

Z-91
(2015)

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PREPARED FOR
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RUSSELL PRESERVE

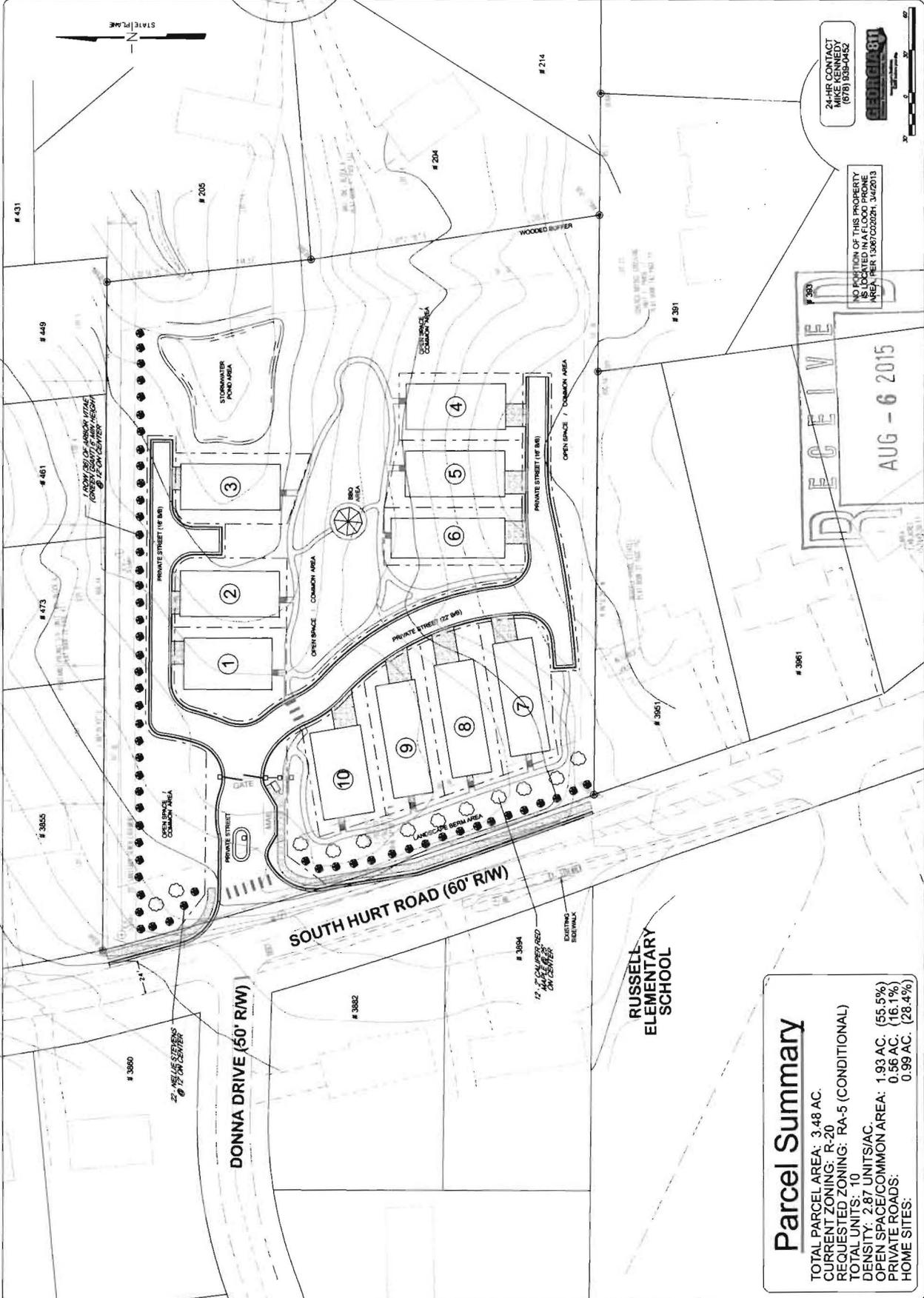
3808 SOUTH HURT ROAD
96 & 121 / 17TH / 2ND
96 & 121 / 17TH / 2ND
COBB COUNTY, GA

SITE PLAN



NO.	DATE	REVISION
1	08/06/15	ISSUE FOR PERMITTING
2		
3		
4		
5		
6		
7		
8		
9		
10		

DATE: 08/06/15
SCALE: AS SHOWN
PROJECT NO: Z-01



Parcel Summary

TOTAL PARCEL AREA: 3.48 AC.
CURRENT ZONING: R-20
REQUESTED ZONING: RA-5 (CONDITIONAL)
TOTAL UNITS: 10
DENSITY: 2.87 UNITS/AC
PRIVATE SPACE/COMMON AREA: 1.93 AC. (55.5%)
PRIVATE ROADS: 0.96 AC. (16.1%)
HOME SITES: 0.99 AC. (28.4%)

DR ECEIVE

AUG - 6 2015

24-HR CONTACT
MIKE KENNEDY
(678) 938-0452

NO PORTION OF THIS PROPERTY
IS LOCKED IN A FLOOD PRONE
AREA PER 13067 C00204, 3/4/2013

R-8 CO. COMM. DEV. AGENCY
ZONING DIVISION

APPLICANT: Michael B. Kennedy

PHONE#: (678) 939-0452 **EMAIL:** mikek.gce@gmail.com

REPRESENTATIVE: Michael B. Kennedy

PHONE#: (678) 939-0452 **EMAIL:** mikek.gce@gmail.com

TITLEHOLDER: Michael Kennedy

PROPERTY LOCATION: East side of South Hurt Road, across from Donna Drive

(3865 South Hurt Road)

ACCESS TO PROPERTY: South Hurt Road

PHYSICAL CHARACTERISTICS TO SITE: Undeveloped

CONTIGUOUS ZONING/DEVELOPMENT

NORTH: R-20/Pineland Springs Subdivision

SOUTH: R-20/Russell Ridge Estate Subdivision

EAST: R-20/Fox Fire Forest Subdivision

WEST: R-20/Russell Heights Subdivision

PETITION NO: Z-91

HEARING DATE (PC): 10-06-15

HEARING DATE (BOC): 10-20-15

PRESENT ZONING: R-20

PROPOSED ZONING: RA-5

PROPOSED USE: Residential Subdivision

SIZE OF TRACT: 3.48 acres

DISTRICT: 17

LAND LOT(S): 96,121

PARCEL(S): 15

TAXES: PAID X **DUE** _____

COMMISSION DISTRICT: 4

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

PLANNING COMMISSION RECOMMENDATION

APPROVED _____ **MOTION BY** _____

REJECTED _____ **SECONDED** _____

HELD _____ **CARRIED** _____

BOARD OF COMMISSIONERS DECISION

APPROVED _____ **MOTION BY** _____

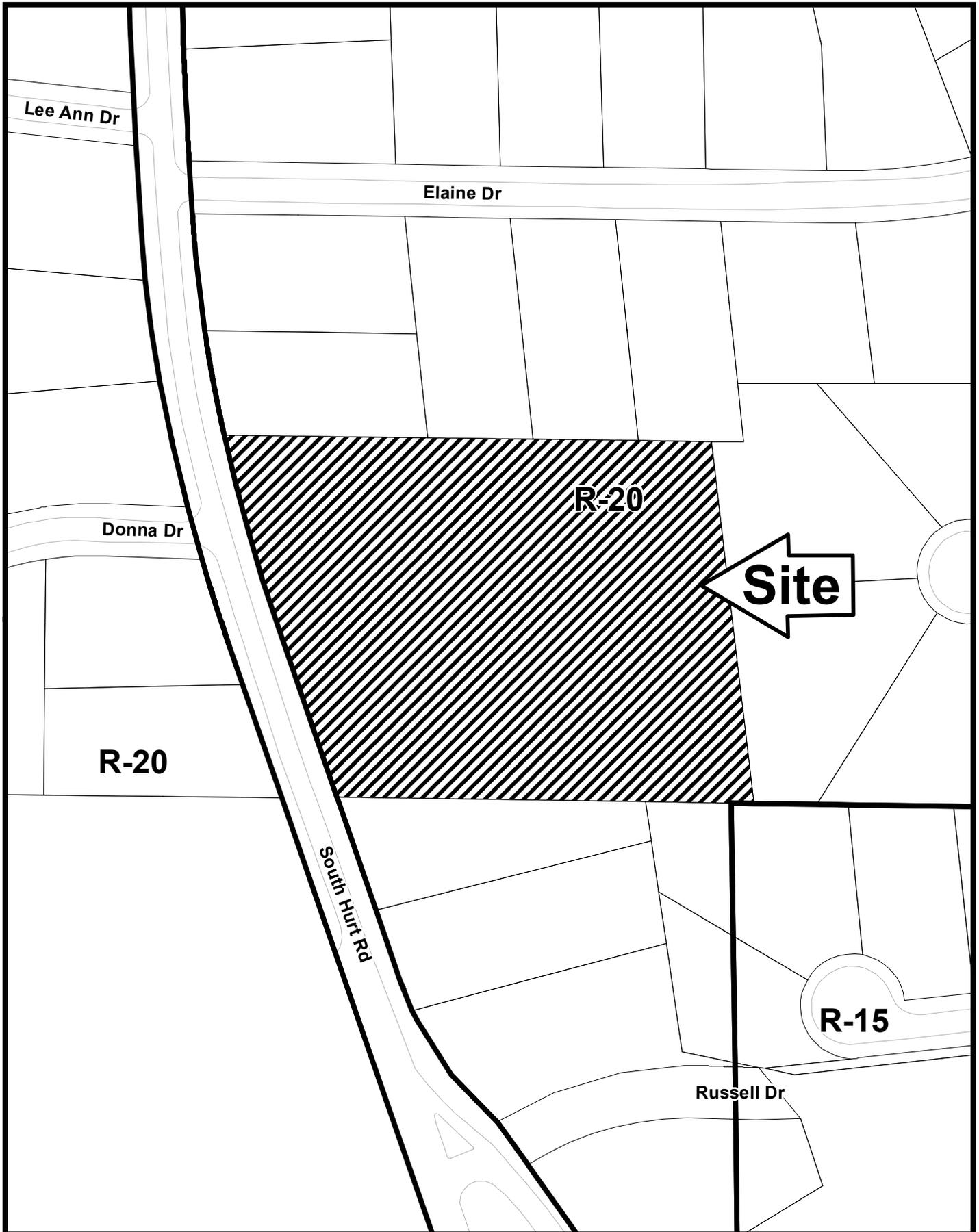
REJECTED _____ **SECONDED** _____

HELD _____ **CARRIED** _____

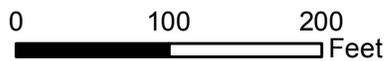
STIPULATIONS:



Z-91



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



-  City Boundary
-  Zoning Boundary

APPLICANT: Michael B. Kennedy

PETITION NO.: Z-91

PRESENT ZONING: R-20

PETITION FOR: RA-5

ZONING COMMENTS:

Staff Member Responsible: Jason A. Campbell

Land Use Plan Recommendation: Low Density Residential (1-2.5 units per acre)

Proposed Number of Units: 10 **Overall Density:** 2.87 **Units/Acre**

Staff estimate for allowable # of units: 6 **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.

Applicant is requesting the RA-5 zoning district for the purpose of developing a 10-lot residential subdivision. The proposed houses will be Craftsman style, with a minimum house size of 2,500 square feet, and will start selling in the \$400,000s.

The applicant is requesting the following contemporaneous variances:

1. Waive the minimum lot size from the required 7,000 square feet to those on site plan;
2. Setbacks as shown on site plan;
3. Waive the lot dimensions as shown on site plan; and
4. Waive public road frontage requirement.

Cemetery Preservation: No comment.

APPLICANT: Michael B. Kennedy

PETITION NO.: Z-91

PRESENT ZONING: R-20

PETITION FOR: RA-5

SCHOOL COMMENTS:

<u>Name of School</u>	<u>Student Capacity</u>	<u>Student Enrollment</u>	<u>Capacity Status</u>
Russell	809	676	133 under enrollment
Elementary Floyd	1,046	935	111 under enrollment
Middle Osborne	2,062	1,999	63 under enrollment

High

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

Additional Comments:

FIRE COMMENTS:

Fire apparatus access roads shall extend to within 150 feet of all portions of the facility or any portion of the exterior wall of the first floor (State Modifications IFC 503.1 2006 Edition).

All access roads shall meet the American Association of State and Highway Transportation Officials (AASHTO) design manual live load standard HS20 (75,000 lbs.) with an unobstructed width of not less than 20 feet, 25 foot inside radius, 50 foot outside turning radius and unobstructed vertical clearance of not less than 13 feet 6 inches.

Maximum slope of the access road in reference to the apparatus is 10% Front to Back and 5% Side to Side. Maximum grade of roadways leading to Fire Access roads refer to the Cobb County Development Standard Section 400: 14% for Non-Residential. Maximum angle of departure is 8.5%.

Dead-end access roads in excess of 150 feet shall be provided with a turn-around (IFC 503.2.5 2006 Edition). Cul-de-sac with or without an island: minimum 60-foot radius to outside curb, measured to inside of curb and a minimum lane width = 24 feet (Cobb County Development Standard 401.09). Single-Family cul-de-sac without island: 38-foot outside radius with island reverts to commercial dimensions. Hammerhead turn-around: total of 110 feet needed (45 feet + 20 feet wide roadway + 45 feet).

Aerial apparatus access shall be required for all structures over 30 feet in height measured from the lowest level of fire department access to the ceiling height of the highest occupied floor level. Aerial fire apparatus access roads shall be a minimum width of 24 feet maximum of 40 feet from the structure and be positioned parallel to one entire side of the building. No overhead utility and power lines shall be located within the aerial fire apparatus access. (Cobb County Development Standards 401.08.02.1)

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: Michael B. Kennedy

PETITION NO.: Z-91

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 3.48 acre site is located on the east side of South Hurt Road, across from Donna Drive.

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, and non supportive senior living housing that in certain circumstances may reach five (5) dwelling units per acre, depending on existing conditions such as product type and mix, structure/building height, tract size, topographic conditions, etc in order to provide compatibility with adjacent residential uses. This category presents a range of densities. RA-5 is acceptable in LDR, but residential should not exceed 2.5 units per acre.

Specific Area Policy Guidelines:

There are no specific policies for this area.

Adjacent Future Land Use:

North: Low Density Residential (LDR)

East: Low Density Residential (LDR)

South: Low Density Residential (LDR) – diagonally to the south west across South Hurt Road there is Public Institution (PI)

West: Low Density Residential (LDR) – across South Hurt Road

Master Plan/Corridor Study

The property is not located within the boundary of a Corridor Study.

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.

APPLICANT: Michael B. Kennedy

PETITION NO.: Z-91

PRESENT ZONING: R-20

PETITION FOR: RA-5

PLANNING COMMENTS: **Continued**

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 this property within the Six Flags Special Service District?

Yes No

APPLICANT Michael B. Kennedy

PETITION NO. Z-091

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" AC / E side of South Hurt Road

Additional Comments: If private streets, CCWS requires master water meter

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: Along northern portion of property

Estimated Waste Generation (in G.P.D.): A D F= 1,600 Peak= 4000

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

Driv 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: Applicant should be aware that sewer fees for entire development collected at time of master water meter purchase

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: Michael B. Kennedy

PETITION NO.: Z-91

PRESENT ZONING: R-20

PETITION FOR: RA-5

STORMWATER MANAGEMENT COMMENTS

FLOOD HAZARD: YES NO POSSIBLY, NOT VERIFIED

DRAINAGE BASIN: Noonday 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
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: Michael B. Kennedy

PETITION NO.: Z-91

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 South Hurt Road. The entire parcel drains to the east into and through the Foxfire Forest Subdivision. There is an existing private culvert located just downstream of the site that may be undersized.
2. There are multiple downstream drainage complaints and capacity issues due to the age of these developments. To mitigate these impacts, the First Flush Water Quality Best Management Practice Requirements must be elevated to the 1.5-inch rainfall event and each larger storm discharge controlled not to exceed the allowable discharge of the next lower, more frequent storm event (ie. 5-year storm event released at 2-year rate; 10-year event at 5-year rate; etc. to 100-year event at 50-year rate).
3. The proposed development with private roads will require that all stormwater infrastructure be maintained by the HOA.

APPLICANT: Michael B. Kennedy

PETITION NO.: Z-91

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
South Hurt Road	9,500	Minor Collector	35 mph	Cobb County	60'

Based on 2012 traffic counting data taken by Cobb County DOT for South Hurt Road

COMMENTS AND OBSERVATIONS

South Hurt Road is classified as a minor 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 east side of South Hurt Road, a minimum of 30' from the roadway centerline.

Recommend a deceleration lane on South Hurt Road for the entrance.

Recommend curb, gutter, and sidewalk along the South Hurt Road frontage.

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

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

Recommend the proposed gate meet Cobb County Development Standards.

Recommend development street either directly align or have an offset of a minimum of 125 feet from Donna Drive per Development Standard 401.10.

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

STAFF RECOMMENDATIONS

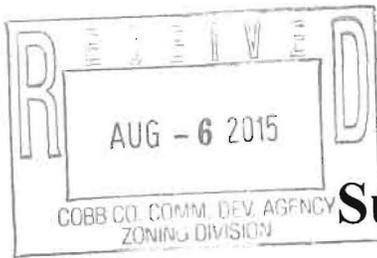
Z-91 MICHAEL B. KENNEDY

- 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. Other properties in the area zoned and used for single-family residential on larger lots.
- 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 if developed as proposed. The applicant's proposed density is higher than adjacent residential properties. Approving a higher density may destabilize the low density character of the area.
- 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 or utilities. This opinion can be supported by the departmental comments contained in this analysis. The applicant has already cleared the property inconsistent with County Code and policy, which has led to many complaints.
- 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*, which delineates this property as being in the Low Density Residential (LDR) land use category for densities ranging from 1-2.5 units per acre. The proposed development has a density of 2.87 units per acre, over the 2.5 maximum for the Medium Density Residential land use category. Other properties in the area include: Fox Fire Forest (zoned R-20 at 1.6 units per acre); Covered Bridge Crossing (zoned R-15 at 1.8 units per acre); and Russell Heights (zoned R-20 at 2.5 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 deleting the applicant's rezoning proposal to the R-15 zoning district. Deleting the property to R-15 will be consistent with other properties and densities in this area. Nearby properties zoned R-15 and R-20 are developed on larger lots on public streets. The applicant will also need several variances for the requested RA-5 category.

Based on the above analysis, Staff recommends DELETING to R-15 subject to the following conditions:

- Site plan to be approved by the Board of Commissioners, with the District Commissioner approving minor modifications;
- Meeting R-15 requirements;
- Fire Department comments and recommendations;
- Water and Sewer 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 No. Z-91

Oct. 2015

Summary of Intent for Rezoning

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

- a) Proposed unit square-footage(s): 2500
- b) Proposed building architecture: CRAFTSMAN
- c) Proposed selling prices(s): \$400,000
- d) List all requested variances: PRIVATE ROADS
LOT DIMENSIONS
SETBACKS
MINIMUM LOT AREA

.....
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).

NO