

**DECEMBER 19, 2017 ZONING HEARING
“OTHER BUSINESS”
COMMISSION DISTRICT 2**

ITEM # 063

PURPOSE

To consider a site plan amendment for Jim Chapman Communities, Inc. regarding rezoning application Z-22 of 2016 for property located on the north side of Cooper Lake Road, west of Atlanta Road, in Land Lot 696 of the 17th District.

BACKGROUND

The subject property was rezoned in 2016 for a 16 lot subdivision. When in Plan Review, the detention facility was designed and approved for 50% coverage per lot by Stormwater Management. The applicant would like to increase the amount of impervious surface percentage for six lots in the subdivision. The increase is due to the final configuration of private streets, sidewalks, driveways and house footprint. The applicant would like to increase the impervious surface from 40% to 44% for lots 1, 2 and 14; and from 40% to 50% for lots 13, 15 and 16. The impervious coverage over the entire subdivision would average 36.4% per lot. Additionally, the applicant would like to reduce the front setback on lot 7 from 20' to 15' due to a sanitary sewer easement in the rear pushing the house forward. If approved, all previous zoning stipulations would remain in effect.

STAFF COMMENTS

Stormwater Management: Request 1- This proposed development plan will still meet the 40% impervious coverage allowable for the overall subdivision. A lot by lot table of approved maximum allowable coverages must be shown on the recorded subdivision plat. **Request 2-** No comment.

RECOMMENDATION

The Board of Commissioners conduct a Public Hearing and consider the proposed site plan amendment.

ATTACHMENTS

Other Business application and stipulations.

RECEIVED
NOV 14 2017
COB. COMM. DEV. AGENCY
ZONING DIVISION

OB-063-2017
1 of 2 requests

Application for "Other Business"

Cobb County, Georgia

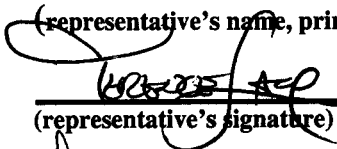
(Cobb County Zoning Division - 770-528-2035)

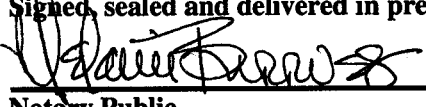
BOC Hearing Date Requested: 12/19/2017

Applicant: Jim Chapman Communities, Inc. **Phone #:** 770.434.3602
(applicant's name printed)

Address: 2700 Cumberland Parkway SE, Suite 130, Atlanta GA 30339 **E-Mail:** terence@jimchapmancommunities.com

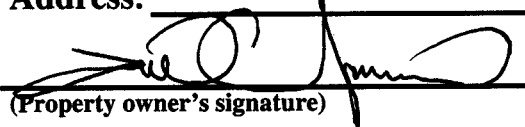
Terence Lang **Address:** 2700 Cumberland Parkway SE, Suite 130, Atlanta GA 30339
(representative's name, printed)

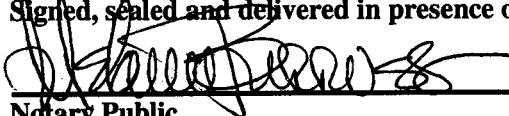
 **Phone #:** 770.434.3604 **E-Mail:** terence@jimchapmancommunities.com
(representative's signature)

Signed, sealed and delivered in presence of:
 **My commission expires:** _____
Notary Public

Melanie Ruth Burruss
NOTARY PUBLIC
DeKalb County, GEORGIA
My Comm. Expires 05/18/2021

Titleholder(s) : James B. Chapman **Phone #:** 770.434.3602
(property owner's name printed)
Address: 2700 Cumberland Parkway SE, Suite 130, Atlanta, GA 30339 **E-Mail:** jim@jimchapmancommunities.com


(Property owner's signature)

Signed, sealed and delivered in presence of:
 **My commission expires:** _____
Notary Public

Melanie Ruth Burruss
NOTARY PUBLIC
DeKalb County, GEORGIA
My Comm. Expires 05/18/2021

Commission District: 02 **Zoning Case:** Z-22

Size of property in acres: 4.60 **Original Date of Hearing:** March 15, 2016

Location: Cooper Lake Tract, Approx. 2055 & 2075 Cooper Lake Drive, Smyrna GA
(street address, if applicable; nearest intersection, etc.)

Land Lot(s): 696 **District(s):** 117

State specifically the need or reason(s) for Other Business: _____
Information Attached on Following Page

(List or attach additional information if needed)

Impervious
JPP
11-16-17

Application for "Other Business"

– State Specifically the Need or Reason (s) for Other Business –

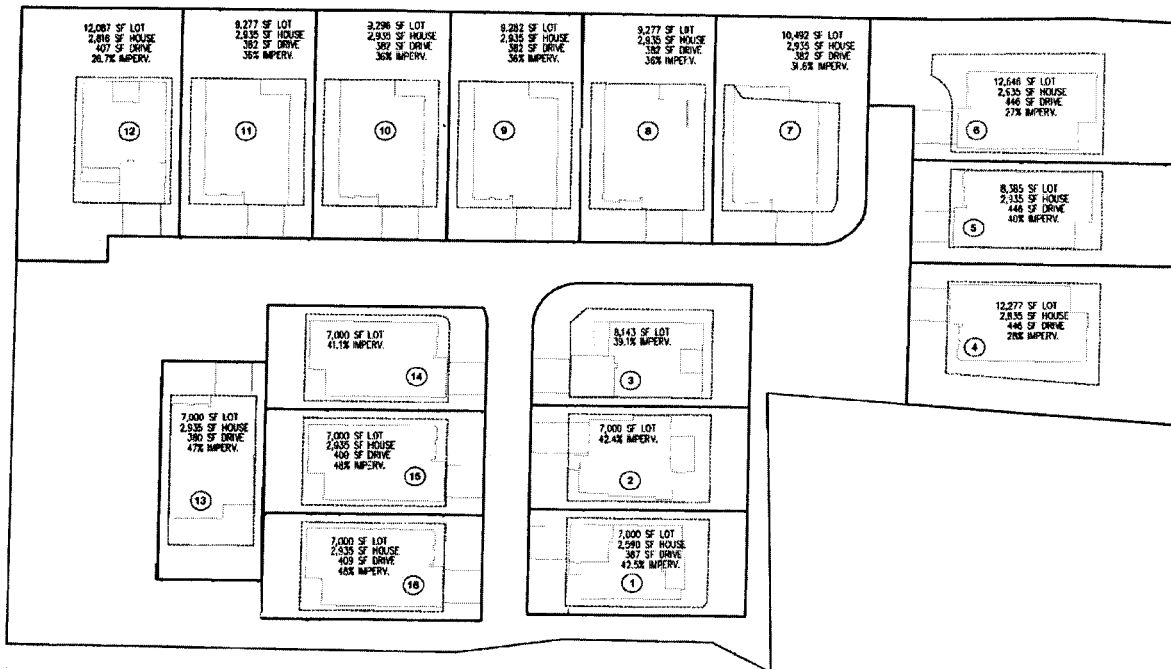
Please accept this request for a variance to the maximum impervious percentage for lots 1, 2, 13, 14, 15 and 16. Due to the final configuration of streets, sidewalks, drives and appropriate building footprints six lots will exceed the maximum 40% impervious areas for the R-5A zoning. Lots 1, 2 and 14 will require a 44% (rounded up) impervious allowance; lots 13, 15 and 16 will require 50% impervious allowance. With these proposed increases the overall average impervious coverage per lot is 36.4%, see attached analysis.

The storm water management report was designed and approved by Dave Breaden for 50% impervious coverage per lot such that the storm water detention accommodated for additional runoff if needed. The unintended consequence of the private streets is that now sidewalk falls within the individual lots as does all of the required drives. Typically the sidewalks and portions of drives fall within the r/w.

We believe that this request will not have any adverse impact to the downstream drainage facility while allowing appropriate home footprints on each lot in keeping with the community standards.

Impervious Lot Analysis
Boxwood At Vinings

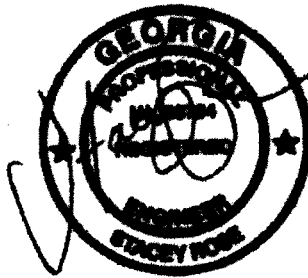
Lot	Lot Size (sf)	Impervious Surface (sf)	Impervious Coverage
Lot 01	7,000	2,975	42.5%
Lot 02	7,000	2,968	42.4%
Lot 03	8,143	3,184	39.1%
Lot 04	12,277	3,438	28.0%
Lot 05	8,385	3,354	40.0%
Lot 06	12,646	3,414	27.0%
Lot 07	10,492	3,315	31.6%
Lot 08	9,277	3,340	36.0%
Lot 09	9,282	3,342	36.0%
Lot 10	9,296	3,347	36.0%
Lot 11	9,277	3,340	36.0%
Lot 12	12,087	3,227	26.7%
Lot 13	7,000	3,290	47.0%
Lot 14	7,000	2,877	41.1%
Lot 15	7,000	3,360	48.0%
Lot 16	7,000	3,360	48.0%
Total Site	143,162	52,130	36.4%
Average per Lot	8,948	3,258	36.4%
Average Performance per Lot			37.8%



STORMWATER MANAGEMENT REPORT FOR COOPER LAKE DRIVE TRACT

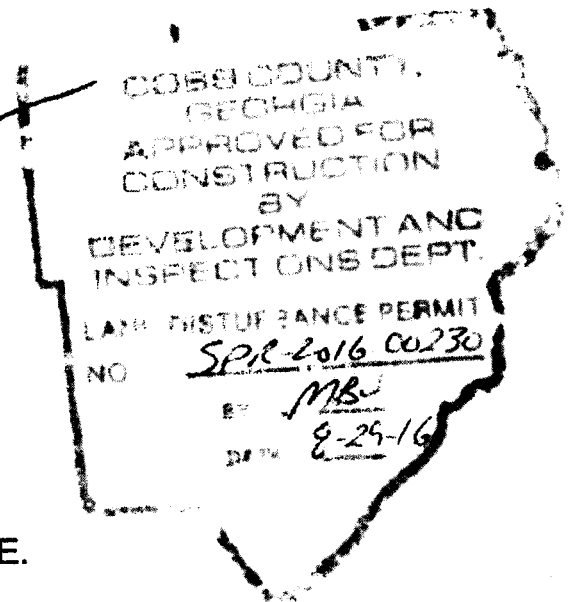
LAND LOTS 696
17th DISTRICT
COBB COUNTY, GEORGIA

June 10, 2016



PREPARED BY:
STACEY ROSE, P.E.
GA P.E. # 28754

Watts & Browning Engineers Inc.
1180 Bells Ferry Road
Marietta, Georgia 30066
(678)324-6192



Department of Planning and Community Development
Cobb County, Georgia
Approved for Construction by
Development and Inspections Dept.
Permit No. SPR-2016 00230
By MBS
Date 8-29-16

16

EXECUTIVE SUMMARY

The following report provides an overview of the hydrologic impact that will result from developing the subject property located in Cobb County adjacent to a Cooper Lake Drive. In general, the primary hydrologic impact of development is an increase in peak storm water runoff rates from the site. Left unmitigated, this increase in peak runoff rates has the potential of increasing downstream flooding. This report provides an assessment of proposed on-site storm water management facilities in a manner consistent with the current drainage policies and regulations of the Cobb County's Post-Development Stormwater Management Ordinance.

Cooper Lake Drive Tract is located north of Cooper Lake Drive and west of Atlanta Road. The 4.60 acre site is primarily wooded but contains residential structures, a detached garage and accessory asphalt and gravel driveways. As per Cobb County regulations the pre-developed hydrological model for the site will assume the entire is wooded.

The site discharges into an existing 54" CMP pipe located on site at Study Point 1. Off site areas (Offsite Area 1) from the north and east also contribute to the overall drainage basin discharging at this location. The existing 54" CMP pipe discharges west of the site into an undefined ditch and travels approximately 300 feet into an existing culvert, Culvert 1, under Cooper Lake Drive. Culvert 1 discharges south of Cooper Lake drive directly into an existing 42" CMP pipe, Study Point 2.

Proposed improvements to the site includes construction of 15 single family lots, installation of utilities, a Stormwater Pond, landscaped areas, private roads and sidewalks. **It has been assumed that there will be approximately 3,500 sf of impervious area per lot.**

[REDACTED]
[REDACTED] flooding issues and create [REDACTED] [REDACTED]
[REDACTED] between Study Point 1 and Culvert 1 the following analysis processes [REDACTED]
[REDACTED] [REDACTED] from the proposed stormwater pond downstream of Culvert 1 at
[REDACTED] Study Point 2. Onsite Area 1 and Site Bypass areas will be piped to bypass the
[REDACTED] proposed stormwater pond and will discharge into the existing 54" CMP pipe at
[REDACTED] Study Point 1. A capacity analysis has been included in the following report to
[REDACTED] ensure the 54 inch CMP pipe will function properly with proposed improvements.

Proposed improvements will ensure a decrease in the peak runoff rates at Study Point 1 from 109.72 cfs to 94.47 cfs for 100 year storm conditions for the 1, 2, 5, 10, 25, 50 and 100 year return periods. The proposed Stormwater Pond has also been designed to provide water quality volume as per Cobb County specifications.

The SCS Hydrologic Methodology was applied using the Type II rainfall distribution for the 24 hour storm in Roswell, Georgia. Time of Concentration values for the site were calculated using standard TR-55 methodology for overland, shallow concentrated and channel flow. A minimum Tc value of 10 minutes was applied as per Cobb County regulations. Analysis for all storm events (1, 2, 5, 10, 25, 50 and 100 year) was performed using *Hydraflow Hydrograph Extension for Autocad Civil 3D 2009* software program, version 6.066 by Autodesk, Inc.

As shown on the summary tables below, the peak rates of flow for all storm events have been reduced to meet existing conditions with proposed improvements

Study Point 1 Existing 54" CMP

Storm Event	Pre-developed Peak Rates of Flow (cfs)	Post-developed Peak Rates of Flow (cfs)	Runoff Reduction
1	27.96	27.32	2.3%
2	39.49	37.48	5.1%
5	51.89	47.93	7.6%
10	64.79	58.56	9.6%
25	82.48	72.87	11.7%
50	96.01	83.66	12.9%
100	109.72	94.47	13.9%

Capacity of the existing 54 inch CMP= 207.65 cfs
100 yr ponding el= 1022.17'

Culvert 1*Existing 24" RCP & 30" CMP under Cooper Lake Drive*

Storm Event	Pre-developed Peak Rates of Flow (cfs)	Pre-developed Ponding El. (ft)	Post-developed Peak Rates of Flow (cfs)	Post-developed Ponding El. (ft)
1	33.65	1014.12	33.14	1014.11
2	44.70	1014.70	43.38	1014.61
5	56.03	1015.48	53.30	1015.28
10	65.03	1016.17	63.22	1016.03
25	78.93	1016.83	70.49	1016.59
50	109.16	1017.06	90.43	1016.93
100	135.28	1017.21	116.72	1017.09

Study Point 2*Existing 42" CMP*

Storm Event	Pre-developed Peak Rates of Flow (cfs)	Post-developed Peak Rates of Flow (cfs)	Runoff Reduction
1	49.58	49.25	0.7%
2	66.19	65.38	1.2%
5	83.14	81.66	1.8%
10	100.07	98.00	2.1%
25	116.86	114.36	2.1%
50	157.42	137.90	12.4%
100	191.64	176.98	7.6%

WATER QUALITY

An overall TSS removal of 80% has been met as indicated in the attached TSS removal rate spreadsheet. The proposed Stormwater Pond has been designed to accommodate the required water quality volume as calculated on attached worksheets.

ONE YEAR CHANNEL PROTECTION

Proposed routed flows from the Stormwater Pond will be piped to downstream conveyances. Additionally the proposed routed one-year peak rate of flow from the Stormwater Pond is less than 2 cfs, therefore channel protection volume is not provided in the proposed pond as per Georgia Stormwater Manual Section 1.3.2.2.

PRE-DEVELOPED CONDITIONS

Site

Area= 4.60 ac. @ CN= 55, T_c= 10 min. (min. as per Cobb County regs)

Offsite Area 1

Area= 11.35 ac. @ CN= 82, T_c= 11.9 min.

Commercial	6.20 acres at CN= 92
½ acre lots	5.15 acres at CN= 70

Offsite Area 2

Area= 5.50 ac. @ CN= 72, T_c= 10 min. (min. as per Cobb County regs)

½ acre lots	2.15 acres at CN= 70
1/3 acre lots	3.35 acres at CN= 73

Offsite Area 3

Area= 8.20 ac. @ CN= 78, T_c= 10 min. (min. as per Cobb County regs)

Townhomes	1.85 acres at CN= 85
Commercial	1.65 acres at CN= 92
Right-of-way	1.60 acres at CN= 80
1/3 acre lots	0.40 acres at CN= 73
large lots	2.70 acres at CN= 58

Offsite Area 4

Area= 10.70 ac. @ CN= 70, T_c= 10 min. (min. as per Cobb County regs)

1/3 acre lots	7.00 acres at CN= 73
Commercial	0.50 acres at CN= 92
large lots	1.30 acres at CN= 65
undisturbed	1.90 acres at CN= 58

POST-DEVELOPED CONDITIONS

[REDACTED]

Basin to pond

[REDACTED]

Offsite Area= 0.13 ac. @ CN= 92

RECEIVED
NOV 15 2017
COMM. DEV. AGENCY
ZONING DIVISION

OB-063-2017
2 of 2 requests.

Application for "Other Business"

Cobb County, Georgia

(Cobb County Zoning Division - 770-528-2035)

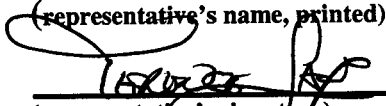
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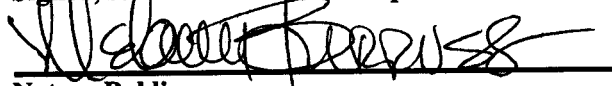
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Signed, sealed and delivered in presence of:

 My commission expires: _____
Notary Public


Melanie Ruth Burruss
NOTARY PUBLIC
DeKalb County, GEORGIA
My Comm. Expires 05/18/2021

Titleholder(s) : James B. Chapman Phone #: 770.434.3602
(property owner's name printed)

Address: 2700 Cumberland Parkway SE, Suite 130, Atlanta, GA 30339 E-Mail: jim@jimchapmancommunities.com


(Property owner's signature)

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Commission District: 02 **Zoning Case:** Z-22

Size of property in acres: 4.60 **Original Date of Hearing:** March 15, 2016

Location: Cooper Lake Tract, Approx. 2055 & 2075 Cooper Lake Drive, Smyrna GA

(street address, if applicable; nearest intersection, etc.)

Land Lot(s): 696 **District(s):** 117

State specifically the need or reason(s) for Other Business: _____

Information Attached on Following Page

(List or attach additional information if needed)

LOT 7
J.P.P.
11-16-17

Application for "Other Business"

– State Specifically the Need or Reason (s) for Other Business –

Please accept this request for a variance to allow the proposed residential structure on lot 7 to be located 4.1' into the 20' building set back line.

The combination of the additional 10' setback imposed in conjunction with the 20' sanitary sewer easement at the North end of the site, and the minimum 3,000 square footage requirement per zoning, has rendered the lot unusable with the current approved designs.

Allowing slight encroachment toward the street removes the proposed structure from much of the sanitary sewer easement setback at the north end of the site.

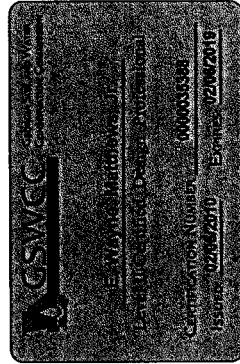
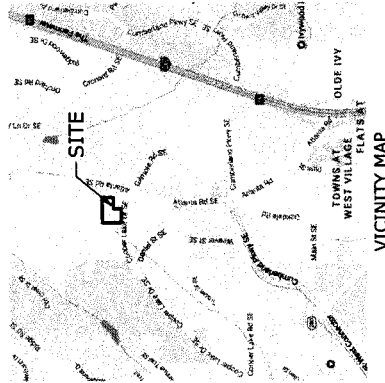
We believe that the impact on the street scape will not be impaired with this slight encroachment into the building line as this is a corner lot. The entry to the garage will be from the adjacent side street, allowing vehicle parking and access on the side entry drive.

GENERAL NOTES:

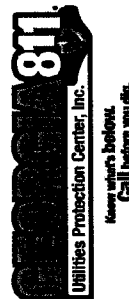
- ALL MATTERS PERTAINING TO TITLE ARE EXCEPTED.
- NO N.G.S MONUMENT WAS FOUND WITHIN 500 FEET OF THIS PROPERTY.
- THIS PLAN WAS PREPARED FOR THE EXCLUSIVE USE OF THE PERSON, PERSONS OR ENTITY NAMED HEREON.
- THIS PLAN DOES NOT EXTEND TO ANY UNNAMED PERSON, PERSONS, OR ENTITY WITHOUT EXPRESS RECTIFICATION BY THE SURVEYOR NAMING SAID PERSON, PERSONS OR ENTITY.
- LOT AND BOUNDARY INFORMATION TAKEN FROM A FINAL SUBDIVISION PLAT PREPARED AND RECORDED BY WATTS & BROWNING ENGINEERS, INC. DATED 06/07/2017 IN PLAT BOOK 276, PAGE 498.
- TOPOGRAPHY SHOWN REFERENCED FROM THE APPROVED CONSTRUCTION PLANS.
- BUILDER TO VERIFY ALL HOUSE DIMENSIONS PRIOR TO CONSTRUCTION.
- BUILDER TO DIRECT ALL SURFACE RUNOFF AWAY FROM HOUSE.
- NO LOT WILL BE SERVICED BY SEPTIC.
- DRIVEWAY APRON WILL BE AT LEAST 10' FROM STORM AND SANITARY STRUCTURES AND AT LEAST 5' FROM ANY LOT LINE.
- DRIVEWAY WIDTH SHALL BE 18' UNLESS OTHERWISE NOTED.
- LIMITS OF CONSTRUCTION DISTURBANCE LIE OUTSIDE THE PROPOSED SILT FENCE LOCATION.
- SITE PLANS MUST BE PREPARED TO SUBJECT TO THE REQUIREMENTS OF THE COBB COUNTY CODE 88-68(3). LOWEST FLOOR ELEVATIONS SHALL BE NO LESS THAN THREE (3) FEET ABOVE THE 100-YEAR FLOOD HAZARD AREA. AN ELEVATION REQUIRED PRIOR TO FOOTING INSPECTION.
- THE MINIMUM FLOOR ELEVATION SHALL BE AT LEAST 3-FT ABOVE THE LOCAL 100-YR HEADWATER POOL ELEVATION(S), UNLESS POOLING PROTECTION WILL BYPASS THE BUILDING WITH 1-FT OF FREEBOARD PROTECTION. BUILDER SHALL PROVIDE AN ADEQUATE SWALE BETWEEN/BEHIND THE HOUSES TO ACCOMMODATE ANY OVERFLOWS FROM THE INLET. INDIVIDUAL SITE PLANS MUST BE PREPARED FOR THESE LOTS TO DEMONSTRATE HOW OVERFLOWS FROM INLETS AT THESE LOTS WILL BYPASS THE BUILDINGS AND HOW RUNOFF WILL BE DIRECTED IN ACCORDANCE WITH THE APPROVED HYDROLOGY STUDY. THE HOMES FIRST FLOOR/GARAGE ELEVATION MUST BE 1-FT ABOVE THE TOP OF CURB.
- TO ENSURE COMPLIANCE WITH WATER/SEWER EASEMENT SETBACKS, INDIVIDUAL SITE PLANS MUST BE SUBMITTED TO AND APPROVED BY THE COBB COUNTY WATER SYSTEM FOR THE FOLLOWING LOTS PRIOR TO ISSUANCE OF BUILDING PERMIT. LOTS: 4, 6, 7, & 8.
- THIS LOT REQUIRES TREES TO BE PLANTED IN ACCORDANCE WITH THE APPROVED TREE PROTECTION AND REPLACEMENT PLAN FOR THIS SUBDIVISION. THE INSTALLATION OF THESE TREES MUST BE VERIFIED PRIOR TO THE ISSUANCE OF THE CERTIFICATE OF OCCUPANCY. THE HOME/BUILDER MUST CALL THE COBB COUNTY ARBORIST OR LANDSCAPE ARCHITECT AT 770-528-2147 AT LEAST 3 DAYS PRIOR TO THE DATE THAT THE INSPECTION IS NEEDED TO REQUEST AN INSPECTION. TREE PLANTING LOCATIONS, PLANTING METHODS AND PLANT MATERIAL (SIZE, SPECIES, AND QUALITY) MUST BE IN ACCORDANCE WITH THE APPROVED PLAN, OR THE LANDSCAPE INSPECTOR MAY DELAY THE RELEASE OF THE CERTIFICATE OF OCCUPANCY.

HOUSE LOCATION PLAN FOR:

LOT 7 - BOXWOOD AT VININGS
1975 RIDDLEMORE ROW
LOCATED IN LAND LOT 696, 17TH DISTRICT,
2ND SECTION, COBB COUNTY, GEORGIA



OWNER/BUILDER:
(SECONDARY PERMITTEE)
JIM CHAPMAN COMMUNITIES
2700 CUMBERLAND PARKWAY,
Ste. 130
ATLANTA, GA 30339
24-HOUR CONTACT
KEVIN KING
770-231-2416



HOUSE LOCATION PLAN FOR:
BOXWOOD AT VININGS
LOT 7
COUNTY, GEORGIA

DATE: NOVEMBER 09, 2017

SOUTHEASTERN ENGINEERING, INC.

2470 Sandy Plains Road, Marietta, Georgia, 30066
 Tel: 770-371-1935 Fax: 770-371-1933
www.seeeengineering.com



SITE NOTES:

- THE ISSUANCE OF A BUILDING PERMIT DOES NOT ASSURE THAT THE BUILDING SETBACKS HAVE BEEN MET OR THAT THE STRUCTURE DOES NOT ENCROACH ON ANY EASEMENT OR BUFFER. THE OWNER AND/OR PERMIT HOLDER HAVE THE SOLE RESPONSIBILITY OF DETERMINING COMPLIANCE WITH SETBACKS AND NON-ENCROACHMENT OF EASEMENTS AND BUFFERS.
- ALL SITE PLANS AND PERMIT CARDS ARE TO REMAIN ONSITE UNTIL A CERTIFICATE OF OCCUPANCY HAS BEEN OBTAINED.
- EASEMENTS: 20' DRAINAGE EASEMENT. 44' UTILITY EASEMENT

LOT AREA:
 10,492 S.F. - 0.24

IMPERVIOUS LOT COVERAGE:
 32.4%

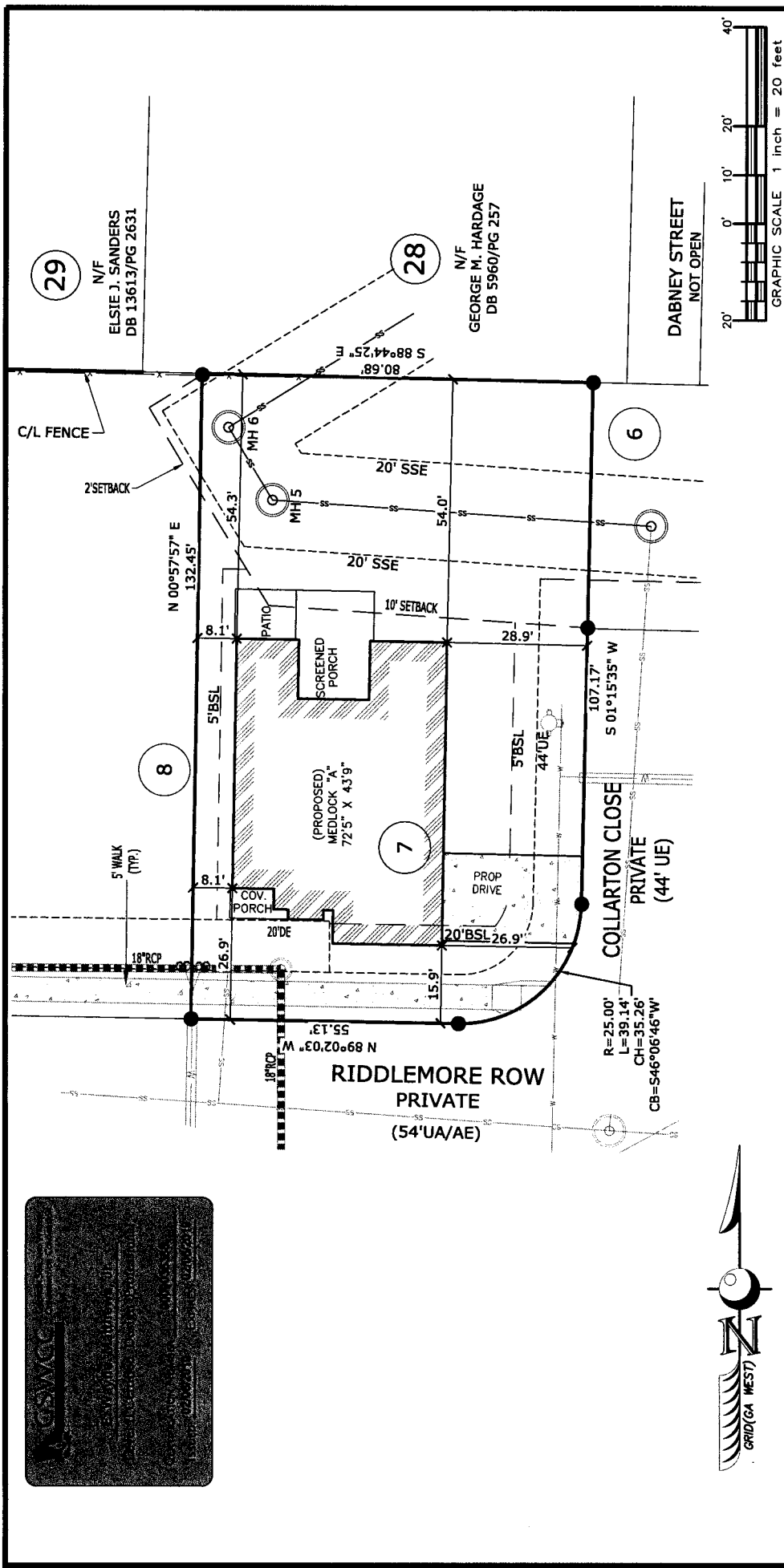
CURRENT ZONING:
 RA-5

REFERENCES:
 PLAT BOOK 276, PG 498

FLOOD STATEMENT:
 BY GRAPHIC PLOTTING ONLY, THIS PROPERTY IS NOT IN AN AREA HAVING SPECIAL FLOOD HAZARDS ACCORDING TO THE FLOOD INSURANCE RATE MAP, COMMUNITY PANEL NO. 13067C02266, WHICH BEARS AN EFFECTIVE DATE OF DECEMBER 16, 2008, COBB COUNTY, GEORGIA.

LOT REQUIREMENTS:
 MINIMUM LOT AREA = 3,000 SF
 MINIMUM FRONT YARD SETBACK = 20' FROM BACK OF CURB
 MINIMUM SIDE YARD SETBACK = 5'
 MINIMUM REAR YARD SETBACK = 30' & 40'





SEI

SOUTHEASTERN ENGINEERING, INC.

2420 Sandy Plains Road, Marietta, Georgia, 30066
 Tel: 770-231-5935, Fax: 770-231-5935
 www.seiengineering.com

HOUSE LOCATION PLAN FOR:
BOXWOOD AT VININGS
 LOT 7
 LL. 696, 17TH DISTRICT, 2ND SECTION COBB
 COUNTY, GEORGIA

DATE: NOVEMBER 09, 2017

OWNER/BUILDER:
 (SECONDARY PERMITTEE)
 JIM CHAPMAN COMMUNITIES
 2700 CUMBERLAND PARKWAY,
 Ste. 130
 ATLANTA, GA 30339

24-HOUR CONTACT
 KEVIN KING
 770-231-2416

811

Utilities Protection Center, Inc.

Never again Digout.
 Call before you dig.

MINUTES OF ZONING HEARING
COBB COUNTY BOARD OF COMMISSIONERS
MARCH 15, 2016
PAGE 12

REGULAR AGENDA (CONT.)

~~Z-10 AP HOMES, INC. (CONT.)~~

4. No land disturbance permit to be issued until a formal agreement is made between Mr. Pepe and the Applicant and that a tree save area to be designated by the County Arborist (noting the concern over the large oak trees)
5. No additional driveways in the access easement
6. Fire Department comments and recommendations, *not otherwise in conflict*
7. Water and Sewer Division comments and recommendations, *not otherwise in conflict*
8. Stormwater Management Division comments and recommendations, *not otherwise in conflict*
9. Department of Transportation comments and recommendations, *not otherwise in conflict*
10. 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

VOTE: ADOPTED 4-0, Birrell absent

~~*Clerk's Note: Commissioner Ott asked the Applicant to confirm that the retaining wall along lot number two will extend up to the edge of the driveway.*~~

Z-22 JIM CHAPMAN COMMUNITIES, INC. (Due to individual parcels, a complete list of titleholders is available in the Zoning Office) requesting Rezoning from **RA-5** and **R-20** to **RA-5** for the purpose of Single Family Residential in Land Lot 696 of the 17th District. Located on the north side of Cooper Lake Drive, west of Atlanta Road.

The public hearing was opened and Mr. Garvis L. Sams, Jr. and Ms. Mary Rose Barnes addressed the Board. Following presentation and discussion, the following motion was made:

MOTION: Motion by Ott, second by Weatherford, to approve Z-22 to the **RA-5** zoning category, subject to:

1. Letter of agreeable conditions from Mr. Garvis L. Sams, Jr. dated March 7, 2016 (attached and made a part of these minutes), with the following changes:

MINUTES OF ZONING HEARING
COBB COUNTY BOARD OF COMMISSIONERS
MARCH 15, 2016
PAGE 13

REGULAR AGENDA (CONT.)

Z-22 JIM CHAPMAN COMMUNITIES, INC. (CONT.)

- A. Item No. 6, subset d. – add to end: *“Fence to be black vinyl coated chain link and a minimum height of five feet.”*
 - B. Item No. 7 – modify second sentence to read: *“...fencing, detention area, landscaping...”*
 - C. Item No. 7 – modify end of second sentence to read: *“...street, utility, and detention maintenance.”*
 - D. Item No. 9 – add to end: *“Further, all street lighting must be environmentally sensitive such that it will prevent outward illumination and visible glare onto the adjoining properties.”*
 - E. Item No. 10, add subset h. – *“The Applicant/developer agrees to install a pressure treated solid wooden privacy fence along the northern property boundary no later than 120 days after final this decision; fence height will not be less than six feet and maintenance of said fence will be the responsibility of the HOA.”*
 - F. Item No. 14, subset a. – modify to read: *“7:00 a.m. until 5:00 p.m., ...”*
 - G. Item No. 14, subset b. – modify to read: *“7:00 a.m. until 7:00 p.m., ...”*
 - H. Item No. 14, subset c. – modify to read: *“9:00 a.m. until 5:00 p.m. ...”*
 - I. Item No. 14, subset d. – modify to read: *“No work on Sundays.”*
 - J. Item No. 14, subset e. – add to end: *“No parking on Cooper Lake Drive.”*
 - K. Page 2 – strike footnote in its entirety
2. Elevations to be in substantial conformity to those submitted by Mr. Garvis L. Sams, Jr. at this hearing (attached and made a part of these minutes)
 3. Installation of a shadow box or similar type fence on the north, east, and west sides of the property, with the smooth side facing outward
 4. Installation of a wrought iron fence fronting Cooper Lake Road, to be approved by the District Commissioner
 5. Landscape plan to be approved by the District Commissioner
 6. Fire Department comments and recommendations, *not otherwise in conflict*
 7. Water and Sewer Division comments and recommendations, *not otherwise in conflict*
 8. Stormwater Management Division comments and recommendations, *not otherwise in conflict*
 9. Department of Transportation comments and recommendations, *not otherwise in conflict*
 10. 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

VOTE: ADOPTED 4-0, Birrell absent

SAMS, LARKIN, HUFF & BALLI

A LIMITED LIABILITY PARTNERSHIP

GARVIS L. SAMS, JR.
JOEL L. LARKIN
PARKS F. HUFF
JAMES A. BALLI

SUITE 100
376 POWDER SPRINGS STREET
MARIETTA, GEORGIA 30064-3448

770-422-7016
TELEPHONE
770-426-6583
FACSIMILE

ADAM J. ROZEN

SLHB-LAW.COM

March 7, 2016

VIA EMAIL & HAND DELIVERY:

Mr. John P. Pederson, AICP, Manager
Cobb County Zoning Division
Community Development Agency
1150 Powder Springs Road, Suite 400
Marietta, GA 30064

Re: Application of Jim Chapman Communities, Inc. to Rezone a 4.60 Acre Tract
from R-20 & RA-5 to RA-5 (No. Z-22)

Dear John:

You will recall that this firm represents Jim Chapman Communities, Inc. ("JCC") concerning the above-captioned Application for Rezoning which was heard, considered and unanimously recommended for approval by the Cobb Planning Commission last week. Presently, the Application is scheduled to be heard and considered for final action by the Cobb County Board of Commissioners on March 15, 2016.

As a result of the dialogue which was established during the presentation of the Application before the Planning Commission, several comments were generated regarding the lot configuration in juxtaposition to the northern property line of the subject property. In that regard, enclosed please find the requisite number of copies of a revised site plan which addresses and resolves that issue.

With respect to the foregoing, the balance of this letter will serve as a comprehensive stipulation letter which will include the components and elements included in the Planning Commission's recommendation for approval and our discussions with area residents, as follows:

1. The revised stipulations and conditions set forth herein shall replace and supersede in full any and all prior stipulations and conditions in whatsoever form which are currently in place concerning the property which constitutes the subject matter of the above-captioned Application for Rezoning.
2. The Rezoning of the subject property shall be from R-20 & RA-5 to RA-5 in substantial conformity to that certain revised site plan prepared by Watts & Browning Engineers, Inc. which is being submitted concurrently herewith.

SAMS, LARKIN, HUFF & BALLI
A LIMITED LIABILITY PARTNERSHIP

VIA EMAIL & HAND DELIVERY:

Mr. John P. Pederson, AICP, Manager
Cobb County Zoning Division
Community Development Agency
March 7, 2016
Page 2

3. The subject property consists of approximately 4.60 acres of total site area and shall be developed as a Single-Family, detached Residential Community consisting of a maximum number of sixteen (16) homes at an overall density of 3.48 units per acre.
4. The homes to be constructed within the proposed Residential Community shall have a minimum of 3,000 sq. ft. ranging up to 4,000 sq. ft. and greater.¹
5. The architectural style and composition of the homes shall be traditional and consistent with the renderings/elevations and photographs which were submitted concurrently with the Application for Rezoning and which are incorporated herein by reference and collectively marked as Exhibit "A". All of the homes will reflect a mixture of brick, stone, cedar shake or a combination thereof on all four (4) sides of the homes. There will be no vinyl components on the homes' exteriors.
6. The submission of a Landscape Plan during the Plan Review process subject to the Arborist's review and approval which shall include, but not necessarily be limited to the following:
 - a. Tree Save areas consisting of mature, specimen trees.
 - b. The front, side and rear yards of all homes to be constructed within the proposed Residential Community shall be sodded and irrigated. However, neither the builder nor the ultimate owners of said homes shall be precluded from constructing and enjoying outdoor patios, fireplaces and similar recreation/entertainment components within the range of allowed impervious surface/percentages.
 - c. All utilities servicing the homes in the proposed Residential Community shall be located underground.
 - d. The proposed detention and water quality area will be professionally landscaped and fenced for purposes of visual screening with a black vinyl-coated chain link fence no less than six feet (6') in height.

¹ Price points are anticipated ranging from \$650,000.00 and greater.

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VIA EMAIL & HAND DELIVERY:

Mr. John P. Pederson, AICP, Manager
Cobb County Zoning Division
Community Development Agency
March 7, 2016
Page 3

- c. The construction and erection of a six foot (6') decorative, pressure-treated wooden privacy fence along the northern property line of the subject property. Said fence shall be installed no later than 120 days after approval of the rezoning by the Cobb County Board of Commissioners. Said fencing shall be perpetually maintained by the Mandatory HOA.
7. The creation of a Mandatory Homeowners Association consistent with the upscale Residential Communities within this sub-area of Cobb County. The Mandatory HOA shall be responsible for the upkeep and maintenance of all common areas contained within the proposed Residential Community, including the private streets, fencing, landscaping, subdivision entrance signage and lighting. All private streets shall be conveyed to the Mandatory HOA for maintenance and all annual HOA assessments shall include funds dedicated for street upkeep and maintenance.
8. In conjunction with the creation of the Mandatory HOA, JCC agrees to the recordation and enforcement of Protective Covenants which shall include, among other components, strict Architectural Guidelines and Controls.
9. Subdivision entrance signage shall be ground-based, monument-style and consistent with provisions of the Cobb County Sign Ordinance. Additionally, said entrance signage shall be located on Cooper Lake Drive, shall be incorporated into the aforementioned landscape plan for the Residential Community and shall be fully landscaped and irrigated.
10. Compliance with the recommendations from the Cobb County Department of Transportation with respect to traffic and transportation issues, as follows:
 - a. The voluntary donation and conveyance of right-of-way on Cooper Lake Drive (a minor collector) so that the County can achieve thirty feet (30') from the center line of said right-of-way.
 - b. Insuring adequate sight distance at the point of ingress/egress on Cooper Lake Drive which is 390 feet in both directions or implementing remedial measures in which to mitigate same.
 - c. Utilization of the existing "taper" in lieu of the installation of a deceleration lane on Cooper Lake Drive. The subject property does not have enough frontage property to install a full 150 foot deceleration lane and taper.

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Mr. John P. Pederson, AICP, Manager
Cobb County Zoning Division
Community Development Agency
March 7, 2016
Page 4

- d. The revised plan reflects the positioning of the required United States Postal Service kiosk/mailbox area.
 - e. Constructing all private streets so that they are in compliance with Cobb County's Design & Detail Specifications for public streets.
 - f. The installation of curb, gutter and sidewalk on the subject property's frontage on Cooper Lake Drive.
 - g. Providing off-street parking for a minimum of two (2) vehicles per home. Additionally, providing additional off-street guest parking consistent with .5 parking spaces per home (8 spaces).
11. Subject to recommendations from the Cobb County Stormwater Management Division with respect to stormwater management, detention, hydrology and downstream considerations including, but not necessarily limited to, the position and configuration of on-site detention and/or water quality ponds.

Off-site stormwater shall be taken through the property in an "as is" state to the downstream side of the road. As noted by the Stormwater Management Division, the subject property drains to the west through existing residential lots, with the site receiving stormwater run-off from commercial and residential parcels located to the east along Atlanta Road. The balance of the stormwater will be handled with the detention pond as shown on the revised site plan.²

12. Compliance with recommendations from the Cobb County Water System with respect to the accessibility and availability of water and sewer to the site, recognizing that the existing sewer line will have to be relocated/rerouted in a fashion interior to the Residential Community. Additionally, an agreement to install a master meter as a result of the utilization of private streets which will be built to the County's specifications.

² After reviewing the site, Frank L. Gibson, Cobb County's Erosion Control Coordinator, recommended that no stream buffer variance be required as he did in connection with a previous rezoning in 2006 which included a portion of the subject property.

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VIA EMAIL & HAND DELIVERY:

Mr. John P. Pederson, AICP, Manager
Cobb County Zoning Division
Community Development Agency
March 7, 2016
Page 5

13. Compliance with recommendations from the Cobb County Fire Department with respect to life-safety and fire prevention issues.
14. Adherence to the following construction hours:
 - a. 7:00 a.m. until 5:00 p.m., Monday through Friday, from October 1st through March 31st.
 - b. 7:00 a.m. until 7:00 p.m., Monday through Friday from April 1st through September 30th.
 - c. 9:00 a.m. until 5:00 p.m. on Saturdays.
 - d. No work on Sundays.
 - e. All construction and worker vehicles shall be parked on the subject property during the construction and build-out of the subdivision. There shall be no parking of construction or worker vehicles on Cooper Lake Drive.
15. The District Commissioner shall have the authority to approve minor modifications as the development proposal proceeds through the Plan Review Process and thereafter except for those that:
 - a. Increase the density of the Residential Community.
 - b. Reduce the size of an approved buffer adjacent to property which is zoned the same or in a more restrictive zoning district.
 - c. Relocate a structure closer to the property line of an adjacent property which is zoned the same or in a more restrictive zoning district.
 - d. Increase the height of a building which is adjacent to a property that is zoned the same or a more restrictive zoning district.
 - e. Change access location to a different right-of-way.

Petition No. 3-22
Meeting Date 3-15-16
Continued

SAMS, LARKIN, HUFF & BALLI

A LIMITED LIABILITY PARTNERSHIP

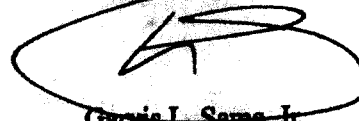
VIA EMAIL & HAND DELIVERY:

Mr. John P. Pederson, AICP, Manager
Cobb County Zoning Division
Community Development Agency
March 7, 2016
Page 6

Please do not hesitate to contact me should you or your staff have any questions whatsoever regarding these matters. With kind regards, I am

Very truly yours,

SAMS, LARKIN, HUFF & BALLI, LLP



Garvis L. Sams, Jr.
gsams@slhb-law.com

GLS/dsj
Enclosures/Attachments

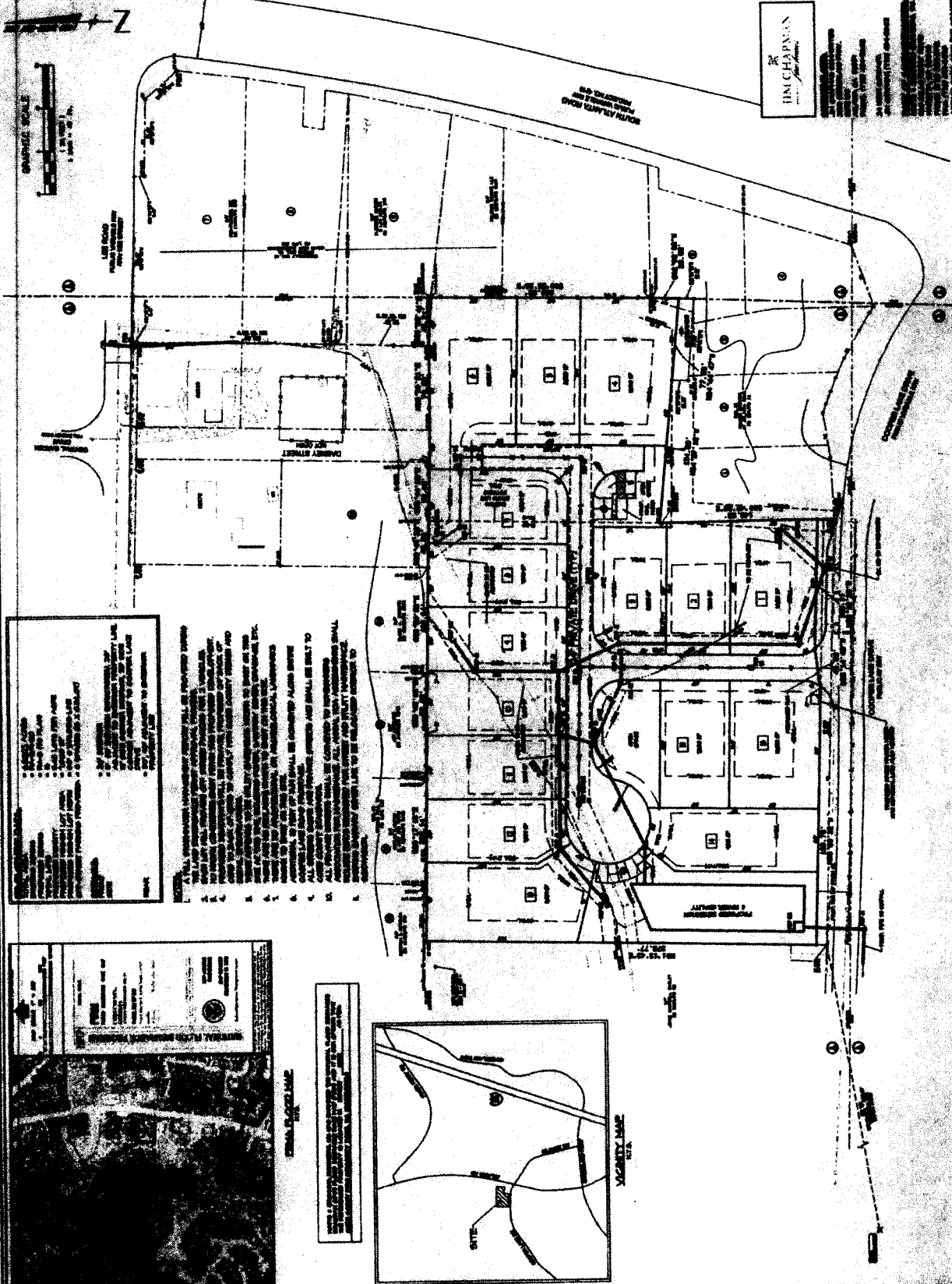
- cc: Members, Cobb County Board of Commissioners (via email w/attachments)
Members, Cobb County Planning Commission (via email w/attachments)
Commission Assistants (via email w/attachments)
Mr. Dana Johnson, AICP Director (via email w/attachments)
Mr. Lee McClead, Deputy Director (via email w/attachments)
Mr. Jason Gaines, Planning Division Manager (via email w/attachments)
Mr. Jason Campbell, Planner III (via email w/attachments)
Mr. Terry Martin, Planner II (via email w/attachments)
Ms. Kim Wakefield, Zoning Analyst (via email w/attachments)
Mr. Donald Wells, Zoning Analyst (via email w/attachments)
Ms. Lori Barton, Deputy County Clerk (via email w/attachments)
Ms. Robin Presley (via email w/attachments)
Mr. David Breaden, P.E. (via email w/attachments)
Ms. Jane Stricklin, P.E. (via email w/attachments)
Mr. Tim Davidson, P.E. (via email w/attachments)
Ms. Mary Rose Barnes (via email w/attachments)
Mr. Jim Chapman (via email w/attachments)
Ms. Phyllis Britton-Davis (via email w/attachments)
Mr. Daryl Cook, P.E., Watson Browning (via email w/attachments)
Mr. Thornton Morris (via email w/attachments)

Petition No. Z-22
 Meeting Date 3-15-16
 Continued

ZONING PLAN
 FOR
 COOPER LAKE DRIVE
 TRACT
 LOCATED IN
 LAND LOT 448
 17th DISTRICT 2nd SECTION
 COOP COUNTY, IOWA



JIM CHAPMAN
 Surveyor



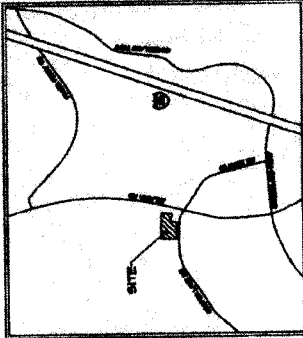
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AERIAL PHOTOGRAPH

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LOCATION MAP

CASE NO. 17-115-17-18-19-20-21-22-23-24-25-26-27-28-29-30-31-32-33-34-35-36-37-38-39-40-41-42-43-44-45-46-47-48-49-50-51-52-53-54-55-56-57-58-59-60-61-62-63-64-65-66-67-68-69-70-71-72-73-74-75-76-77-78-79-80-81-82-83-84-85-86-87-88-89-90-91-92-93-94-95-96-97-98-99-100

Petition No. 7-22
Meeting Date 3-15-16
Continued

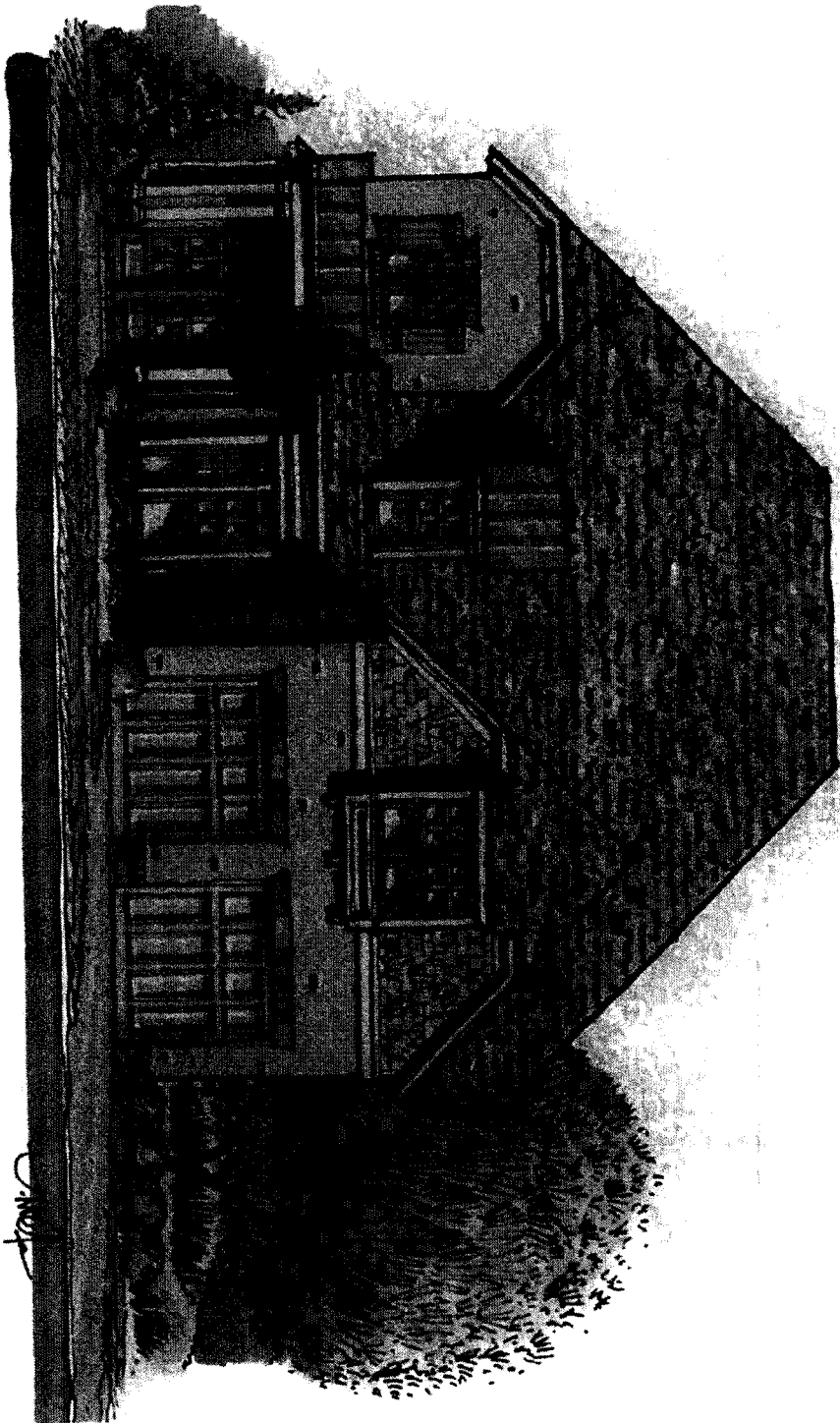
Exhibit "A"



JIM CHAPMAN
COMMUNITIES

Well Earned Elegance

The Medlock



JimChapmanCommunities.com
Building Trust. Building Futures.

Due to the evolutionary nature of our design/improvement process, there may be actual versus design variations in room dimensions, door swings and window and door locations. These floor plans and any dimensions and square footages shown herein are only approximations. Any homeowner who is concerned about any representations regarding the floor plans should do his or her own investigation (as to the dimensions, measurements and square footage) of his/her home. We reserve the right to substitute materials of comparable quality. These plans are the sole and absolute property of Jim Chapman Communities, Inc. Use or copying of these plans, without the express written consent of Jim Chapman Communities, Inc., is illegal.

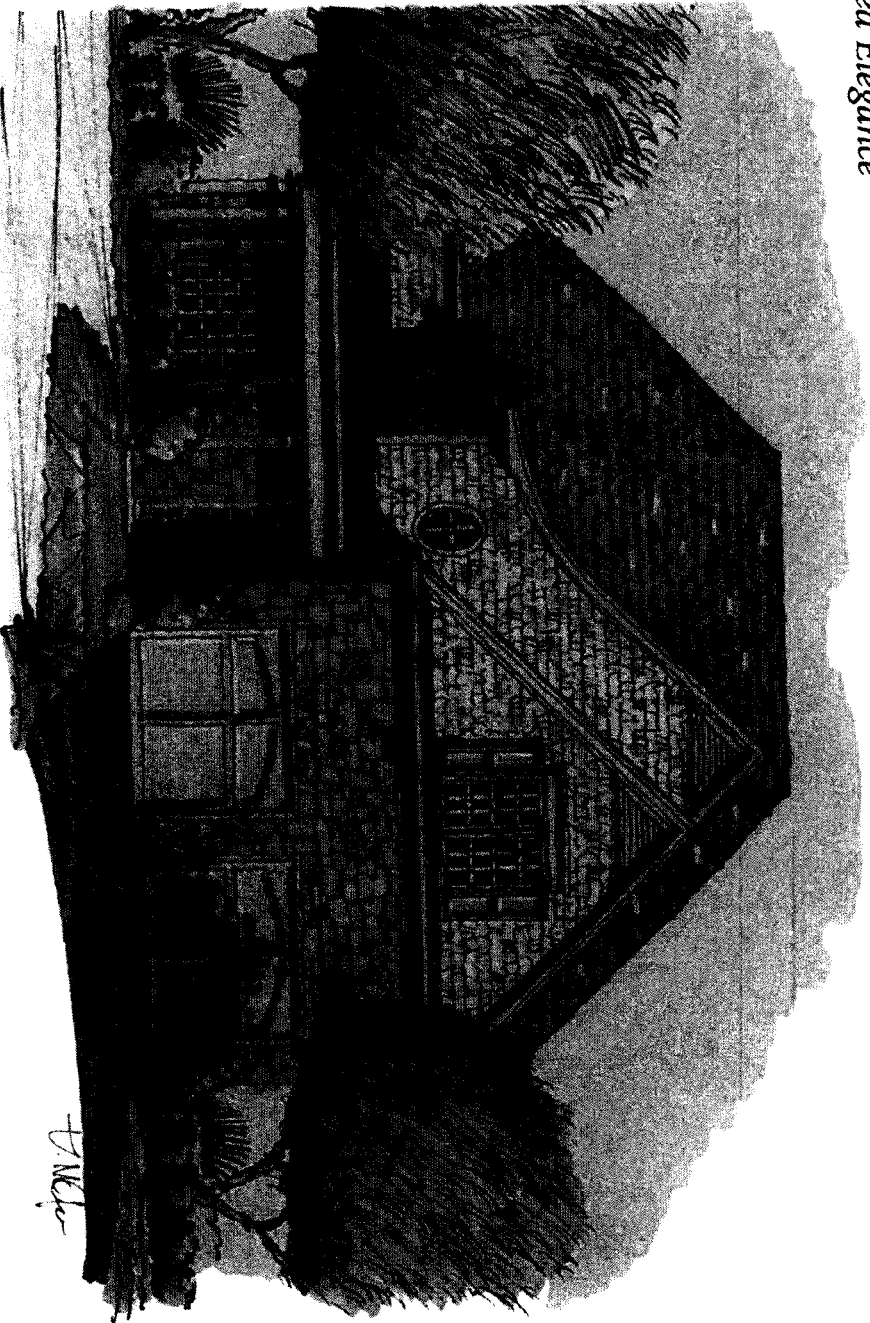




JIM CHAPMAN
COMMUNITIES

Well Earned Elegance

The Ansley II

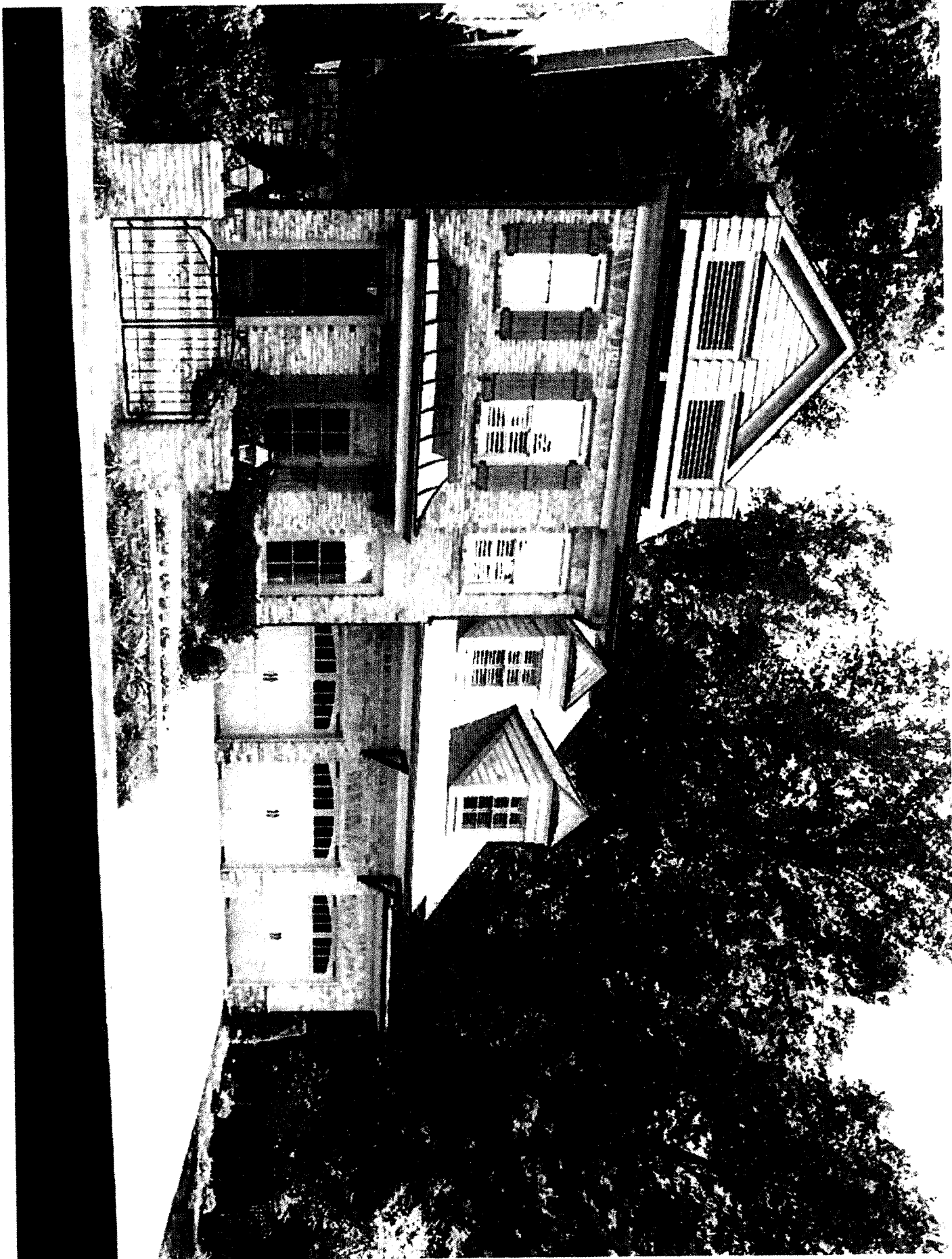


JimChapmanCommunities.com
Building Trust. Building Futures.

Due to the preliminary nature of our design improvement process, there may be actual versus design variations in room dimensions, door swings and window and door locations. These floor plans and any dimensions and square footages shown herein are only approximations. Any homeowner who is concerned about any representations regarding the floor plans should do his or her own investigation as to the dimensions, measurements and square footage of his/her home. We reserve the right to substitute materials of comparable quality. These plans are the sole and absolute property of Jim Chapman Communities, Inc. Use or copying of these plans, without the express written consent of Jim Chapman Communities, Inc., is illegal.



Petition No. 2-22
Meeting Date 3-15-16
Continued



FILED WITH COUNTY CLERK THIS 15th DAY
OF March 20 16 BY Garvis Sams Jr.
RE Z-22
Rob E. Priddy
COUNTY CLERK/ASST. COUNTY CLERK/DEPUTY COUNTY CLERK
COBB COUNTY, GEORGIA

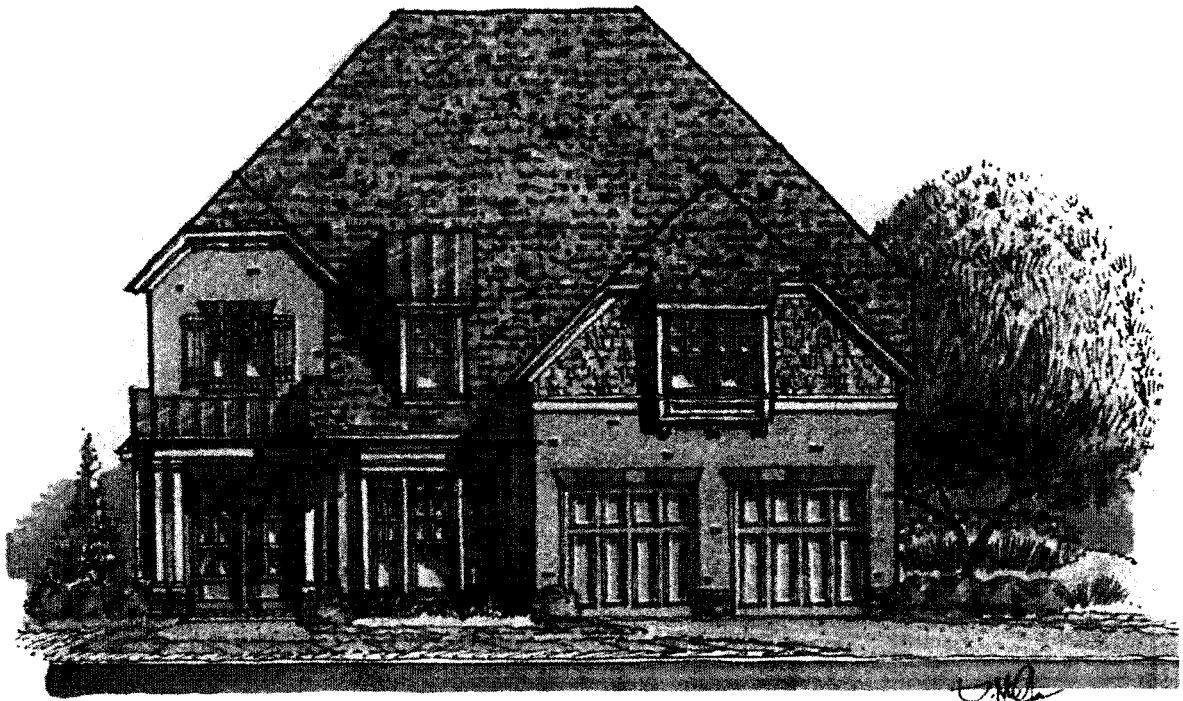
Min. Bk. 78 Petition No. Z-22
Doc. Type Elevations
Meeting Date 3-15-16

Application of
Jim Chapman Communities, Inc.
to Rezone a 4.63 Acre Tract from
R-20 & RA-5 to RA-5
(No. Z-22)

Petition No. Z-22
Meeting Date 3-15-16
Continued


JIM CHAPMAN
COMMUNITIES
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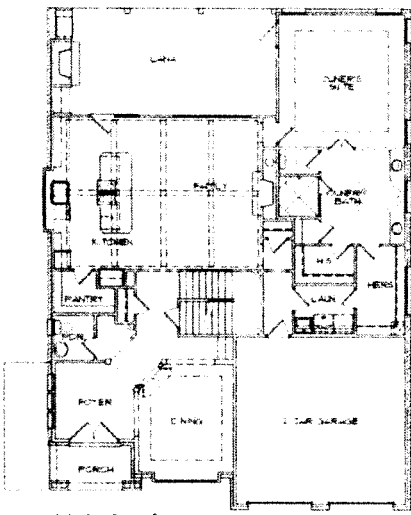
This is an illustrative rendering of the design and layout process. This may be subject to design variations in terms of materials, floor plans, and window and door locations. Floor plans and any dimensions and space savings shown herein are only approximations. Any homeowner who is concerned about any assumptions regarding the floor plans should consult with their architect to the dimensions, measurements and actual footage of the final home. We reserve the right to substitute materials of comparable quality. These plans are the sole and absolute property of Jim Chapman Communities, Inc. Use or copying of these plans without the express written consent of Jim Chapman Communities, Inc. is illegal.



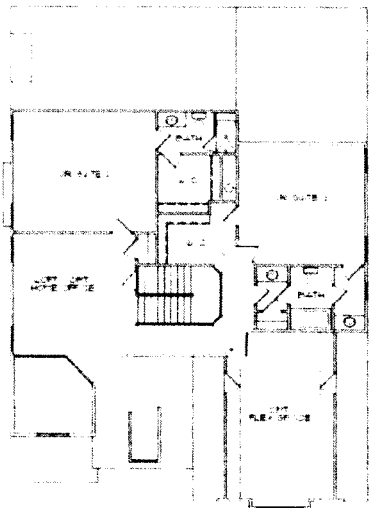
Petition No. 2-22
 Meeting Date 5-15-16
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JIM CHAPMAN
 COMMUNITIES
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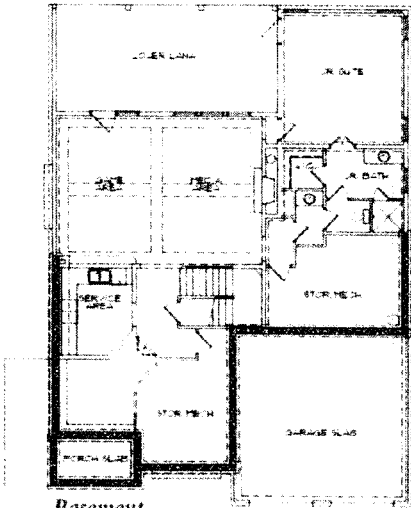
The Medlock
 3 BEDROOM, 3 FULL BATH
 ONE 1/2 BATH, WITH FULL BASEMENT



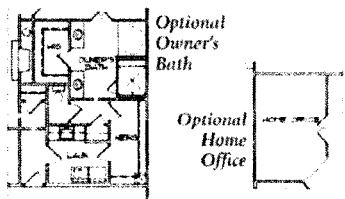
Main Level



Second Level



Basement



Optional
 Owner's
 Bath

Optional
 Home
 Office

MAIN LEVEL HEATED AREA APPROX. 1,840 S.F.
 2ND FLOOR HEATED AREA APPROX. 1,514 S.F.
 POTENTIAL BASEMENT AREA APPROX. 1,217 S.F.
 TOTAL 3,354 S.F.

JimChapmanCommunities.com
Building Trust. Building Futures.

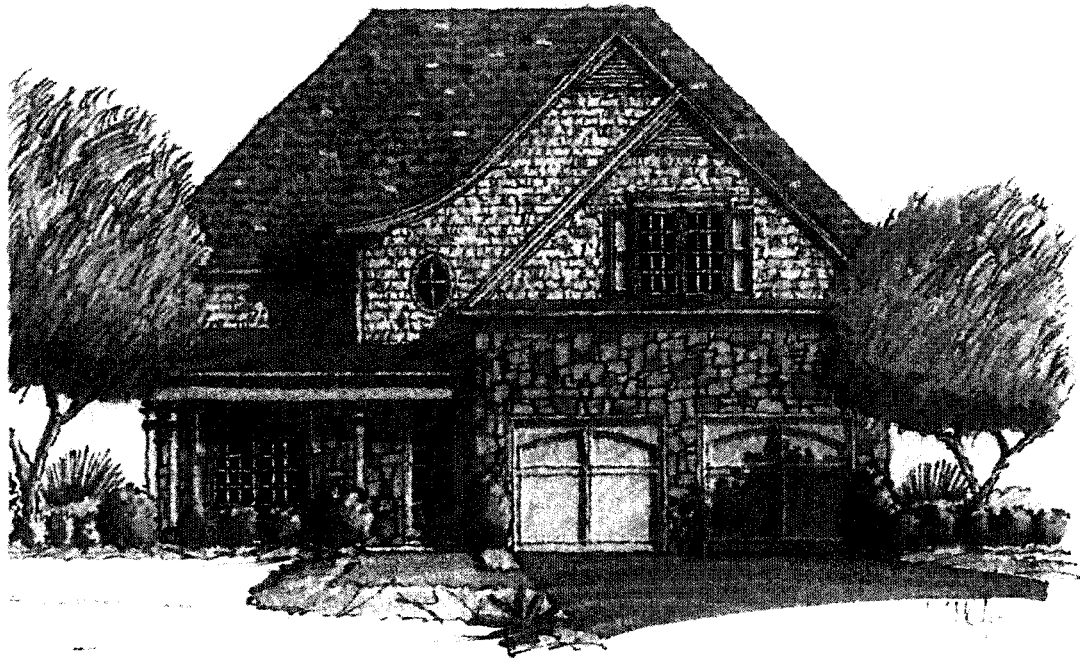
The plans are intended to show an approximate design and are not to be used for construction. They are subject to change without notice. The plans are intended to show an approximate design and are not to be used for construction. They are subject to change without notice. The plans are intended to show an approximate design and are not to be used for construction. They are subject to change without notice.



Petition No. 2-22
Meeting Date 3-15-16
Continued


JIM CHAPMAN
COMMUNITIES
Well Earned Elegance

The Ansley II



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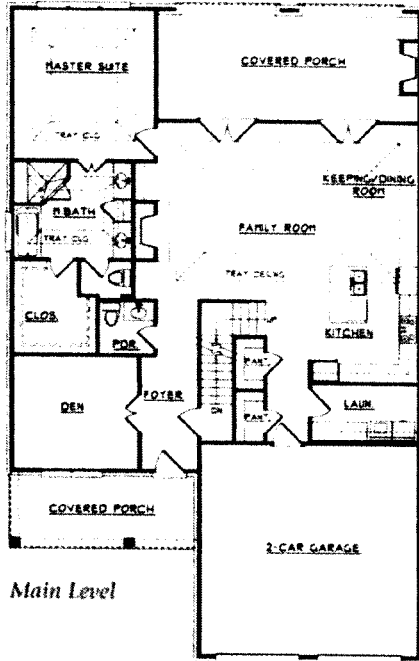
This is not a contract. It is a preliminary plan only. It is subject to change without notice. It is not intended to constitute an offer of any real estate. Any person who acts in reliance on this plan shall do so at their own risk. This plan is not intended to constitute an offer of any real estate. Any person who acts in reliance on this plan shall do so at their own risk. This plan is not intended to constitute an offer of any real estate. Any person who acts in reliance on this plan shall do so at their own risk.



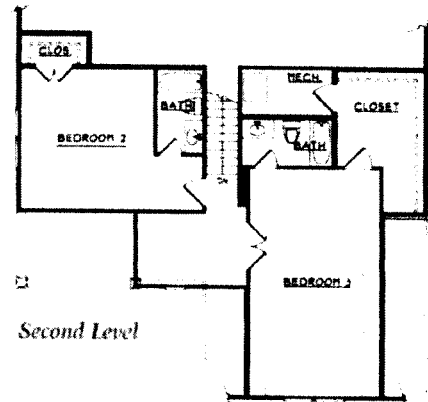
Petition No. 2-22
 Meeting Date 3-15-16
 Continued

JIM CHAPMAN
 COMMUNITIES
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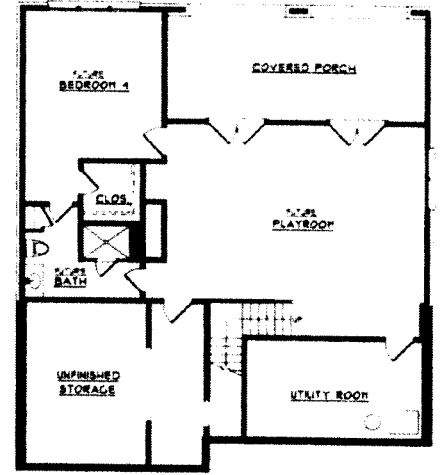
The Ansley II
 3 BEDROOM, 3 FULL BATH
 ONE 1/2 BATH, WITH FULL BASEMENT



Main Level



Second Level



Basement

MAIN LEVEL HEATED AREA APPROX 1,768 S.F.
 2ND FLOOR HEATED AREA APPROX 1,076 S.F.
 POTENTIAL BASEMENT AREA APPROX 1,104 S.F.
 TOTAL 2,844 S.F.

JimChapmanCommunities.com
Building Trust. Building Futures.

This is a floor plan only and does not constitute an offer of real estate. It is intended for informational purposes only and does not constitute an offer of real estate. The floor plan and any other information contained herein are for informational purposes only and are not intended to constitute an offer of real estate. The floor plan and any other information contained herein are for informational purposes only and are not intended to constitute an offer of real estate. The floor plan and any other information contained herein are for informational purposes only and are not intended to constitute an offer of real estate.



Petition No. 2-22
Meeting Date 3-15-16
Continued

