

APPLICANT: The Columns Group, Inc.
(Formally E. Lamarr Scotti & Associates)

PETITION NO: Z-10

HEARING DATE (PC): 03-04-08

REPRESENTATIVE: Sams, Larkin & Huff, LLP
Garvis L. Sams, Jr. 770-422-7016

HEARING DATE (BOC): 03-18-08

PRESENT ZONING: R-20

TITLEHOLDER: K. Hoyt McGee a/k/a Kermie Hoyt McGee

PROPOSED ZONING: RA-5, NRC

PROPERTY LOCATION: Located on the easterly side of South Gordon Road, southwesterly of Mableton Parkway and on the south side of Mableton Parkway, west of Dodgen Road.

PROPOSED USE: Residential And Retail

ACCESS TO PROPERTY: Mableton Parkway

SIZE OF TRACT: 12.5 acres

DISTRICT: 18

PHYSICAL CHARACTERISTICS TO SITE: Existing house on a large wooded lot

LAND LOT(S): 388

PARCEL(S): 1

TAXES: PAID X DUE _____

COMMISSION DISTRICT: 4

CONTIGUOUS ZONING/DEVELOPMENT

- NORTH: NS/ vacant lot
- SOUTH: R-20/ Riverside Intermediate Elementary School
- EAST: R-20/ Single-family house, wooded lot
- WEST: R-15/ Gordon Woods subdivision

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

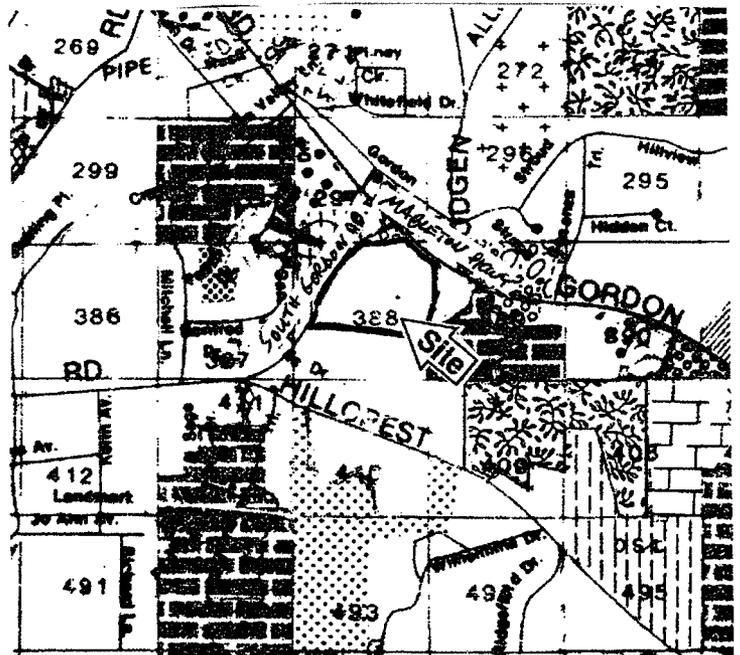
PLANNING COMMISSION RECOMMENDATION

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

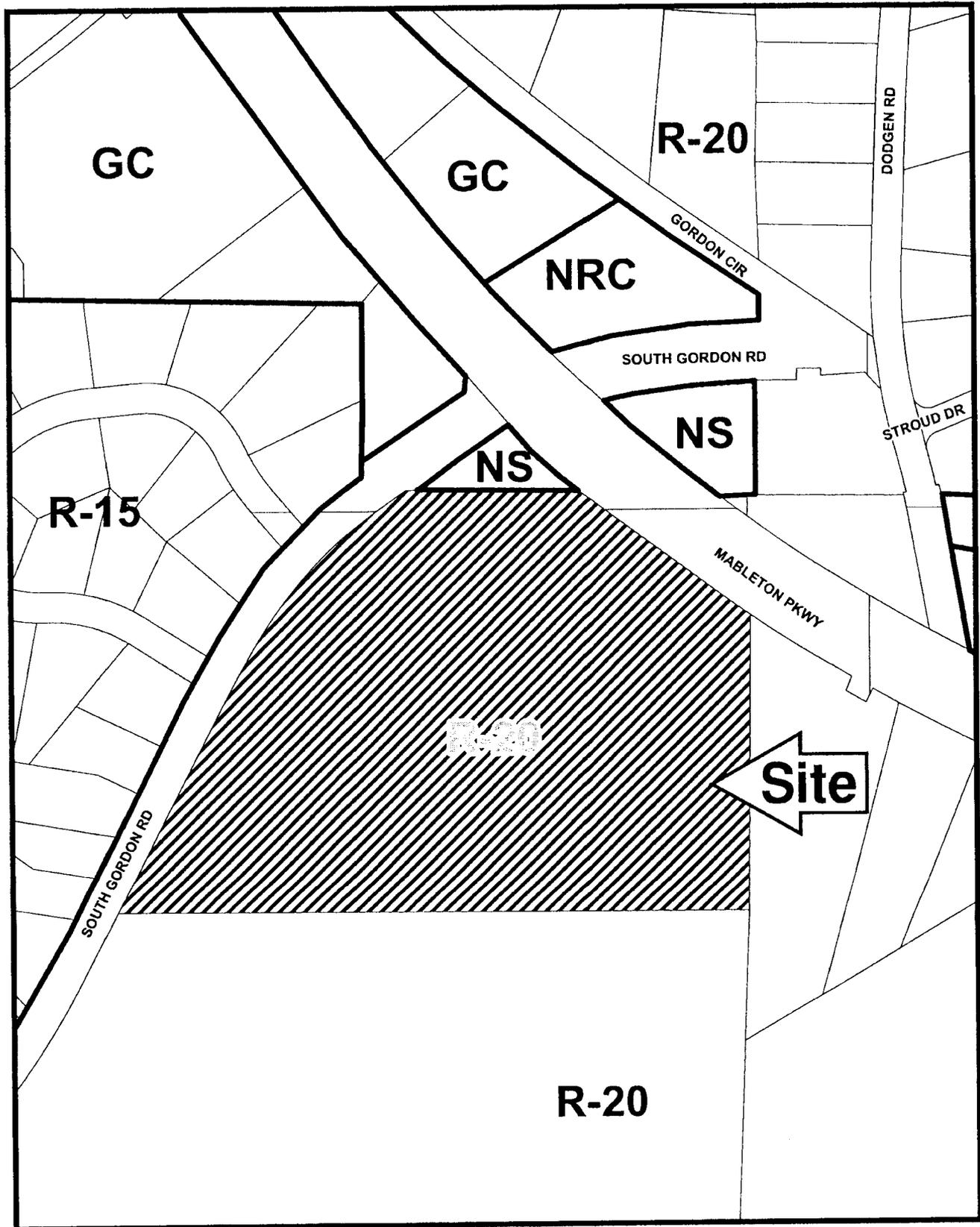
BOARD OF COMMISSIONERS DECISION

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

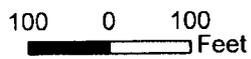
STIPULATIONS:



Z-10



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



-  Draft Parcel Boundary
-  Approximate Zoning Boundary

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PLANNING COMMENTS: Staff Member Responsible: John P. Pederson, AICP

Land Use Plan Recommendation: Medium Den. Res. (+/-11.7 acres), Neighborhood Activity Center (+/-0.76 acres)

RESIDENTIAL PORTION

Proposed Number of Units: 22 Overall Density: 4.4* Units/Acre
Present Zoning Would Allow: 9* Units Increase of: 13 Units/Lots

*Based on +/- 5 acres being zoned RA-5.

COMMERCIAL PORTION

Proposed Number of Buildings: 5 Total Square Footage of Development: 40,500

F.A.R.: 0.12* Square Footage/Total Acres: 3,240*

Parking Spaces Required: 188 Parking Spaces Provided: 218

*Based on +/-7.5 acres being zoned NRC.

The applicant is proposing to rezone the property to RA-5 for a residential development and NRC for a small shopping center. The RA-5 portion of the proposal would be developed as a single-family detached subdivision. The houses would be traditional and craftsman in styling with exteriors consisting of a mixture of components, such as brick, stone, stacked stone, masonry siding, cedar shake and/or stucco. The houses would be a minimum 2,000 square-feet, and would start selling in the \$200,000's. Each house would have an attached two-car garage. The NRC portion of the proposal would be developed as a small shopping center with retail and office. The buildings would be one story in height with a traditional brick and stone exterior.

Historic Preservation: After consulting various county historic resource 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.

Cemetery Preservation: No comment.

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FIRE COMMENTS:

Fire Apparatus Access Road

All access roads shall have an all weather driving surface capable of supporting 75,000 pounds with an unobstructed width of not less than 20 feet, 25 feet inside turning radius, 50 foot outside turning radius and unobstructed vertical clearance of not less than 13 feet 6 inches.

Access road shall extend to within 150-feet of all portions of the facility or any portion of the exterior wall of the first floor.

Dead-end access roads in excess of 150-feet shall be provided with a turn-around by one of the following methods:

Residential subdivision: Cul-d-sac with an island- minimum 60 foot radius to outside curb, measured to inside of curb, minimum lane width 24 feet **or** Cul-d-sac without an island- 38 foot outside outside radius **or** Hammerhead turn-around – total of 110 feet needed (45 feet + 20 foot wide roadway + 45 feet).

Driveway access to a single family home must be 10 feet wide and 20 feet wide for two homes. A hammerhead turnaround or cul-d-sac is required when a driveway exceeds 1000 feet. (see requirements for dimensions under residential subdivision).

Commercial: Cul-d-sac without an island to have a 60 foot paved radius **or** Hammerhead turn-around – total of 110 feet needed (45 feet + 20 foot wide roadway + 45 feet).

Fire Hydrant

Residential: Fire hydrant within 500 feet of structure.

Commercial: Fire hydrant within 500 feet of most remote part of structure.

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SCHOOL COMMENTS:

**Capacity
Status**

<u>Name of School</u>	<u>Capacity</u>	<u>Enrollment</u>	
<u>Riverside Primary</u>	<u>512</u>	<u>517</u>	<u>Over 5 students</u>
<u>Riverside Intermediate</u>	<u>962</u>	<u>810</u>	<u>Under 152 students</u>
<u>Lindley Middle</u>	<u>1162</u>	<u>1274</u>	<u>Over 112 students</u>
<u>Pebblebrook High</u>	<u>1862</u>	<u>2039</u>	<u>Over 177 students</u>

* School attendance zones are subject to revision at anytime.

Additional Comments:

Approval of this rezoning could adversely impact enrollment at Lindley Middle and Pebblebrook High.

APPLICANT E Lamar Scotti & Associates

PETITION NO. Z-010

PRESENT ZONING R-20

PETITION FOR HI

NOTE: Comments reflect only what facilities appeared of record at the time of this review. Field verification required by developer.

WATER COMMENTS:

Available at Development? Yes No

Fire Flow Test Required? Yes No

Size / Location of Existing Water Main(s) 6" DI / S side Mableton Pkwy

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:

In Drainage Basin? Yes No

At Development? Yes No

Approximate Distance to Nearest Sewer: 660' S (gravity service)

Estimated Waste Generation (in G.P.D.): **A D F** 125 **Peak** 315

Treatment Plant: S Cobb

Plant Capacity Available? Yes No

Line Capacity Available? Yes No

Projected Plant Availability: 0 - 5 year 5 - 10 years over 10 years

Dry Sewers Required? Yes No

Off-site Easements Required? Yes* No

Flow Test Required? Yes No

Septic Tank Recommended by this Department? Yes No

Subject to Health Department Approval? 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 easement(s) by the property owner(s). All easement acquisitions are the responsibility of the Developer.

Additional Comments:

Notes FYI: *Septic system use for site allowable by code since less than one ERU (400 gpd) and over 80,000 SF*

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 off site easements, dedication of on and/or off site water and sewer to Cobb County, as may be required. Rezoning does not guarantee water/sewer availability/capacity unless so stated in writing by the Cobb County Water System. Permit issuances subject to continued treatment plant compliance with EPD discharge requirements.

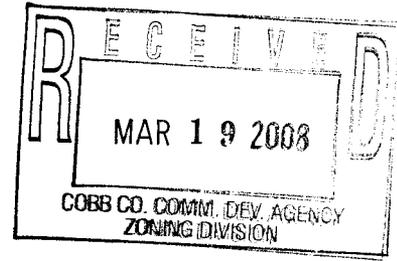
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PETITION FOR: NRC, RA-5

DRAINAGE COMMENTS



FLOOD HAZARD: YES NO POSSIBLY, NOT VERIFIED

DRAINAGE BASIN: Unnamed Trib to Chattahoochee River 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: not determined

- 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 CONDITION

- 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 downstream receiving stream.

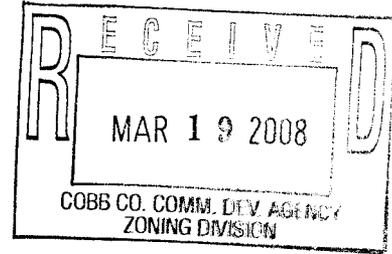
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DRAINAGE COMMENTS CONTINUED



SPECIAL SITE CONDITIONS

- Provide comprehensive hydrology/stormwater controls to include development of out parcels.
- Submit all proposed site improvements to Plan Review.
- Any **spring activity** uncovered must be addressed by a qualified geotechnical engineer (PE).
- Structural fill must be placed under the direction of a qualified registered Georgia geotechnical engineer (PE).
- Existing facility.
- Project must comply with the Water Quality requirements of the CWA-NPDES-NPS Permit and County Water Quality Ordinance.
- Water Quality/Quantity contributions of the existing lake/pond on site must be continued as baseline conditions into proposed project.
- Calculate and provide % impervious of project site.
- Revisit design; reduce pavement area to reduce runoff and pollution.

INSUFFICIENT INFORMATION

- No Stormwater controls shown _____
- Copy of survey is not current - Additional comments may be forthcoming when current site conditions are exposed.
- No site improvements showing on exhibit.

ADDITIONAL COMMENTS

Comments based on revised application and site plan received March 13, 2008.

1. The only stream buffer associated with this site is at the very southeast corner downstream of the proposed detention facility. This area is just downstream of an existing pond that has been drained. Due to the likelihood of an extended period of active earthwork associated with this fill/grading operation, it is recommended that the existing pond be incorporated into the stormwater management system as a forebay to provide an extra level of erosion and sediment control protection for the site.
2. The proposed detention facility must be designed to accommodate existing flow from the 24-inch RCP culvert under Mableton Parkway that enters the site near the southeast corner of the site. There is no other significant offsite runoff onto the property.
3. As noted above under Special Site Conditions, all structural fill must be well-compacted and certified by a licensed geotechnical engineer prior to permitting.
4. Since the proposed stormwater management facility will provide management for the commercial/private development, maintenance of the facility needs to be the responsibility of the commercial property owner. Adequate access and a maintenance agreement must be provided.
5. Due to the proposed intensity of the commercial portion of this project, a more substantial buffer should be provided between the residential and commercial parcels.

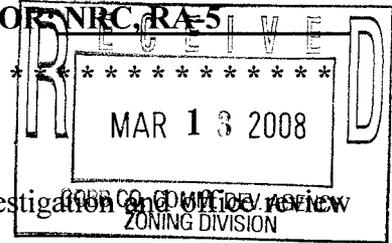
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TRANSPORTATION COMMENTS



The following comments and recommendations are based on field investigation and office review of the subject rezoning case:

ROADWAY	AVERAGE DAILY TRIPS	ROADWAY CLASSIFICATION	SPEED LIMIT	JURISDICTIONAL CONTROL	MIN. R.O.W. REQUIREMENTS
Mableton Parkway	19900	Arterial	45 mph	GDOT	100'
S. Gordon Road	6800	Major Collector	35 mph	Cobb County	80'

*Based on 2006 traffic counting data taken by GDOT. (Mableton Parkway)
Based on 2004 traffic counting data taken by Cobb County DOT. (S. Gordon Road)*

COMMENTS AND OBSERVATIONS

Mableton Parkway is classified as an Arterial and according to the available information, the existing right-of-way does meet the minimum requirements for this classification.

South Gordon Road is classified as a Major Collector and according to the available information, the existing right-of-way does not meet the minimum requirements for this classification.

One access point from Mableton Parkway and one access point from South Gordon Road shall serve the NRC portion of the site.

Provide inter-parcel access to the northern out parcel.

As necessitated by this development for egress from Mableton Parkway and South Gordon Road, a deceleration lane will be required at each access point.

Construct a left turn lane on South Gordon Road for the commercial component of the development.

The applicant will have to verify that minimum intersection sight distance is available. If it is not, the applicant will have to implement remedial measures, subject to approval by the Department, to achieve the minimum requirement of 630' along Mableton Parkway and 390' along South Gordon Road.

Install sidewalk, curb and gutter along both road frontages.

GDOT permit will be required for all work that encroaches upon the State right-of-way.

RECOMMENDATIONS

Recommend applicant consider entering into a development agreement pursuant of 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 east side of South Gordon Road, a minimum of 40' from the roadway centerline.

Recommend one curb cut to South Gordon Road and one curb cut to Mableton Parkway for the commercial section of the development.

Recommend providing inter-parcel access to the small tract along the northern property line.

Recommend a deceleration lane for each access point along Mableton Parkway and South Gordon Road.

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TRANSPORTATION COMMENTS cont.

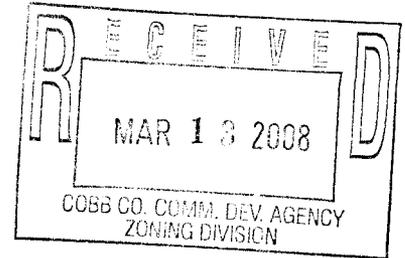
Recommend a left turn lane at the commercial entrance along South Gordon Road.

Recommend applicant verify that minimum intersection sight distance is available and if it is not, implement remedial measures subject to the Department's approval, to achieve the minimum of 630' along Mableton Parkway and 390' along South Gordon Road.

Recommend installing sidewalk, curb and gutter along both road frontages.

Recommend GDOT permits for all work within State right-of-way.

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



REVISED 03-13-08
STAFF RECOMMENDATIONS

Z-10 THE COLUMNS GROUP, INC. (Formally E. LAMAR SCOTTI & ASSOCIATES)

- A. It is Staff's opinion that the applicant's rezoning proposal will not permit a use that is suitable in view of the use and development of adjacent and nearby properties for the commercial portion of the request. The proposed commercial development is placed very deep into the property, close to the existing residential uses along South Gordon Road. The proposed residential development would be a suitable use in view of adjacent properties.
- B. It is Staff's opinion that the applicant's rezoning proposal will have an adverse affect on the usability of adjacent or nearby property. The applicant's proposal may encourage other non-compatible zonings in the area. The commercial portion of the request places the largest commercial building fronting South Gordon Road with two curb cuts; this is in an area of single-family houses. Commercial development on this part of the property would be out of character with the area. Staff would suggest the commercial portion of the request be limited to within 250-feet of Mableton Parkway, which is approximately how deep the existing node is from Mableton Parkway. Once beyond 250-feet from Mableton Parkway, and along South Gordon Road, the property should be developed residentially to provide a transition for the existing residential properties.
- C. It is Staff's opinion that the applicant's rezoning proposal will not result in a use which would cause an excessive or burdensome use of existing streets, transportation facilities, utilities, or schools. This opinion can be supported by the departmental comments contained in this analysis.
- D. It is Staff's opinion that the applicant's rezoning proposal is not in conformity with the policy and intent of the *Cobb County Comprehensive Plan* for some of the applicant's proposal. Most of the property is delineated to be within a Medium Density Residential Land Use Category (+/-93%). A very small portion of the property is delineated as a Neighborhood Activity Center (+/-7%). Most of the commercial portion of the request is not consistent with the Future Land Use Map. The residential portion is consistent with the Future land Use Map.
- 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, but with a different zoning boundary and site layout. The applicant's proposal is not in accordance with the *Cobb County Comprehensive Plan* for much of the commercial portion of the proposal. Staff is concerned with placing commercial development on South Gordon Road, in the proposed location, because there is not presently any commercial development along this part of the road. Staff would suggest the NRC zoning district be limited to within 250-feet of Mableton Parkway, with the rest of the property being zoned RA-5.

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

- Site plan be approved by the Board of Commissioners with NRC limited to within 250-feet of Mableton Parkway, and the rest of the property being zoned RA-5;
- Fire Department comments;
- Water and Sewer comments and recommendations;
- Stormwater Management comments and recommendations;
- DOT comments and recommendations;
- 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.