

RECEIVED
AUG - 8 2014
 COBB CO. COMM. DEV. AGENCY
 ZONING DIVISION

Z-60
(2014)

SITE DATA	
A ASSISTED LIVING BUILDING -	120 UNITS
B CONGREGATE CARE BUILDING -	40 UNITS
C GARDEN HOMES	18 UNITS
D CLUBHOUSE	N/A
E COTTAGES	48 UNITS
32 SINGLE STACK 8 DOUBLE STACK	
TOTAL UNITS-	226
BIO-DETENTION	
PARKING TOTAL:	215 SPACES
- 157 SPACES ASSISTED LIVING & CONGREGATE CARE	
- 58 SPACES COTTAGES & GARDEN HOMES	
TOTAL ACRES-	+/-23.671
226 UNITS 9.5 UNITS/ACRE	
TOTAL IMPERVIOUS ACRES-	+/-14.84
TOTAL OPEN SPACE ACRES	+/- 8.831 37.30%



OWNERS:
 HOWARD HOPKINS
 3155 DALLAS HIGHWAY

LARRY JOE CONNER & JOHNNY MICHAEL
 CONNER
 3171 DALLAS HIGHWAY

TONY MURPHY & LARRY MURPHY
 3231 DALLAS HIGHWAY

BL ALLEN
 3251 DALLAS HIGHWAY

ALL PRO PEST SERVICES, INC.
 3261 DALLAS HIGHWAY

ESTATE OF RAYMOND A. HOPKINS
 3271 DALLAS HIGHWAY

ROBERT B. LESTER & SHAWNNA R. LESTER
 3260 KENNESAW VIEW DR.

ELEASA B. ALLOCK SWORD
 3220 KENNESAW VIEW DR.

ANDREW D. WEBB
 3210 KENNESAW VIEW DR.

PATRICIA SZALL
 3200 KENNESAW VIEW DR.

THOMAS J. HOTTENGA & DENISE M. HOTTENGA
 3170 KENNESAW VIEW DR.

CHARLES H. & VICKIE H. COVINGTON
 3240 KENNESAW VIEW DR.

WILLIAM FRANCIS ROGERS & EVA SUE ROGERS
 3230 KENNESAW VIEW DR.

DONALD J. DORLEY
 3180 KENNESAW VIEW DR.

JAMES L. & LINDA S. BISHOP
 3190 KENNESAW VIEW DR.

CHRIST LUTHERAN CHURCH INC.
 17 1/2 WEST SANDTOWN RD. - .79 ACRES

ENGINEERS:
 PLANNERS & ENGINEERS
 COLLABORATIVE
 350 RESEARCH COURT
 NORCROSS, GA 30092

ARCHITECTS:
 RULE DY TRAMMEL + RUBIO, LLC
 ARCHITECTURE + INTERIOR DESIGN
 300 GALLERIA PROMY
 ATLANTA, GA 30339

CAIDWELL-CLINE ARCHITECTS &
 DESIGNERS
 222 CRESCENT CIRCLE
 MARIETTA, GA 30054

APPLICANT:
 WEST COBB SENIOR LIVING, LLC
 TWO RAVINIA DRIVE
 SUITE 1350
 ATLANTA, GA 30346

PLANNERS/ LANDSCAPE ARCHITECTS:
 HGOR
 TWO LIVE OAK
 3415 PEACHTREE ROAD NE
 SUITE 1425
 ATLANTA, GA 30326

PLANNERS & ENGINEERS COLLABORATIVE
STERLING ESTATES

HGOR

STERLING ESTATES OF WEST COBB
 ZONING SITE PLAN
 Cobb County, GA
 August 8th, 2014



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APPLICANT: West Cobb Senior Living, LLC

PETITION NO: Z-60

PHONE#: (770) 422-7016 **EMAIL:** phuff@slhb-law.com

HEARING DATE (PC): 09-4-14

REPRESENTATIVE: Parks F. Huff, Esq.

HEARING DATE (BOC): 09-16-14

PHONE#: (770) 422-7016 **EMAIL:** phuff@slhb-law.com

PRESENT ZONING: R-20

TITLEHOLDER: Due to individual parcels, a complete list of titleholders is available in the Zoning Office

PROPOSED ZONING: RSL

PROPERTY LOCATION: Southwest side of Dallas Highway, northeast side of Kennesaw View Drive, west of West Sandtown Road (Due to numerous addresses, a complete list of addresses can be found in the file in the Zoning Office).

PROPOSED USE: Senior Living Community

ACCESS TO PROPERTY: Dallas Highway and Kennesaw View Drive

SIZE OF TRACT: 23.671 acres

DISTRICT: 20

PHYSICAL CHARACTERISTICS TO SITE: Single-family houses

LAND LOT(S): 331, 332

PARCEL(S): Multiple parcels on file in the Zoning Div

TAXES: PAID X **DUE** _____

COMMISSION DISTRICT: 1

CONTIGUOUS ZONING/DEVELOPMENT

- NORTH:** R-20/Single-family houses, wooded acreage and a lake
- SOUTH:** R-20/Sherman Ridge, Nature's Walk and Forest Creek Trail Subdivisions
- EAST:** R-20/Kennesaw View Subdivision; Single-family house and church
- WEST:** R-20/Single-family house and LRO/Offices

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

PLANNING COMMISSION RECOMMENDATION

APPROVED _____ **MOTION BY** _____

REJECTED _____ **SECONDED** _____

HELD _____ **CARRIED** _____

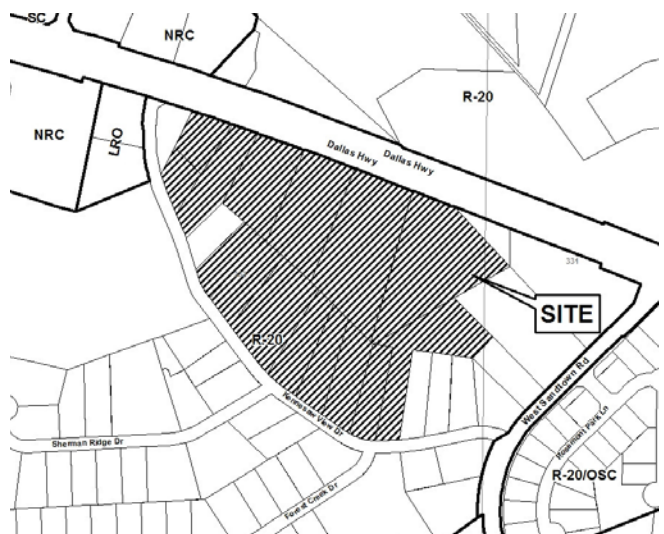
BOARD OF COMMISSIONERS DECISION

APPROVED _____ **MOTION BY** _____

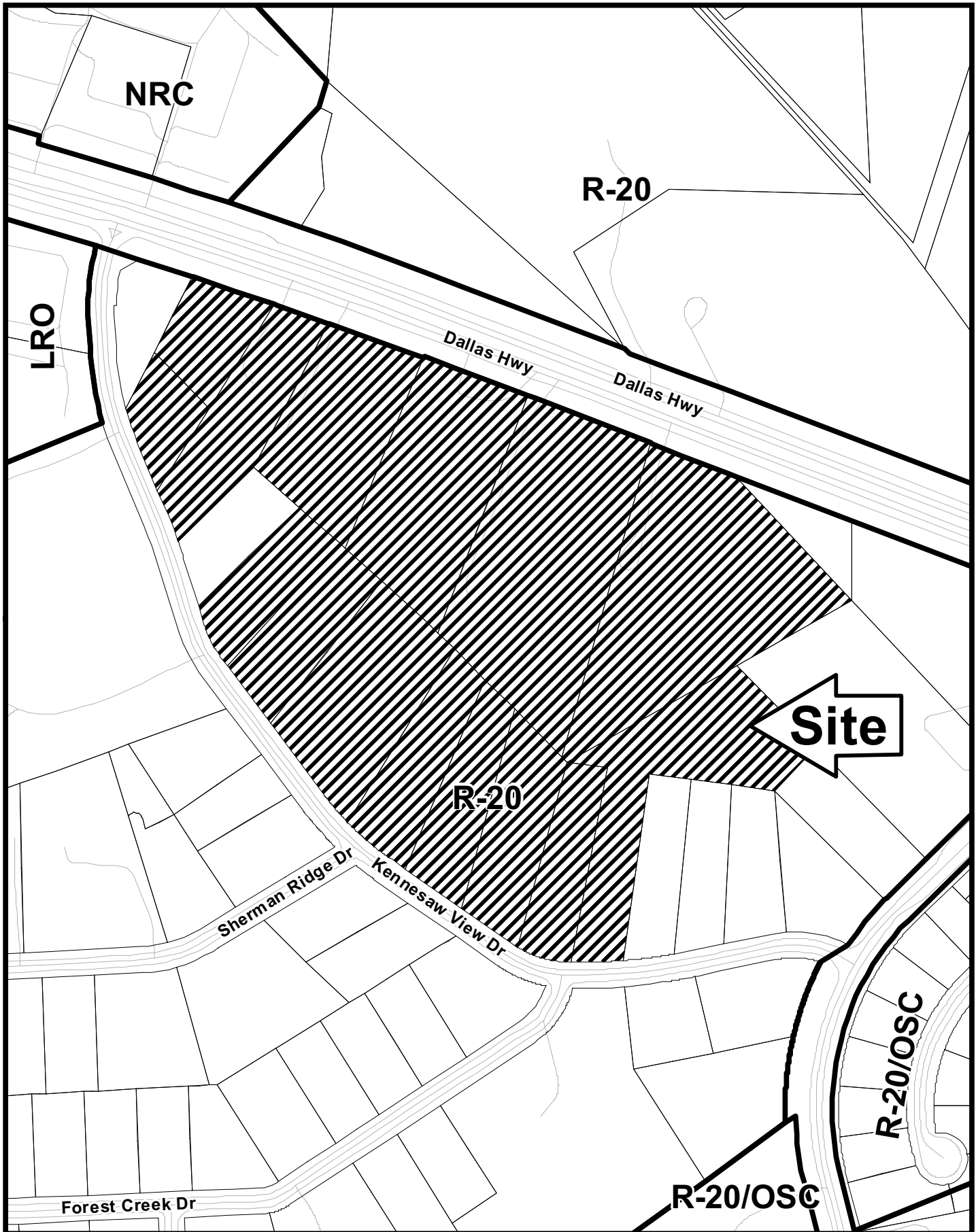
REJECTED _____ **SECONDED** _____

HELD _____ **CARRIED** _____

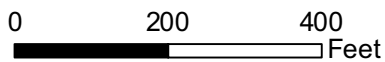
STIPULATIONS:





Z-60



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



-  City Boundary
-  Zoning Boundary

APPLICANT: West Cobb Senior Living, LLC

PETITION NO.: Z-60

PRESENT ZONING: R-20

PETITION FOR: RSL

ZONING COMMENTS:

Staff Member Responsible: Jason A. Campbell

Land Use Plan Recommendation: Low Density Residential (1-2.5 units per acre)

Proposed Number of Units: 226 **Overall Density:** 9.5 **Units/Acre**

Staff estimate for allowable # of units: 41 **Units*** **Increase of:** 185 **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 Residential Senior Living (RSL) zoning category for the purpose of developing a senior living community comprised of an assisted living building (120 units); congregate care building (40 units); two quads (eight units); a clubhouse; and single-family lots (48 units). Building A on the site plan will be two stories and a basement, similar to the main building at the Sterling Estates development in East Cobb. Building B will be individual apartments/congregate care and will be two stories and will be the last stage of the development. The buildings will have traditional architecture and the unit square footages will range with the different products. Applicant has also indicated that there will be a wide range of sales prices and rental rates. The site plan submitted indicates 8.831 acres (37.30 % of the total 23.671 acres) will be set aside as open space.

Applicant will require the following contemporaneous variances:

1. Allowance of 120 supportive units instead of the 100 allowed by code;
2. Waive the required 20-foot perimeter buffer to what is shown the on site plan; and
3. Allow two stories with basement.

Cemetery Preservation: There is no significant impact on the cemetery site listed in the Cobb County Cemetery Preservation Commission’s Inventory Listing which is located in this, or adjacent land lot.

APPLICANT: West Cobb Senior Living, LLC

PETITION NO.: Z-60

PRESENT ZONING: R-20

PETITION FOR: 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:

ACCESS: Fire apparatus access roads shall extend to within 150 feet of all portions of the facility or any portion of the exterior wall of the first floor (State Modifications IFC 503.1 2006 Edition).

All access roads shall meet the American Association of State and Highway Transportation Officials (AASHTO) design manual live load standard HS20 (75,000 lbs.) with an unobstructed width of not less than 20 feet, 25 foot inside radius, 50 foot outside turning radius and unobstructed vertical clearance of not less than 13 feet 6 inches.

Maximum slope of the access road in reference to the apparatus is 10% Front to Back and 5% Side to Side. Maximum grade of roadways leading to Fire Access roads refer to the Cobb County Development Standard Section 400: 14% for Non-Residential. Maximum angle of departure is 8.5%.

Dead-end access roads in excess of 150 feet shall be provided with a turn-around (IFC 503.2.5 2006 Edition). Cul-de-sac with or without an island: minimum 60-foot radius to outside curb, measured to inside of curb and a minimum lane width = 24 feet (Cobb County Development Standard 401.09). Single-Family cul-de-sac without island: 38-foot outside radius with island reverts to commercial dimensions. Hammerhead turn-around: total of 110 feet needed (45 feet + 20 feet wide roadway + 45 feet).

Aerial apparatus access shall be required for all structures over 30 feet in height measured from the lowest level of fire department access to the ceiling height of the highest occupied floor level. Aerial fire apparatus access roads shall be a minimum width of 24 feet maximum of 40 feet from the structure and be positioned parallel to one entire side of the building. No overhead utility and power lines shall be located within the aerial fire apparatus access. (Cobb County Development Standards 401.08.02.1)

APPLICANT: West Cobb Senior Living, LLC

PETITION NO.: Z-60

PRESENT ZONING: R-20

PETITION FOR: RSL

PLANNING COMMENTS:

The applicant is requesting a rezoning from R-20 to RSL for purpose of senior living community. The 23.671 acre site is located on southwest side of Dallas Highway, northeast side of Kennesaw View Drive, west of West Sandtown Road.

Comprehensive Plan

The parcel is within a Low Density Residential (LDR) future land use category, with R-20 zoning designation. The purpose of the Low Density Residential (LDR) category is to provide for areas that are suitable for low density housing between one (1) and two and one-half (2.5) dwelling units per acre. This category presents a range of densities.

Specific Standards from Comprehensive Plan

In an effort to halt the expansion of commercial nodes, to assist with the revitalization of declining structures, and the need to provide an adequate transition and buffering to protect the surrounding VLDR and RR neighborhoods; the properties located along the south side of Dallas Highway west of West Sandtown Road and east of Kennesaw View Drive are to be Low Density Residential (LDR). The LDR area should be constrained by Kennesaw View Drive and West Sandtown Road so that it will not set a precedent for higher densities in this area of Cobb County. Preferred developments in this LDR area would be made up of an assemblage of properties with a single curb cut on Dallas Highway. Any development should maintain the focus of the development on Dallas Highway so that it can transition to a less intense development plan along Kennesaw View Drive in an effort to minimize impacts of the neighboring established residential areas. Densities should be a maximum of two (2) units per acre for single family detached dwelling units and a maximum of four (4) units per acre for developments using the Residential Senior Living zoning category.

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 Dallas Highway Design Guidelines

APPLICANT: West Cobb Senior Living, LLC

PETITION NO.: Z-60

PRESENT ZONING: R-20

PETITION FOR: RSL

PLANNING COMMENTS: (Continued)

Does the current site plan comply with the design requirements?

- Pedestrian access to buildings
 Yes No Not applicable
- Streetscape elements
 Yes No Not applicable
- Building Frontage
 Yes No Not applicable
- Parking Standard
 Yes No Not applicable
- Architecture standard
 Yes No Not applicable

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.

Special Districts

Is this property within the Cumberland Special District #1 (hotel/motel fee)?

Yes No

Is this property within the Cumberland Special District #2 (ad valorem tax)?

Yes No

APPLICANT West Cobb Senior Living

PETITION NO. Z-060

PRESENT ZONING R-20

PETITION FOR 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 / N side of Dallas Hwy

Additional Comments: Master meter to be at public ROW

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: In Dallas Hwy ROW

Estimated Waste Generation (in G.P.D.): A D F= 15800 Peak= 39500

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

Drv 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 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: West Cobb Senior Living, LLC

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STORMWATER MANAGEMENT COMMENTS

FLOOD HAZARD: YES NO POSSIBLY, NOT VERIFIED

DRAINAGE BASIN: Mud 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: within and adjacent to stream buffer

- 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 system.

APPLICANT: West Cobb Senior Living, LLC

PETITION NO.: Z-60

PRESENT ZONING: R-20

PETITION FOR: RSL

STORMWATER MANAGEMENT COMMENTS – Continued

SPECIAL SITE CONDITIONS

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

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. The proposed impervious coverage is the same as the current underlying residential zoning.

APPLICANT: West Cobb Senior Living, LLC

PETITION NO.: Z-60

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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
Dallas Highway	43,300	Arterial	55 mph	Georgia DOT	100'
Kennesaw View Drive	N/A	Local	25 mph	Cobb County	50'

Based on 2002 traffic counting data taken by Cobb County DOT (Dallas Highway)

COMMENTS AND OBSERVATIONS

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

Kennesaw View Drive is classified as a local and according to the available information the existing right-of-way does meet the minimum requirements for this classification.

RECOMMENDATIONS

Recommend curb, gutter, and sidewalk along the Kennesaw View Drive frontage.

Recommend Applicant coordinate with Cobb County DOT prior to development plan approval to ensure compatibility with the Dallas Highway Trail Project.

Recommend deceleration lane for the Dallas Highway access.

Recommend a Traffic Study.

Georgia Department of Transportation permits required for all work that encroaches upon State right-of-way.

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

STAFF RECOMMENDATIONS

Z-60 WEST COBB SENIOR LIVING, LLC

- A. It is Staff's opinion that the applicant's rezoning proposal may not permit a use that is suitable in view of the use and development of adjacent and nearby properties. Other properties in the area are zoned and developed for single-family residential subdivisions, churches, and offices.
- B. It is Staff's opinion that the applicant's rezoning proposal may not have an adverse affect on the usability of adjacent or nearby property, as long as the density is more consistent with the adjacent residential uses. The development proposes a mixture of senior residential uses including, assisted living, independent living and congregate care living.
- 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*, which delineates this property to be within the Low Density Residential (LDR) land use category. RSL Non-supportive is compatible with the LDR land use category, while RSL Supportive is designed to be located within properties delineated as Regional Activity Center (RAC), Community Activity Center (CAC) or Neighborhood Activity Center (NAC). The *Cobb County Comprehensive Plan* contains language specifically for the development of a Residential Senior Living zoning category for this property. That language limits the density for an RSL development to a maximum of four units per acre. The applicant is proposing 9.5 units per acre.
- 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 at a density consistent with the *Cobb County Comprehensive Plan*, which specifically limits the density for an RSL development on this property. Staff would recommend approval at a maximum of four units per acre. Staff believes this will allow for adequate transition and buffering to protect the surrounding VLDR and RR neighborhoods as mentioned in the *Cobb County Comprehensive Plan*.

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

- Site plan to be approved by the Board of Commissioners, with the District Commissioner approving minor modifications;
- Maximum of four units per acre;
- Fire Department comments and recommendations;
- Water and Sewer Division comments and recommendations;
- Stormwater Management Division comments and recommendations; and
- Department of Transportation comments and recommendations.

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.

JUL - 27 2014



Application #: Z-60

PC Hearing Date: 9-4-14

BOC Hearing Date: 9-16-14

Summary of Intent for Rezoning

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

- a) Proposed unit square-footage(s): Unit square footage will vary with the different products.
- b) Proposed building architecture: Traditional Architecture
- c) Proposed selling prices(s): Wide range of sales prices and rental rates.
- d) List all requested variances: Section 134-203 (11), 160 Supportive Units

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

- a) Proposed use(s): _____
- b) Proposed building architecture: _____
- c) Proposed hours/days of operation: _____
- d) List all requested variances: _____

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

The Applicant proposes a Senior community with a mixture of detached cottages, quads, a 40 unit congregate care building and a 120 unit assisted living facility on a 20 acre campus with 13 acres of greenspace.

.....
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). No.

.....
Part 5. Is this application a result of a Code Enforcement action? No ; Yes _____ (If yes, attach a copy of the Notice of Violation and/or tickets to this form).

Applicant signature: _____

Date: 7-2-2014

Applicant name (printed): Parks F. Huff, On Behalf of Applicant