

APPLICANT: John Okooboh
PHONE#: _____ **EMAIL:** JOHNOKOBOH@GMAIL.COM
REPRESENTATIVE: Eric Hodge
PHONE#: (404) 454-6323 **EMAIL:** e2hodge@yahoo.com
TITLEHOLDER: John Okooboh

PETITION NO: Z-81
HEARING DATE (PC): 09-08-16
HEARING DATE (BOC): 09-20-16
PRESENT ZONING: R-20
PROPOSED ZONING: FST

PROPERTY LOCATION: East side of Shenandoah Trail, south of Hillcrest Drive
(6837 Shenandoah Trail)

PROPOSED USE: Townhomes

ACCESS TO PROPERTY: Shenandoah Trail

SIZE OF TRACT: 2.14 acres

PHYSICAL CHARACTERISTICS TO SITE: Vacant tract

DISTRICT: 18

LAND LOT(S): 411

PARCEL(S): 12

TAXES: PAID X **DUE** _____

COMMISSION DISTRICT: 4

CONTIGUOUS ZONING/DEVELOPMENT

NORTH: R-20/ Single-family residential
SOUTH: R-20/ Apartments at Windwood
EAST: RA-5/ Hillcrest Estates
WEST: RM-12/ Highland Hills Townhomes and Apartments

Adjacent Future Land Use:
 Northeast: Medium Density Residential (MDR)
 East: Medium Density Residential (MDR)
 Southwest: High Density Residential (HDR)
 Northwest: Medium Density Residential (MDR) with High Density Residential (HDR) on the other side of the road right of way for Shenandoah Trail

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

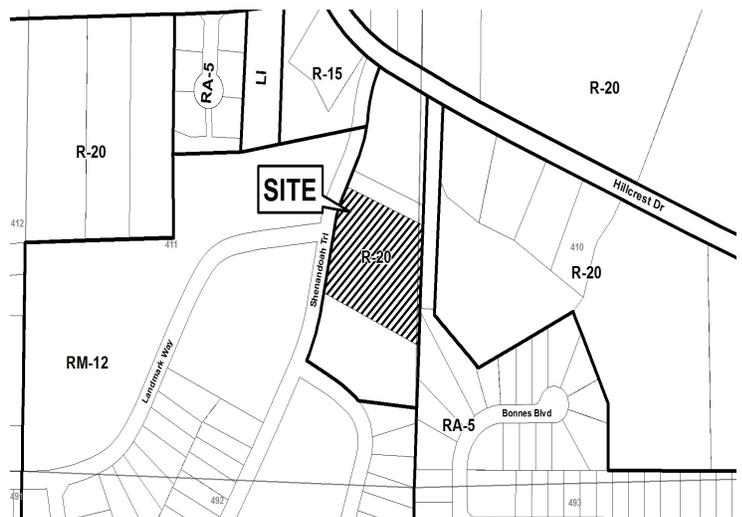
PLANNING COMMISSION RECOMMENDATION

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

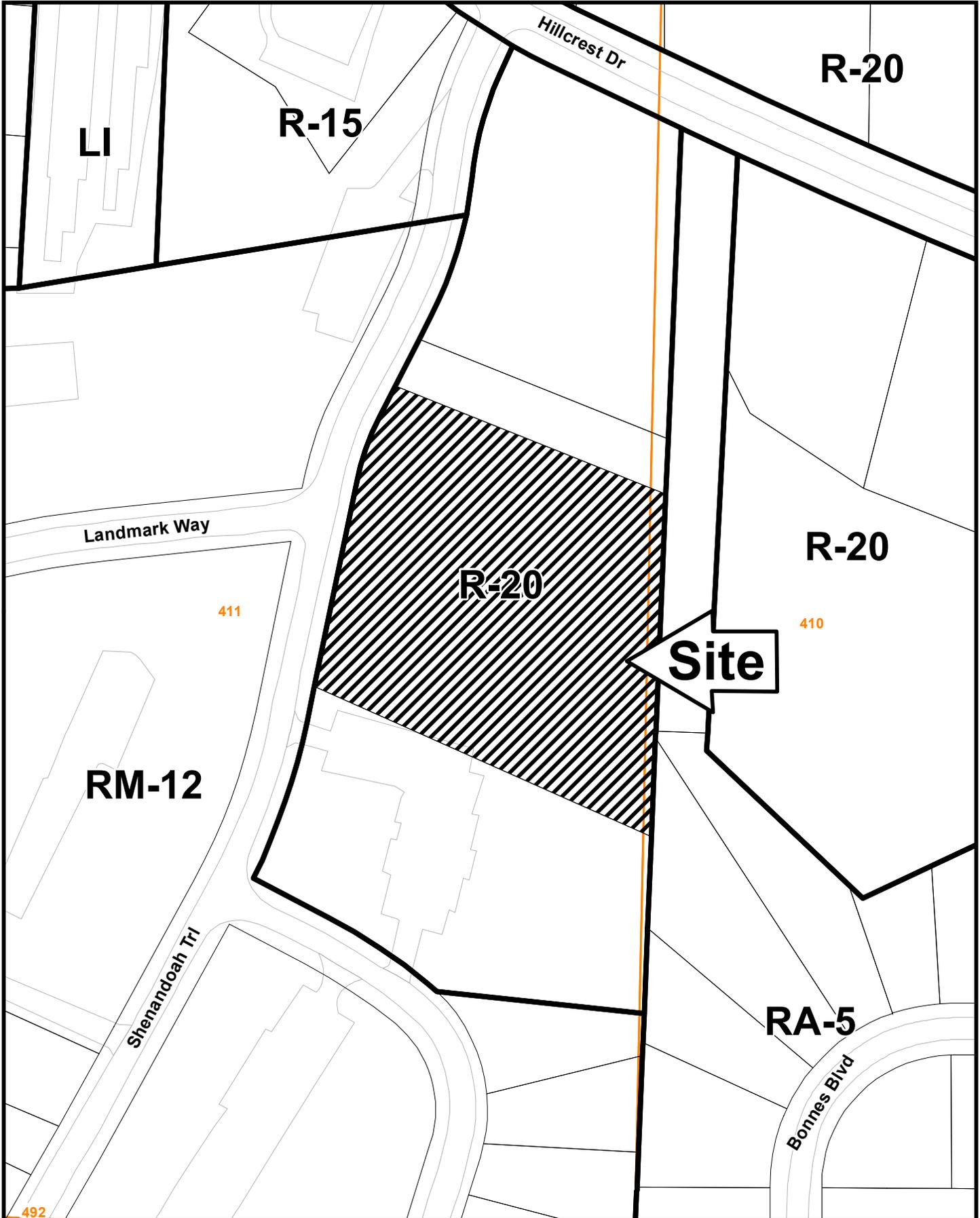
BOARD OF COMMISSIONERS DECISION

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

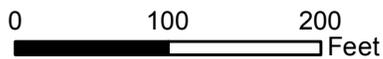
STIPULATIONS:



Z-81-2016 GIS



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



-  City Boundary
-  Zoning Boundary

APPLICANT: John Okooboh

PETITION NO.: Z-81

PRESENT ZONING: R-20

PETITION FOR: FST

ZONING COMMENTS:

Staff Member Responsible: Terry Martin, MPA

Land Use Plan Recommendation: Medium Density Residential (2.5-5 units per acre)

Proposed Number of Units: 10 **Overall Density:** 4.67 **Units/Acre**

Staff estimate for allowable # of units: 3 **Units*** **Increase of:** 7 **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 current R-20 single-family residential district to FST fee simple townhouse residential district in order to develop a 10 unit townhouse development. The proposed two story townhomes will be 1,500 sq. ft. to 1,800 sq. ft. and are estimated to sell for \$119,000 to \$159,900.

The development, as proposed, nets a density of 4.67 units per acre while providing green space and a common area for the residents. Also, all Code-required setbacks including the 10 foot landscape buffer adjacent to more restrictive residentially zoned properties to the north and south are being adhered to.

Cemetery Preservation: No comment

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SCHOOL COMMENTS:

<u>Name of School</u>	<u>Enrollment</u>	<u>Capacity Status</u>	<u>Number of Portable Classrooms</u>
<u>Riverside Primary</u>	<u>642</u>	<u>527</u>	<u> </u>
<u>Riverside Inter</u>	<u>1260</u>	<u>973</u>	<u> </u>
<u>Lindley 6th</u>	<u>521</u>	<u>708</u>	<u> </u>
<u>Lindley (7-8)</u>	<u>1145</u>	<u>1046</u>	<u> </u>
<u>Pebblebrook High</u>	<u>2524</u>	<u>1862</u>	<u> </u>

- 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.

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FIRE COMMENTS:

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).

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PRESENT ZONING: R-20

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PLANNING COMMENTS:

The applicant is requesting a rezoning from R-20 to FST for the purpose of Townhomes. The 2.14 acre site is located on the east side of Shenandoah Trail; south of Hillcrest Drive (6837 Shenandoah Trail).

HB-489 Intergovernmental Agreement Zoning Amendment Notification:

Is the application site within one half (1/2) mile of a city boundary? Yes No
If yes, has the city of _____ been notified? Yes No / N/A

Comprehensive Plan

The parcel is within a Medium Density Residential (MDR) future land use categories, with a 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.

Specific Area Policy Guidelines:

There are no specific policy guidelines for this area in the Comprehensive Plan.

Adjacent Future Land Use:

Northeast: Medium Density Residential (MDR)
East: Medium Density Residential (MDR)
Southwest: High Density Residential (HDR)
Northwest: Medium Density Residential (MDR) with High Density Residential (HDR) on the other side of the road right of way for Shenandoah Trail

Master Plan/Corridor Study

The property is not located within the boundary of a Plan or 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 South Cobb 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

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PRESENT ZONING: R-20

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PLANNING COMMENTS:

CONT.

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

Is the property within the Dobbins Airfield Safety Zone?

Yes No

If so, which particular safety zone is this property within?

CZ (Clear Zone) APZ I (Accident Potential Zone I)

APZ II (Accident Potential Zone II)

Bird / Wildlife Air Strike Hazard (BASH) area

APPLICANT John Okooboh

PETITION NO. Z-081

PRESENT ZONING R-20

PETITION FOR FST

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 / E side of Shenandoah Trail

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: 100' S in Shenandoah Trail

Estimated Waste Generation (in G.P.D.): A D F= 1,920 Peak= 4,800

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

Dry 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.

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STORMWATER MANAGEMENT COMMENTS

FLOOD HAZARD: YES NO POSSIBLY, NOT VERIFIED

DRAINAGE BASIN: Unnamed Trib to Chattahoochee Rvr 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/drainage easements 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 neighborhoods downstream.
- Project engineer must evaluate the impact of increased volume of runoff generated by the proposed project on receiving system.

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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 parcel is located on the east side of Shenandoah Trail at the intersection of Landmark Way. The existing site is mostly wooded with average slopes ranging from 10 to 25%. The site drains to the south and east into and through the adjacent Apartments at Wildwood and Hillcrest Estates Subdivision.
2. The site is proposed to be served by a single stormwater management pond at the low point of the site near the southeast corner. A drainage easement will be required from the one of the adjacent property owners to accommodate the proposed concentrated discharge.
3. This will be a private development, therefore the stormwater infrastructure will be maintained by the HOA.

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TRANSPORTATION COMMENTS:

ROADWAY	AVERAGE DAILY TRIPS	ROADWAY CLASSIFICATION	SPEED LIMIT	JURISDICTIONAL CONTROL	MIN. R.O.W. REQUIREMENTS
Shenandoah Trail	N/A	Local	25 mph	Cobb County	50'

COMMENTS AND OBSERVATIONS

Shenandoah Trail 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 development street directly align with Landmark Way per Development Standard 401.10.

Recommend curb, gutter, and sidewalk along the Shenandoah Trail frontage.

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

STAFF RECOMMENDATIONS

Z-81 JOHN OKOBOH

- 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 include the Apartments at Windwood (on R-20 property to the south) and Highland Hills Townhomes and Apartments to the west as well as the RA-5 subdivision Hillcrest Estates.
- 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. Situated as it is, the subject property abuts an existing apartment property and other single-family lots that are built and are unlikely to be affected by the proposed townhomes.
- 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 in conformity with the policy and intent of the *Cobb County Comprehensive Plan* which delineates the property to be within the MDR medium density residential future land use category. This category forecasts a density of 2.5-5 units per acre. The proposed development will be well within this range at 4.67 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 property is located within a MDR future land use area where the development of the proposed ten townhomes will result in a density of 4.67 upa. The proposed plan follows all Code-required criteria including setbacks and landscape buffers while providing green space and common area for residents and provides a transition between existing apartments in the area and other nearby single-family residences.

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

1. Site plan received by the Zoning Division on August 5, 2016 with District Commissioner approving minor modifications;
2. District Commissioner to approve building elevations;
3. Water and Sewer Division comments and recommendations;
4. Stormwater Management Division comments and recommendations;
5. Fire Department 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.

Sept. 2016

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): 1500 - 1800 SQ/FT
- b) Proposed building architecture: TOWNHOUSE 2 STORY.
- c) Proposed selling prices(s): \$119,000 - 159,900.
- d) List all requested variances: NONE

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

- a) Proposed use(s): N/A
- 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)

PROP-SITE plan - SURVEY.

.....
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).

N/A -

