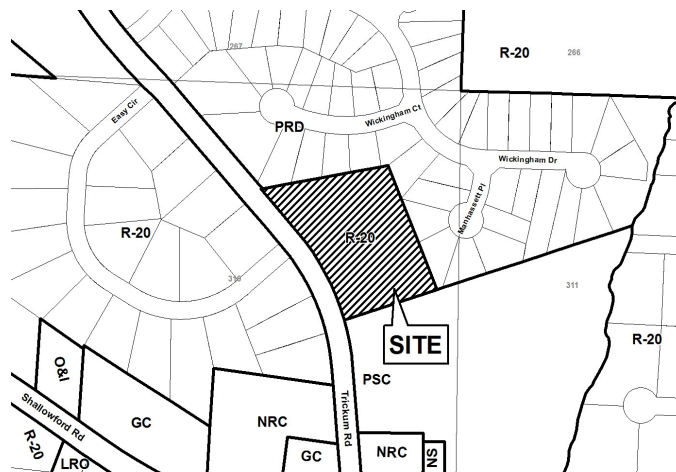
BOARD OF COMMISSIONERS DECISION

APPROVED _____ **MOTION BY** _____

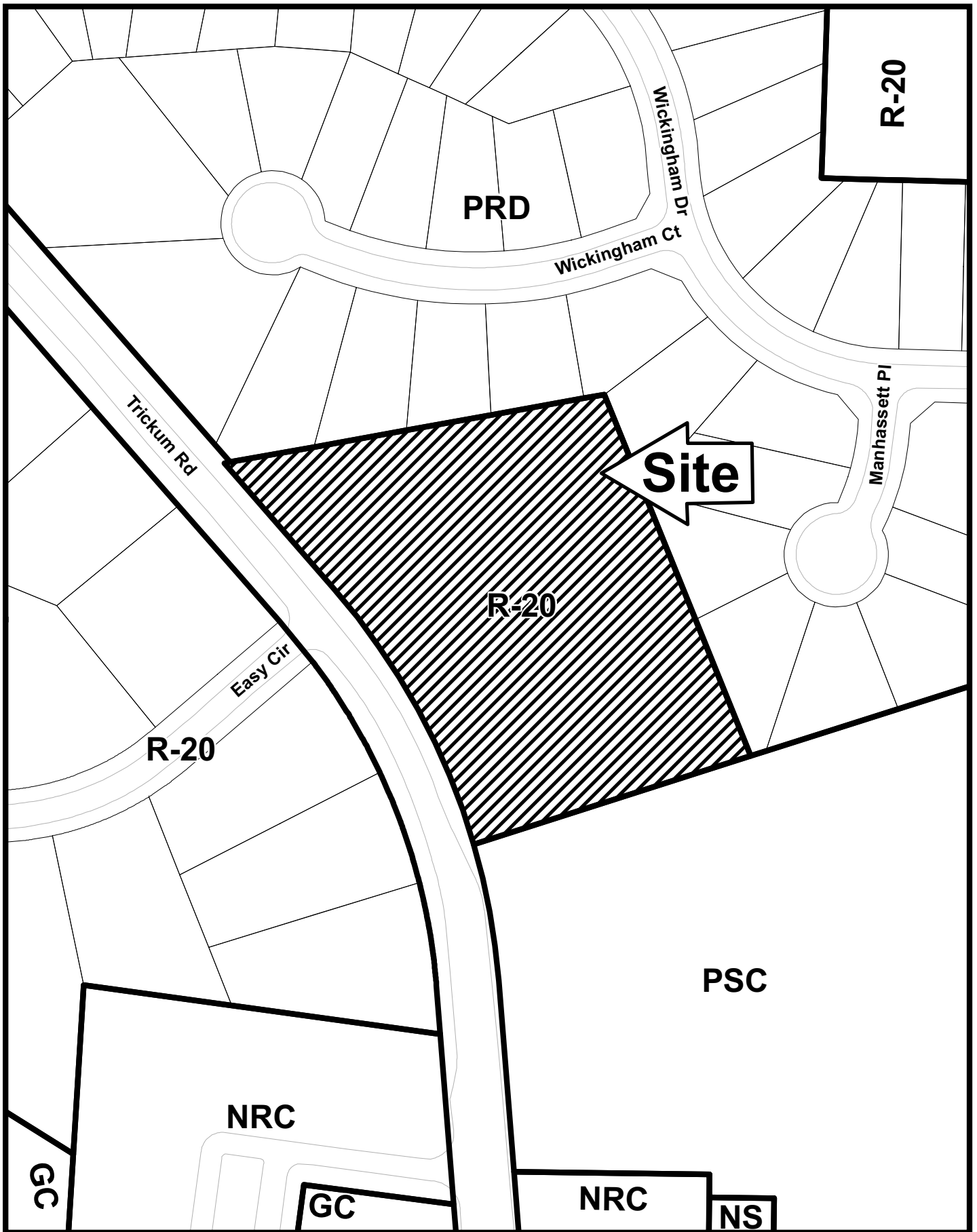
REJECTED _____ **SECONDED** _____

HELD _____ **CARRIED** _____

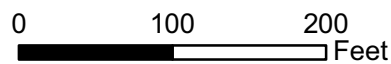
STIPULATIONS:



Z-18



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



City Boundary
Zoning Boundary

APPLICANT: Vanquish Property Partners, LLC

PETITION NO.: Z-18

PRESENT ZONING: R-20

PETITION FOR: RA-5

ZONING COMMENTS:

Staff Member Responsible: Terry Martin, MPA

Land Use Plan Recommendation: Low Density Residential

Proposed Number of Units: 8 **Overall Density:** 2.97 **Units/Acre**

Staff estimate for allowable # of units: 4 **Units*** **Increase of:** 4 **Units/Lots**

*Estimate could be higher or lower based on engineered plans taking into account topography, shape of property, utilities, roadways, natural features such as creeks, wetlands, etc., and other unforeseen circumstances.

The applicant is requesting a rezoning of the subject property from the existing R-20 single-family residential district to the RA-5 single-family residential attached/detached district in order to develop an eight (8) lot subdivision. The homes will be a minimum 2,000 square feet in size and constructed in traditional architecture with anticipated selling prices of \$400,000 and greater. The site plan submitted by the applicant anticipates the following variances:

- Waiver of rear setbacks on lots 1-6 from the required 40 feet to 20 feet;
- Waiver of major side setbacks on lots 1 and 8 from the required 25 feet to 10 feet; and
- Waiver of the minimum public road frontage and width at front setback line from the minimum of 50 feet for an interior lot for lots 3-7.

Cemetery Preservation: No comment.

APPLICANT: Vanquish Property Partners, LLC

PETITION NO.: Z-18

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>
<u>Rocky Mount</u>	<u>606</u>	<u>Under</u>	<u> </u>
Elementary <u>Simpson</u>	<u>921</u>	<u>Over</u>	<u> </u>
Middle <u>Lassiter</u>	<u>2,131</u>	<u>Under</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 Simpson Middle School, which is 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: Vanquish Property Partners, LLC

PETITION NO.: Z-18

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 detached single-family residential. The 2.69 acre site is located on the northeasterly side of Trickum Road, north of Shallowford Road, across from Easy Circle.

Comprehensive Plan

The parcel is within a Low Density Residential (**LDR**) future land use category, with R-20 zoning designation. The purpose of the Low Density Residential (LDR) category is to provide for areas that are suitable for low density housing between one (1) and two and one-half (2.5) dwelling units per acre. This category presents a range of densities.

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?

Incentive Zones

Is the property within an Opportunity Zone? Yes No

The Opportunity Zone is an incentive that provides \$3,500 tax credit per job in eligible areas if two or more jobs are being created. This incentive is available for new or existing businesses.

Is the property within an Enterprise Zone? Yes No

The Enterprise Zone is an incentive that provides tax abatements and other economic incentives for qualifying businesses locating or expanding within designated areas for new jobs and capital investments.

Is the property eligible for incentives through the Commercial and Industrial Property Rehabilitation Program? Yes No

The Commercial and Industrial Property Rehabilitation Program is an incentive that provides a reduction in ad valorem property taxes for qualifying redevelopment in eligible areas.

APPLICANT: Vanquish Property Partners, LLC

PETITION NO.: Z-18

PRESENT ZONING: R-20

PETITION FOR: RA-5

PLANNING COMMENTS: (Continued)

Special Districts

Is this property within the Cumberland Special District #1 (hotel/motel fee)?

Yes No

Is this property within the Cumberland Special District #2 (ad valorem tax)?

Yes No

Is this property within the Six Flags Special Service District?

Yes No

APPLICANT Vanquish Property Partners, LLC

PETITION NO. Z-018

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): 8" CI / W side of Trickum 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: In Trickum Road ROW

Estimated Waste Generation (in G.P.D.): A D F= 1,280 Peak= 3,200

Treatment Plant: Big Creek

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: Vanquish Property Partners, LLC

PETITION NO.: Z-18

PRESENT ZONING: R-20

PETITION FOR: RA-5

STORMWATER MANAGEMENT COMMENTS

FLOOD HAZARD: YES NO POSSIBLY, NOT VERIFIED

DRAINAGE BASIN: Rubes Creek 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 Powers Lake.
Elevated 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: Vanquish Property Partners, LLC

PETITION NO.: Z-18

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 east of Trickum Road. Average slopes are approximately 10%. The site cover is mostly wooded. The site is located on a drainage divide with approximately half of the site discharging to the northwest into the Trickum Road R/W and the remainder of the site to the south into the rear of the adjacent commercial shopping center.
2. There is no existing conveyance within the adjacent shopping center to receive a concentrated pond discharge. An easement agreement will be required.
3. Additional drainage easements will be required on the proposed lots to provide adequate runoff control for the site.

APPLICANT: Vanquish Property Partners, LLC

PETITION NO.: Z-18

PRESENT ZONING: R-20

PETITION FOR: RA-5

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
Trickum Road	10,500	Major Collector	35	Cobb	80'

Based on [2010] traffic counting data taken by Cobb County DOT

COMMENTS AND OBSERVATIONS

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

Recommend applicant consider entering into a development agreement pursuant to 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 Trickum Road, a minimum of 40' from the roadway centerline.

Recommend taper for the Trickum Road access.

Any landscaping placed on the right-of-way will need an approved Landscape License Agreement with the Cobb County Department of Transportation.

STAFF RECOMMENDATIONS

Z-18 VANQUISH PROPERTY 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. The proposed development at eight (8) lots on 2.69 acres yields a density of 2.97 units per acre. This density is similar to the 3.08 units per acre found within Cambridge Crossing, the PRD neighborhood bounding the subject property to the north and east. To the south lies Shallowford Crossing Shopping Center.
- 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. In fact, the development of the subject property at a higher density than currently possible may yield a more viable development acting as a suitable product abutting the existing shopping center to the south.
- 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 not in conformity with the policy and intent of the *Cobb County Comprehensive Plan*. However, the property, delineated as LDR low density residential on the future land use map, is given the same categorization as the community surrounding it, Cambridge Crossing. Although its proposed 2.97 units per acre lies outside the range of 1-2.5 commonly forecast for the LDR category, it is just under the 3.08 units per acre found within Cambridge Crossing. Also, the property immediately abuts to the south, an existing shopping center that lies within a Neighborhood Activity Center.
- 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 proposed density of the development at 2.97 units per acre is similar to that of the immediately adjacent neighborhood Cambridge Crossing which has 3.08 units per acre. Also, the property immediately to the south is developed as a shopping center found within a Neighborhood Activity Center at the corner of Shallowford Road and Trickum Road. The proposed development may serve as an appropriate use adjacent to these two (2) neighboring uses in a way that avoids numerous driveway access points along this area of Trickum Road.

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

- Site plan received by the Zoning Division on December 4, 2014 with District Commissioner approving minor modifications;
- Fire Department comments and recommendations;
- Sewer and Water Division comments and recommendations;
- Stormwater Management Division comments and recommendations;
- Department of Transportation 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 #: Z-18 (2015)

PC Hearing Date: 02/03/2015

BOC Hearing Date: 02/17/2015

Summary of Intent for Rezoning*

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

- a) Proposed unit square-footage(s): Minimum 2,000 square feet (heated), and greater
- b) Proposed building architecture: Traditional
- c) Proposed selling prices(s): \$400,000 and greater
- d) List all requested variances: Proposed lots 1-6, waiver of rear setback from 40 feet to 20 feet; Proposed lots 1 and 8, waiver of side yard setback from 25 feet to 10 feet

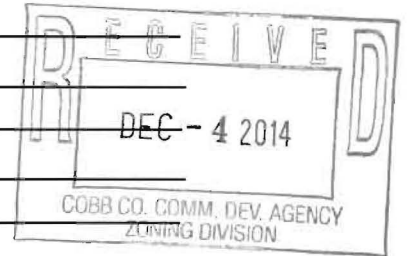
.....
Part 2. Non-residential Rezoning Information (attach additional information if needed)

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.

.....
Part 5. Is this application a result of a Code Enforcement action? No ; Yes ___ (If yes, attach a copy of the Notice of Violation and/or tickets to this form).

MOORE INGRAM JOHNSON & STEELE, LLP

Applicant signature: BY: [Signature] Date: December 4, 2014

J. Kevin Moore; Georgia Bar No. 519728

Applicant name (printed): Attorneys for Applicant and Property Owner

***Applicant specifically reserves the right to amend any information set forth in the Summary of Intent for Rezoning, or any other part of the Application for Rezoning, at any time during the rezoning process.**

Revised August 21, 2013