

Rezoning Plat

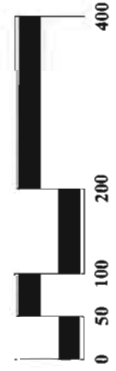
Cooper Lake Road Community

Cobb County, Georgia Land Lot 257 and 320, 17th District, 2nd Section

prepared for:

Cooper Lake Hills, LLC

RECEIVED
SEP 15 2017
COB CO. COMM. DEV. AGENCY
ZONING DIVISION

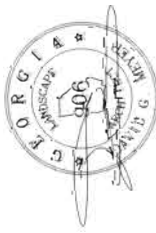


Scale: 1" = 100'
September 5, 2017

DGM
LAND PLANNING
CONSULTANTS



975 Goss Park
Bun. Suite 212
KENNESAW
GA 30144
770 514-9006
FAX 514-9491



Site Data

Total Site Area: 14.07 AC
Total Units Shown: 27
Density: 1.92 UN/AC
Present Zoning: R-20
Proposed Zoning: R-15
Average Lot Size: 18,897 SF
Minimum Lot Width: 95'
Building Setbacks:
 front: 35'
 rear: 30'
 side: 10'

- Notes:**
1. Existing survey by Jason L. Hulse, dated 12/4/13.
 2. Topographic information by Cobb County GIS.
 3. According to Flood Insurance Rate Map (FIRM) #30067C0008H dated 1/20/13 no portion of this site contains floodplain.
 4. No easements are shown to exist on site.
 5. No trees or utilities are shown to exist on site.
 6. No archeological or architectural landmarks are known to exist on site.
 7. All lot area estimates are based on this plat.
 8. Stormwater management and water quality structures are conceptual in size and will be revised based on hydrologic study.



APPLICANT: Cooper Lake Hills, LLC
PHONE #: (678) 819-5557 **EMAIL:** whit@southernrealtypartners.com
REPRESENTATIVE: J. Kevin Moore
PHONE #: (770) 429-1499 **EMAIL:** jkem@mijs.com
TITLEHOLDER: Ted L. Lindstedt

PETITION NO: Z-62
HEARING DATE (PC): 10-03-17
HEARING DATE (BOC): 10-17-17
PRESENT ZONING: R-20
PROPOSED ZONING: R-15

PROPERTY LOCATION: South and east sides of Cooper Lake Road,
west of Civitania Road
(300 and 320 Cooper Lake Road)

PROPOSED USE: Single-family Residential
Subdivision

ACCESS TO PROPERTY: Cooper Lake Road

SIZE OF TRACT: 14.07 acres

PHYSICAL CHARACTERISTICS TO SITE: Single-family
residences

DISTRICT: 17

LAND LOT(S): 257,320

PARCEL(S): 1,2

TAXES: PAID X **DUE** _____

COMMISSION DISTRICT: 4

CONTIGUOUS ZONING/DEVELOPMENT

NORTH: R-20/ Large Tract Single-family Residence
SOUTH: R-15/ Stoney Brook Subdivision
EAST: R-20/ Large Tract Single-family Residence
WEST: R-20/ Cooper Hills Subdivision

Adjacent Future Land Use:
 North: Low Density Residential (LDR)
 Southeast: Low Density Residential (LDR)
 South: Low Density Residential (LDR)
 Northwest: Low Density Residential (LDR)

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

PLANNING COMMISSION RECOMMENDATION

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

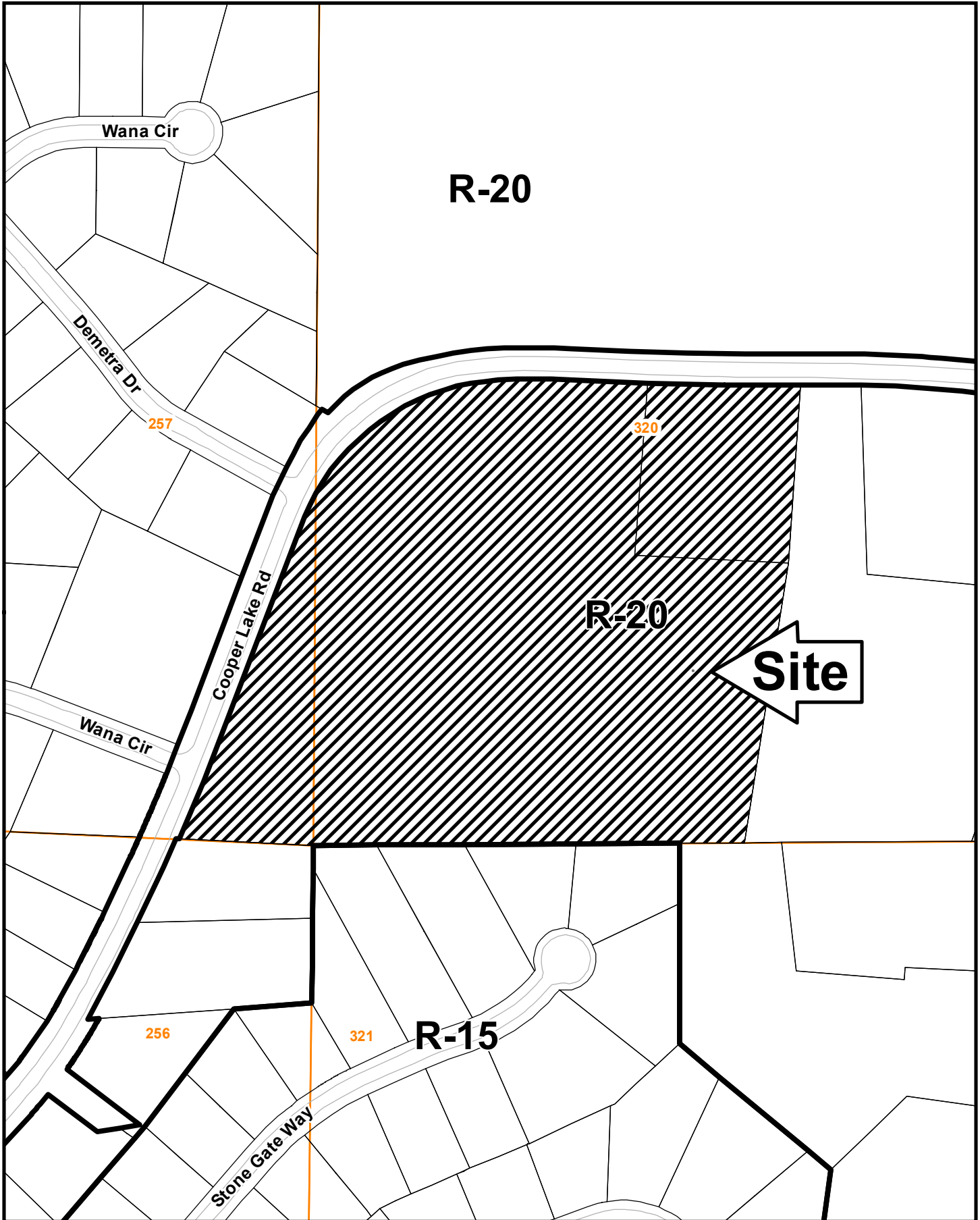
BOARD OF COMMISSIONERS DECISION

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

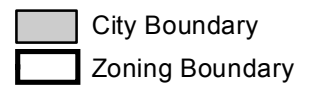
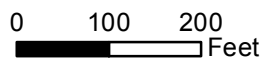
STIPULATIONS:



Z-62 2017-GIS



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



APPLICANT: Cooper Lake Hills, LLC

PETITION NO.: Z-62

PRESENT ZONING: R-20

PETITION FOR: R-15

ZONING COMMENTS:

Staff Member Responsible: Terry Martin, MPA

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

Proposed Number of Units: 26 **Overall Density:** 1.85 **Units/Acre**

Staff estimate for allowable # of units: 24 **Units*** **Increase of:** 2 **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 site from the current R-20 single-family residential district to the R-15 single-family residential district in order to develop a 26 lot residential subdivision. With a total size of 14.07 acres, the overall density will be 1.85 units per acre (upa). The average lot size will be 18,897 square feet, well over the district’s required 15,000 square feet. The proposed residences will be 2,200 square feet in size and greater of traditional and craftsman architecture. The applicant is not proposing the need for any variances from the R-15 district regulations.

Cemetery Preservation: No comment.

APPLICANT: Cooper Lake Hills, LLC

PETITION NO.: Z-62

PRESENT ZONING: R-20

PETITION FOR: R-15

SCHOOL COMMENTS:

<u>Name of School</u>	<u>Enrollment</u>	<u>Capacity Status</u>	<u>Number of Portable Classrooms</u>
<u>Nickajack Elementary</u>	<u>1058</u>	<u>1025</u>	<u> </u>
<u>Griffin</u>	<u>1295</u>	<u>1046</u>	<u> </u>
<u>Middle Campbell</u>	<u>2788</u>	<u>2637</u>	<u> </u>

High

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

Additional Comments: Approval of this petition will not have an impact on the enrollment at Cobb County Schools.

APPLICANT: Cooper Lake Hills

PETITION NO.: Z-62

PRESENT ZONING: R-20

PETITION FOR: R-15

FIRE COMMENTS:

NO 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: Cooper Lake Hills, LLC

PETITION NO.: Z-62

PRESENT ZONING: R-20

PETITION FOR: R-15

PLANNING COMMENTS:

The applicant is requesting a rezoning from R-20 to R-15 for the purpose of single-family residential subdivision. The 14.07 acre site is located on the south and east sides of Coober Lake Road, west of Civitania Road (300 and 320 Cooper Lake Road).

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 Smyrna been notified? Yes No / N/A

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.

Specific Area Policy Guidelines:

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

Adjacent Future Land Use:

North: Low Density Residential (LDR)
Southeast: Low Density Residential (LDR)
South: Low Density Residential (LDR)
Northwest: Low Density Residential (LDR)

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 _____ 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: Cooper Lake Hills, LLC

PRESENT ZONING: R-20

PETITION NO.: Z-62

PETITION FOR: R-15

PLANNING COMMENTS:

CONT.

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

Is the property within the:

- Dobbins Airfield Safety Zone?
- CZ (Clear Zone)
- APZ I (Accident Potential Zone I)
- APZ II (Accident Potential Zone II)
- Noise Zone
- Bird / Wildlife Air Strike Hazard (BASH) area

APPLICANT Cooper Lake Hills LLC

PETITION NO. Z-062

PRESENT ZONING R-20

PETITION FOR R-15

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): 16" DI / W and N side of Cooper Lake Drive

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: 200' S in Stone Gate Way

Estimated Waste Generation (in G.P.D.): A D F= 4,160 Peak= 10,400

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.

APPLICANT: Cooper Lake Hills, LLC

PETITION NO.: Z-62

PRESENT ZONING: R-20

PETITION FOR: R-15

STORMWATER MANAGEMENT COMMENTS

FLOOD HAZARD: YES NO POSSIBLY, NOT VERIFIED

DRAINAGE BASIN: Trib to Nickajack 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 easements required to receive concentrated discharges where none exist naturally
- Existing Lake Downstream Daniel Lake (#5148 Civitania Rd) ~ 200' 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 systems including Daniel's Lake and the existing culvert under Stone Gate Way.

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PETITION NO.: Z-62

PRESENT ZONING: R-20

PETITION FOR: R-15

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.

ADDITIONAL COMMENTS

1. This site is located on the south side of Cooper Lake Road at its intersection with Demetra Drive. Approximately 80% of the site is wooded and average slopes range from 10 to 25%. The entire site drains to the south. Approximately 3.8 acres of the southwest corner drain into and through the adjacent Stoney Brook Subdivision. The remainder of the site drains directly into the existing small private pond at #5148 Civitania Road.
2. Allowable discharges from the site cannot be allowed to exceed the existing downstream system capacities. A drainage easement will likely be required along the rear of Lots 12, 22 & 23 to limit offsite runoff bypass.

STAFF RECOMMENDATIONS

Z-62 COOPER LAKE HILLS, 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 single-family residential subdivision is in keeping with others established in the area and is of similar density. Across Cooper Lake Road to the west is the Cooper Hills Ph. 2 Subdivision which is zoned R-20 single-family residential district and contains a density of 1.59 units per acre (upa). Likewise, Stoney Brook Ph. 5, which lies immediately adjacent to the south is zoned R-15 single-family residential district and has a density of 1.87 upa. The applicant's request amounts to a density of 1.85 upa which lies within the range established for the area.
- B. It is Staff's opinion that the applicant's rezoning proposal will not have an adverse effect on the usability of adjacent or nearby property. The applicant's request is reflective of similar development in the immediate vicinity. Demonstrating no need for variances, the applicant's proposal should not adversely affect adjacent properties.
- 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 LDR low density residential future land use category. This category forecasts areas for single-family residential development of a density between 1 to 2.5 upa. The applicant's proposal weighs in at 1.85 upa, well within the category's intended range.
- 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 applicant is requesting a rezoning of the subject property to the R-15 district for a 26 lot subdivision at a density of 1.85 upa. The proposed range is in keeping with surrounding neighborhoods such as Cooper Hills Ph. 2 (R-20, 1.59 upa) and Stoney Brook Ph. 5 (R-15, 1.87 upa) and also demonstrates compliance with the *Comprehensive Plan's* forecasted LDR range of 1-2.5 upa for the area. The applicant does not request any variances in their current proposal.

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

1. Site plan received by the Zoning Division on August 3, 2017, with the District Commissioner approving minor modifications;
2. Fire Department comments and recommendations;
3. Sewer and Water Division comments and recommendations;
4. Stormwater Management Division comments and recommendations;
5. Department of Transportation comments and recommendations; and
6. 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- 62 (2017)

Hearing Dates: PC: 10/03/2017
BOC: 10/17/2017

Summary of Intent for Rezoning*

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

a) Proposed unit square-footage(s): 2,200 square feet and greater

b) Proposed building architecture: Traditional and Craftsman

c) List all requested variances: None known at this time

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

a) Proposed use(s): Not Applicable

b) Proposed building architecture: Not Applicable

c) Proposed hours/days of operation: Not Applicable

d) List all requested variances: Not Applicable

.....
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.

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