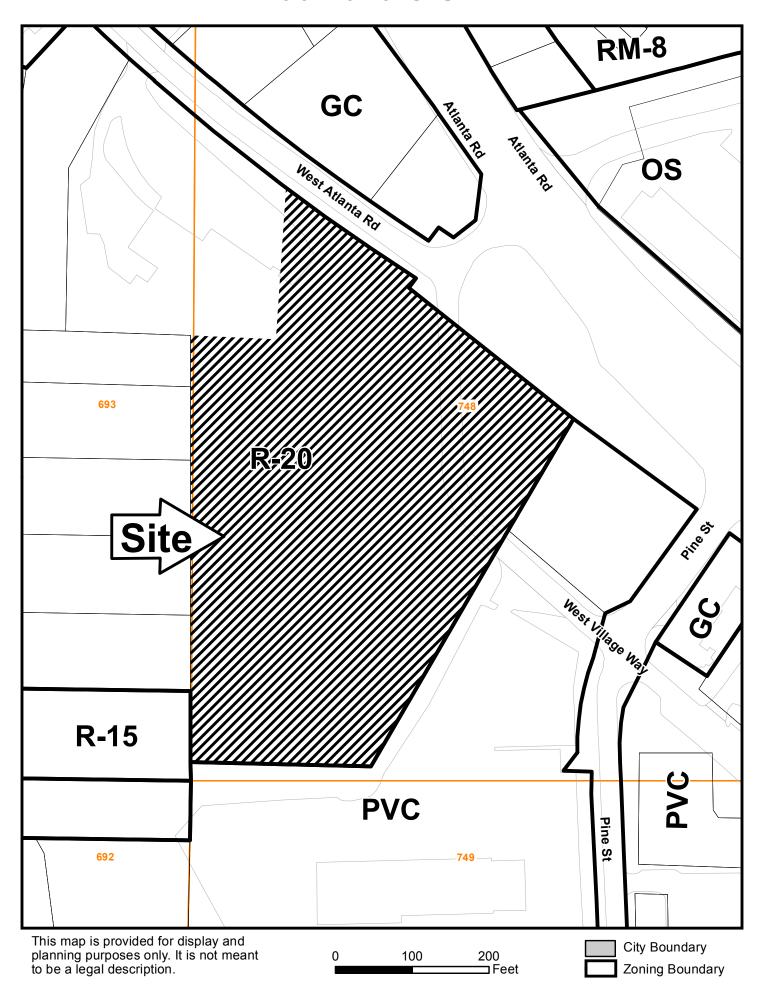


APPLICANT: Pulte Home Corporation	PETITION NO: Z- 66
PHONE#: 770-422-7016 EMAIL: jballi@slhb-law.com	HEARING DATE (PC):08-02-16
REPRESENTATIVE: James A. Balli	HEARING DATE (BOC): 08-16-16
PHONE#: 770-422-7016 EMAIL: jballi@slhb-law.com	PRESENT ZONING: R-20
TITLEHOLDER: Cobb County Board of Education	
	PROPOSED ZONING: RM-8
PROPERTY LOCATION: On the southwest side of West Atlanta	
Road, west of Atlanta Road and on the west side of West Village Way	PROPOSED USE: Attached Residential
(4400 West Atlanta Road)	
ACCESS TO PROPERTY: West Atlanta Road, West Village Way	SIZE OF TRACT: 5.116 acres
	DISTRICT: 17
PHYSICAL CHARACTERISTICS TO SITE: Board of Education	LAND LOT(S): 748
building	PARCEL(S):34
	TAXES: PAID X DUE
CONTIGUOUS ZONING/DEVELOPMENT	COMMISSION DISTRICT: 2
WEST: PVC/Vacant Comm WEST: R-20 & R-15/Vacant; Single-family house; BOE West Northw	vest: Medium Density Residential (MDR)
OPPOSITION: NO. OPPOSEDPETITION NO:SPOKESM PLANNING COMMISSION RECOMMENDATION APPROVEDMOTION BY	MAN
REJECTED SECONDED E CARRIED RAS S	GC RM-8
BOARD OF COMMISSIONERS DECISION	R 200
APPROVEDMOTION BYR20	GC
REJECTEDSECONDEDSIT HELDCARRIED	
STIPULATIONS:	PVC PVC 7884 784

Z-66-2016 GIS



APPLICANT: Pulte Home Corporation	PETITION NO.: _	Z-66
PRESENT ZONING: R-20	PETITION FOR:	RM-8
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ZONING COMMENTS: Staff Member Respon	nsible: Jason A. Campbell	
Land Use Plan Recommendation: Medium Density	Residential (2.5-5 units per ac	ere)
Proposed Number of Units: 46 Ove	erall Density: 7.99** Un	its/Acre
Staff estimate for allowable # of units: 8 Units* *Estimate could be higher or lower based on engineered plans taking natural features such as creeks, wetlands, etc., and other unforeseen cir **Based on 5.756 acres under Code Section 134-167.	g into account topography, shape of p	Units/Lots roperty, utilities, roadways

Applicant is requesting the RM-8 zoning district for the purpose of developing a 46-unit attached residential subdivision. The townhomes will be 24 feet wide and will be front loaded. The units will range in size from 2,200 square feet and up to 3,900 square feet and will be traditional, three sided brick mix. The prices will start in the mid \$400,00s.

The proposed site plan will require a waiver of the required 25-foot landscape buffer abutting residential property to the west.

Cemetery Preservation: No comment.

APPLICANT:	Pul	te Home	e Corpo	ration]	PET	ITI	ON	IN	0.:	\mathbf{Z}	-66			
PRESENT ZON	NING:	I	R-20]	PET	ITI	ON	I F	OR:	R	M-8			
*****	* * *	* * * *	* * * *	* * *	* * *	* * :	* * :	* * *	* *	* *	* * *	k *	* *	* *	* * *	* * :	* * *	* *	* *	

SCHOOL COMMENTS:

			Number of
		Capacity	Portable
Name of School	Enrollment	Status	Classrooms
Nickajack	1017	1025	
Elementary Campbell	1437	1203	
Middle Campbell	2669	2637	

High

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

Additional Comments:

Approval of this petition will not have a significant impact on the enrollment at these schools.

APPLICANT: Pulte Home Corporation	PETITION NO.: Z-66
*********	* * * * * * * * * * * * * * * * * * * *
FIDE COMMENTS.	

Cobb County Fire Marshal's Office recommendations:

• Guest Parking be implemented to facilitate clear roadways for emergency vehicle response

Modifications may be required to incorporate the Cobb County Fire Marshal's Office comments.

GUEST PARKING: When projects contemplate less than 20 foot separation between units, guest parking shall be provided at a ratio of one-half space for each dwelling unit (1 space/ 2 units).

APPLICANT: Pt PRESENT ZONI	ulte Home Corporation		ΓΙΟΝ NO.: Z-66 ΓΙΟΝ FOR:RM-8	
********* PLANNING CO	* * * * * * * * * * * * * * * * * * * *	*****	*****	* * * *
acre site is located	equesting a rezoning from R-20 to l on the southwest side of West At way (4400 West Atlanta Road).			
Is the application s	rnmental Agreement Zoning Amer site within one half (1/2) mile of a of Smyrna been notified?		■ Yes □ 1	No No / N/A
designation. The	dan in a Medium Density Residential (purpose of the Medium Density Retate density housing, between two	esidential (MDR) cate	gory is to provide f	or areas that are
Specific Area Poli There are no speci	cy Guidelines: fic policy guidelines for this area	in the Comprehensive	Plan.	
Southeast: Cor South: Me West Me	cand Use: ighborhood Activity Center (NAC mmunity Activity Center (CAC) edium Density Residential (MDR) edium Density Residential (MDR) edium Density Residential (MDR)	,	, ,	
Master Plan/Corr. The property is no	<i>idor Study</i> of located within the boundary of a	Plan or Corridor Stud	у	
documented Civil project area. Due potential to contri	various county resources included War trench maps, it is determine to the age and location of the structure significantly to the county's the development or, alternately, do	ned that a historic schedure, information about public history. Staff	nool building is loout this resource app frecommends the	cated within the pears to have the
history of the sch	ly document this structure and the nool (as well as archival-quality eted by a cultural resource consult ner.	photographs of the	structure, all outbu	ildings, and its
If yes, design guid	area with Design Guidelines? lelines area ite plan comply with the design re	☐ Yes quirements?	■ No	
<u>Incentive Zones</u> Is the property wit	thin an Opportunity Zone?	☐ Yes ■ No		

APPLICANT: Pulte Home Corporation	PETITION NO.: Z- 66
PRESENT ZONING: R-20	PETITION FOR:RM-8

PLANNING COMMENTS:	CONT.
The Opportunity Zone is an incentive that provides \$3,5 jobs are being created. This incentive is available for ne	
1 1 2	Yes ■ No
The Enterprise Zone is an incentive that princentives for qualifying businesses locating or expandint investments.	provides tax abatements and other economic ng within designated areas for new jobs and capital
Is the property eligible for incentives through the Comp Program? ☐ Yes ■ 1	± •
The Commercial and Industrial Property Rehabilitation ad valorem property taxes for qualifying redevelopment	<u> </u>
For more information on incentives, please call the Con 770.528.2018 or find information online at	

PRESENT ZONING <u>R-20</u>				PE'	TITION FOR <u>RM-8</u>
* * * * * * * * * * * * * * * * * * * *	* * :	* * * * * * * * *	* * *	* * *	******
WATER COMMENTS: NOTE: Comments refle	ect o	nly what facilities	were	in exi	istence 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" C	I/S	side of West Atl	lanta	Rd	
Additional Comments: Also 8" DI / E side of Wo	est V	Village Way			
Developer may be required to install/upgrade water mains, based on Review Process.	fire fl	ow test results or Fire I	Departn	nent Co	ode. This will be resolved in the Plan
* * * * * * * * * * * * * * * * * * * *	* *	* * * * * * * * *	* * *	* *	* * * * * * * * * * * * *
SEWER COMMENTS: NOTE: Comments r	eflec	ct only what faciliti	es we	re in	existence at the time of this review.
In Drainage Basin:	✓	Yes			No
At Development:		Yes		~	No
Approximate Distance to Nearest Sewer: 300	'S w	vith easement			
Estimated Waste Generation (in G.P.D.): A I) F=	7,360		I	Peak= 18,400
Treatment Plant:		South	Cob	b	
Plant Capacity:	✓	Available		Not	Available
Line Capacity:	~	Available		Not	Available
Projected Plant Availability:	~	0 - 5 years		5 - 1	0 vears
Dry Sewers Required:		Yes	✓	No	
Off-site Easements Required:	✓	Yes*		No	*If off-site easements are required, Developer must submit easements to CCWS for
Flow Test Required:		Yes	~	No	review/approval as to form and stipulations prior to the execution of easements by the
Letter of Allocation issued:		Yes	✓	No	property owners. All easement acquisitions are the responsibility of the Developer
Septic Tank Recommended by this Department:		Yes	~	No	
Subject to Health Department Approval:		Yes	✓	No	
Additional					

PETITION NO. Z-066

APPLICANT Pulte Home Corporation

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.

PRESENT ZONING: <u>R-20</u>	PETITION FOR: <u>RM-8</u>
*************	**********
STORMWATER MANAGEMENT COMMENTS	
FLOOD HAZARD: YES NO POSSIBLY, I	NOT VERIFIED
DRAINAGE BASIN: Unnamed Trib to Chattahoochee R ☐ FEMA Designated 100 year Floodplain Flood. ☐ Flood Damage Prevention Ordinance DESIGNATED FL ☐ Project subject to the Cobb County Flood Damage Preven ☐ Dam Breach zone from (upstream) (onsite) lake - need to	OOD HAZARD. ntion Ordinance Requirements.
<u>WETLANDS:</u> ☐ YES ☐ NO ☐ POSSIBLY, NOT	VERIFIED
Location:	
The Owner/Developer is responsible for obtaining any Corps of Engineer.	required wetland permits from the U.S. Army
STREAMBANK BUFFER ZONE: YES NO	POSSIBLY, NOT VERIFIED
 Metropolitan River Protection Area (within 2000' of undisturbed buffer each side of waterway). Chattahoochee River Corridor Tributary Area - County reached Erosion-Sediment Control Law and County Order Georgia DNR Variance may be required to work in 25 for County Buffer Ordinance: 50', 75', 100' or 200' each side 	eview (<u>undisturbed</u> buffer each side). inance - County Review/State Review. oot streambank buffers.
DOWNSTREAM CONDITIONS	
 □ Potential or Known drainage problems exist for developm □ Stormwater discharges must be controlled not to exceed drainage system. □ Minimize runoff into public roads. □ Minimize the effect of concentrated stormwater discharge □ Developer must secure any drainage easements required 	the capacity available in the downstream storm
exist naturally. Existing Lake Downstream Additional BMP's for erosion sediment controls will be re-	
 Lake Study needed to document sediment levels. Stormwater discharges through an established residential Project engineer must evaluate the impact of increased project on downstream receiving system. 	neighborhood downstream.

PETITION NO.: <u>Z-66</u>

APPLICANT: Pulte Home Corporation

APPLICANT: <u>Pulte Home Corporation</u>	PETITION NO.: <u>Z-66</u>
PRESENT ZONING: <u>R-20</u>	PETITION FOR: <u>RM-8</u>
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STORMWATER MANAGEMENT COMMENTS	- Continued
SPECIAL SITE CONDITIONS	
Provide comprehensive hydrology/stormwater controls to Submit all proposed site improvements to Plan Review. Any spring activity uncovered must be addressed by a qualified Structural fill must be placed under the direction engineer (PE). Existing facility. Project must comply with the Water Quality requirer County Water Quality Ordinance. Water Quality/Quantity contributions of the existing lal conditions into proposed project. Calculate and provide % impervious of project site. Revisit design; reduce pavement area to reduce runoff and	ualified geotechnical engineer (PE). of a qualified registered Georgia geotechnical ments of the CWA-NPDES-NPS Permit and ke/pond on site must be continued as baseline
INSUFFICIENT INFORMATION	
 No Stormwater controls shown Copy of survey is not current – Additional comments mare exposed. No site improvements showing on exhibit. 	ay be forthcoming when current site conditions

ADDITIONAL COMMENTS

- 1. This site drains to the south into and through the adjacent West Village Development. Adequate stormwater conveyance and drainage easement(s) will be required where none currently exist.
- 2. No stormwater management facility is shown. Adequate space must be provided for a surface pond or underground facility. It will need to be located along or near the southern property boundary to control runoff from the entire site.
- 3. Development of this project will result in an increase in impervious coverage, storm runoff and non-point source pollution compared to build-out under the current single-family zoning categories. To mitigate, 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).

APPLICANT: Pulte Home Corporation	PETITION NO.: Z-66
PRESENT ZONING: R-20	PETITION FOR: RM-8
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TRANSPORTATION COMMENTS:	

ROADWAY	AVERAGE DAILY TRIPS	ROADWAY CLASSIFICATION	SPEED LIMIT	JURISDICTIONAL CONTROL	MIN. R.O.W. REQUIREMENTS
West Atlanta Road	N/A	Local	35 mph	Cobb County	50'

COMMENTS AND OBSERVATIONS

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

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

Recommend curb, gutter, and sidewalk along the frontage of West Atlanta Road and West Village Way.

Recommend any public streets designed to have one end permanently closed to end in a cul-de-sac.

Recommend West Village Way be dedicated to Cobb County DOT and necessary easements obtained prior to plan approval.

STAFF RECOMMENDATIONS

Z-66 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. Nearby properties are zoned and developed for mixed use, single-family houses, retail and office uses.
- 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 proposal is compatible with other developments in the area. West Village has a density of 22.83 units per acre, and the new WellStar facility across Atlanta Road is four stories with 165,000 square feet.
- 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 mostly in conformity with the policy and intent of the *Cobb County Comprehensive Plan*, which delineates this property as being the Medium Density Residential (MDR) land use category. The requested RM-8 is compatible with MDR; however, the proposed density is higher than five units per acre due to the character of the area and the need for demolition of the existing school buildings.
- 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 next to West Village, which is a mixed use development with over 22 units per acre. Applicant's proposal is consistent with newer development in the area.

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

- 1. Site plan received July 7, 2016, with the District Commissioner approving the final site plan;
- 2. District Commissioner to approve final building architecture;
- 3. Fire Department comments and recommendations;
- 4. Water and Sewer Division comments and recommendations;
- 5. Stormwater Management Division comments and recommendations; and
- 6. Department of Transportation comments and recommendations.

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-66 Aug. 2016

Summary of Intent for Rezoning

rt 1.	Residen	tial Rezoning Information (attach additional information if needed)
	a)	Proposed unit square-footage(s): Up to 3,900 square feet
	b)	Proposed building architecture: <u>Traditional three sided brick, mix</u>
	c)	Proposed selling prices(s): Mid \$400,000's
	d) 	List all requested variances: Site Plan Specific (see plan). JUN - 2 2016 COBB CO. COMM. DEV. AGENCY ZONING DIVISION
2.	Non-res	idential Rezoning Information (attach additional information if needed)
	a)	Proposed use(s): N/A
	b)	Proposed building architecture: N/A
	c)	Proposed hours/days of operation: N/A
	d)	List all requested variances: N/A
art 3	3. Other	Pertinent Information (List or attach additional information if needed)
rt 4.	Is any	of the property included on the proposed site plan owned by the Local, State, or Federal Government?
	-	list all Right-of-Ways, Government owned lots, County owned parcels and/or remnants, etc., and attac
	•	anly sharving whose these properties are leasted)
	niat olo	
	plat cle	None known.
	plat cle	None known.