

Z-49
(2015)

CUMBERLAND AT BEECH HAVEN TRAIL
A Master Planned Residential Community

Pulte Homes
2175 Peachtree Parkway
Suite 608
Alpharetta, Georgia 30009
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THE PROVIDE SOLUTIONS
PLANNERS AND ENGINEERS COLLABORATIVE
SITE PLANNING • LANDSCAPE ARCHITECTURE • CIVIL ENGINEERING • LAND SURVEYING
350 RESEARCH COURT • NORCROSS, GEORGIA 30092 • (770) 451-2741 FAX: (770) 451-398 • WWW.PEACOLLO.COM

NO.	DATE	BY	DESCRIPTION

PROJECT TITLE
MASTER SITE PLAN

SCALE: 1" = 40'
DATE: 2-23-2015
PROJECT: 1413100

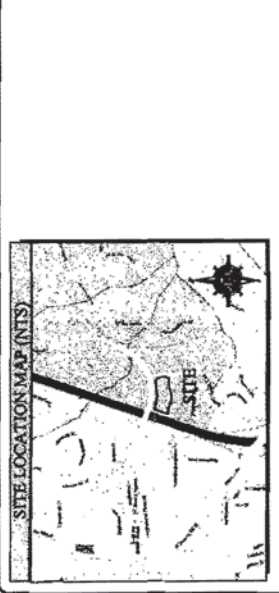
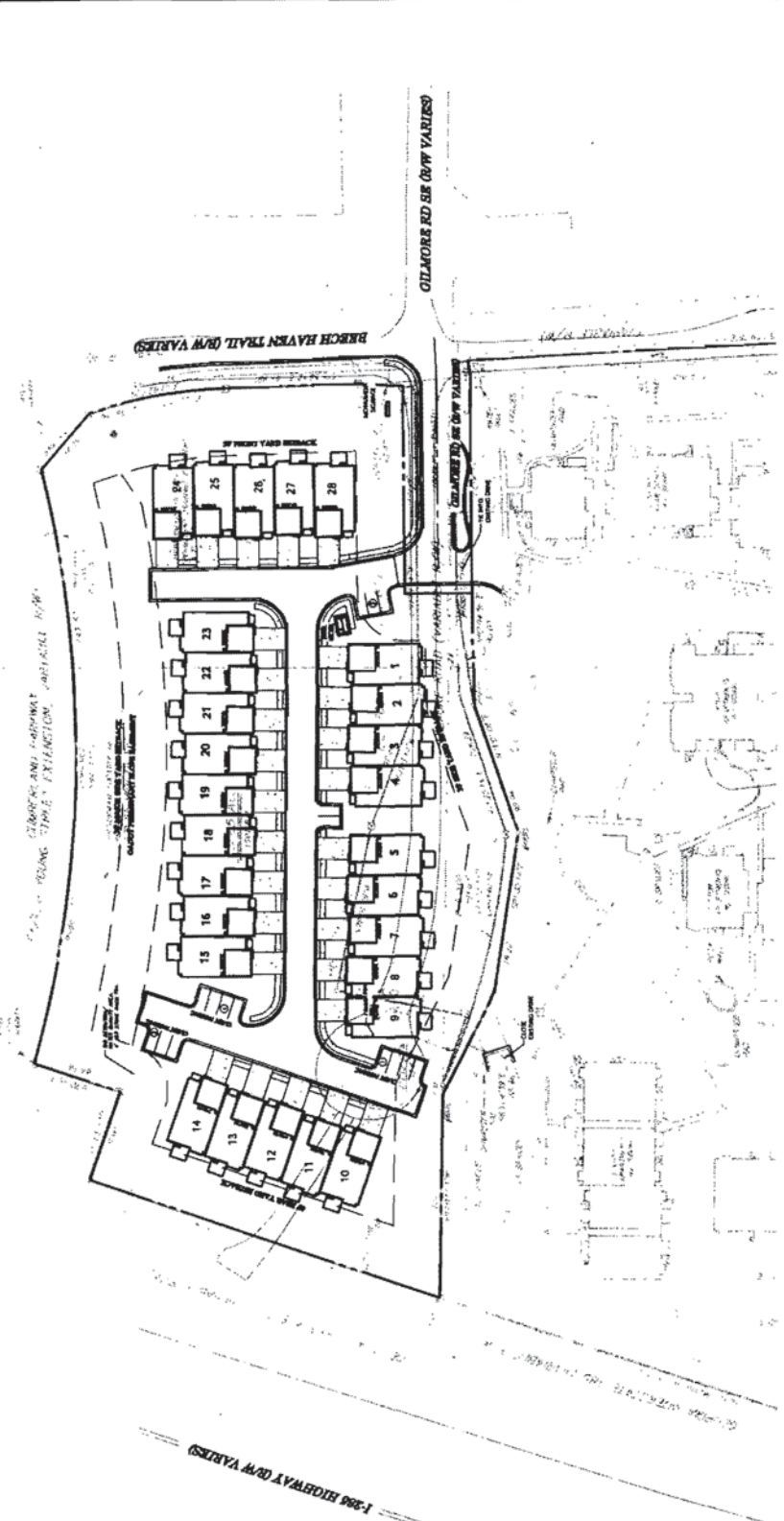


S1
SHEET

SITE DATA	
TOTAL SITE AREA:	14.616 ACRES
ZONING:	
CITY:	
COUNTY:	
UTILITIES:	
PROPOSED ZONING:	RM-4
DATA SUMMARY	
TOTAL RESIDENTIAL UNITS:	28 UNITS
TOTAL DWELLING AREA:	4,371 SQ. FT.
SUBTRACT SUMMARY	
MAXIMUM LOT COVER AGE:	35%
FRONT YARD SETBACK:	30 FT
REAR YARD SETBACK (MINIMUM):	30 FT
REAR YARD SETBACK:	40 FT
MAXIMUM HEIGHT:	35 FT

MAR 31 2015

CUMBERLAND PARKWAY



24 HOUR CONTACT:
GAREN SMITH @ 678-245-5208

CONCEPT PACKAGE BASED ON COBB GIS AND SURVEY DATA BY OTHERS

APPLICANT: Pulte Home Corporation
PHONE#: (770) 422-7016 **EMAIL:** jballi@slhb-law.com
REPRESENTATIVE: James A. Balli
PHONE#: (770) 422-7016 **EMAIL:** jballi@slhb-law.com
TITLEHOLDER: JH Holdings, Inc.

PETITION NO: Z-49
HEARING DATE (PC): 06-02-15
HEARING DATE (BOC): 06-16-15
PRESENT ZONING: O&I, RM-12
PROPOSED ZONING: RM-8

PROPERTY LOCATION: Northwest intersection of Gilmore Road and Beech Haven Trail, south side of Cumberland Parkway, east side of I-285.

PROPOSED USE: Attached Residential

ACCESS TO PROPERTY: Gilmore Road

SIZE OF TRACT: 4.16 acres

DISTRICT: 17

PHYSICAL CHARACTERISTICS TO SITE: Wooded, undeveloped parcel

LAND LOT(S): 765, 766, 819, 820

PARCEL(S): 57

TAXES: PAID X **DUE** _____

COMMISSION DISTRICT: 2

CONTIGUOUS ZONING/DEVELOPMENT

- NORTH:** O&I/Fire Department
- SOUTH:** RM-12/Multi-family development
- EAST:** O&I/Media Company
- WEST:** I-285 and O&I/Undeveloped

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

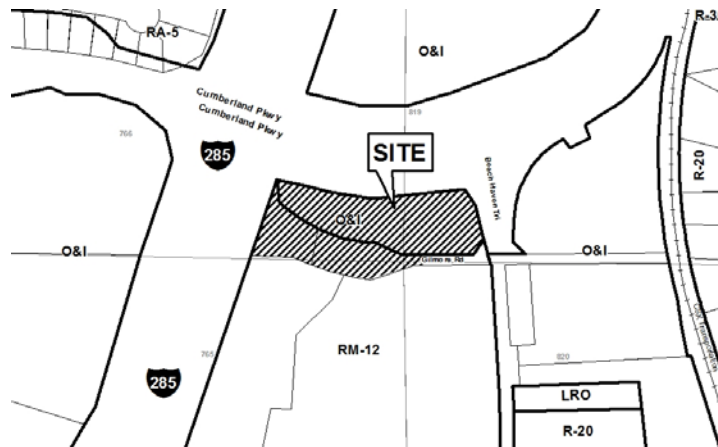
PLANNING COMMISSION RECOMMENDATION

APPROVED _____ **MOTION BY** _____
REJECTED _____ **SECONDED** _____
HELD _____ **CARRIED** _____

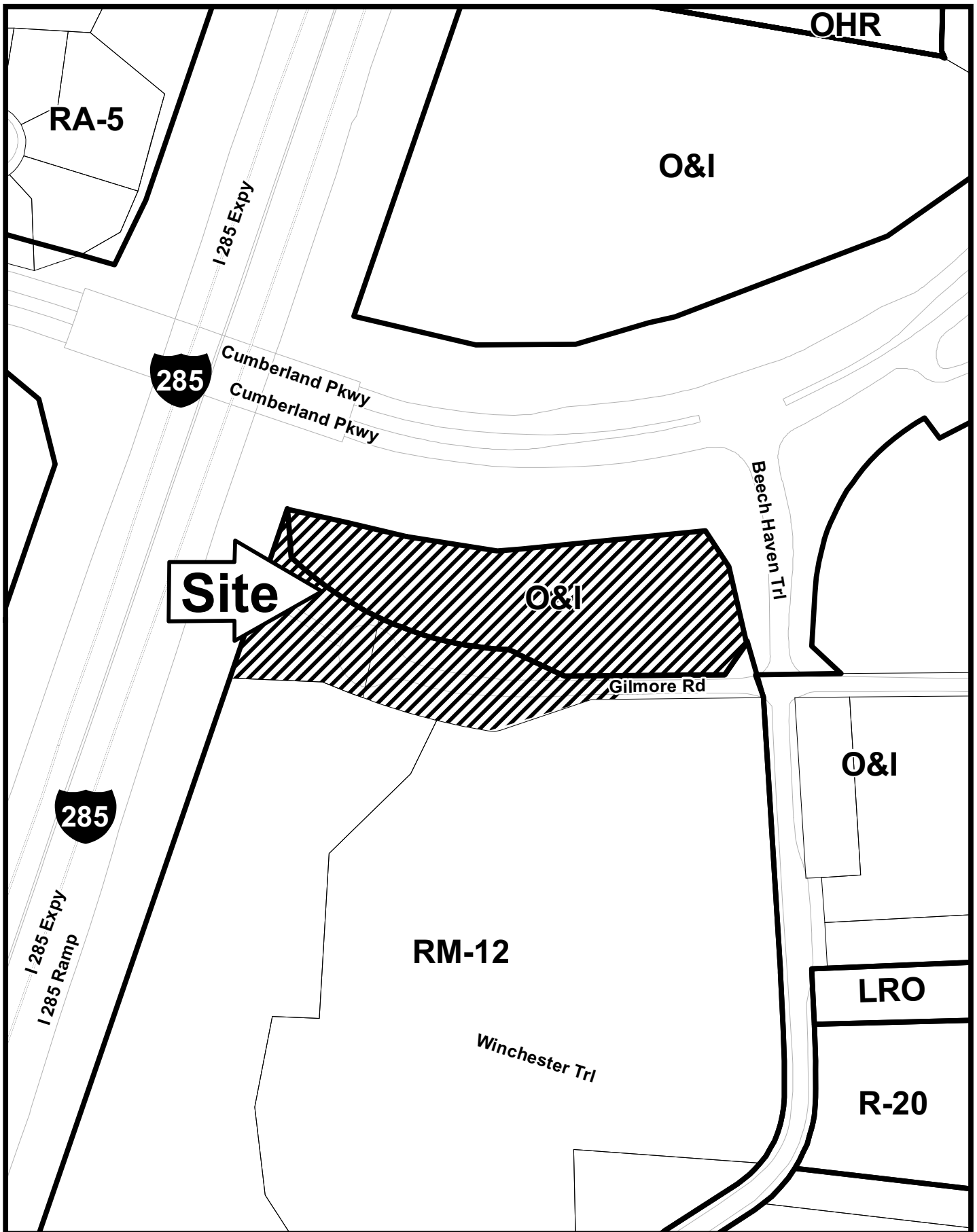
BOARD OF COMMISSIONERS DECISION

APPROVED _____ **MOTION BY** _____
REJECTED _____ **SECONDED** _____
HELD _____ **CARRIED** _____

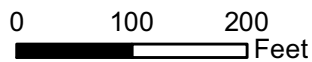
STIPULATIONS:





Z-49



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



-  City Boundary
-  Zoning Boundary

APPLICANT: Pulte Home Corporation

PETITION NO.: Z-49

PRESENT ZONING: O&I, RM-12

PETITION FOR: RM-8

ZONING COMMENTS:

Staff Member Responsible: Jason Campbell

Land Use Plan Recommendation: Regional Activity Center (RAC)

Proposed Number of Units: 28 **Overall Density:** 6.73 **Units/Acre**

Staff estimate for allowable # of units: 0 **Units*** **Increase of:** 28 **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.

Applicant is requesting the RM-8 zoning category for the development of a 28 attached single-family residential units. The homes will range in size from 2,500 square feet and up and will contain four-sided architecture with a mix of brick and other materials. The proposed selling prices will be \$325,000 and up.

The site plan indicates the following contemporaneous variances will be needed:

1. Waive the front setback along Beech Haven Trail from the required 50 feet to 45 feet;
2. Waive the rear setback on the west side from the required 40 feet to 30 feet; and
3. Waive the side setback along the southern side from the required 35 feet to 20 feet.

These variances are needed if covered additions are added to the rear of these units.

Cemetery Preservation: No comment.

APPLICANT: Pulte Home Corporation

PETITION NO.: Z-49

PRESENT ZONING: O&I, RM-12

PETITION FOR: RM-8

SCHOOL COMMENTS:

<u>Name of School</u>	<u>Enrollment</u>	<u>Capacity Status</u>	<u>Number of Portable Classrooms</u>
<u>Nickajack</u>	<u>1,126</u>	<u>Over</u>	<u> </u>
Elementary <u>Campbell</u>	<u>1,416</u>	<u>Over</u>	<u> </u>
Middle <u>Campbell</u>	<u>2,509</u>	<u>Under</u>	<u> </u>

High

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

Additional Comments: Approval of this petition could seriously and adversely impact the enrollment at Nickajack Elementary School and Campbell Middle School, as both of these schools are severely over capacity at this time.

FIRE COMMENTS:

After analyzing the information presented for a Preliminary Review, the Cobb County Fire Marshal’s Office is confident that all other items can be addressed during the Plan Review Stage.

APPLICANT: Pulte Home Corporation

PETITION NO.: Z-49

PRESENT ZONING: O&I, RM-12

PETITION FOR: RM-8

PLANNING COMMENTS:

The applicant is requesting a rezoning from O&I to RM-12 for purpose of attached residential. The 4.16 acre site is located on the Northwest intersection of Gilmore Road and Beech Haven Trail, south side of Cumberland Parkway, east side of I-285.

Comprehensive Plan

The parcel is within a Regional Activity Center (RAC) future land use category, with O&I zoning designation. The purpose of the Regional Activity Center (RAC) category is to provide for areas that can support a high intensity of development which serves a regional market. Typical land uses in these areas include high-rise office buildings, regional malls and varying densities of residential development.

- High Density Residential (HDR) subcategory provides areas that are suitable for low rise, high density housing between five (5) and twelve (12) dwelling units per acre. Mid or high-rise residential developments are also appropriate in this category. This shall include any residential developments in excess of four (4) stories per structure. Because of the unique, urban characteristics of RAC's, building height and density shall be reviewed on a case-by-case basis.
- Retail stores and service operations are considered the most appropriate use in the Retail/Service (RS) land use category. However, mixed-use developments that include office may also be appropriate. Residential development is inappropriate in the Retail/Service designation.
- Office developments are considered the most appropriate development in the Office land use category. However, mixed-use developments that include retail may also be appropriate. Mid or high rise residential developments are also appropriate in this category. This shall include any residential development in excess of four (4) stories per structure. Because of the unique, urban characteristics of RAC's, building height and density shall be reviewed on a case-by-case basis.

Master Plan/Corridor Study

The property is located within the boundary of Vinings Vision Plan.

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: Pulte Home Corporation

PETITION NO.: Z-49

PRESENT ZONING: O&I, RM-12

PETITION FOR: RM-8

PLANNING COMMENTS: (Continued)

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.

For more information on incentives, please call the Community Development Agency, Planning Division at 770.528.2018 or find information online at <http://economic.cobbcountyga.gov>.

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 the property within the Six Flags Special Services District?

Yes No

APPLICANT Pulte Home Corporation

PETITION NO. Z-049

PRESENT ZONING O&I, RM-12

PETITION FOR RM-8

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" DI / N side of Gilmore Rd

Additional Comments: Existing public water main/easement on site to be abandoned at Plan Review

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: 150' W in Gilmore Rd

Estimated Waste Generation (in G.P.D.): A D F= 4,480 Peak= 11,200

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

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 Sewer also 125' S in Beech Haven Trail
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: Pulte Home Corporation

PETITION NO.: Z-49

PRESENT ZONING: O&I, RM-12

PETITION FOR: RM-8

STORMWATER MANAGEMENT COMMENTS

FLOOD HAZARD: YES NO POSSIBLY, NOT VERIFIED

DRAINAGE BASIN: Gilmore 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 CONDITIONS

- 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.

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PETITION NO.: Z-49

PRESENT ZONING: O&I, RM-12

PETITION FOR: RM-8

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 at the southwest corner of Cumberland Parkway and Beech Haven Trail. It is also bounded by I-285 to the west and Gilmore Road to the south. The entire parcel drains to the northeast to an existing culvert under Cumberland Parkway. The existing site is wooded with moderate slopes except for the slope easement associated with Cumberland Parkway.
2. The site plan shows a bio-retention/water quality area near the northwest corner of the site. However, this area is not large enough to provide stormwater management the entire site and the majority of the site would naturally bypass this location. Additional stormwater management will be required. It may be possible to utilize the natural storage area within the slope easement at the northeast corner of the site, but this will likely take DOT approval.

APPLICANT: Pulte Home Corporation

PETITION NO.: Z-49

PRESENT ZONING: O&I, RM-12

PETITION FOR: RM-8

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
Gilmore Road	N/A	Local	25 mph	Cobb County	50'
Beech Haven Trail	4800	Minor Collector	25 mph	Cobb County	60'

Based on 2008 traffic counting data taken by Cobb DOT (Beech Haven Trail)

COMMENTS AND OBSERVATIONS

Gilmore Road 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.

Beech Haven Trail is classified as a minor collector 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 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 north side of Gilmore Road, a minimum of 25' from the roadway centerline.

Gilmore Road right-of-way will need to be abandoned prior to Land Disturbance Permit.

Recommend a deceleration lane on Beech Haven Trail for Gilmore Road.

Recommend sidewalk along the Gilmore Road frontage.

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

Recommend private streets be constructed to the Cobb County Standard Specifications.

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

STAFF RECOMMENDATIONS

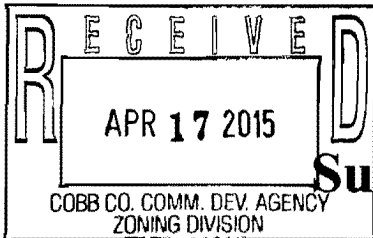
Z-49 PULTE HOME CORPORATION

- 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 property is bordered by multi-family to the south and there are other RM-12 and RA-5 properties in this area.
- 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. Other properties in the area are zoned for single and multi-family an office/institutional uses.
- 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 or utilities. This opinion can be supported by the departmental comments contained in this analysis. However, the school system is concerned the proposal could adversely affect certain schools.
- 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 as being in the Regional Activity Center (RAC) land use category. The RM-8 zoning category is compatible with the RAC land use category. Other properties in the area include: Vinings Heights, Sec 9 – Phase 2 (zoned R-20 at approximately 1.31 units per acre); Paces Ferry Registry (zoned RA-5 at 3.88 units per acre); Olde Ivy at Vinings – Pod A, Phase 2 (zoned RM-8, project was at 7.58 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 proposed development is in an area with single- and multi-family developments and office/institutional uses. The proposed density of 6.73 units per acre is less than some of the contiguous and nearby multi-family developments.

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

- Site plan received by the Zoning Division on March 31, 2015, with the District Commissioner approving minor modifications;
- Fire Department comments and recommendations;
- Water and Sewer Division comments and recommendations;
- Stormwater Management Division comments and recommendations;
- Cobb 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-49

June 2015

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): 2,500 and up square feet
- b) Proposed building architecture: Four sided architecture with a mix of brick and other materials.
- c) Proposed selling prices(s): \$325,000 and up
- d) List all requested variances: Any depicted on site plan filed herewith.

.....
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). Yes.
