

Z-10
(2014)

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 1000 Peachtree Dunwoody Rd., Suite 1000, Atlanta, Georgia 30328
 PHONE: 404-542-8020 FAX: 404-542-8021
 WWW.PECATL.COM


A MASTER PLANNED RESIDENTIAL SENIOR LIVING DEVELOPMENT
AUSTELL ROAD
 Peachstone Management, LLC
 41 Leaks Pointe
 Roswell, Georgia 30076
 Scale: As Shown
 Date: 12/15/13

NO.	DATE	BY	DESCRIPTION

CONCEPT REZONING PLAN

SCALE: 1" = 30'
 DATE: December 23, 2013
 PROJECT: 13263.00

THE DATE OF THIS PLAN SHALL BE THE DATE OF THE FINAL ZONING PERMITTING BOARD MEETING.



Z-1
 SHEET

SITE LOCATION MAP (NTS)



SITE DATA: 5.53 ACRES
ZONING: O&I
PROPOSED ZONING: OFFICE AND INSTITUTIONAL PARCEL, RESIDENTIAL SENIOR LIVING

SITE DATA RSL (non-supportive residential):
 MINIMUM ACREAGE REQUIRED: 3 ACRES
 MINIMUM LOT AREA: 4,000 SQ. FEET
 RESIDENTIAL ZONE PERMETER SETBACK: 40 FEET
 PUBLIC ROADWAY SETBACK: 70 FEET
 LANDSCAPE BUFFER: 10 FEET (VARIANCE REQUIRED)
 IMPERVIOUS SURFACE NOT TO EXCEED: 55%
 IMPERVIOUS SURFACE FOR INDEPENDENT LIVING PER UNIT: 1.3 SPACES PER 1 UNIT
 39 UNITS * 1.5 = 58.5 SPACES
 PARKING PROVIDED IN RSL PARCEL: 127 SPACES
 LANDSCAPE BUFFER ON EASTSIDE RSL2 BLDGS #2 & 3: 0 FEET

SITE DATA O&I (assisted living):
 MINIMUM LOT AREA: 20,000 SQ. FEET
 MINIMUM LOT WIDTH: 200 FEET
 LANDSCAPE BUFFER: 10 FEET (VARIANCE REQUIRED)
 FRONT YARD SETBACK: 50 FEET (VARIANCE REQUIRED)
 REAR YARD SETBACK: 50 FEET
 SIDE YARD SETBACK: 15 FEET
 PARKING PROVIDED FOR ASSISTED LIVING PER UNIT: 30 UNITS * 1.5 = 45 SPACES
 PARKING PROVIDED IN O&I PARCEL: 14 SPACES

FEMA MAP



24 HOUR CONTACT:
 JOHNNY VOYLES @ 404-542-8020

COBB COUNTY GEORGIA
 FILED IN OFFICE

2014 JAN -2 PM 3:12

COBB COUNTY ZONING DIVISION

APPLICANT: Peachstone, LLC

(912) 222-0583

REPRESENTATIVE: Garvis L. Sams, Jr. (770) 422-7016

Sams, Larkin & Huff, LLP

TITLEHOLDER: Peachstone, LLC; Summerhill Holdings, LLC;

Marietta Summerhill Property, LLC; Lenox Personal Care, LLC;

Fireplace Funding, LLC; Dianand Pitamber and Renita Pitamber

PROPERTY LOCATION: North side of Austell Road and the south side of Cunningham Road.

ACCESS TO PROPERTY: Austell Road and Cunningham Road

PHYSICAL CHARACTERISTICS TO SITE: Developed personal care homes

PETITION NO: Z-10

HEARING DATE (PC): 03-04-14

HEARING DATE (BOC): 03-18-14

PRESENT ZONING: O&I

PROPOSED ZONING: O&I, RSL

PROPOSED USE: Residential Senior Living Community

SIZE OF TRACT: 4.722 acres

DISTRICT: 17

LAND LOT(S): 133

PARCEL(S): 56, 57, 58, 59, 61

TAXES: PAID X **DUE** _____

COMMISSION DISTRICT: 4

CONTIGUOUS ZONING/DEVELOPMENT

NORTH: PRD/Woodland Ridge Subdivision

SOUTH: NS/Undeveloped and R-20/Single-family Houses

EAST: R-20/Single-family House

WEST: RM-12/Apartments

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

PLANNING COMMISSION RECOMMENDATION

APPROVED _____ **MOTION BY** _____

REJECTED _____ **SECONDED** _____

HELD _____ **CARRIED** _____

BOARD OF COMMISSIONERS DECISION

APPROVED _____ **MOTION BY** _____

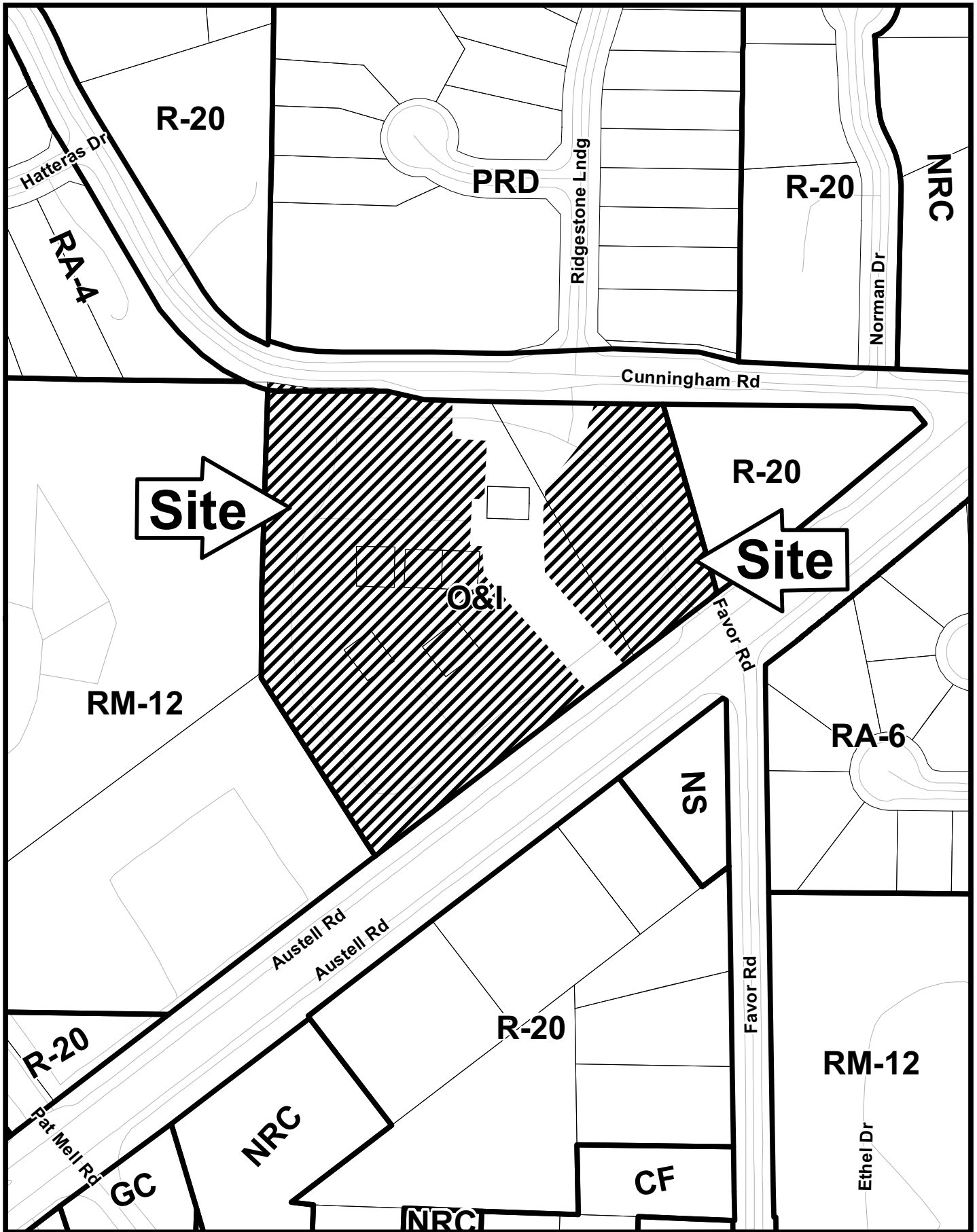
REJECTED _____ **SECONDED** _____

HELD _____ **CARRIED** _____

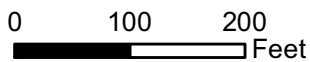
STIPULATIONS:



Z-10



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



City Boundary
Zoning Boundary

APPLICANT: Peachstone, LLC

PETITION NO.: Z-10

PRESENT ZONING: O&I

PETITION FOR: O&I, RSL

ZONING COMMENTS:

Staff Member Responsible: Jason A. Campbell

Land Use Plan Recommendation: Neighborhood Activity Center (NAC)

Proposed Number of Units: 39 **Overall Density:** 8.25 **Units/Acre**

Staff estimate for allowable # of units: 23 **Units*** **Increase of:** 16 **Units/Lots**

*Estimate could be higher or lower based on engineered plans taking into account topography, shape of property, utilities, roadways, natural features such as creeks, wetlands, etc., and other unforeseen circumstances.

Applicant is requesting the RSL zoning category for the continued and future use of the existing personal care and senior living development. The applicant is requesting a waiver of the RSL district to allow a “sunset provision” for one year to allow for the continuation of personal care homes on site which is an otherwise permitted use under the present O&I classification. The portions labeled as RSL 1 and RSL 2 on the site plan submitted are the subject pieces of this application. The proposed RSL supportive units will be utilized with five bedrooms with shared common areas for each unit in the buildings. The attached letter of agreeable stipulations more specifically details the uses of the buildings.

The site plan indicates that a waiver of the required landscape buffer abutting residentially zoned properties will be need to be waived to 10 feet. Also needed is a waiver of the landscape buffer on the RSL2 section for Buildings 2 and 3 on the east side to 0.

Cemetery Preservation: No comment.

APPLICANT: Peachstone, LLC

PETITION NO.: Z-10

PRESENT ZONING: O&I

PETITION FOR: O&I,RSL

SCHOOL COMMENTS:

<u>Name of School</u>	<u>Enrollment</u>	<u>Capacity Status</u>	<u>Number of Portable Classrooms</u>
<u>Elementary</u>	<u> </u>	<u> </u>	<u> </u>
<u>Middle</u>	<u> </u>	<u> </u>	<u> </u>
<u>High</u>	<u> </u>	<u> </u>	<u> </u>

- School attendance zones are subject to revision at any time.

Additional Comments:

FIRE COMMENTS:

Plans must be submitted to the Cobb County Fire Marshal’s Office to initiate the Certificate of Occupancy process.

APPLICANT: Peachstone, LLC

PETITION NO.: Z-10

PRESENT ZONING: O&I

PETITION FOR: O&I,RSL

PLANNING COMMENTS:

The applicant is requesting a rezoning from O & I to O & I and RSL for purposes of a residential senior care facility. The 4.722 acre site is located on the north side of Austell Road and the south side of Cunningham Road.

Comprehensive Plan

The parcel is within a Community Activity Center (CAC) future land use category, with O & I zoning designation. The purpose of the CAC category is for areas that can meet the immediate needs of several neighborhoods or communities. Typical land uses for these areas include low to mid-rise office buildings and department stores.

Master Plan/Corridor Study

Not applicable.

Historic Preservation

After consulting various county historic resources 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.

Design Guidelines

Is the parcel in an area with Design Guidelines? Yes No

If yes, design guidelines area _____

Does the current site plan comply with the design requirements?

Incentive Zones

Is the property within an Opportunity Zone? Yes No

The Opportunity Zone is an incentive that provides \$3,500 tax credit per job in eligible areas if two or more jobs are being created. This incentive is available for new or existing businesses.

Is the property within an Enterprise Zone? Yes No

The Enterprise Zone is an incentive that provides tax abatements and other economic incentives for qualifying businesses locating or expanding within designated areas for new jobs and capital investments.

Is the property eligible for incentives through the Commercial and Industrial Property Rehabilitation Program? Yes No

The Commercial and Industrial Property Rehabilitation Program is an incentive that provides a reduction in ad valorem property taxes for qualifying redevelopment in eligible areas.

APPLICANT Peachstone, LLC

PETITION NO. Z-010

PRESENT ZONING O&I

PETITION FOR O&I, RSL

WATER COMMENTS: NOTE: Comments reflect only what facilities were in existence 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 / S side of Cunningham Road**

Additional Comments: Existing Water Customer

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: NOTE: Comments reflect only what facilities were in existence at the time of this review.

In Drainage Basin: Yes No

At Development: Yes No

Approximate Distance to Nearest Sewer: **On site**

Estimated Waste Generation (in G.P.D.): **A D F +0** **Peak= +0**

Treatment Plant: **South Cobb**

Plant Capacity: Available Not Available

Line Capacity: Available Not Available

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

Drw Sewers Required: Yes No

Off-site Easements Required: 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 easements by the property owners. All easement acquisitions are the responsibility of the Developer

Flow Test Required: Yes No

Letter of Allocation issued: Yes No

Septic Tank Recommended by this Department: Yes No

Subject to Health Department Approval: Yes No

Additional Existing sewer customer 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.

APPLICANT: Peachstone, LLC

PETITION NO.: Z-10

PRESENT ZONING: O&I

PETITION FOR: O&I, RSL

STORMWATER MANAGEMENT COMMENTS

FLOOD HAZARD: YES NO POSSIBLY, NOT VERIFIED

DRAINAGE BASIN: Olley Creek 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 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 _____.

APPLICANT: Peachstone, LLC

PETITION NO.: Z-10

PRESENT ZONING: O&I

PETITION FOR: O&I,RSL

STORMWATER MANAGEMENT COMMENTS – Continued

SPECIAL SITE CONDITIONS

- Provide comprehensive hydrology/stormwater controls to include development of out parcels.
- Submit any future 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

1. This is an existing facility and no improvements are proposed at this time. The existing detention facility does appear in need of maintenance. The pond is heavily overgrown with trees that will eventually impact the effectiveness of the pond.

APPLICANT: Peachstone, LLC

PETITION NO.: Z-10

PRESENT ZONING: O&I

PETITION FOR: RSL

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
Austell Road	31,400	Arterial	45 mph	Georgia DOT	100'
Cunningham Road	4500	Minor Collector	35 mph	Cobb County	60'

*Based on 2005 traffic counting data taken by Georgia DOT (Austell Road)
Based on 2005 traffic counting data taken by Cobb County DOT (Cunningham Road)*

COMMENTS AND OBSERVATIONS

Austell Road is classified as an arterial and according to the available information the existing right-of-way does meet the minimum requirements for this classification.

Cunningham Road is classified as an arterial and according to the available information the existing right-of-way does not meet the minimum requirements for this classification.

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 south side of Cunningham Road, a minimum of 30' from the roadway centerline.

Recommend access easement be dedicated to the parcel to the east. This was agreed upon when the site was originally permitted.

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

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STAFF RECOMMENDATIONS

Z-10 PEACHSTONE, LLC

- A. It is Staff's opinion that the applicant's rezoning proposal will permit a use that is suitable in view of the use and development of adjacent and nearby properties. The property has been similarly used for a number of years.
- B. It is Staff's opinion that the applicant's rezoning proposal will not have an adverse affect on the usability of adjacent or nearby property. This property has been utilized as an assisted living development and rezoned for that use as part of Z-131 of 2000 and Z-119 of 1997.
- 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 in conformity with the policy and intent of the *Cobb County Comprehensive Plan*, which delineates this property to be within the Neighborhood Activity Center (NAC) land use category and the requested RSL zoning category is allowed in the NAC.
- 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. The property was rezoned for and has been utilized as an assisted living facility for a number of years (minutes attached). The property will maintain the existing buildings and the units in each building will have five bedrooms and shared common living areas.

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

- Site plan received by the Zoning Division on January 2, 2014, with the District Commissioner approving minor modifications;
- Fire Department comments and recommendations;
- Water and Sewer comments and recommendations;
- Stormwater Management comments and recommendations;
- Department of Transportation comments and recommendations; and
- 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.

March
2014

Summary of Intent for Rezoning *

.....
Part 1. Residential Rezoning Information (attach additional information if needed)

- a) **Proposed unit square-footage(s):** As-Built
- b) **Proposed building architecture:** As-Built (maximum of 3 stories in height)
- c) **Proposed selling prices(s):** Not Applicable
- d) **List all requested variances:** Waiver under the RSL District to allow a "sunset provision" of one (1) year to allow for the continuation of personal care homes on site which is an otherwise permitted use under the subject property's present Conditional O&I classification.

.....
Part 2. Non-residential Rezoning Information (attach additional information if needed)

- a) **Proposed use(s):** Not Applicable
- b) **Proposed building architecture:** _____
- c) **Proposed hours/days of operation:** _____
- d) **List all requested variances:** _____

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COBB COUNTY ZONING DIVISION

.....
Part 3. Other Pertinent Information (List or attach additional information if needed)

The subject property was rezoned to Conditional O&I on December 19, 2000 and the current community was built thereafter subject to numerous stipulations/conditions of the rezoning (No. Z-131 [2000]).

.....
Part 4. Is any of the property included on the proposed site plan owned by the Local, State, or Federal Government?

(Please list all Right-of-Ways, Government owned lots, County owned parcels and/or remnants, etc., and attach a plat clearly showing where these properties are located).

Not Applicable.

*The Applicant reserves the right to amend the Summary of Intent for Rezoning and the preliminary information provided therein at any time during the rezoning process.

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
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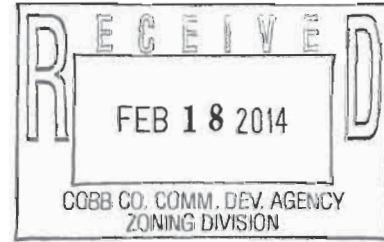
JUSTIN H. MEEKS

SLHB-LAW.COM

February 18, 2014

VIA EMAIL

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 Peachstone, LLC to Rezone a 4.722 Acre Tract from O&I with stipulations to RSL (Application No. Z-10)

Dear John:

You will recall that this firm has been engaged by and represents Peachstone, LLC ("Peachstone") which is the Applicant and Owner with respect to the above-captioned Application for Rezoning. The Application is scheduled to be heard and considered by the Cobb County Planning Commission on March 4, 2014 and, thereafter, is scheduled to be heard and considered for final action by the Cobb County Board of Commissioners on March 18, 2014.

The property at issue consists of an approximate 4.722 acre tract located at the southwesterly intersection of Austell Road and Cunningham Road (the "subject property"). By way of chronological background, the subject property was rezoned by the Board of Commissioners on September 16, 1997 from the then existing R-20 & RM-12 zoning classifications to the Office & Institutional ("O&I") classification, the same being Application No. Z-119 (1977). Several years later, on December 19, 2000, the subject property was rezoned from O&I with stipulations to O&I with stipulations for the purposes of an assisted living facility (No. Z-31 [2000]). At that time, the primary purpose of the rezoning was to accommodate an assisted living facility comprised of fifteen (15) separate buildings a maximum of three (3) stories in height.

Presently, Peachstone either owns or has an ownership interest in twelve (12) of the fifteen (15) buildings on and adjacent to the subject property. Since the rezoning in 2000, the community has partially devolved into an assortment of components, including assisted living, daycare operations, personal care facilities and related uses. Peachstone is desirous of rezoning as much of the entirety of the community as possible to RSL for the purposes of bringing it into compliance with that zoning district.

SAMS, LARKIN, HUFF & BALLI
A LIMITED LIABILITY PARTNERSHIP

VIA EMAIL

Mr. John P. Pederson, AICP, Manager
Cobb County Zoning Division
February 18, 2014
Page 2

During the pendency of this Application, we have established a dialogue with Cobb County's professional staff, area residents, business owners and others. In that regard, Peachstone is agreeable to the following stipulations becoming conditions and a part of the requested rezoning and binding upon the subject property thereafter. The referenced stipulations are as follows, to wit:

1. The rezoning of the subject property shall be in substantial conformity to that certain site plan prepared by Planners and Engineers Collaborative which was submitted contemporaneously with the Application for Rezoning.¹
2. The buildings on the subject property ("RSL 2 & RSL 1") have been constructed as evidenced by the recent as-built photographs which are being submitted concurrently herewith.
3. The RSL Community shall be comprised of the existing buildings, a maximum three (3) stories in height with exteriors of hardy plank (or the equivalent thereof); together with the existing clubhouse for activities, recreation, meetings and other like purposes.
4. The Community has sidewalks and walking paths throughout as represented on the site plan and sufficient parking spaces which will meet or exceed Cobb County's Zoning Ordinance parking ratio requirements to accommodate all of the residents, guests and staff.
5. Consistent with discussions with both the Community Development Agency Director and the Manager of the Zoning Division, in view of the fact that personal care homes are a permitted use under the subject property's current O&I classification, those operations shall be allowed to continue as non-conforming, "grandfathered" uses with a six (6) month sunset provision to ultimately bring the entirety of the subject property into compliance with the RSL district regulations.
6. Each unit shall continue to have its own private bathroom.

¹ The subject property is located within the confines of a Neighborhood Activity Center (NAC) under Cobb County's Future Land Use Map.

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A LIMITED LIABILITY PARTNERSHIP

VIA EMAIL

Mr. John P. Pederson, AICP, Manager
Cobb County Zoning Division
February 18, 2014
Page 3

7. The RSL Community shall continue to be marketed exclusively for seniors and the occupancy of units therein shall be for persons who have attained the age of fifty-five (55) years of age or older and shall, in all respects, comply with the Federal Fair Housing Act requirements.
8. Peachstone agrees to a Deed Covenant running with the property in perpetuity containing specific recitals that neither the RSL Community nor any of its individual units shall be utilized as multi-family apartments. Such Deed Covenant shall run to the benefit of Cobb County, Georgia.
9. No unit within the RSL Community shall be leased for a term of less than one (1) year in duration; however, current State of Georgia regulations require a thirty (30) day cancellation provision within each lease.
10. Compliance with all Cobb County Stormwater Management requirements and recommendations with respect to stormwater, detention, water quality, hydrology and downstream considerations. However, in view of the subject property's as-built circumstances, no additional detention or water quality is required at this time.
11. All existing exterior lighting shall remain environmentally sensitive lighting which will prevent outward illumination and visible glare onto to adjoining properties and rights-of-way.
12. Compliance with recommendations from the Cobb County Department of Transportation, if any.
13. Signage for the RSL Community shall remain as-built and with an agreement that there shall be no modifications which include flashing sign components nor electronic messaging components.
14. Compliance with recommendations of the Cobb County Water System with respect to the availability and acquisition of water and sewer to continue servicing the subject property.
15. Compliance with recommendations from the Cobb County Fire Department as set forth in the Zoning Analysis.

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A LIMITED LIABILITY PARTNERSHIP

VIA EMAIL

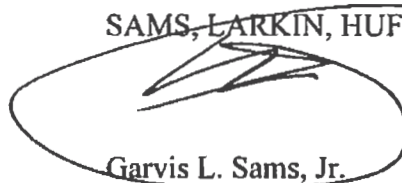
Mr. John P. Pederson, AICP, Manager
Cobb County Zoning Division
February 18, 2014
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16. The District Commissioner shall have the authority to make minor modifications to these stipulations, the site plan and the architectural as the zoning proceeds through the entitlement and Plan Review process. Minor modifications which are approved by the District Commissioner shall not include the following:
- a. An increase in the density of a residential product with the overall square footage of a non-residential product.
 - b. A reduction in the size of an approved buffer adjacent to a property that is zoned the same or in a more restrictive zoning district.
 - c. Relocation of a structure closer to the property line of adjacent property that is zoned the same or in a more restrictive zoning district.
 - d. An increase in the height of a building that is adjacent to a property that is zoned the same or in a more restrictive zoning district.
 - e. A change in an access location to a different roadway.

Please do not hesitate to contact me should you or the staff need any additional information or documentation prior to the formulation of the Final Zoning Analysis and Staff Recommendations. With kind regards, I am

Very truly yours,

SAMS, LARKIN, HUFF & BALLI, LLP



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

GLS,Jr./dsj
Attachments

SAMS, LARKIN, HUFF & BALLI
A LIMITED LIABILITY PARTNERSHIP

VIA EMAIL

Mr. John P. Pederson, AICP, Manager
Cobb County Zoning Division
February 18, 2014
Page 5

cc: Members, Cobb County Board of Commissioners (via email w/attachments)
Members, Cobb County Planning Commission (via email w/attachments)
Mr. Robert L. Hosack, Jr., AICP Director (via email w/attachments)
Mr. Dana Johnson, AICP Assistant Director (via email w/attachments)
Mr. Jason Campbell, Planner III (via email w/attachments)
Mr. David Breaden, P.E. (via email w/attachments)
Ms. Jane Stricklin, PE, Cobb County DOT (via email w/attachments)
Mr. Tim Davidson, Cobb County Water System (via email w/attachments)
Ms. Karen King, Assistant County Clerk (via email w/attachments)
Ms. Lori Presnell, Deputy County Clerk (via email w/attachments)
Mr. Kenneth J. Wood, P.E., LEED AP (via email w/attachments)
Mr. Johnny Voyles (via email w/attachments)
Mr. Eric Halverson (via email w/attachments)



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ZONING DIVISION

2013.06.28 10:51







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FEB 18 2014
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ZONING DIVISION





ORIGINAL DATE OF APPLICATION: 10-17-00APPLICANTS NAME: HIGH HAMPTON ASSISTED LIVING FACILITYTHE FOLLOWING REPRESENTS THE FINAL DECISIONS OF THE
COBB COUNTY BOARD OF COMMISSIONERS**BOC DECISION OF 12-19-00 ZONING HEARING:**

HIGH HAMPTON ASSISTED LIVING FACILITY for Rezoning from **OI with stipulations** to **OI with stipulations** for the purpose of an Assisted Living Facility in Land Lot 133 of the 17th District. Located on the north side of Austell Road and the south side of Cunningham Road, east of their intersection.

The public hearing was opened and Mr. John H. Moore addressed the Board. Following presentation and discussion, the following motion was made:

MOTION: Motion by W. Thompson, second by Byrne, to **approve** Rezoning to **OI with stipulations** subject to:

- **project subject to Stormwater Management Division comments and recommendations**
- **project subject to Cobb 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**
- **letter of agreeable stipulations from Mr. Moore dated December 18, 2000 (copy attached and made a part of these minutes)**
- **Historic Preservation comments**

VOTE: **ADOPTED** 4-1, Olens opposed

MOORE INGRAM JOHNSON & STEELE

A LIMITED LIABILITY PARTNERSHIP

192 ANDERSON STREET
MARIETTA, GEORGIA 30060

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BRYAN C. MAHAFFEY
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† ALSO ADMITTED IN TN
* ALSO ADMITTED IN NC
** ALSO ADMITTED IN CA
*** ADMITTED ONLY IN TN

December 18, 2000

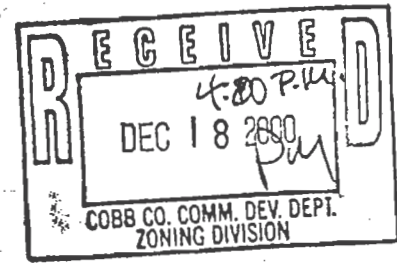
WRITER'S DIRECT DIAL NUMBER

Min. Bk. 16 Petition No. Z-131
Doc. Type Stipulation Letter

Meeting Date Dec. 19, 2000

Mr. Ed Thomas
Principal Planner
Zoning Division
Cobb County Community
Development Department
Suite 300
191 Lawrence Street
Marietta, Georgia 30060-1661

Hand Delivered



RE: Application for Rezoning
Application No.: Z-131 (2000)
Applicant: High Hampton
Owners: Gilbert C. Johnson; Barbara A. Johnson; et al.
Property: 5.69 acres located at the southwesterly intersection of Austell Road and Cunningham Road, Land Lot 133, 17th District, 2nd Section, Cobb County, Georgia

Dear Ed:

The undersigned and this firm represent High Hampton, the Applicant (hereinafter referred to as the "Applicant"), and Gilbert C. Johnson, Barbara A. Johnson, et al., the Property Owners (hereinafter collectively referred to as "Owners"), in their Application for Rezoning with regard to a total tract containing 5.69 acres located at the southwesterly intersection of Austell

MOORE INGRAM JOHNSON & STEELE

Mr. Ed Thomas
Principal Planner
Zoning Division
Cobb County Community
Development Department
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Road and Cunningham Road in Land Lot 133, 17th District, 2nd Section, Cobb County, Georgia (hereinafter the "Subject Property"). As you know, the Subject Property was rezoned by the Cobb County Board of Commissioners on September 16, 1997, from the then existing R-20 and RM-12 zoning classifications to the Office and Institutional ("OI") zoning classification, same being Application No. Z-119 (1997). Subsequently, on February 17, 1998, the Cobb County Board of Commissioners approved a site plan amendment for the Subject Property relating to Application No. Z-119 (1997). True and correct copies of the official minutes and attachments thereto of the September 16, 1997, and the February 17, 1998, Board of Commission approvals are attached hereto for ease of reference.

In recent weeks, meetings have been held with staff and Commissioner Woody Thompson as to the Application for Rezoning currently pending before the Board of Commissioners. Additionally, we have reviewed the staff comments and recommendations for the subject Application, the prior zoning approval and amendment thereto, and the uses of surrounding properties and have been authorized by the Applicant and Owners to submit this letter of agreeable stipulations and conditions, which, if the Application for Rezoning is approved, as submitted, shall become a part of the grant of the requested zoning and shall be binding upon the Subject Property. The referenced stipulations are as follows:

- (1) Rezoning of the Subject Property, consisting of a total of 5.69 acres, shall be from OI, with stipulations, to OI, with stipulations, pursuant, site plan specific, to the Site Plan prepared for High Hampton by Watts & Browning Engineers, Inc. dated July 28, 2000, last revised July 31, 2000, excepting only that the pool reflected on the Site Plan shall be deleted.

MOORE INGRAM JOHNSON & STEELE

Mr. Ed Thomas
Principal Planner
Zoning Division
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- (2) The rezoning and change in agreed stipulations for the proposed assisted living project is intended to comport with preservation of specimen trees and compliance with the Cobb County Tree Ordinance, effectuated through a change into multiple buildings.
- (3) The proposed assisted living facility shall be comprised of fifteen (15) separate buildings at a maximum of three (3) stories in height with exteriors of hardi-plank or the equivalent thereof; together with a clubhouse for activities, recreation, meetings, and other like purposes.
- (4) A minimum of eight (8) elevators shall be provided for the total development, with each building having elevator service.
- (5) Each unit shall contain its own private bathroom.
- (6) There shall be wrought iron fencing around the exterior boundary of the Subject Property excepting only access locations.
- (7) In lieu of a central cafeteria for the proposed assisted living facility, the facility shall be serviced by contract with outside food provider(s).
- (8) The proposed assisted living facility will be serviced by nursing staff on-site.
- (9) Applicant and Owners agree to restrict, by recorded deed covenant, the Subject Property to the following:

MOORE INGRAM JOHNSON & STEELE

Mr. Ed Thomas
Principal Planner
Zoning Division
Cobb County Community
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- (a) The project shall be limited to senior citizens, 55 years of age and older; and
 - (b) The Subject Property shall not be zoned or used for general multi-family apartments.
- (10) The balance and all remaining provisions, stipulations, and conditions contained within the aforestated Board of Commission official minutes and letters of agreeable stipulations and conditions attached thereto for the September 16, 1997, and February 17, 1998, Board of Commissioners Zoning Hearings shall remain in full force and effect and otherwise unaffected by this rezoning.
- (11) Additionally, the stipulations and conditions set forth herein shall control if in conflict with the prior stipulations and conditions.

We believe the requested zoning, pursuant to the referenced Site Plan, the revised stipulations contained herein, and the minutes and stipulations previously placed upon the Subject Property from the previous rezoning, is an appropriate use of the Subject Property while taking into consideration the use of properties surrounding the Subject Property. The proposed development shall be of a high quality, shall be compatible with adjacent and surrounding neighborhoods, and shall be an enhancement to the Subject Property and the community. Thank you for your consideration in this request.

MOORE INGRAM JOHNSON & STEELE

Mr. Ed Thomas
Principal Planner
Zoning Division
Cobb County Community
Development Department
Page Five
December 18, 2000

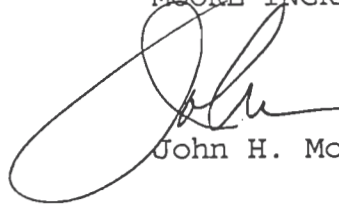
Petition No. Z-131
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Continued

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With kindest regards, I remain

Very truly yours,

MOORE INGRAM JOHNSON & STEELE, LLP



John H. Moore

JHM:cc

Enclosures

c: Cobb County Board of Commissioners:
William J. Byrne, Chairman
George Woody Thompson, Jr.
William Askea
Joe L. Thompson
Samuel S. Olens
(With Enclosures)

Minutes of the meeting of the Cobb County Board of Commissioners Zoning Hearing held on September 16, 1997 in the Second Floor Commissioners' Meeting Room, Cobb County Building, 100 Cherokee Street, Marietta, Georgia.

Z-119 W. E. HAMBY (Joe and Emmalene J. Dobbins and Gilbert and Barbara Johnson, owners) for Rezoning from R-20 and RM-12 to OI for the purpose of an Assisted Living Facility in Land Lot 133 of the 17th District. 5.01 acres. Located on the northwest side of Austell Road and the south side of Cunningham Road. The Board of Commissioners, as part of the Consent Agenda, approved Rezoning to the OI zoning district subject to: 1) monument style signage to be approved by Staff; 2) future expansion to be approved by the Board of Commissioners; 3) project subject to Stormwater Management Division comments and recommendations; 4) 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; 5) project subject to Cobb DOT comments and recommendations. Motion by Wysong, second by W. Thompson, carried 5-0.

Minutes of the meeting of the Cobb County Board of Commissioners Zoning Hearing held on February 17, 1998 in the Second Floor Commissioners' Meeting Room, Cobb County Building, 100 Cherokee Street, Marietta, Georgia.

OTHER BUSINESS

TO CONSIDER SITE PLAN APPROVAL --- Z-119 OF 1997 (W. E. HAMBY)

To consider a Site Plan Approval for the Univest Group regarding Application Z-119 of September 16, 1997 (W. E. Hamby) for property located on the north side of Austell Road, and the south side of Cunningham Road, west of Favor Road in Land Lot 133 of the 17th District.

Mr. Danneman presented applicant's request for site plan approval to allow all assisted living use on this site to be developed in two phases. The request letter was reviewed, and it was pointed out that applicant is bound by State regulations on assisted living facilities and that the site plan is specifically conditioned upon this *use* of the property.

Following this presentation, the Board of Commissioners approved request for Site Plan Approval for the Univest Group regarding Application Z-119 of September 16, 1997 (W. E. Hamby) for property located on the north side of Austell Road, and the south side of Cunningham Road, west of Favor Road in Land Lot 133 of the 17th District, subject to: 1) site plan submitted (reduced copy attached and made a part hereof); 2) this facility to be used as an assisted living facility only; 3) letter of agreeable conditions/stipulations attached and made a part hereof. Motion by W. Thompson, second by Wysong, carried 4-0, Byrne absent at time of vote.

Petition No. Z-131
Meeting Date 12/19/00 2-11-99 1997

Preliminary Plan

High Hampton

Site plan as referenced in the
Zoning minutes of 2/17/98. (Other
Business #2).

Cobb County, Georgia Land Lot 133, District 17, 2nd Section

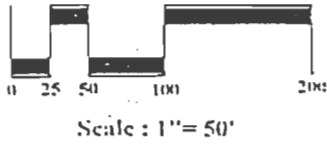
prepared for:

The Univest Group L.L.C.

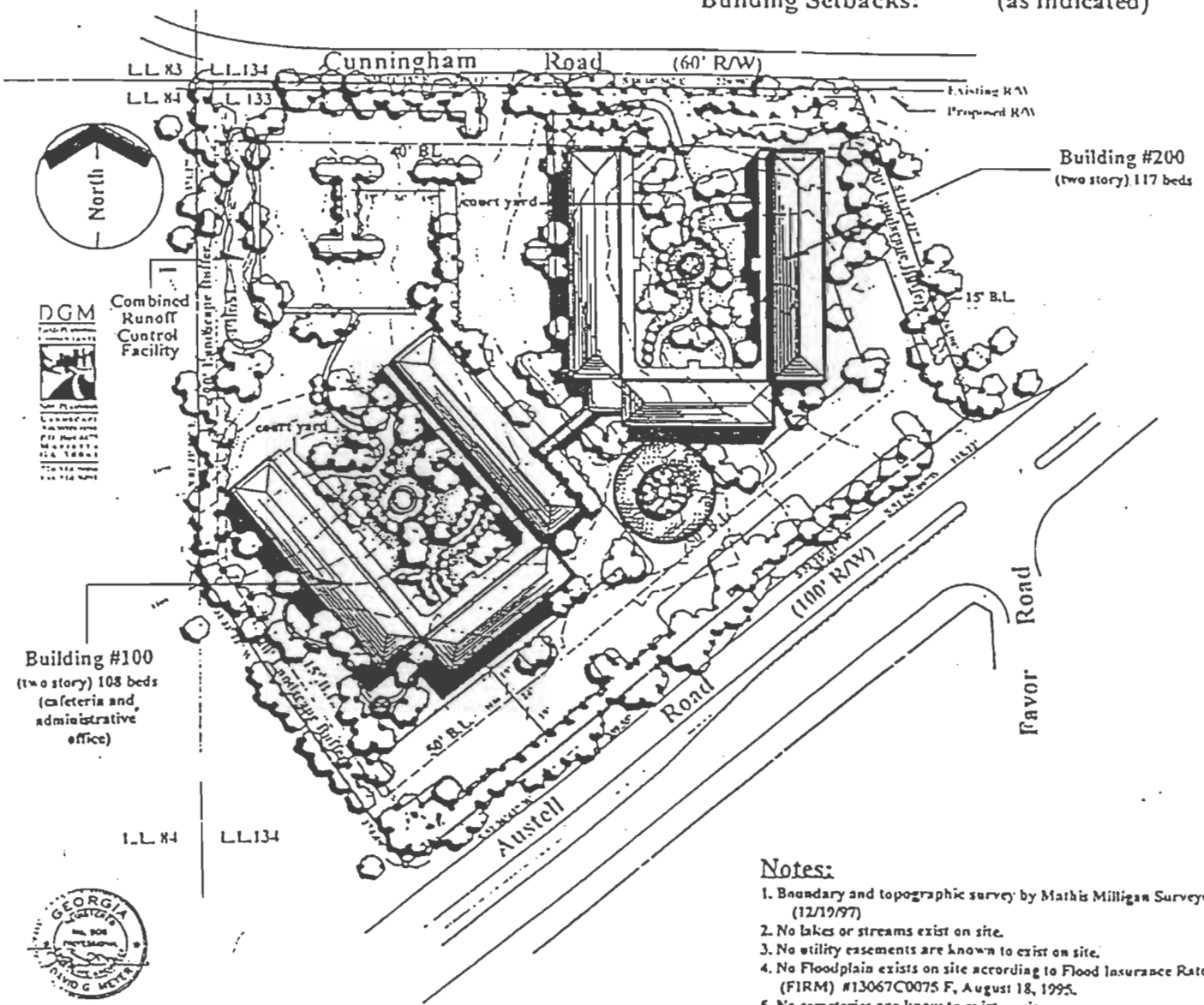
January 6, 1997 (rev. February 9, 1998)

Site Data
Laura Hesk
Deputy County Clerk

Total Site Area:	5.69 AC
Existing Zoning:	O&I
Maximum Bldg. Area:	185,890 SF
Building Area Shown:	74,880 SF
Bldg. #100 =	37,440 SF (108 Beds)
Bldg. #200 =	37,440 SF (117 Beds)
Total Parking Shown:	158 spaces
Building Setbacks:	(as indicated)



*Note: Large plan
in file.*



Notes:

1. Boundary and topographic survey by Mathis Milligan Surveyors Inc. (12/19/97)
2. No lakes or streams exist on site.
3. No utility easements are known to exist on site.
4. No Floodplain exists on site according to Flood Insurance Rate Map (FIRM) #13067C0075 F, August 18, 1995.
5. No cemeteries are known to exist on site.
6. No wetlands are known to exist on site.
7. No archeological or architectural landmarks are known to exist on site.
8. Detention to be accommodated as shown on plan.



MOORE INGRAM JOHNSON & STEELE

A LIMITED LIABILITY PARTNERSHIP

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JOSEPH H. AKERS
JEFFREY A. DAXE
JENNIFER L. SCOLIARD
MELISSA W. GILBERT
M. SUZANNE CAUSEY*

* ALSO ADMITTED IN NC
** ALSO ADMITTED IN FL

February 13, 1998

WRITER'S DIRECT DIAL NUMBER

FE	Petition No.	<u>Z-131</u>
	Meeting Date	<u>12/19/00</u>
	Continued	

Hand Delivered

Mr. Mark A. Danneman
Zoning Administrator
Zoning Division
Cobb County Community
Development Department
Suite 500
100 Cherokee Street
Marietta, Georgia 30090-9674

*Z-119-3 1997
Letter as referenced
in Other Business Zoning
minutes of 2/17/98
Karen Skah
Deputy County Clerk*

RE: Application for Site Plan Approval
Application No.: Z-119 (1997)
Applicant: The Univest Group, L.L.C.
Property: 5.01 acres located near the
southwesterly intersection of
Austell Road and Cunningham Road
in Land Lot 133, 17th District,
2nd Section, Cobb County,
Georgia

Dear Mark:

As you know, this firm has been retained by The Univest Group, the Applicant (hereinafter referred to as the "Applicant"), in its application for site plan approval with regard to the above-referenced property. After meeting with planning and zoning staff and reviewing the staff comments and recommendations with respect to Application No. Z-119, as approved by the Board of Commissioners on September 16, 1997, we have been authorized by the Applicant and Owner to submit this letter of agreed stipulations which, if the application for site plan approval is approved as submitted, shall become a further part of the grant of the approved zoning and shall be further binding upon the property. This letter shall supersede

MOORE INGRAM JOHNSON & STEELE

Mr. Mark A. Danneman
Zoning Administrator
Zoning Division
Cobb County Community
Development Department
Page Two
February 13, 1998

Petition No. Z-131
Meeting Date 12/19/00
Continued

2-19-98
Letter continued
pg #2

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and replace in full our previous letter to you dated December 12, 1997. The referenced stipulations are as follows:

- (1) The stipulations and conditions set forth in the August 29, 1997, letter of agreed stipulations and conditions which was made a part of the rezoning as approved by the Board of Commissioners on September 16, 1997, shall remain in place except to the extent as same are in conflict with the following additional stipulations contained herein.
- (2) Applicant proposes to develop the entire subject property for use as an assisted living facility with a maximum number of 225 total beds, with reference being made to that certain preliminary site plan prepared by DGM Land Planning Consultants dated January 6, 1997, last revised February 9, 1998, with regard to the total acreage of 5.69 acres.
- (3) The proposed assisted living facility shall be certified and licensed as an assisted living facility under the rules and regulations of the State of Georgia.
- (4) Applicant hereby agrees to provide a maximum of 158 parking spaces to be used in conjunction with the proposed assisted living facility.
- (5) Applicant agrees to install landscaping along that portion of the subject property which fronts Austell Road (State Route 5). Such landscaping shall be subject to approval by Cobb County, Georgia, during the plan review process for development. Furthermore, such landscaping shall also be subject to the provisions for right-of-way as dictated by the Georgia Department of Transportation which has jurisdiction over Austell Road (State Route 5).

MOORE INGRAM JOHNSON & STEELE

Mr. Mark A. Danneman
Zoning Administrator
Zoning Division
Cobb County Community
Development Department

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February 13, 1998

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Continued

*2-11-98 97
letter continued
PS: #3*

- (6) Applicant agrees to develop the subject property in two (2) phases. Phase One shall consist of the general development of the site and construction of the building located on the western portion of the subject property. Phase Two shall consist of the construction of the building located on the easterly portion of the subject property.
- (7) Applicant agrees to work with Cobb County staff during the plan review process in order to effectuate the development of the subject property in phases.
- (8) Applicant hereby agrees that site plan approval is specifically conditioned upon the use of the subject property as an assisted living facility as certified and licensed under the rules and regulations of the State of Georgia.

We believe that the requested site plan approval, pursuant to the referenced site plan, the stipulations contained herein, as well as the prior stipulations as approved by the Board of Commissioners on September 16, 1997, create an appropriate use of the subject property while taking into consideration the properties and owners thereof surrounding the proposed development. Thank you for your consideration of this request.

Very truly yours,

MOORE, INGRAM, JOHNSON & STEELE, LLP

Kevin

J. Kevin Moore

MOORE INGRAM JOHNSON & STEELE

Mr. Mark A. Danneman
Zoning Administrator
Zoning Division
Cobb County Community
Development Department

Page Four

February 13, 1998

Petition No. Z-131
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Continued

*Z-1199-97
letter continued
pg #4*

- c: Cobb County Board of Commissioners:
 - William J. Byrne, Chairman
 - William A. Cooper
 - George Woody Thompson, Jr.
 - Joe L. Thompson
 - Gordon J. Wysong

APPLICANT: High Hampton Assisted Living Facility

PETITION NO.: Z-

PRESENT ZONING: OI with stips

PETITION FOR: OI

PLANNING COMMENTS:

Staff Member Responsible: Ed Thomas

Land Use Plan Recommendation: Community Activity Center

Proposed Number of Buildings: 16 Total Square Footage of Development: 84,300*

F.A.R. 16,826 Square Footage/Acre *Includes clubhouse

Parking Spaces Required: 158 Parking Spaces Provided: 158

The applicant is proposing to rezone this property to modify the zoning stipulations placed on the property by the Board of Commissioners on September 16, 1997 (see attached). The applicant is proposing to have 16 smaller buildings instead of the previously approved 2 large buildings. The buildings will be 3 stories (previously approved for 2 stories) with elevators for access to the upper units. The buildings will have hardi-board siding with composition shingles. A clubhouse and pool have been added to the site and the clubhouse will feature a beauty salon and fitness room for the resident's use only. There is no proposed increase of the previously approved number of units' (225) or parking spaces (158). The proposed plan will save many more specimen hardwood trees than the previously approved plan.

Historic Preservation: According to the Cobb County register of potentially historic homes, a house is located at 2010 Austell Road and is within this proposed development. I spoke with a representative of the property, Mr. Pat Kirkland, and he informed me that the house is being relocated to another site within the county and will then be restored.

Cemetery Preservation: No comment.

FIRE COMMENTS:

<u>Station No. & Location</u>	<u>Response Time</u>	
1. <u>Rescue #2 - Barber Road</u>	<u>2</u>	<input checked="" type="checkbox"/> adequate <input type="checkbox"/> inadequate
2. <u>Engine #2 - Barber Road</u>	<u>3</u>	<input checked="" type="checkbox"/> adequate <input type="checkbox"/> inadequate
3. <u>Engine #7 - Hurt Road</u>	<u>5</u>	<input checked="" type="checkbox"/> adequate <input type="checkbox"/> inadequate

GPM Requirements: 1,500

Water Main Size Required: 12"

APPLICANT High Hampton Assisted Living Facility

PETITION NO. 2

PRESENT ZONING OI w/stips

PETITION FOR OI w/stips

DRAINAGE COMMENTS

FLOOD HAZARD: YES NO POSSIBLY, NOT VERIFIED

DRAINAGE BASIN: Olley Cr FLOOD HAZARD INFO: None

- 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 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 stormdrainage system.

APPLICANT High Hampton Assisted Living Facility

PETITION NO. Z

PRESENT ZONING O1 w/stips

PETITION FOR O1 w/stips

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/SUGGESTIONS

*Intent of Applicant, July 31 Letter, to save trees and reduce pavement and reduce grading, is supported. Exhibit layout is not faithful. Perimeter road with extensive single loaded parking eats up land, requires more grading, and generates more pavements and pollution than the service requires. Six (6) of the thirty (30) specimen trees would be either damaged or destroyed (20%).

* From exhibit and site visit specimen hardwoods are on hill top and along Austell Road. An alternative layout of buildings in a perimeter ring with internal parking and recreation area moved off hill would significantly increase tree save/green belt, reduce pavement, reduce runoff, increase buffer along Austell Road, reduce grading, and reduce pollution discharge all at benefit to project and community.

APPLICANT: High Hampton Assisted Living Facility

PETITION NO.: Z-131

PRESENT ZONING: OI with Stipulations

PETITION FOR: OI w/ Stips

TRANSPORTATION COMMENTS

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

ROADWAY	AVERAGE DAILY TRIPS	CLASSIFICATION	MIN. R.O.W. REQUIREMENTS
Austell Road (SR 5)	26,600	Arterial	100'
Cunningham Road	2,900	Minor Collector	60'

Austell Road (SR 5) is classified as an Arterial and Cunningham Road is classified as a Minor Collector. According to the available information, the existing rights-of-way meet the minimum requirements for these classifications.

Cunningham Road, from Powder Springs Road (SR 360) to Austell Road (SR 5) is a Cobb County Shoulder Widening Project (Project No. 7406-06) currently under construction. The owner/developer/applicant must coordinate with the Cobb DOT Engineering Division prior to development plan approval in order to ensure compatibility with the road project.

To minimize operational and safety concerns and to provide adequate maneuverability in the facility, DOT recommends that the applicant modify the median break on Austell Road to accommodate a left turn storage lane.

Interparcel access should be provided with the adjacent property on Austell Road.

As necessitated by this development for ingress/egress from the arterial and minor collector, a minimum 150' deceleration lane will be required at each access location.

Sidewalk, curb and gutter should be provided along Cunningham Road. Sidewalk should be provided along Austell Road.

A maximum of one driveway should be provided on Austell Road at the median break and a maximum of one driveway should be provided on Cunningham Road.

RECOMMENDATIONS:

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) modification of the median break on Austell Road to provide a left turn lane.

Recommend a minimum 150' deceleration lane at each access location.

Recommend interparcel access with the adjacent property on Austell Road.

APPLICANT: High Hampton Assisted Living Facility

PETITION NO.: Z-131

PRESENT ZONING: OI with Stipulations

PETITION FOR: OI w/ Stips

Recommend a maximum of one access on Austell Road at the median break and one access on
Cunningham Road.

Recommend the installation of sidewalk along Austell Road and sidewalk, curb and gutter along
Cunningham Road.

GDOT permits will be required for any work encroaching on state right-of-way.

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