CONCEPTUAL REVIEW APPLICATION



Phone: (678) 382-6800 | Fax: (770) 396-4828

Applicant Information: *

r Applicant information	
Company Name: <u>ASHTON ATLANTA R</u>	ESIDENTIAL, LLC
Contact Name: <u>MIX & RUSHER</u>	
Address: 3820 MANSELL ROAD S	SUITE 300, ALPHARETTA GA 30022
Phone: <u>-170-642-6123</u> Fax: <u>770-642</u>	Email: MOUSHER @ ASHTONIWOODS- COM
K Owner Information: Check here If same a	as applicant
Owner's Name: CADK Properties, LLL	<u>P</u>
Owner's Address: P.OPOX' 888904	DUNWOODY GA 30356
Phone: 770-804-0806 Fax: 790.804 . C	0806 Email: Stanchausdesign Egnail.
Property Information:	
Property Address: 4703 Vermack Road	Parcel ID: 18 352 003
Description of Project: Proposed 52 lot +/- st	ubdivision (current R-1 zoning)
Application Articavity	lication form is correct and complete. If additional materials are determine
to be necessary, I understand that I am responsible for Ordinance. I certify that I, the applicant (if different), am associated actions.	filing additional materials as specified by the City of Dunwoody Zonin a authorized to act on the owner's behalf, pursuant to this application an
Applicant's Name: <u>MILE BUSHER</u>	· · · · · · · · · · · · · · · · · · ·
Applicant's Signature:	Date: <u>11-20-</u> 2013
K Notary:	
Sworn to and subscribed before me this	Day of, 20
Notary Public:	
Signature:	<u></u>
My Commission Expires:	
K Owner Affidavit:	
I hereby certify that to the best of my knowledge, this appli to be necessary, I understand that I am responsible for Ordinance. I certify that the applicant(s) (if different) are a	lication form is correct and complete. If additional materials are determine filing additional materials as specified by the City of Dunwoody Zonir
	authorized to act on my behalf, pursuant to this application and associate
Property Owner's Name: CMDK Properties	LULP DOROTHY K. STEINHEIMER
Property Owner's Name:"CMDK Properties Property Owner's Signature: Jenethy K. He	LULP DOROTHY K. STEINHER WER WITH tinteins Date: 2DEC 13
Property Owner's Name: CMDK Properties	LULP DOROTHY K. STEINHER WER WITH Linheimen Date: 2DEC 13
Property Owner's Name: CMDK Properties Property Owner's Signature: Jeachy K. J. Notary: Sworn to and subscribed before me this	LULP DOROTHY K. STEINHER MAN LULP DOROTHY K. STEINHER MANG Linheime Date: DDEC 13 Day of, 20
Property Owner's Name: CMDK Properties Property Owner's Signature: Jourthy K. He Notary: Sworn to and subscribed before me this Notary Public:	authorized to act on my behalf, pursuant to this application and associate <u>LULP DOROTHY K. STEINHER MANE</u> <u>teinheime</u> Date: <u>DDEC 13</u> Day of, 20
Property Owner's Name: CMDK Properties Property Owner's Signature: Jourthy K. Jt Notary: Sworn to and subscribed before me this Notary Public: Signature:	authorized to act on my behalf, pursuant to this application and associate <u>1</u> UUP DOROTHY K. STEINHER MER MAPS teinheime Date: DEC 13 Date: 20
Actions. Property Owner's Name: CMDK Properties. Property Owner's Signature: Jetathy K. Jeta Notary: Sworn to and subscribed before me this Notary Public: Signature: My Commission Expires:	authorized to act on my behalf, pursuant to this application and associate <u>LULP DOROTHY K. STEINHER MER MUTTE</u> <u>Linheime</u> Date: <u>DDEC 13</u> Day of, 20

CONCEPTUAL REVIEW Staff Report



Date: 12-17-13

***** Project Information:

Applicant Name: Sotir Christopher	Company Name: <u>Christopher Planning</u>					
Email: <u>schristopher@christopherplanning.com</u>	Phone: <u>770-331-7303</u>					
Project Name: Vermack Rd Subdivision Present Zoning: R100						
Property Address: 4703 Vermack Rd (approximate-address used as placeholder)						
Parcel Tax ID #: <u>18 352 02 003</u>	Acres disturbed: _35 acres					
Proposed Project Description: 52 lot subdivision proposal, single family housing						

***** Building Review

	Building Comments	
Sheet	Description	Code Section
	Currently NA	

Engineering Review

	Engineering Comments	
Sheet	Description	Code Section
	Route plans to the Georgia Soil and Water Conservation	
	Commission for review of the erosion, sedimentation &	
	pollution control plan.	
	Provide erosion control bond in the amount of \$3,000.00 per	
	disturbed acre (\$105,000.00).	
	Provide hydrology study to comply with the criteria, technical specifications, and standards of the Georgia Stormwater Management Manual.	
	File Notice of Intent with the Georgia Department of Natural Resources, Environmental Protection Division and provide certified return receipt of such filing.	
	Obtain all required federal and state environmental permits and provide verification of their approval.	
	All construction plans including but not limited to right-of-way improvements must fully comply with the City of Dunwoody chapter 16 development codes and the comprehensive land use plan.	

Other requirements will be determined during a review of the full set of construction drawings and documents.	

Planning Review

	Planning Comments	
Sheet	Description	Code Section
	Common Open Space 20 percent minimum	16-14.70
	Common open space required by this section may be used in a variety of ways, including natural areas for wildlife and ecological functions, parks, gardens, landscaped medians, squares, village greens, courtyards, recreational space, or recreational facilities, provided the use is consistent with the requirements of this section.	16-14.70
	 Sidewalks along streets not counted toward requirement No more than 20 percent can be paved 	
	No variances allowed for Section 16-14.60, Lots	16-16.10-B.
	Dimension all lots to show conformance with the following (and ensure lots are buildable with other constraints—e.g.: stream buffers): SEE ATTACHED CHART ¹	
	Show that corner lots must have an extra width of not less than 15 feet more than required for interior lots for the zoning district within which they are located- Corner lots (lots 1, 52, 47, 10, 12, 23, 25)	16-13.10(32)
	For purposes of measuring lot frontage on corner lots with a radius return, the measurement must be taken from the point of intersection of an imaginary extension of the street property lines. For lots with other irregular geometric shapes, lot frontage is measured along an imaginary line located at the building line or the required street setback line, whichever is closer to the street (check frontage requirements on all lots, but look at lots 2, 3, 4, 16, 17, 43, 45).	16-13.10(32)
	Lot, double-frontage, means a lot that abuts 2 parallel streets or that abuts 2 streets that do not intersect at the boundaries of the lot. Double-frontage lots are sometimes referred to as "through lots."	
	Lot, corner, means a lot abutting upon 2 or more streets at their intersection or up-on 2 parts of the same street forming	

an interior angle of less than 135 deg		
Temporary Buildings- Allowed in conj construction—required to be remove obtain a SLUP)	27-11.30-В.	
Outdoor Lighting: The submission must include at least the following information with the application for the required permit: Plans indicating the location on the premises of each illuminating device, both proposed and any already existing on the site. Description of all illuminating devices, fixtures, lamps, supports, reflectors, both proposed and existing. The description may include, but is not limited to catalog cuts and illustrations by manufacturers. Photometric data, such as that furnished by manufacturers or similar, showing the angle of cut-off of light emissions. Photometric plans must include the maximum and		27-14.70-A.
 Newly constructed retaining walls a maximum height limits: Required Approval	27-15.40-A	
As of right Administrative permit (<u>Error! Reference</u> <u>source not found.</u>)		
Special exception (Error! Reference source not found.)		

***** Public Works Review

	Public Works Comments	
Sheet	Description	Code Section
	Report appears to incorrectly report that the only required stream buffer is the state buffer. The City has a 75-foot stream buffer.	
	Provide public bicycle and pedestrian connection with Olde Village Run and possibly the Village Mill Swim Tennis property.	

* Other Review

	GIS Comments	
Sheet	Description	Code Section
	Current property owner not listed	



41 Perimeter Center East Phone: (678) 382-6800 | Fax: (770) 396-4828

Plat Bonds & Agreements Checklist

Project #: <u>2013-8379</u> Project Title: <u>Vermack Conceptual</u> This document will be completed by reviewers upon intial review of the Sketch/Final Plat and/or LDP documents and returned to applicant with initial review comments.

Supplemental Documents Required for LDP/Sketch/Final Plat

Item	Required?		Amount	Sketch/ Final		Date	
item	Y	Ν	Anoune	S F		Received	
Owner Affidavit	Х			Х			
Erosion Control Bond	Х		\$105,000	Х			
Environmental Affidavit	Х			Х			
Easement Agreement							
County Tax Commissioner ad valorum tax statement	х			Х			
CAD File	Х				Х		
Final Plat Mapping Form	Х				Х		
BMP Maintenance Agreement							
BMP Maintenance Bond							
Landscape Maint. Agreement							
Landscape Maintenance Bond							
Performance Agreement							
Performance Bond							
Maintenance/Performance							
Bond							
Street Maintenance Agreement							
Stormwater BMP Maint. Agree.							
Development Performance &							
Maintenance Agreement							
Surety Agreement					<u> </u>		
As-Built Certification Report							
Notice of Intent (NOI)							

Applicant Signature: _____ Date:

¹ATTACHED CHART: Chapter 27:

• Dimension all lots to show conformance with the following (and ensure lots are buildable with other constraints—e.g.: stream buffers):

		SINGLE-DWELLING DISTRICTS							
	Regulation	R-150	<mark>R-100</mark>	R-85	R-75	R-60	R-50	RA-5	RA-8
L1	Minimum Lot Area (sq. ft.)	43,560	<mark>15,000</mark>	12,000	10,000	8,000	6,000	NA[1]	NA[1]
L2	Minimum Lot Frontage (ft.) [2]	150	<mark>100</mark>	85	75	60	50	100[3]	100[3]
	Maximum Density (dwelling units per acre)	NA	<mark>NA</mark>	NA	NA	NA	NA	5	8
	Minimum Building/Structure Setbacks (ft.) [4]								
S1	Street, Front and Side	45[5]	<mark>35[5]</mark>	35[5]	30[5]	30[5]	5[6]	5[6]	5[6]
S2	Side, Interior	20	<mark>10</mark>	8.5	7.5	7.5	7.5	15	15
S3	Side, Interior (accessory buildings/structures)	10	<mark>10</mark>	10	10	10	10	10[7]	10[7]
S4	Rear	40	<mark>40</mark>	40	40	40	30	30	30
S5	Rear (accessory buildings/structures)	10	<mark>10</mark>	10	10	10	10	10	10
С	Maximum Lot Coverage (%)								
	Lot area = 43,560 sq. ft. or more	25	<mark>25</mark>	25	25	25	25	25	25
	Lot area = 30,000 to 43,559 sq. ft.	30	<mark>30</mark>	30	30	30	30	30	30
	Lot area = 20,000 to 29,999 sq. ft.	35	<mark>35</mark>	35	35	35	35	35	35
	Lot area = 19,999 sq. ft. or less	40	<mark>40</mark>	40	40	40	40	50	50
	Maximum Building Height (ft.)								
	Principal Building	35	<mark>35</mark>	35	35	35	35	35	35
	Accessory Buildings/Structures	20	20	20	20	20	20	20	20

[1] Detached houses in RA-5 and RA-8 districts are subject to the lot and building regulations of the R-50 district.

[2] Minimum lot frontage on cul-de-sac lots is 35 feet. Minimum lot width at the required street setback must equal the required minimum frontage requirement for non-cul-de-sac lot (e.g., 100 feet in R-100).

[3] Minimum lot frontage applies to attached house projects, not individual dwelling units within the project.

[4] Corner lots are subject to street setbacks along all street frontages and to interior side setbacks along all other lot lines.

[5] Add 5 feet for minimum setbacks from arterial streets.

[6] Street-facing garage facades must be setback at least 20 feet from back of curb or back of sidewalk, whichever is greater.

[7] Interior side setback applies only to end units in attached house projects. No interior side setback required for units in attached projects with common or abutting walls. See also the attached house building separation requirements of Sec. Errorl Reference source not found..









October 18, 2013

Mr. Mike Busher Ashton Woods Homes 3820 Mansell Road, Suite 300 Alpharetta, GA 30022

VIA EMAIL

Subject: Jurisdictional Waters Findings Report Vermack Road Tract DeKalb County, Georgia Corblu Project No. 02-101013

Dear Mr. Busher:

In response to your request, Corblu Ecology Group, LLC (Corblu) is pleased to submit this findings report regarding jurisdictional waters consulting services completed for the Vermack Road Tract. The approximately 35 – acre project site is located east of Vermack Road and north of Chamblee – Dunwoody Road within the City of Dunwoody, DeKalb County, Georgia (Figure 1).

Methods

Jurisdictional waters of the U.S., including streams and wetlands, are defined by 33 CFR Part 328.3, and are protected by Section 404 of the Clean Water Act (33 USC 1344), which is administered and enforced by the U.S. Army Corps of Engineers (USACE). Waters of the State of Georgia, including streams and ponds, are defined by Chapter 391-3-7-.01(v) of the Georgia Department of Natural Resources, Environmental Protection Division (EPD) Rules for Erosion and Sedimentation Control. Corblu delineated the jurisdictional waters on-site using a combination of in-house research and a field survey. Our in-house research included a review of the following sources: U.S. Geologic Survey (USGS) 7.5-minute quadrangle topographic maps; U.S. Department of Agriculture, Natural Resource Conservation Service (NRCS), Soil Survey of DeKalb County, Georgia; and a site map provided to us by you. Following our in-house research, jurisdictional waters were delineated in the field using the 1987 USACE Wetlands Delineation Manual¹ and the USACE Regional Supplement for the Eastern Mountains and Piedmont². The referenced manuals use a multi-parameter identification process, requiring positive evidence of three criteria: 1) hydrophytic vegetation, 2) hydric soils, and 3) wetland hydrology. Areas exhibiting all three criteria for wetland determination, as well as any streams and ponds are considered jurisdictional waters regulated by the USACE. All jurisdictional waters encountered were marked in the field with pink survey tape labeled sequentially to assist in the conventional metes-and-bounds survey to be conducted after our delineation. A copy of our field map was provided to the surveyor on October 16, 2013.

Results

Soils on the project site are mapped by the U.S. Department of Agriculture, Natural Resource Conservation Service (NRCS) as Altavista fine sandy loam (AkB), Appling sandy loam (AmB), Appling-Urban land complex (AuC), Cartecay silt loam (Ca), Cecil-Urban land complex (CuC), and Wedowee sandy loam (WeC and WeE) (Figure 2). None of these soils are considered hydric soils.

Corblu personnel completed the field delineation on October 16, 2013. One perennial stream (P1) was delineated on the project site (Figure 3). Perennial stream P1 (Photograph Nos. 1 - 2) enters the project site via a culvert under Vermack Road, flows to the southeast for approximately 1,600 linear – feet, and then exits the project site near the southeast property corner.

Discussion

Based on the USACE guidance, the delineated perennial stream is considered a relatively permanent water (RPW), which is expected to flow a minimum of three consecutive months per year. All RPWs are considered jurisdictional waters of the U.S. and are regulated by the USACE under Section 404 of the Clean Water Act. Also, the delineated stream will require a protected stream buffer that may require state and local coordination prior to site development. Protected stream buffers are regulated by the GDNR, Environmental Protection Division (EPD) and the Local Issuing Authority (i.e., the City of Dunwoody).

¹ Environmental Laboratory. 1987. Corps of Engineers Wetlands Delineation Manual. U.S. Army Corps of Engineers, Washington D.C. 100 pp. plus appendices.

² U.S. Army Corps of Engineers. 2012. *Regional Supplement to the Corps of Engineers Wetland Delineation Manual: Eastern Mountains and Piedmont Region Version 2.0*, ed. J. F. Berkowitz, J. S. Wakeley, R. W. Lichvar, C. V. Noble. ERDC/EL TR-12-9. Vicksburg, MS: U.S. Army Engineer Research and Development Center.

Based on our review of the preliminary site plans, the proposed project will include minor impacts to P1 (i.e., one culverted stream crossing) as well as encroachment into the protected stream buffers of the State of Georgia. The USACE has established Nationwide Permits (NWPs) for minor impacts to jurisdictional waters, including streams and wetlands. Information concerning the most applicable federal permitting and state and local buffer variance requirements for residential construction activities is listed below.

Federal Permitting Requirements

Nationwide Permit No. 29 (NWP 29) – *Residential Development*, authorizes the construction of building foundations and pads as well as attendant features (i.e., roads, parking lots, garages, yards, utilities lines, storm water management facilities, etc.). A Pre-Construction Notification (PCN; i.e., permit application) must be submitted and approved by the USACE, Savannah District if any impacts to jurisdictional waters will occur. Also, the Savannah District requires additional information for culverted crossings of perennial streams [Regional Condition C(13)] including: a) culvert type and size, b) documentation that the culvert will be properly embedded and designed to match the slope of stream channel, c) a longitudinal profile and three cross-sections of the existing conditions at the proposed crossing, and d) a scale cross-sectional diagram showing proposed as-built conditions.

Impacts associated with this permit cannot exceed 0.5 acre of jurisdictional waters including no more than 300 linear feet of stream. Compensatory mitigation is normally required for activities that result in impacts greater than 0.1 acre or 100 linear – feet of wetland or stream, respectively. A NWP 29 PCN requires one to two weeks to prepare, and may require up to a 45-day review period by the USACE and other regulatory agencies.

State and Local Permitting Requirements

The State of Georgia restricts land-disturbing activities within 25 feet of the banks of any state waters with base flow and wrested vegetation, as measured from the point where vegetation has been wrested by normal stream flow, unless a stream buffer variance is obtained from EPD or unless the activity is otherwise exempt (i.e., roadway drainage structures and perpendicular utility crossings less than 50 feet in width). The buffer variance application requires the applicant to provide a site layout drawing, an erosion and sedimentation control plan signed and stamped by a professional engineer, an explanation of why the applicant needs to encroach into the 25-foot buffer, alternatives the applicant has considered to avoid stream buffer impacts, proposed mitigation to offset lost buffer functions and values (i.e., hydrologic and water quality protection), and other details pertaining to

water quality protection on the project site. Specific provisions for obtaining a stream buffer variance can be discussed with you once the site development plans have been finalized.

EPD has 60 days to review the variance application for completeness. If the application is considered complete then EPD will initiate a 30-day public notice review, after which the applicant may respond to public comments. A successful stream buffer variance request typically requires four to five months to obtain once the application is submitted to EPD.

The City of Dunwoody, the local issuing authority (LIA) enforces the State's 25 – foot buffer but does not require any additional undisturbed buffer or impervious surface setback.

Conclusion

Boundaries of jurisdictional waters of the U.S. or State have not been verified by the USACE or the City of Dunwoody (i.e. the local issuing authority), respectively. We recommend regulatory verification prior to site development activities. Delineated boundaries should be included on the most current site development plans to determine if any impacts will occur. Corblu can assist in the preparation and submittal of any required permit application for impacts to jurisdictional waters or protected state buffers as well as the collection of longitudinal and cross-sectional data required for culverted crossings of perennial streams.

Corblu appreciates the opportunity to assist you with this project. If you have any questions regarding this report or the permitting requirements for this project, please contact the undersigned at (770) 591-9990.

Sincerely,

CORBLU ECOLOGY GROUP, LLC

Matthew W. Otto, CAE, WPIT Project Ecologist

Enclosures: Figure 1 – Site Location Figure 2 – Site Soils Figure 3 – Jurisdictional Waters Photograph Nos. 1-2

Neil E. Blackman, CWB Principal



Legend



Soil Map Unit Boundary

Site Soils:

Altavista fine sandy loam - AkB, 2-6% slopes; Appling sandy loam - AmB, 2-6% slopes; Appling-Urban land complex - AuC, 2-10% slopes; Cartecay silt loam - Ca, frequently flooded; Cecil-Urban land complex - CuC, 2-10% slopes; Wedowee sandy loam - WeC, 6-10% slopes; Wedowee sandy loam - WeE, 10-25% slopes.

Base Map: USDA National Aerial Imagery Program: DeKalb County, Georgia 2009. NRCS SSURGO Soils: DeKalb County, Georgia 1999.

1:3,500

Vermack Road Tract DeKalb County, Georgia



Figure 2 Site Soils Project No. 02-101013



Base Map: USDA National Aerial Imagery Program: DeKalb County, Georgia 2009.

1:3,500

Vermack Road Tract DeKalb County, Georgia



Figure 3 Jurisdictional Waters Project No. 02-101013

