

Memorandum

Date: June 15, 2020

To: Mayor and Council

From: Community Development

Subject: Rezoning– Powder Springs Road: To rezone from LI (Cobb County/Powder Springs) to PUD-R to accommodate a single-family residential development, LL 869, 908 Traton Homes

Action: Motion to Approve

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. The rezoning is from Light Industrial, Powder Springs and Light Industrial, Cobb County to Planned Unit Development-R (PUD-R) on property located at the intersection of Powder Springs Road and Carter Road consisting of approximately 20.48 acres.
2. The Subject Property shall be developed in substantial conformity to that certain revised site plan, prepared by Ridge Planning and Engineering for Traton Homes dated 6/1/2020.
3. The construction of a maximum number of One Hundred and Ten (110) units consisting of a maximum 77 single-family residential units and 33 townhomes at an overall maximum density of 5.4 dwelling units per acre. The minimum lot size is 4,000 square feet.
4. The setback are as follows:
Front: 5 feet
Side: 5 feet; Side Major: 5 feet
Rear: 10 feet
Between buildings: minimum of 10 feet
5. There shall be no patio within the building setback.

6. A study of the existing farm house shall be conducted which documents any historical context with such study being provided to the local historical commission or city for purposes of preserving a historical record of the house. The study shall also incorporate the specimen tree located at the front of the site.
7. The architectural style and composition of the homes shall consist of traditional architecture on all sides Variety in the neighborhood will be provided by the use of stone and different shades of brick in the area shown as brick on the rendering. All side elevation visible from the right-of-way will contain brick or stone no less than 50% where exposed to the right-of-way. All other elevation will contain no less than 50% brick on the front façade. Interior lots shall include a water on both side of a unit.
8. The creation of a mandatory Homeowners' Association ("HOA") and the submission of Declaration of Covenants, Conditions and Restrictions ("CCRs") during the Plan Review process, which shall include, among other components, strict architectural controls. The mandatory HOA shall be responsible for the maintenance and upkeep of fencing, landscaping, open space areas, sidewalks, community areas, stormwater detention and/or water quality ponds, lighting, the entrance to the Residential Community and any amenities.
9. The submission of a landscape plan during the Plan Review process which shall be subject to review and approval by the Community Development Director. Additionally, the landscape plan shall include, but not necessarily be limited to, the following:
 - a. Landscaping and screening around the proposed detention and water quality areas with Cryptomeria, Arborvitae and/or other evergreen trees.
 - b. A twenty-five foot (25') landscape buffer around the perimeter of the Subject Property.
 - c. Compliance with landscape section renderings/elevations which will be submitted under separate cover during the Plan Review process.
 - d. The landscape plan, which shall be prepared, stamped and signed by a Georgia Registered Landscape Architect or a degreed Horticulturist and shall identify open space areas; landscaped common areas; and other components of the proposed Residential Community which will be further identified during the Plan Review process.
 - e. The installation of underground utilities and the utilization of decorative lighting themed to the architectural style and composition as above mentioned.

- f. All HVAC, mechanical systems and home utilities within the community shall be screened by way of fencing and/or landscaping.
 - g. Entry signage for the proposed Residential Community shall be ground-based, monument-style, landscaped, lighted and irrigated.
 - h. Sod must be added to the front, side and rear yard
 - i. Compliance with the City's current Tree Preservation & Replacement Ordinance and substantial conformity to all tree protection measures and the adherence to same during the construction and build out of the Residential Community.
10. A third party management company shall be hired to manage the day-to-day operations of the HOA and shall also be responsible for the management of all Association monies as well as insuring that the Association is properly insured until such time as the HOA makes a determination that it can undertake such responsibilities.
11. Subject to recommendations from the City of Powder Springs Engineer and/or the City's consultants concerning hydrology, stormwater management, detention, water quality and downstream considerations, including recommendations regarding the ultimate positioning and configuration of on-site detention and water quality. Also, compliance with the following engineering considerations:
- a. Providing the City Engineer and/or the City's consultants with a Hydrology Plan for the Subject Property during the Plan Review process.
 - b. Verifying all points of discharge with respect to detention/water quality.
 - c. Compliance with the protections required under State and Local Law concerning adjacent and on-site streambank buffers.
12. The Community Development Director shall have the authority to approve minor modifications to these stipulations, the architectural renderings/elevations, the site plan and the overall proposal as it proceeds through the Plan Review process and thereafter except for those that:
- a) Increase the density of the Residential Community.
 - b) Relocate a structure closer to the property line of adjacent property which is zoned the same or in a more restrictive zoning district.
 - c) Increase the height of a building which is adjacent to property which is zoned in the same or more restrictive zoning district.
 - d) Change access locations to different rights-of-way.
13. Site Plan must be consistent with PUD-R regulations and all other applicable regulations identified in the Unified Development Code
14. Road frontages will be heavily and professionally landscaped which may include the use of berms, fencing, and substantial plant material to provide for visual screening.

15. All perimeter and roadway buffer areas will either be owned by the HOA or deed restricted with maintenance easements in favor of the HOA.
16. The applicant will continue to review traffic impacts on Powder Springs Road and Carter Road. The entrance to the subdivision on Powder Springs Road will be limited to right – in/ right out unless an alternate design is approved by staff incorporating concepts from the Powder Springs Corridor and Connectivity Plan, dated Fall 2018. Additionally, the applicant and staff will continue to review options for a joint public/private project improving the area of Powder Springs Road directly adjacent to the development. A agreement regarding the required road improvements shall be completed prior to the issuance of the Land Disturbance permit.
17. No more than 50% of building permits for the subdivision will be issued prior to the completion of the amenity (including connection to the Silver Comet Trail), as evidenced by a certificate of completion.
18. The applicant meet all recommendations provided by Cobb County DOT. The recommendations below may be amended by Cobb County DOT.

TRANSPORTATION COMMENTS AND RECOMMENDATION

- The following comments and recommendations are based on office review of the subject annexation/rezoning case:
 - Reviewed plans do not show detailed plans and/or specific uses. Additional concerns/comments will be provided after plans have been submitted to Cobb County via the formal Plan Review Process.
 - Recommend applicant consider entering into a development agreement pursuant to O.C.G.A. 36-71-13 for dedication of the following system improvements to mitigate traffic concerns: a) donation of right-of-way along Powder Springs Road 50' from road centerline.
 - Recommend applicant construct a deceleration lane at proposed driveway entry along Powder Springs Road. Recommend applicant construct a deceleration lane at intersection of Powder Springs Road and Carter 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 requirement.
 - Recommend curb, gutter and sidewalk entire property frontage along Powder Springs Road and Carter Road.
 - Recommend applicant be required to meet all Cobb County Development Standards and Ordinances related to project improvements.
 - Plans to be submitted for Cobb County Plan Review and approval.

SO MOTIONED this 15th day of June, 2020.

Albert Thurman, Mayor

Patrick Bordelon, Council Member

Doris Dawkins, Council Member

Patricia Wisdom, Council Member

Henry Lust, Council Member

Thelma C. Farmer, Council Member

Attest: _____

Kelly Axt, City Clerk