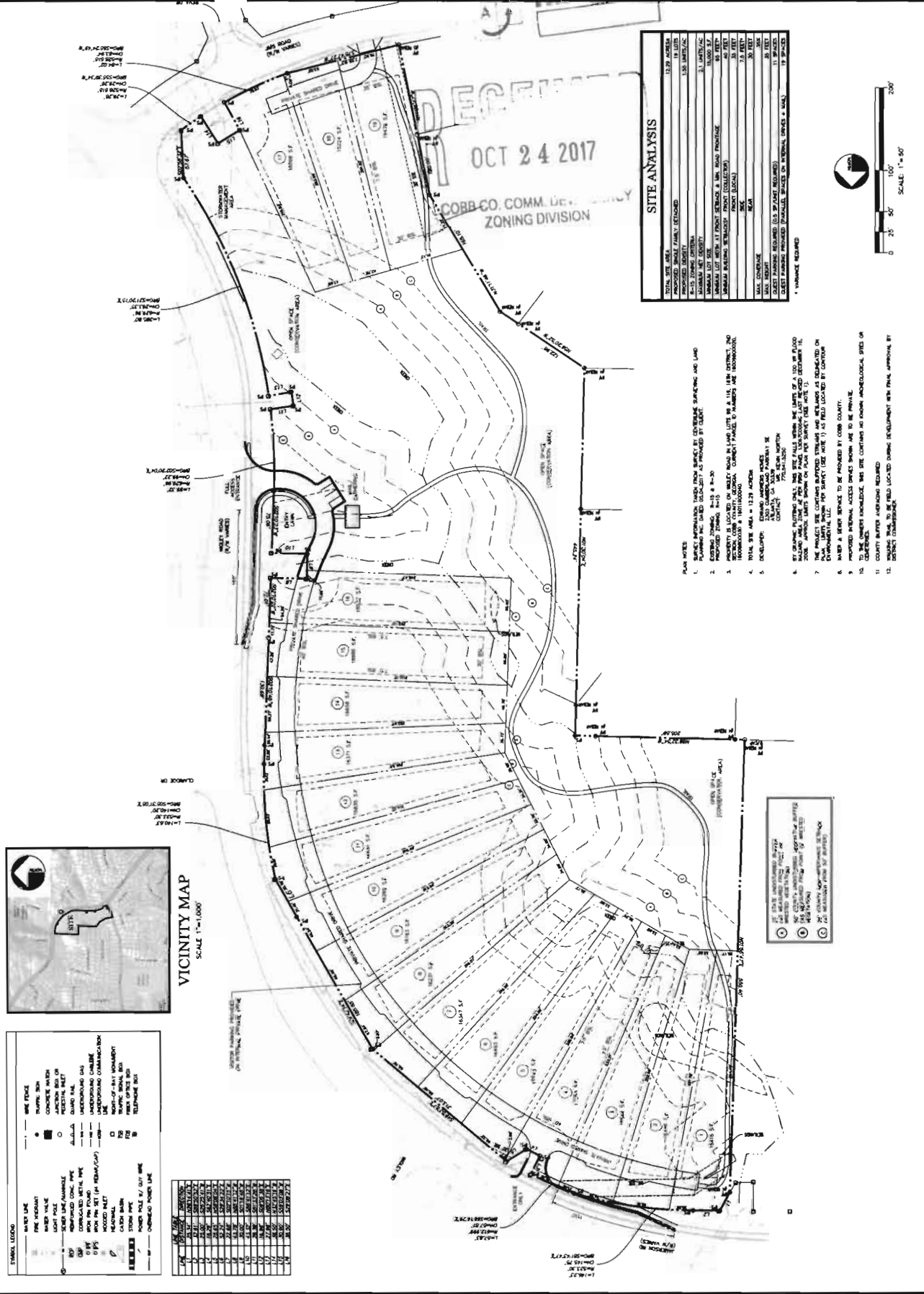


NO.	DATE	DESCRIPTION
1	8/28/2017	ISSUED FOR PERMIT



**APPLICANT:** EAH Acquisitions, L.L.C.

**PHONE #:** (770) 541-5250 **EMAIL:** k.rhino@eahomes.com

**REPRESENTATIVE:** J. Kevin Moore

**PHONE #:** (770) 429-1499 **EMAIL:** jkm@mijs.com

**TITLEHOLDER:** Estate of Dorothy Henrietta Wigley

**PROPERTY LOCATION:** West side of Wigley Road, south side of Jamerson Road, and the northwestern corner of Wigley Road and Jims Road

**ACCESS TO PROPERTY:** Wigley Road, Jamerson Road, and Jims Road

**PHYSICAL CHARACTERISTICS TO SITE:** Single-family house and wooded, undeveloped acreage

**CONTIGUOUS ZONING/DEVELOPMENT**

**NORTH:** R-30/Single-family house; The Summit at Sweat Mountain

**SOUTH:** R-15/Stockton Place

**EAST:** R-15/Hampton Ridge; Wigley Estates

**WEST:** R-15/Forest Chase Subdivision; Undeveloped acreage

**PETITION NO:** Z-69

**HEARING DATE (PC):** 11-07-17

**HEARING DATE (BOC):** 11-21-17

**PRESENT ZONING:** R-30, R-15

**PROPOSED ZONING:** R-15

**PROPOSED USE:** Single-family Residential Subdivision

**SIZE OF TRACT:** 12.29 acres

**DISTRICT:** 16

**LAND LOT(S):** 98,119

**PARCEL(S):** 2,3,4

**TAXES: PAID** X **DUE** \_\_\_\_\_

**COMMISSION DISTRICT:** 3

*Adjacent Future Land Use:*

North: Very Low Density Residential (VLDR)

East: Low Density Residential (LDR)

South: Low Density Residential (LDR)

West: Low Density Residential (LDR)

**OPPOSITION:** NO. OPPOSED **PETITION NO:** \_\_\_\_\_ **SPOKESMAN** \_\_\_\_\_

**PLANNING COMMISSION RECOMMENDATION**

**APPROVED** \_\_\_\_\_ **MOTION BY** \_\_\_\_\_

**REJECTED** \_\_\_\_\_ **SECONDED** \_\_\_\_\_

**HELD** \_\_\_\_\_ **CARRIED** \_\_\_\_\_

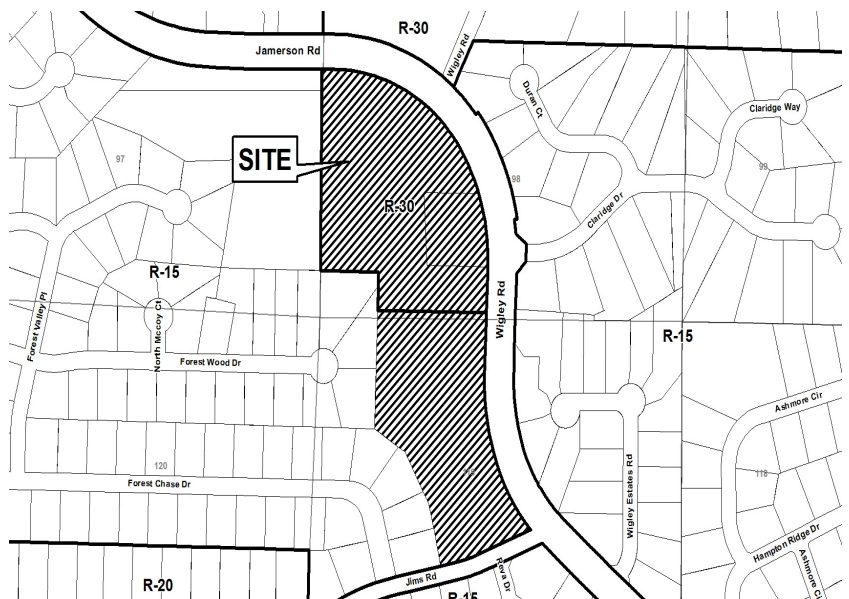
**BOARD OF COMMISSIONERS DECISION**

**APPROVED** \_\_\_\_\_ **MOTION BY** \_\_\_\_\_

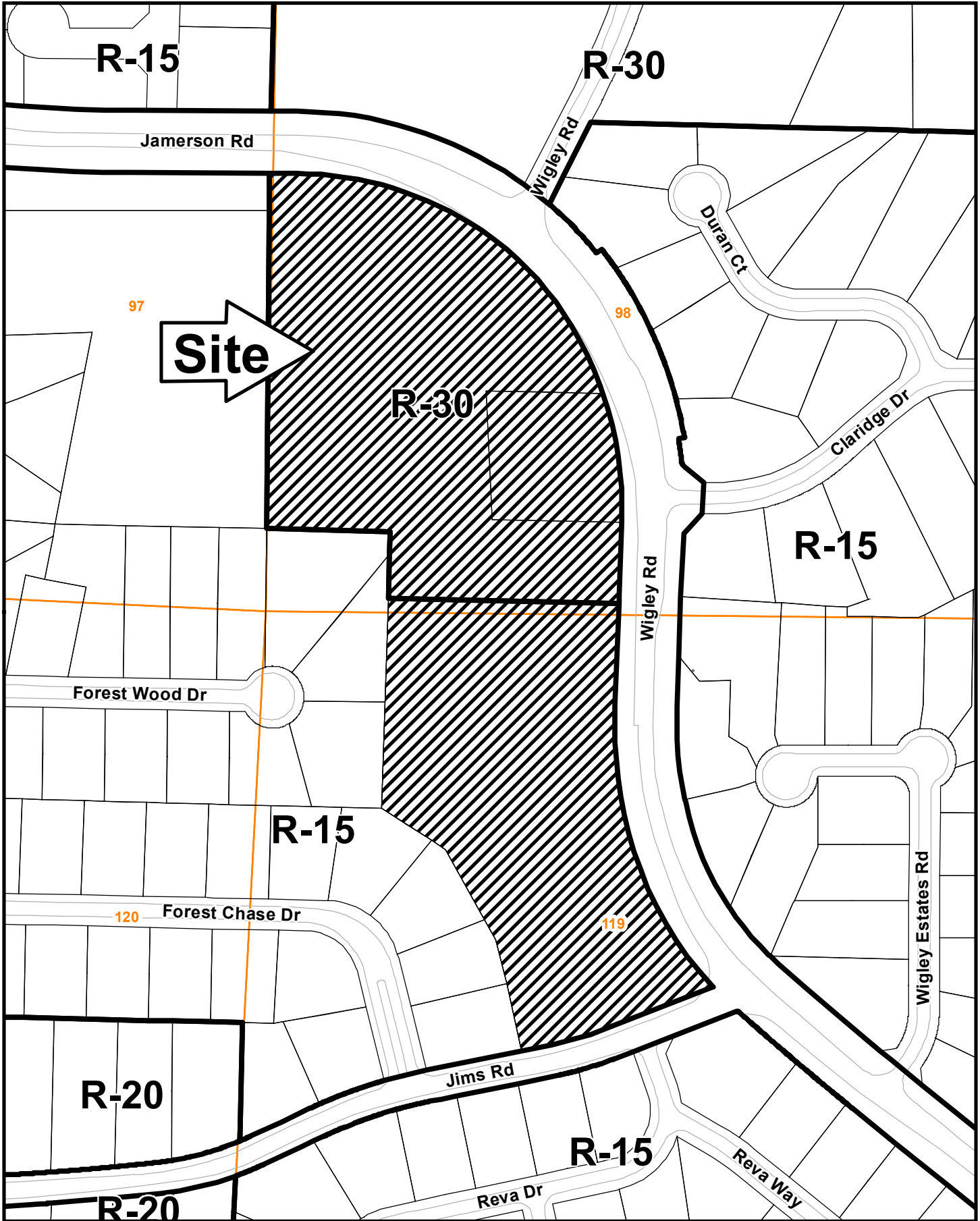
**REJECTED** \_\_\_\_\_ **SECONDED** \_\_\_\_\_

**HELD** \_\_\_\_\_ **CARRIED** \_\_\_\_\_

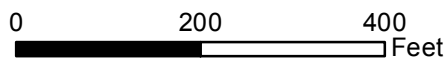
**STIPULATIONS:**





# Z-69 2017-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:** EAH Acquisitions, L.L.C.

**PETITION NO.:** Z-69

**PRESENT ZONING:** R-30, R-15

**PETITION FOR:** R-15

\*\*\*\*\*

**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:** 19                      **Net Density:** 1.72                      **Units/Acre\***

**Staff estimate for allowable # of units:** 19                      **Units\*\***                      **Increase of:** 0                      **Units/Lots**

\*Density after subtracting 1.30 acres of floodplain from total acreage.

\*\*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. Approximately 8 R-30 lots and approximately 11 R-15 lots.

Applicant is requesting the R-15 zoning district for the purpose of developing a 19-lot single-family subdivision. The houses will be a minimum of 2,500 square feet and greater and will have traditional architecture with exteriors comprised of brick, stone, cedar shake, fiber, cement siding, board and batten, and combinations thereof.

The proposed site plan will require the following contemporaneous variances:

1. Waiving the side setbacks from the required 10 feet to 7.5 feet; and
2. Waiving the public road frontage and lot width to 65 feet.

**Cemetery Preservation:** No comment.

APPLICANT: EAH Acquisitions, L.L.C.

PETITION NO.: Z-69

PRESENT ZONING: R-30, R-15

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>Davis</u>	<u>560</u>	<u>636</u>	<u>                    </u>
<b>Elementary</b>			
<u>Mabry</u>	<u>876</u>	<u>1023</u>	<u>                    </u>
<b>Middle</b>			
<u>Lassiter</u>	<u>2220</u>	<u>2137</u>	<u>                    </u>

**High**

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

**Additional Comments:** Approval of this petition will cause concern for CCSD, as it will result in an impact on the enrollment for schools already over capacity.

\*\*\*\*\*

**APPLICANT:** EAH Acquisitions

**PETITION NO.:** Z-69

**PRESENT ZONING:** R-30, R-15

**PETITION FOR:** R-15

\*\*\*\*\*

**FIRE COMMENTS:**

\*\*\*\*\*

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

**ACCESS:** 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.

**APPLICANT: EAH Acquisitions, L.L.C.**  
**PRESENT ZONING: R-30 & R-15**

**PETITION NO.: Z-69**  
**PETITION FOR: R-15**

\*\*\*\*\*

**PLANNING COMMENTS:**

The applicant is requesting a rezoning from R-30 and R-15 to R-15 for the purpose of a single-family residential subdivision. The 12.29 acre site is located in the west side of Wigley Road, south side of Jamerson Road, and the northwestern corner of Wigley Road and Jims 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 \_\_\_\_\_ been notified?  Yes  No / N/A

Comprehensive Plan

The parcel is within a Low Density Residential (LDR) future land use category, with R-30 and R-15 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.

Specific Area Policy Guidelines:

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

Adjacent Future Land Use:

North: Very Low Density Residential (VLDR)  
East: Low Density Residential (LDR)  
South: Low Density Residential (LDR)  
West: 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.

**APPLICANT: EAH Acquisitions, L.L.C.**

**PETITION NO.: Z-69**

**PRESENT ZONING: R-30 & R-15**

**PETITION FOR: R-15**

\*\*\*\*\*

**PLANNING COMMENTS:**

CONT.

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> .org.

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 EAH Acquisitions, L.L.C.

PETITION NO. Z-069

PRESENT ZONING R-30, R-15

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): 8" CI / W side of Wigley Road

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: At northern and southern edges of property

Estimated Waste Generation (in G.P.D.): A D F= 3,520 Peak= 8,800

Treatment Plant: Noontday

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: EAH Acquisitions, LLC

PETITION NO.: Z-69

PRESENT ZONING: R-15, R-30

PETITION FOR: R-15

\*\*\*\*\*

**STORMWATER MANAGEMENT COMMENTS**

REVISED 10-23-17

FLOOD HAZARD:  YES  NO  POSSIBLY, NOT VERIFIED

DRAINAGE BASIN: Trib to Trickum Creek FLOOD HAZARD INFO: Zone AE

- 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: delineated on site plan

- 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 receiving stream and existing infrastructure.

APPLICANT: EAH Acquisitions, LLC

PETITION NO.: Z-69

PRESENT ZONING: R-15, R-30

PETITION FOR: R-15

\*\*\*\*\*

**STORMWATER MANAGEMENT COMMENTS – Continued**

**REVISED 10-23-17**

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 to the south and west of Jamerson and Wigley Roads just north of the its intersection with Jims Road. The site is encumbered by floodplain and the associated stream buffer of Trickum Creek Tributary which flows northwesterly through the property. The site is currently wooded and undeveloped with the exception of a single existing residential parcel. Slopes on the site range widely from approximately 7 to 40%.
2. The proposed footbridge over the stream will require a FEMA no-rise certification and possibly a CLOMR submittal to FEMA.
3. It does not appear that sufficient site area has been reserved to provide adequate stormwater management.

**APPLICANT:** EAH Acquisitions, L.L.C.

**PETITION NO.:** Z-69

**PRESENT ZONING:** R-30, R-15

**PETITION FOR:** R-15

\*\*\*\*\*

**TRANSPORTATION COMMENTS:**

ROADWAY	ROADWAY CLASSIFICATION	SPEED LIMIT	JURISDICTIONAL CONTROL	MIN. R.O.W. REQUIREMENTS
Wigley Road	Arterial	45 mph	Cobb County	100'
Jamerson Road	Arterial	45 mph	Cobb County	100'
Jims Road	Minor Collector	35 mph	Cobb County	60'

ROADWAY	LOCATION	AVERAGE DAILY TRIPS	LEVEL OF SERVICE
Wigley Road	North of Claridge Drive	7,590	C
Jamerson Road	East of Rushing Rock Way	10,700	D
Jims Road	East of Savage Drive	2,600	C

*Based on 2016 AADT counting data taken by GDOT, as published on their website, for Wigley Road.*  
*Based on 2016 traffic counting data taken by Cobb County DOT for Jamerson Road.*  
*Based on 2015 traffic counting data taken by Cobb County DOT for Jims Road.*  
*Planning Level of Service based on available Average Daily Trips using GRTA guideline thresholds. Classification thresholds for LOS A and LOS B are not available for local roads from this data source.*  
*LOS C or D is acceptable based on GDOT Design Policy Manual criteria.*

**COMMENTS AND OBSERVATIONS**

Wigley Road is classified as an arterial and according to the available information the existing right-of-way does not meet the minimum requirements for this classification.

Jamerson Road is classified as an arterial and according to the available information the existing right-of-way does not meet the minimum requirements for this classification.

Jims 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 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 west side of Wigley Road, a minimum of 50' from the roadway centerline.

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 south side of Jamerson Road, a minimum of 50' from the roadway centerline.

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 Jims Road, a minimum of 30' from the roadway centerline.

**APPLICANT:** EAH Acquisitions, L.L.C.

**PETITION NO.:** Z-69

**PRESENT ZONING:** R-30, R-15

**PETITION FOR:** R-15

\*\*\*\*\*

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

Recommend relocating the driveway on Jims Road a minimum of 250 feet from the intersection of Wigley Road.

Recommend applicant verify that minimum intersection sight distance requirement of 500' is available for Jamerson Road access and if it is not, restrict access to right out only.

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

Recommend a no access easement for the lots along the frontage of Wigley Road and Jamerson Road.

## STAFF RECOMMENDATIONS

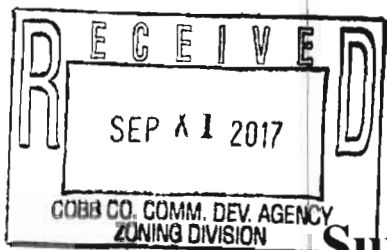
### **Z-69 EAH ACQUISITIONS, L.L.C.**

- 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. Other properties in this area are zoned for single-family residential uses at similar densities.
- 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. Other single-family developments in this area include: The Summit at Sweat Mountain (zoned R-30 at 0.72 units per acre); Bluffs at Jamerson (zoned R-20 at approximately 1.89 units per acre); Hampton Ridge Unit IV (zoned R-15 at 1.659 units per acre); Forest Chase Unit No. 1 (zoned R-15 at 2.146 units per acre); and Stockton Place (zoned R-15 at 2.22 units per acre).
- 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. However, the Cobb County School System is concerned that approval of this application will have an impact on the enrollment of an over-capacity school. 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 this property as being within the Low Density Residential (LDR) future land use category. The LDR category has a density range of 1 to 2.5 units per acre. The proposed density of 1.72 units per acre is within the LDR density range and is of similar density to surrounding single-family subdivisions.
- 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's proposal is consistent with surrounding R-15 residential subdivisions in this area.

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

1. Site plan received by the Zoning Division on October 24, 2017, with the District Commissioner approving minor modifications;
2. Fire Department comments and recommendations;
3. Water and Sewer 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-69 (2017)

Hearing Dates: PC: 11/07/2017  
BOC: 11/21/2017

# Summary of Intent for Rezoning

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

- a) Proposed unit square-footage(s): Minimum 2,500 square feet, and greater
- b) Proposed building architecture: Traditional, with exteriors comprised of brick, stone, cedar shake, hardi siding, board and batten, and combinations thereof
- 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.