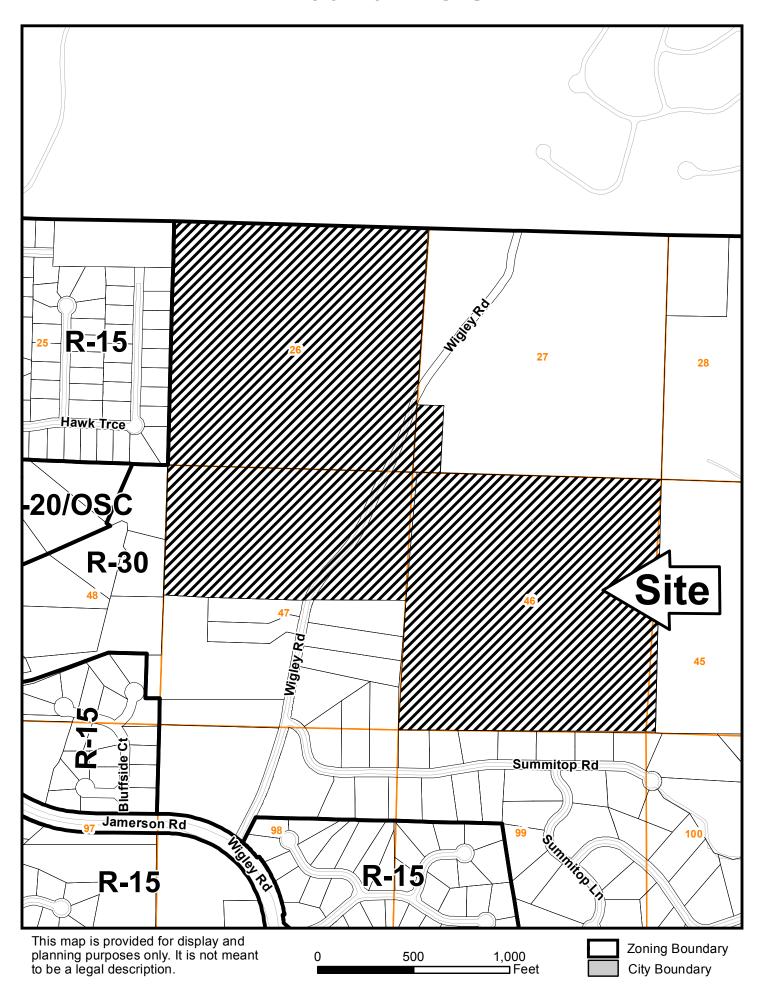


APPLICAN	T: Oak Hall Companies, LLC	PETITION NO:	Z-56
PHONE #:	EMAIL:	HEARING DATE (PC):	9 07 17 5 1 18 7-3-18
REPRESEN	TATIVE: Parks F. Huff	HEARING DATE (BOO	C): <u>9-19-17</u> -5- <u>15-18</u> 7-17-1 <u>8</u>
<u>PHONE #: (</u>	770) 422-7016 EMAIL: phuff@slhb-law.com	PRESENT ZONING: _	R-30
TITLEHOL	DER: Audrey Mae Wigley, By Gloria Wigley as		
Administrato	or for the Estate of Audrey Wigley	PROPOSED ZONING:	R-20/OSC
PROPERTY	LOCATION: East and west sides of Wigley Road,		
north of Sum	nmitop Road	PROPOSED USE: Sing	le-family Subdivision
ACCESS TO	O PROPERTY: Wigley Road	SIZE OF TRACT:	96.23 acres
		DISTRICT:	16
PHYSICAL	CHARACTERISTICS TO SITE: Single-family hou	se LAND LOT(S):	26, 27, 46 , 47
and undevelo	oped acreage	PARCEL(S):	1, 2, 1 , <i>1</i>
		TAXES: PAID X	
COMPLCIA	OUS ZONING/DEVELOPMENT	COMMISSION DISTRI	ICT: 3
EAST: WEST:	The Summit at Sweat Mountain R-30/Undeveloped acreage R-15/Undeveloped and Falcon Crest Subdivision; R-30/Single-family houses and The Summit at Sweat Mountain	South: Very Low Density I (VLDR) West: Low Density Reside	
	ON: NO. OPPOSEDPETITION NO:SPOR	KESMAN	
PLANNING	COMMISSION RECOMMENDATION		
APPROVEI	DMOTION BY		
	OSECONDED	n	28 29
HELD	CARRIED		
BOARD OF	COMMISSIONERS DECISION	R-20 OS C R-30	SITE
APPROVEI	OMOTION BY		
REJECTED	SECONDED		45
HELD	CARRIED	R-15	
STIPULAT	IONS:	Summing Rd Summing Rd R-15 Claridge Dr	R-15

Z-56 2017-GIS



APPLICANT: Oak Hall Companies, LL	C PETITION NO.	: <u>Z-56</u>
PRESENT ZONING: R-30	PETITION FOI	R: R-20/OSC
********	*******	*****
ZONING COMMENTS: Staff Me	mber Responsible: Jason A. Campbel	1
Land Use Plan Recommendation: Very	Low Density Residential (0-2 units per ac	cre)
Proposed Number of Units: 95	Overall Density: 0.99 U	nits/Acre
Staff estimate for allowable # of units:		nits/Lots
*Estimate could be higher or lower based on engineer natural features such as creeks, wetlands, etc., and oth		f property, utilities, roadwa

Applicant is requesting the R-20 OSC zoning district for the development of a 95-lot single-family, open space community. The proposed houses will range in size from 3,000 to 4,000 square feet and greater, and will have traditional architecture with brick, stone and cementitious siding (renderings attached). The lot sizes will be a minimum of 15,000 square feet. Amenities will include a pool, clubhouse, and 48.91 acres (50.8%) of open space. The proposed site plan indicates the property will be developed in two phases. On the southern portion of Phase 1, there will be a 40-foot buffer as depicted on the attached site plan, with the first 20 feet bring an undisturbed buffer and the remaining 20 feet being a graded and replanted buffer. There will be a minimum 40-foot perimeter setback.

The proposed site plan will require the following contemporaneous variance:

1. Allow slopes greater than 25% to be located outside of the required open space.

NOTE: THE APPLICANT HAS SUBMITTED A REVISED SITE PLAN WHICH IS SHOWN IN THIS REPORT.

Cemetery Preservation: No comment.

APPLICANT: _(Dak Hall Companies, LLC	PETITION NO.:	Z-56
PRESENT ZONI	NG: R-30	PETITION FOR:	R-20/OSC

SCHOOL COMMENTS:

			Number of
		Capacity	Portable
Name of School	Enrollment	Status	Classrooms
Rocky Mount Elementary	575	611	
Elementary Mabry Middle	876	1023	
Middle Lassiter High	_2220	2137	

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: Oak Hall Companies, LLC

PETITION NO.: Z-56

PRESENT ZONING: R-30

PETITION FOR: R-20/OSC

FIRE COMMENTS:

Guest Parking

Occupant parking shall be installed as required by zoning and additional guest parking shall be required as follows:

- Where driveways to two car garages exceed 50 feet in length, no additional guest parking is required.
- Where driveways to two car garages are at least 22 feet long and 20 feet wide, additional parking shall be required at .5 spaces per dwelling unit.
- Where driveways to two car garages are less than 22 feet long and 20 feet wide, additional parking shall be required at 1 space per dwelling unit.
- Where only single car garages are provided, additional parking shall be required at 2 spaces per dwelling unit.
- Guest parking spaces must be evenly distributed throughout the project.

APPLICANT: Oal	k Hall Companies, LLC		PETITION NO.	: Z-56
PRESENT ZONIN	G: <u>R-30</u>		PETITION FOR	R: R-20/OSC
******	* * * * * * * * * * * * * * * * * * * *	: * * * * * * * * * *	*****	* * * * * * * *
PLANNING COM	IMENTS:			
	esting a rezoning from R-30 to 23 acre site is located on the			
HR 180 Intergovernn	nental Agreement Zoning Am	andment Notificati	ion:	
	nental Agreement Zoning Am within one half (1/2) mile of		□ Yes	■ No
* *	• • •	a city boundary?	☐ Yes	■ No / N/A
if yes, has the city of	been notified?		□ 1 es	■ NO / N/A
Comprehensive Plan				
The parcel is within a	Very Low Density Resident	ial (VLDR) future	land use category	, with R-
-	n. The purpose of the Very L			
	are suitable for very low der			
	ervices such as sewer, or whe			
	is zero to two (2) dwelling ur		icsirca restacittar	
development pattern	is zero to two (2) dwerning dr	nts per acre.		
Specific Area Policy	Guidelines:			
There are no specific	policy guidelines for this are	a in the Comprehe	nsive Plan.	
A.D	1 77			
Adjacent Future Land				
	kee County			
•	Low Density Residential (VL	*		
•	Low Density Residential (VL	DR)		
West: Low D	Density Residential (LDR)			
Master Plan/Corrido	r Study			
	ocated within the boundary of	f a Plan or Corridor	r Study	
The property is not to	cated within the boundary of	a rian or corridor	Study	
Historic Preservation	<u>!</u>			
After consulting vario	ous county historic resources	surveys, historic ma	aps, archaeology s	surveys and
Civil War trench loca	ation maps, staff finds that no	known significant	t historic resource	s appear to
be affected by this a	pplication. No further comm	nent. No action b	y applicant reque	sted at this
time.		•	J 11 1	
<u>Design Guidelines</u>				
-	a with Design Guidelines?	☐ Yes	■ No	
If yes, design guidelin				
Does the current site	plan comply with the design	requirements?		
Incentive Zones				
	an Opportunity Zone?	□ Yes ■	No	
1 1 7	e is an incentive that provide			a areas if
two of more jobs are	being created. This incentive	z is available for ne	on existing bus	111C88C8.

APPLICANT: Oak Hall Companies, LLC	PETITION NO.: Z-56
PRESENT ZONING: R-30	PETITION FOR: R-20/OSC

PLANNING COMMENTS:	CONT.
Is the property within an Enterprise Zone? ☐ Yes	■ No
The Enterprise Zone is an incentive that provide	s tax abatements and other
economic incentives for qualifying businesses locating or expanew jobs and capital investments.	nding within designated areas for
Is the property eligible for incentives through the Commercial Rehabilitation Program?	and Industrial Property ■ No
The Commercial and Industrial Property Rehabilitation Program	
reduction in ad valorem property taxes for qualifying redevelop	*
For more information on incentives, please call the Community Division at 770.528.2018 or find information online at	

COBB COUNTY COMMUNITY DEVELOPMENT AGENCY

Planning Division 1150 Powder Springs Street Marietta, Georgia 30060 (770) 528-2018

Z-56

Date: June 15, 2018

Site Plan Date: **Stamped received June 14, 2018** Contact: Phillip Westbrook (770) 528-2014

Property Location: East and west sides of Wigley Road, north of Summitop Road

Land Lot/District: 26, 27, 46 & 47 of 16th Dist.

Current Zoning: R-30 Proposed Use: R-20 OSC

Total Area: 96.23 acres

Floodplain/Wetland Area/Cemetery/Amenity Area: .26 acres

Net Buildable Area: 95.97 acres Density Allowed: 1.75 upa

Proposed Lots: 95 Net Density: .99 upa

Future Land Use: Very Low Density Residential (0 to 2 upa)

Open Space Requirement: 33.7 acres or 35% Open Space Proposed: 48.91 acres or 51%

Percentage of Open Space within Floodplain, Wetlands, & Lakes: 0%

Setbacks:

Front: 20' (based on Stip. Letter dated 4.17.18, Item #6) Rear: 20' (based on Stip. Letter dated 4.17.18, Item #6)

Side: 7.5' (15' between buildings) (based on Stip. Letter dated 4.17.18, Item #6)

NOTE: Open Space community overlay plans are approved as site plan specific.

COMMENTS:

- 1.) Impervious surfaces of amenity areas should be subtracted from the total area to determine Net Buildable Area. Please provide acreage of the impervious surface of amenity area on site plan. Also, please note on plan that no floodplains, wetlands and/or cemeteries are evident on site, if that is indeed the case.
- 2.) Revised April 17, 2018 Stip. Letter to be consistent with revised Site Plan dated June 13, 2018. Item #1 depicts 45% of the site will be open space. The June 13, 2018 revised plan shows 51% when accounting for .26 acres of Amenity Area.
- 3.) Slopes greater than 25 percent must be included in the required open space, but shall allow for perpendicular (except when non-perpendicular is necessary to satisfy drainage/storm water requirements) utility and access crossings, when necessary. Based on GIS generated slope analysis, there are several lots that encroach into slopes greater than 25%.
- 4.) The buffer area on the southern and eastern portions of the subject property show 40 foot. Item #2 of the April 17, 2017 Stipulation letter says 50 foot. Please show 50' undisturbed buffer along the

- southern and eastern portions of the subject property, as well as to the rear of lots 42 and 43 on the western side of subject property.
- 5.) Either on the plan or in stipulation letter include language referencing fencing that is compatible with the architecture/landscape/design of development shall be established along lot lines that are contiguous to open space.
- 6.) A Conservation Easement must be recorded in the mandatory subdivision covenants and with Cobb Superior Court, thereby protecting the "Open Space" from development in perpetuity as owned by the mandatory Home Owners Association. Conservation Easement application must be submitted to the Planning Division before final plat approval.

PRESENT ZONING $\underline{R-30}$				PE	TITION FOR R-20/OSC
* * * * * * * * * * * * * * * * * * * *	* * * *	* * * * * * * * *	* * :	* * *	******
WATER COMMENTS: NOTE: Comments re	eflect or	nly what facilities v	were	in exi	stence 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"	DI/W	side of Wigley	stubb	ed at	s S end of parcel
Additional Comments: A portion of Ph 2 is in proposed in that partic		_	gh Se	ervice	e Area. However, no lots are
Developer may be required to install/upgrade water mains, based Review Process.	on fire flo	ow test results or Fire D	epartm	ent Co	de. This will be resolved in the Plan
* * * * * * * * * * * * * * * * * * * *	* * *	* * * * * * * * *	* * *	* * :	*****
SEWER COMMENTS: NOTE: Comment	s reflec	t only what facilitie	es wei	re in e	existence at the time of this review.
In Drainage Basin:	✓	Yes			No
At Development:		Yes		✓	No
Approximate Distance to Nearest Sewer: 1	15' S ir	Wigley Road			
Estimated Waste Generation (in G.P.D.):	ADF=	15,200		P	Peak= 38,000
Treatment Plant:		Noon	day		
Plant Capacity:	✓	Available		Not	Available
Line Capacity:	✓	Available		Not	Available
Proiected Plant Availability:	~	0 - 5 years		5 - 1	0 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
Flow Test Required:		Yes	~	No	review/approval as to form and stipulations prior to the execution of easements by the
Letter of Allocation issued:		Yes	✓	No	property owners. All easement acquisitions are the responsibility of the Developer
Septic Tank Recommended by this Department	nt:	Yes	✓	No	
Subject to Health Department Approval:		Yes	✓	No	
Additional The Falcon Crest Lift Station,	which	would serve lots	outfa	lling	to the west, has limited

PETITION NO.

APPLICANT Oak Hall Companies,LLC

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.

excess capacity. Easement(s) and flow study may be required based upon final sewer design.

PRESENT ZONING: R-30 PETITION FOR: R-20/OSC STORMWATER MANAGEMENT COMMENTS FLOOD HAZARD: YES NO POSSIBLY, NOT VERIFIED DRAINAGE BASIN: Trickum Creek (S)/Kelly Creek (N) 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 systems. 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 Evan's Lake (4800 Wigley Rd). Additional BMP's for erosion sediment controls will be required. \boxtimes Lake Study needed to document sediment levels. Stormwater discharges through an established residential neighborhood downstream. Project engineer must evaluate the impact of any increased volume of runoff generated by the proposed project on receiving streams.

PETITION NO.: <u>Z-56</u>

APPLICANT: Oak Hall Companies, LLC

APPLICANT: Oak Hall Companies, LLC **PETITION NO.: <u>Z-56</u>** PRESENT ZONING: R-30 **PETITION FOR: R-20/OSC** 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

Revised comments based plan dated June 13, 2018

- 1. This site is located on the northern portion of Wigley Road. Phase 1 of the site lies on a steep ridgeline and drains in three directions. The majority of the site (40%) drains to the south roughly parallel to Wigley Road. Approximately 35% of the site drains to the northeast along Wigley Road into Cherokee County. The remaining 25% of the site drains to the west into and through the adjacent Falcon Crest Subdivision. The site is predominately wooded with steep slopes ranging from 12 to 40%. Phase 2 lies east of Wigley Road. Except for portions of the northeast and northwest corners, the majority of the Phase 2 parcel drains to the west into and through Lots 1 4 of the adjacent Summit at Sweat Mountain Subdivision. Slopes for this parcel appear to be 35% or greater. Site layout for this development needs to be sensitive to the steep topography with grading limited to the the R/W and building pads only.
- 2. Although there are two parcels identified on the site plan as reserved for stormwater management, it is likely that a third onsite detention pond will be required to adequately control runoff from the development to the west. This pond would most likely be located to the rear of Lot 25.
- 3. As indicated in the Downstream Conditions comments above, there is an existing lake located approximately 300 feet downstream. A pre- and post-development sediment study will be required to document any sediment impacts to this lake. Elevated onsite erosion control measures will be required due to the steepness of the site.
- 4. A downstream headwater pool analysis will be required for the existing receiving culvert in Falcon Crest S/D to verify no adverse impact. The basement at 2254 Hawk Trace is located significantly below the low point of the road.

DEPARTMENT COMMENTS- Transportation

Roadway	Roadway classification	Speed limit (MPH)	Jurisdictional control	Min. R.O.W. requirements
Wigley Road	Local	25 mph	Cobb County	50'

Roadway	Location	Average daily trips	Level of service
Wigley Road	North of Summitop Road	40	С

Based on 2015AADT counting data taken by GDOT, as published on their website, for Wigley 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 Drive is classified as a local and according to the available information the existing right-of-way does not meet the minimum requirements for this classification.

The parcel to the northeast of the site has current access on Wigley Road. The current site plan shows this access removed. Recommend providing public access to this parcel from the newly aligned roadway.

Recommendations

- 1. Recommend applicant be required to meet all Cobb County Development Standards and Ordinances related to project improvements.
- 2. Recommend curb and gutter along both sides and sidewalk along one side of proposed development roadway.
- 3. The existing Wigley Road right-of-way will need to be abandoned prior to Land Disturbance Permit. Public access will need to be provided for the parcel to the northeast of the site before abandonment can occur.

STAFF RECOMMENDATIONS

Z-56 OAK HALL COMPANIES, LLC

- A. It is Staff's opinion that the applicant's rezoning proposal may not permit a use that is suitable in view of the use and development of adjacent and nearby properties. Almost all of the properties on this part of Wigley Road are zoned R-30 (only a portion of this part of Wigley Road is not zoned R-30). R-30 OSC would be a better choice due to the slopes.
- B. It is Staff's opinion that the applicant's rezoning proposal may have an adverse effect on the usability of adjacent or nearby property. The property is severely impacted by steep slopes and staff is concerned about erosion issues downstream and downslope. Other developments, zonings and densities in the area include: Jefferson Township Phase Five (zoned PD at approximately 0.32 units per acre); The Summit at Sweat Mountain (zoned R-30 at 0.72 units per acre); Bluffs at Jamerson (zoned R-20 at approximately 1.60 units per acre overall for Phases 1 and 2); Hampton Ridge Unit IV (zoned R-15 at 1.65 units per acre); and Falcon Crest Subdivision Unit III (zoned R-15 at approximately 2.50 units per acre).
- C. It is Staff's opinion that the applicant's rezoning proposal may result in a use which would cause an excessive or burdensome use of existing streets, transportation facilities, utilities, or schools. This opinion is 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 Very Low Density Residential (VLDR) future land use category. The VLDR category has densities ranging from 0 to 2 units per acre. The applicant's proposed density is within the VLDR range at 0.99 units per acre. It should be noted that the current zoning R-30 district is also in conformity with the *Cobb County Comprehensive Plan*.
- 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 deleting the applicant's rezoning proposal to R-30 OSC. The surrounding area of Wigley Road is zoned as R-30. The steep slopes on the property, if developed in a more intense manner, can impact surrounding and downstream properties. Larger lot R-30 development would be preferable due to less grading activity. Staff is aware that other neighborhoods in this area have caused drainage and sedimentation problems due to smaller lot sizes on steep slopes. Staff would be amenable to an R-30 OSC plan due the steep slopes and adjacent zoning districts.

Based on the above analysis, Staff recommends **DELETION TO R-30 OSC** subject to:

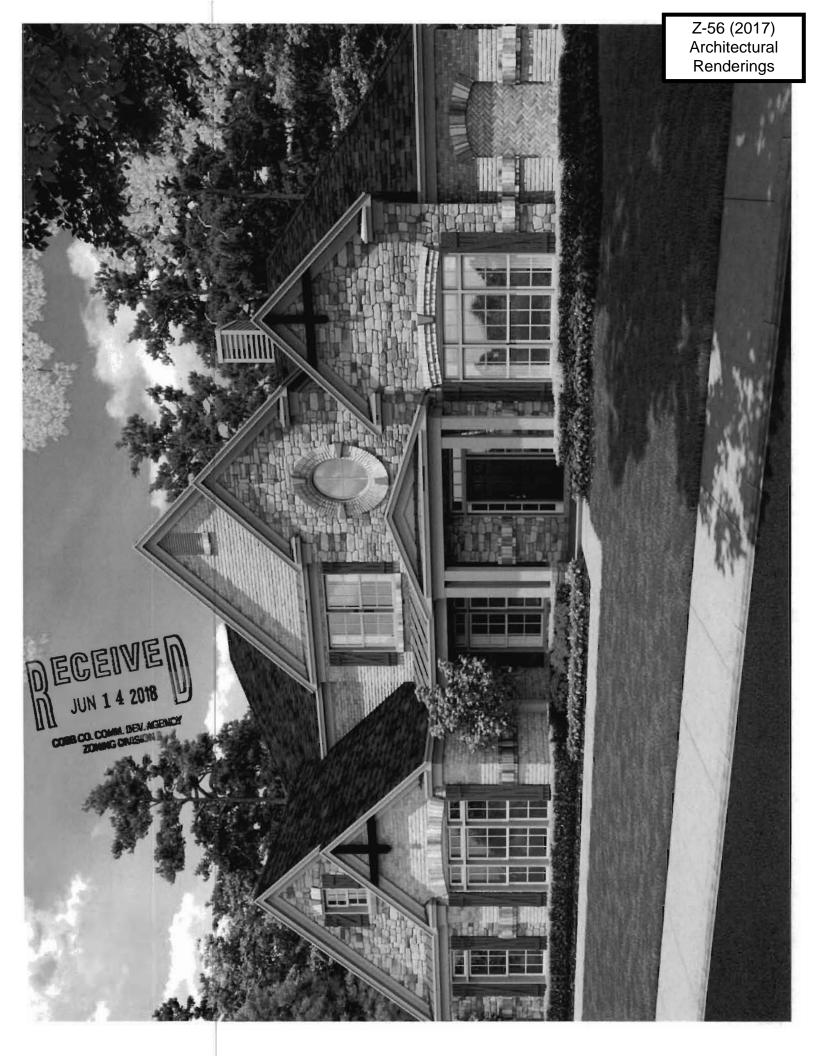
- 1. Site plan to be approved by the Board of Commissioners.
- 2. Variance for the steep slopes since most of the property is impacted by this condition.
- 3. All department comments not in conflict with this recommendation.

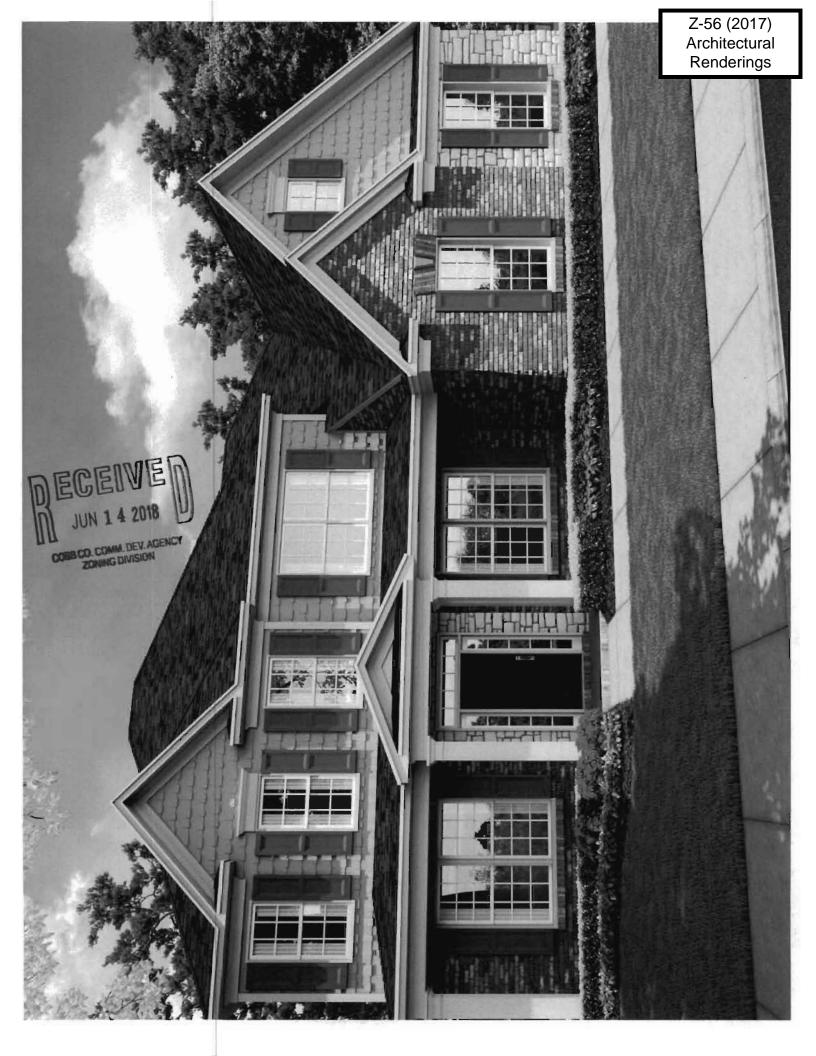
The recommendations made by the Planning and Zoning Staff are only the opinions of the Planning and Zoning Staff and are by no means the final decision. The Cobb County Board of Commissioners makes the final decisions on all Rezoning and Land Use Permits at an advertised public hearing.

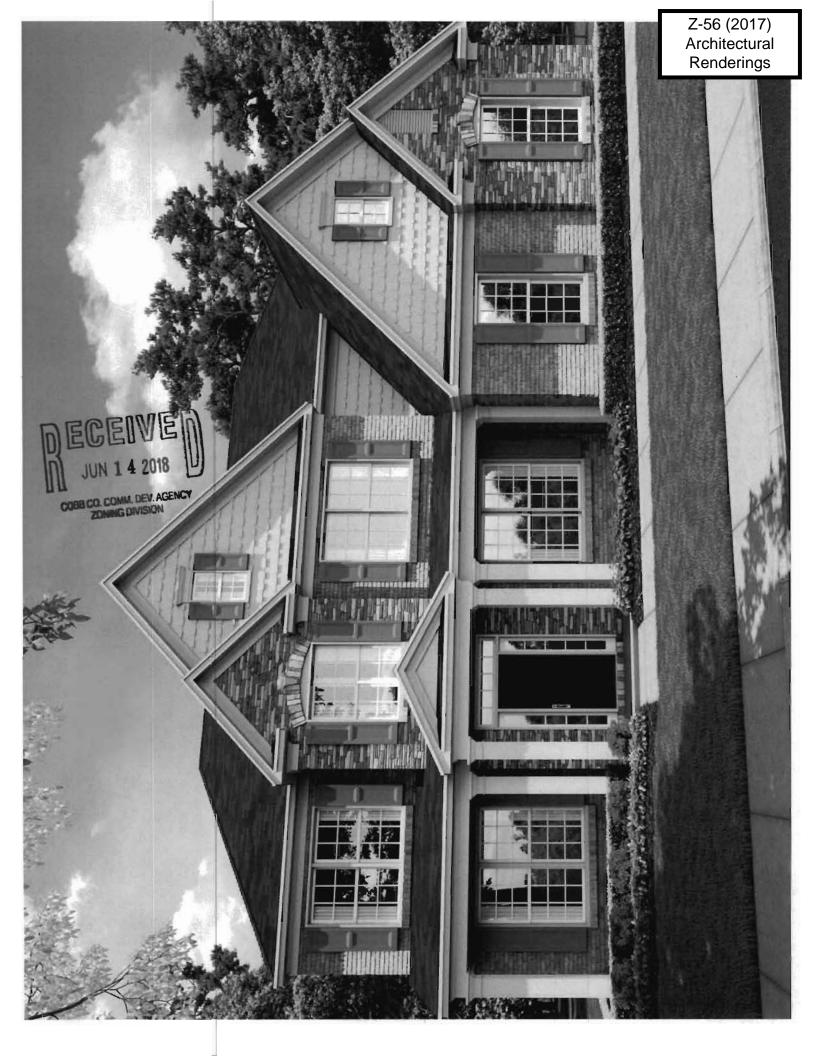
Application No. 7-56 Sept. 2017

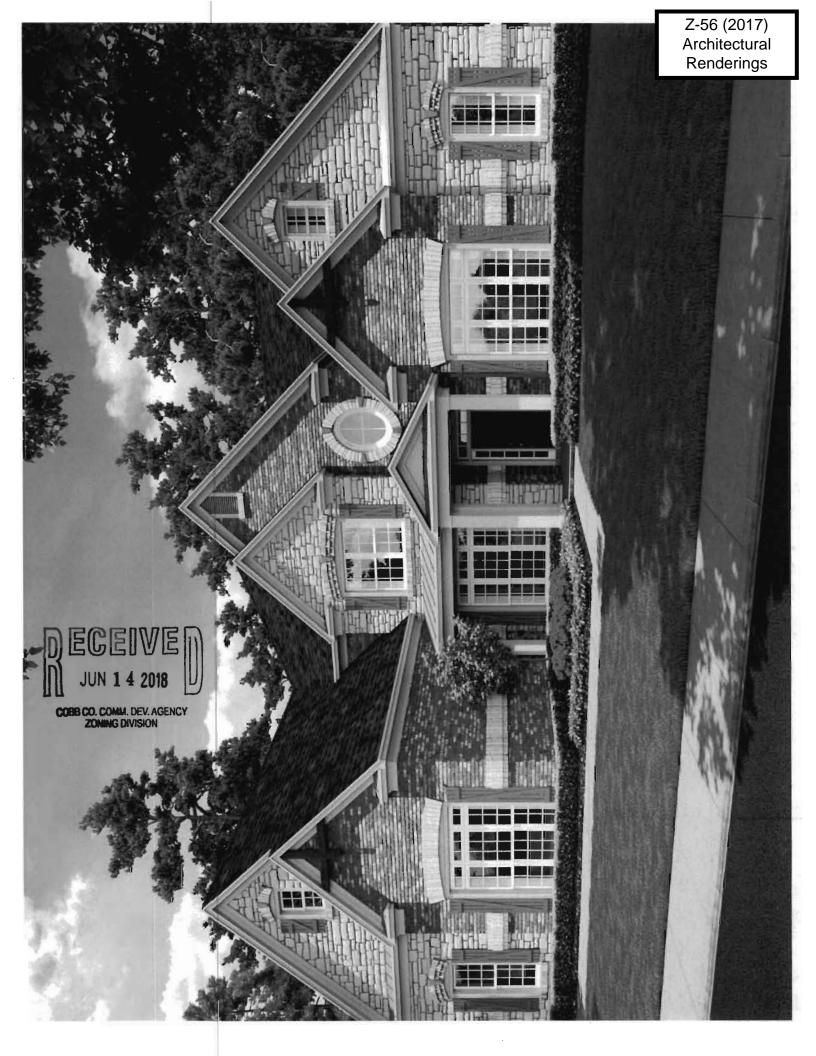
Summary of Intent for Rezoning

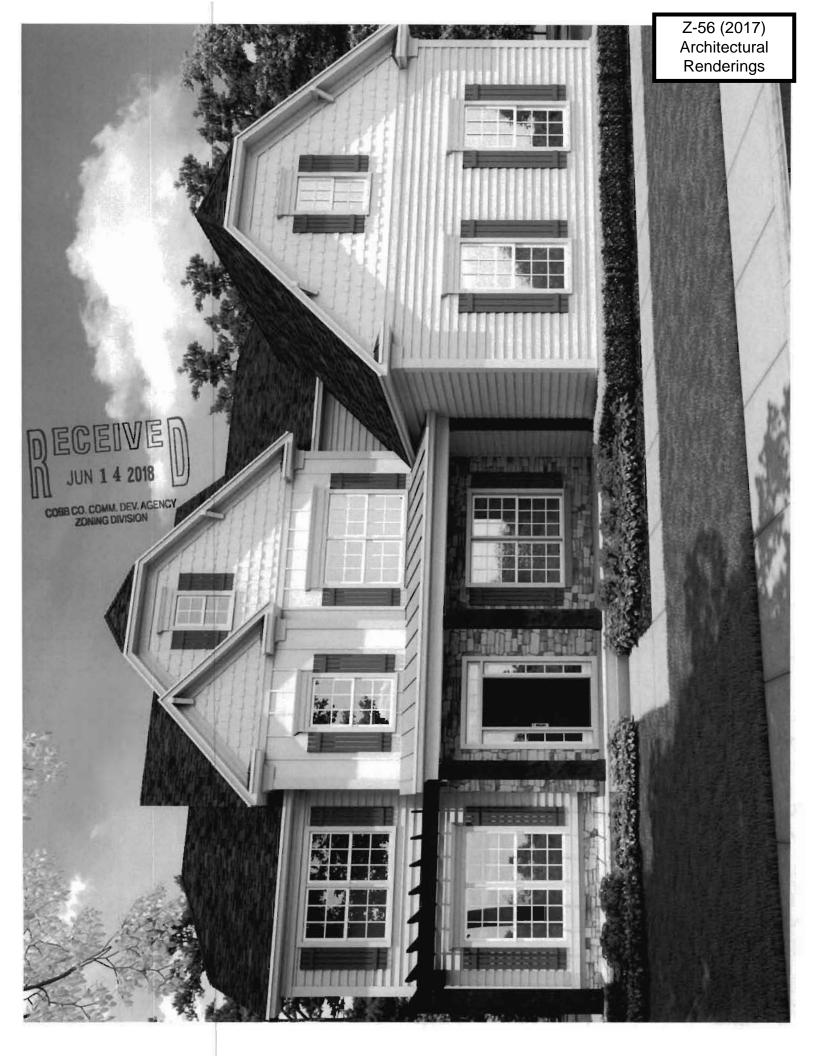
a) Pro	posed unit square-footage(s):	3,200-4,000 square foot		
b		Proposed building architecture: Traditional with brick, stone and cementitious siding			
c)) List	List all requested variances: None known at this time			
- - -			DEGE I WE JUL - 7 2017		
t 2. N			tach additional information if needed OBS CO, COMM, DEV. AGENC		
a) Prop	posed use(s):			
b) Proj	posed building architecture:			
<u>c</u>)) Pro	posed hours/days of operation	n:		
d) List	all requested variances:			
_					
-					
'art 3.	Other Per	inent Information (List or at	ttach additional information if needed)		
-					
art 4.]	Is any of the	property included on the pr	roposed site plan owned by the Local, State, or Federal Gover		
		all Right-of-Ways, Governme	ent owned lots, County owned parcels and/or remnants, etc., a ies are located).		
_	Wigley F				
_	Wigley F	Coad			

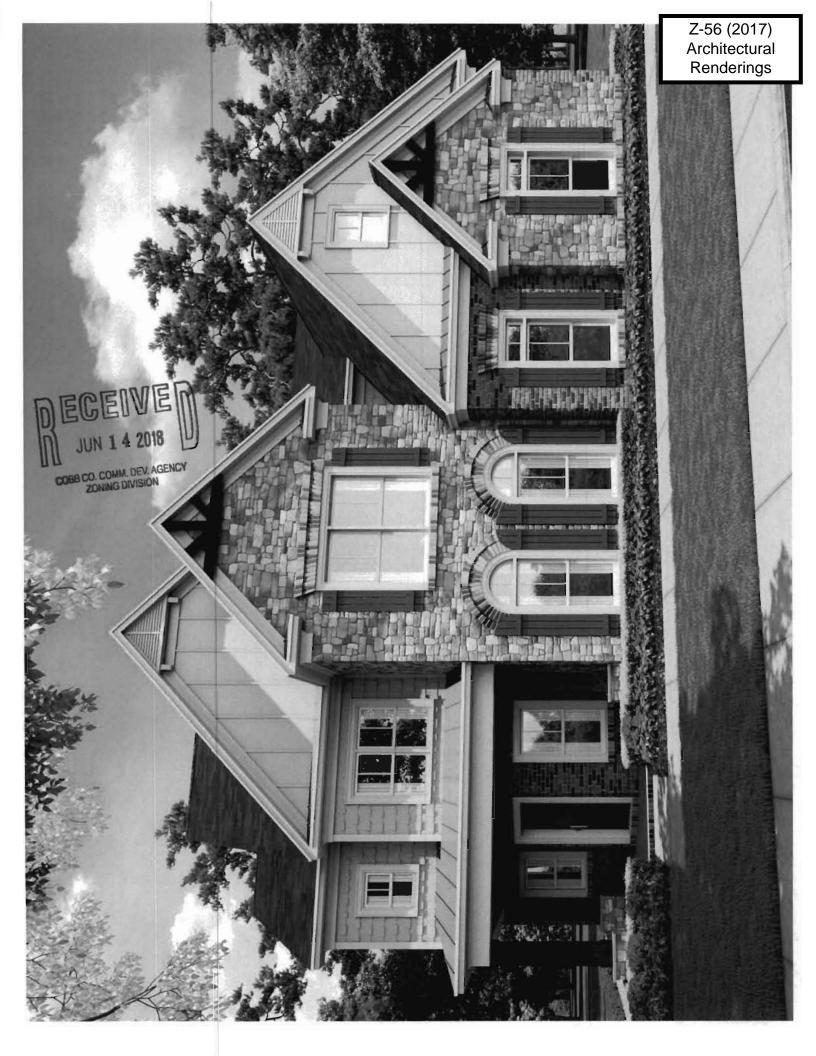


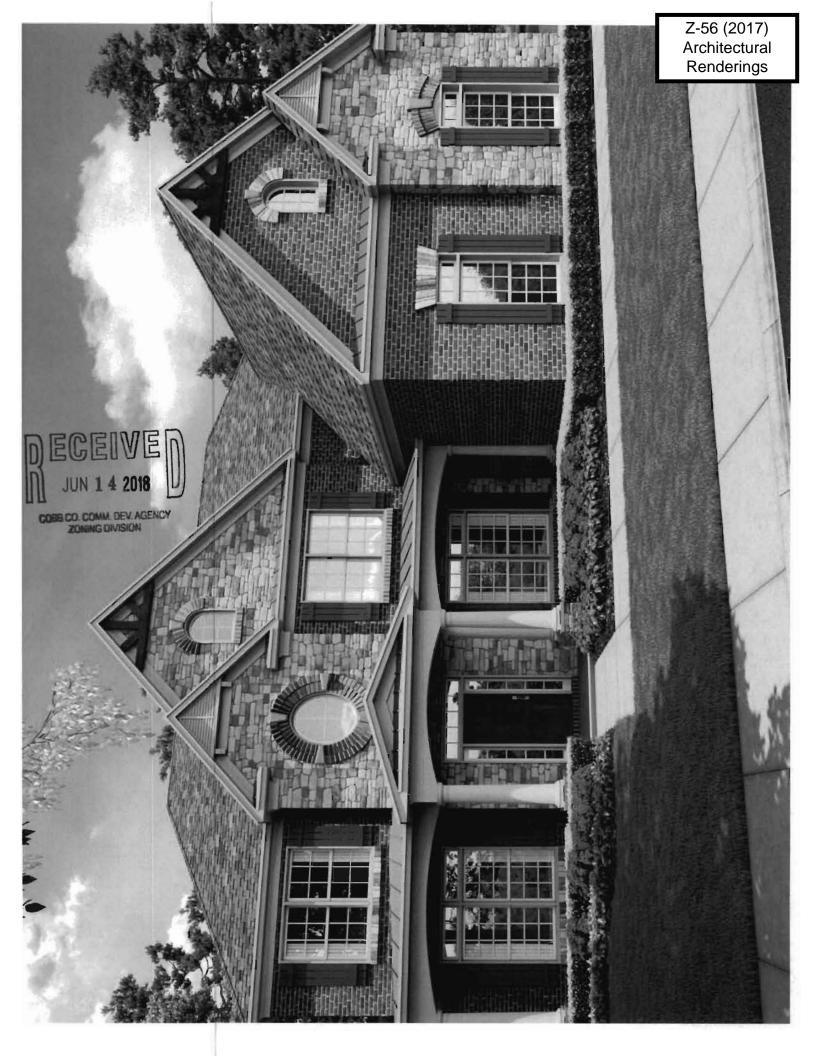


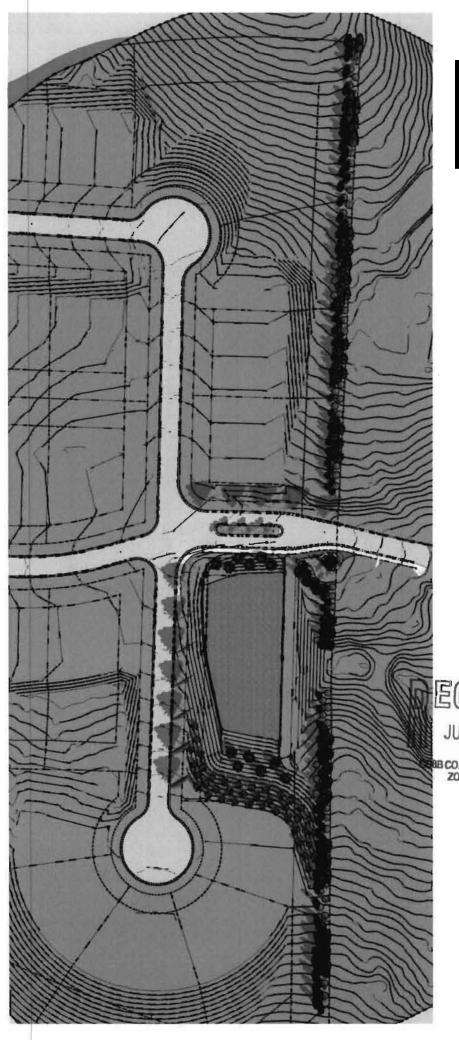






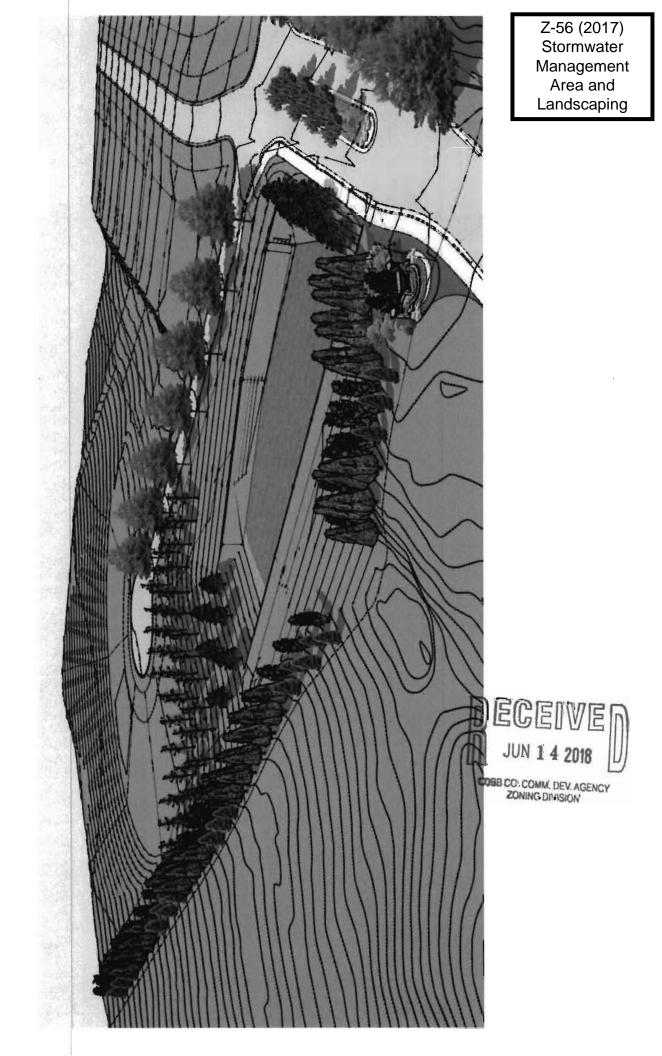


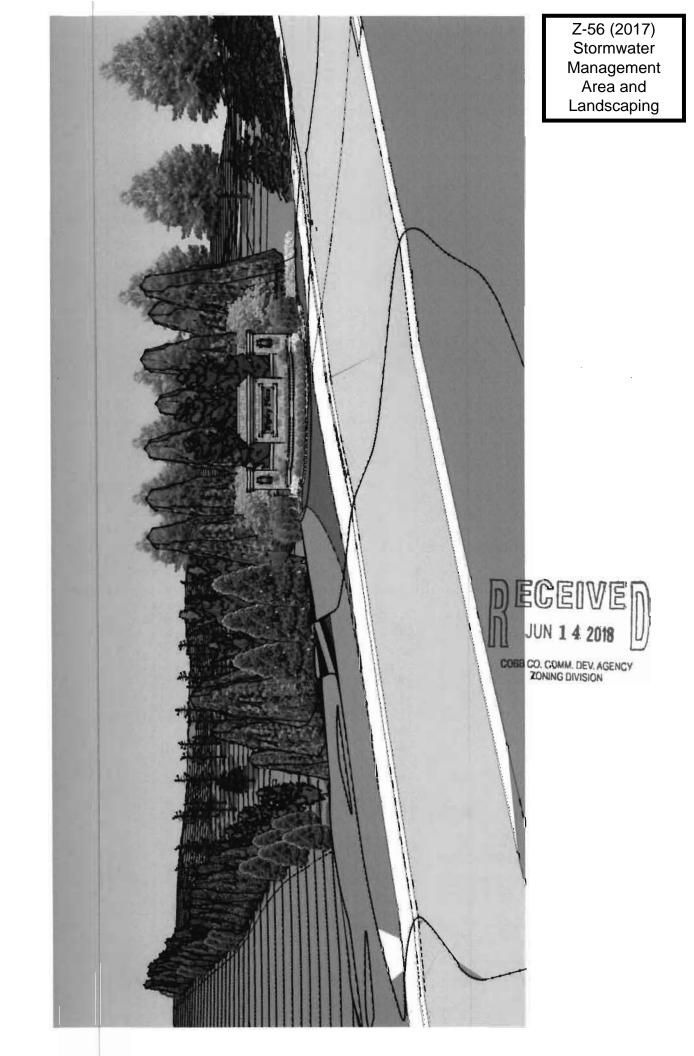


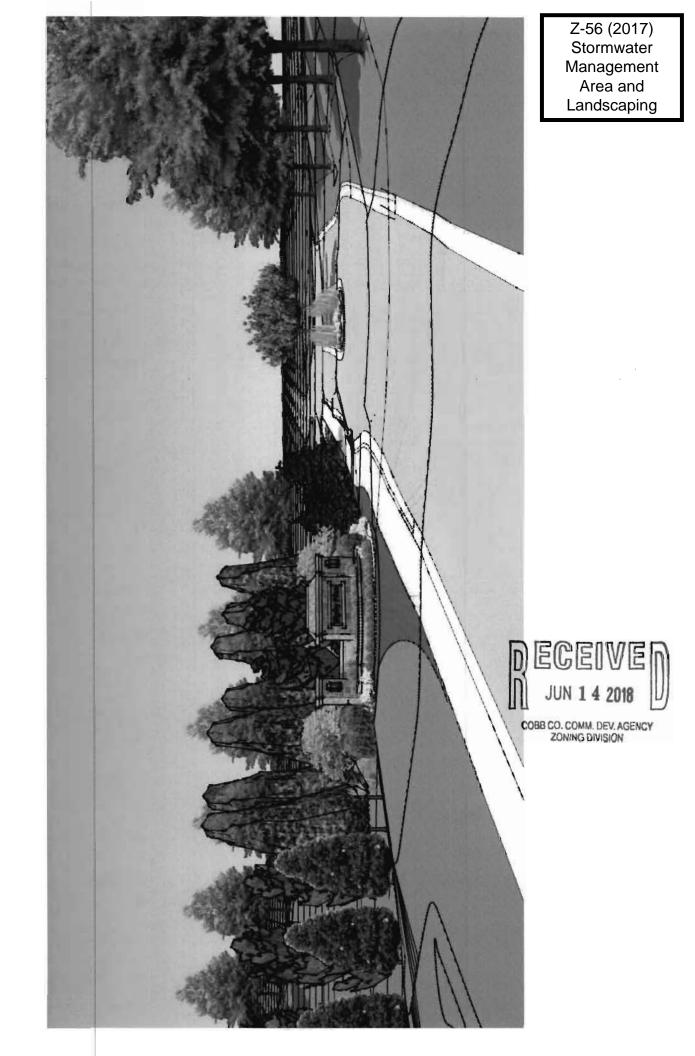


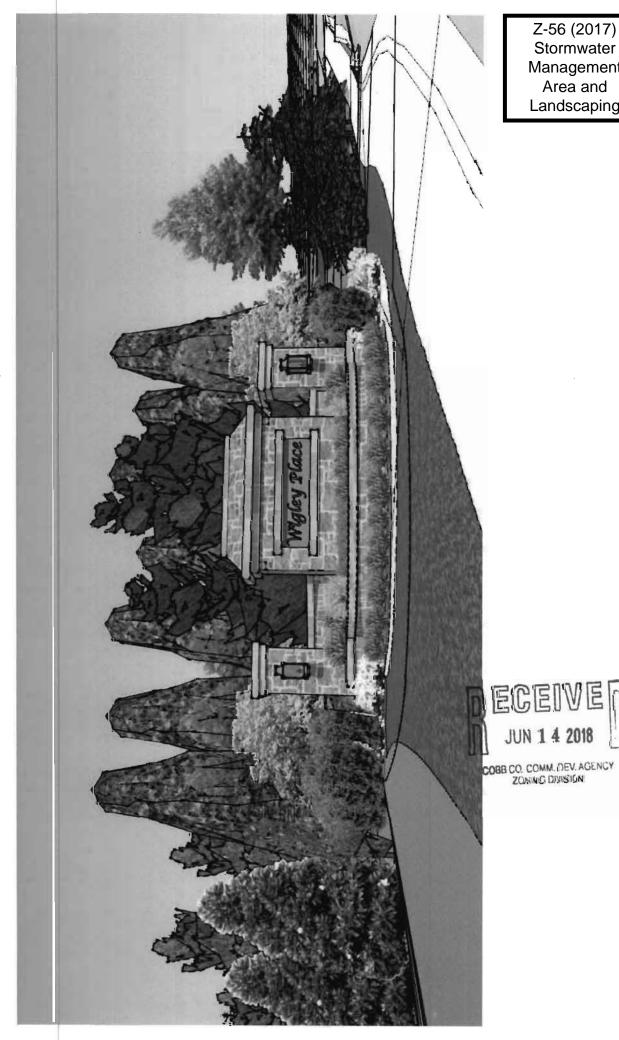
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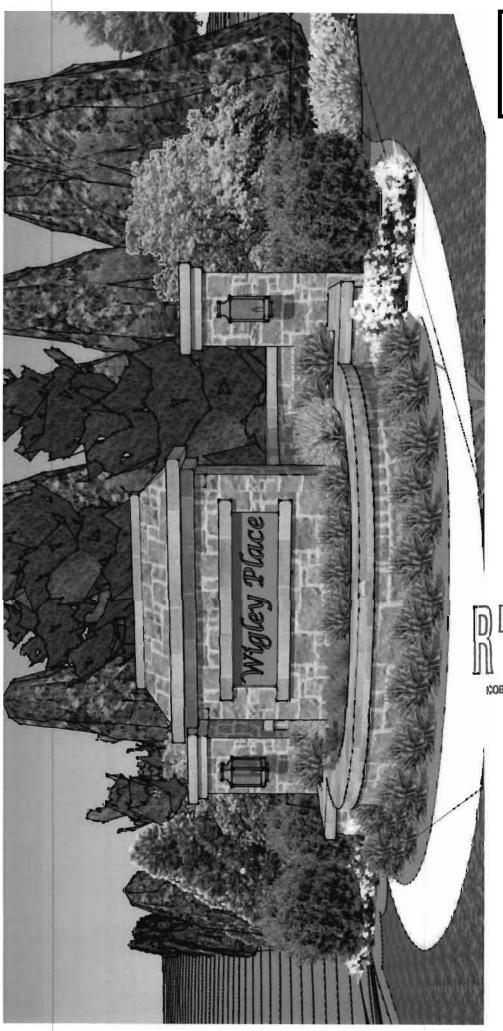
BB CO. COMM. DEV. AGENCY ZONING DIVISION





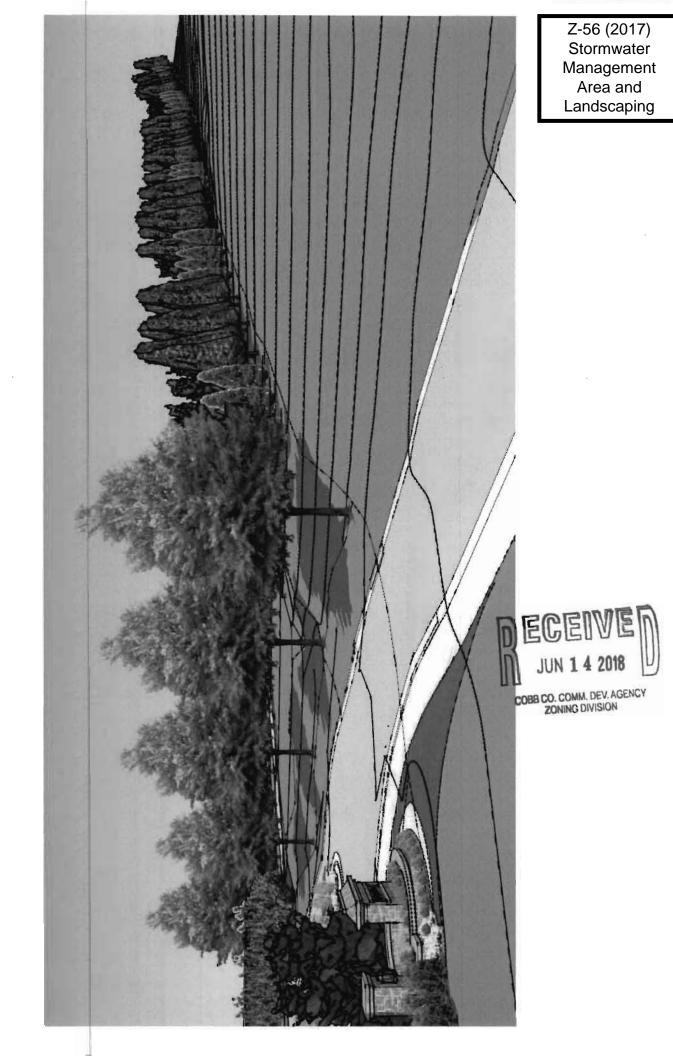


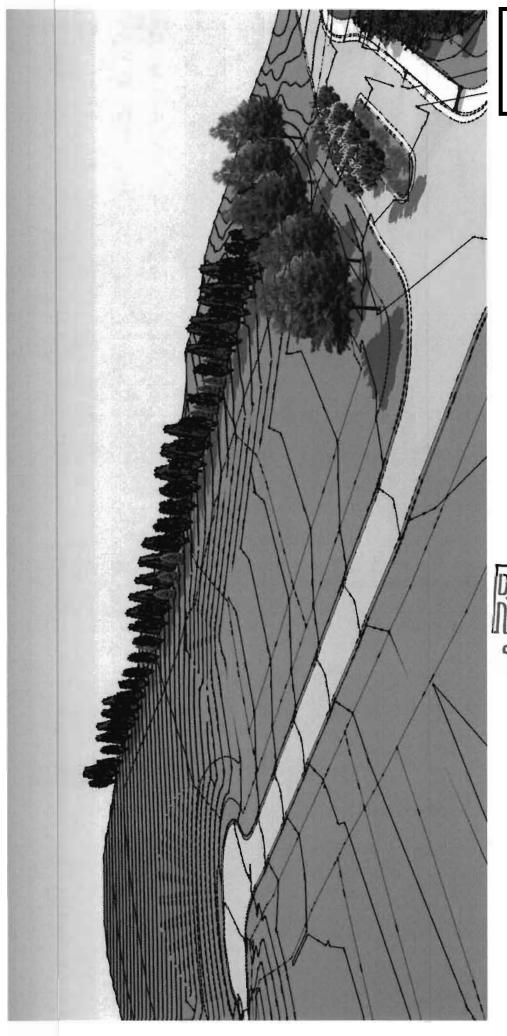




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COBB CO. COMM. DEV. AGENCY ZONING DIVISION





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COBB CO. COMM. DEV. AGENCY ZONING DIVISION

