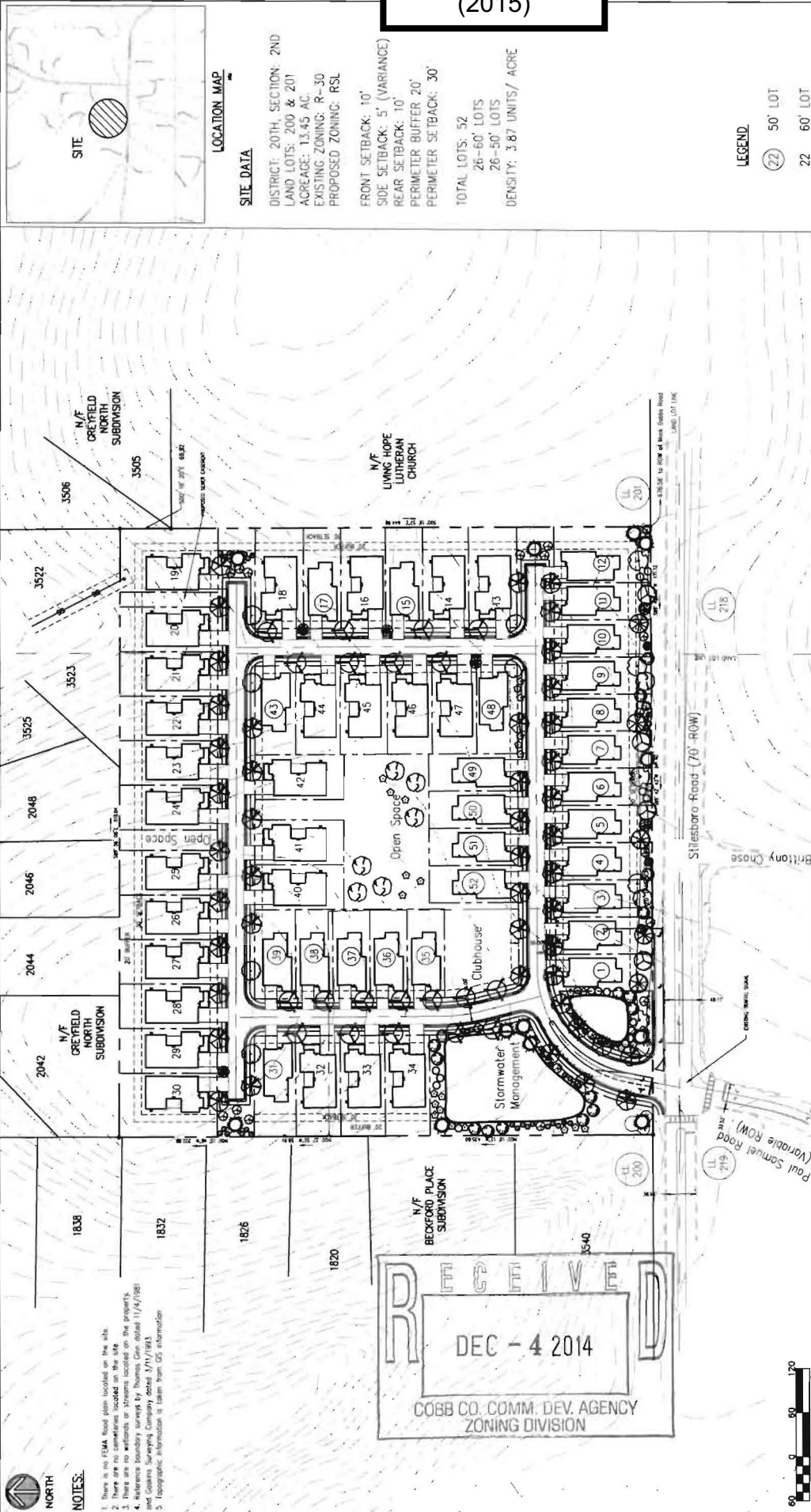


Z-8  
(2015)



November 24, 2014

**AIEC**

**Georgia**

**15 Years Service Circle**

**Professional Engineer**

**17701-1-14**



# Preliminary Site Plan Rendering

## Windsong- West Cobb

Cobb County, Georgia



**APPLICANT:** Windsong Properties

**PHONE#:** 770-516-3409 **EMAIL:** steve@windsonglife.com

**REPRESENTATIVE:** Parks F. Huff, Esq.

**PHONE#:** 770-422-7016 **EMAIL:** Phuff@slhb-law.com

**TITLEHOLDER:** Living Hope Lutheran Church, Inc.

Merl C. Reece

**PROPERTY LOCATION:** North side of Stilesboro Road, west of

Mack Dobbs Road.

**ACCESS TO PROPERTY:** Stilesboro Road

**PHYSICAL CHARACTERISTICS TO SITE:** Wooded, undeveloped  
acreage

#### **CONTIGUOUS ZONING/DEVELOPMENT**

**NORTH:** R-20/Greyfield North Subdivision

**SOUTH:** R-20/Single-family houses

**EAST:** R-30/Existing church

**WEST:** R-30/Single-family house and wooded, undeveloped acreage

**PETITION NO:** Z-8

**HEARING DATE (PC):** 02-03-2015

**HEARING DATE (BOC):** 02-17-2015

**PRESENT ZONING:** R-30

**PROPOSED ZONING:** RSL

**PROPOSED USE:** Residential Senior Living  
Neighborhood

**SIZE OF TRACT:** 13.45 acres

**DISTRICT:** 20

**LAND LOT(S):** 200, 201

**PARCEL(S):** 8

**TAXES: PAID** X **DUE** \_\_\_\_\_

**COMMISSION DISTRICT:** 1

**OPPOSITION:** NO. OPPOSED **PETITION NO:** \_\_\_\_\_ **SPOKESMAN** \_\_\_\_\_

#### **PLANNING COMMISSION RECOMMENDATION**

**APPROVED** \_\_\_\_\_ **MOTION BY** \_\_\_\_\_

**REJECTED** \_\_\_\_\_ **SECONDED** \_\_\_\_\_

**HELD** \_\_\_\_\_ **CARRIED** \_\_\_\_\_

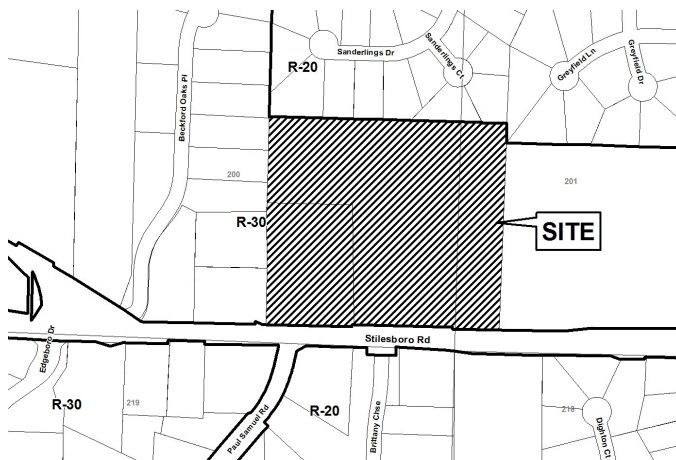
#### **BOARD OF COMMISSIONERS DECISION**

**APPROVED** \_\_\_\_\_ **MOTION BY** \_\_\_\_\_

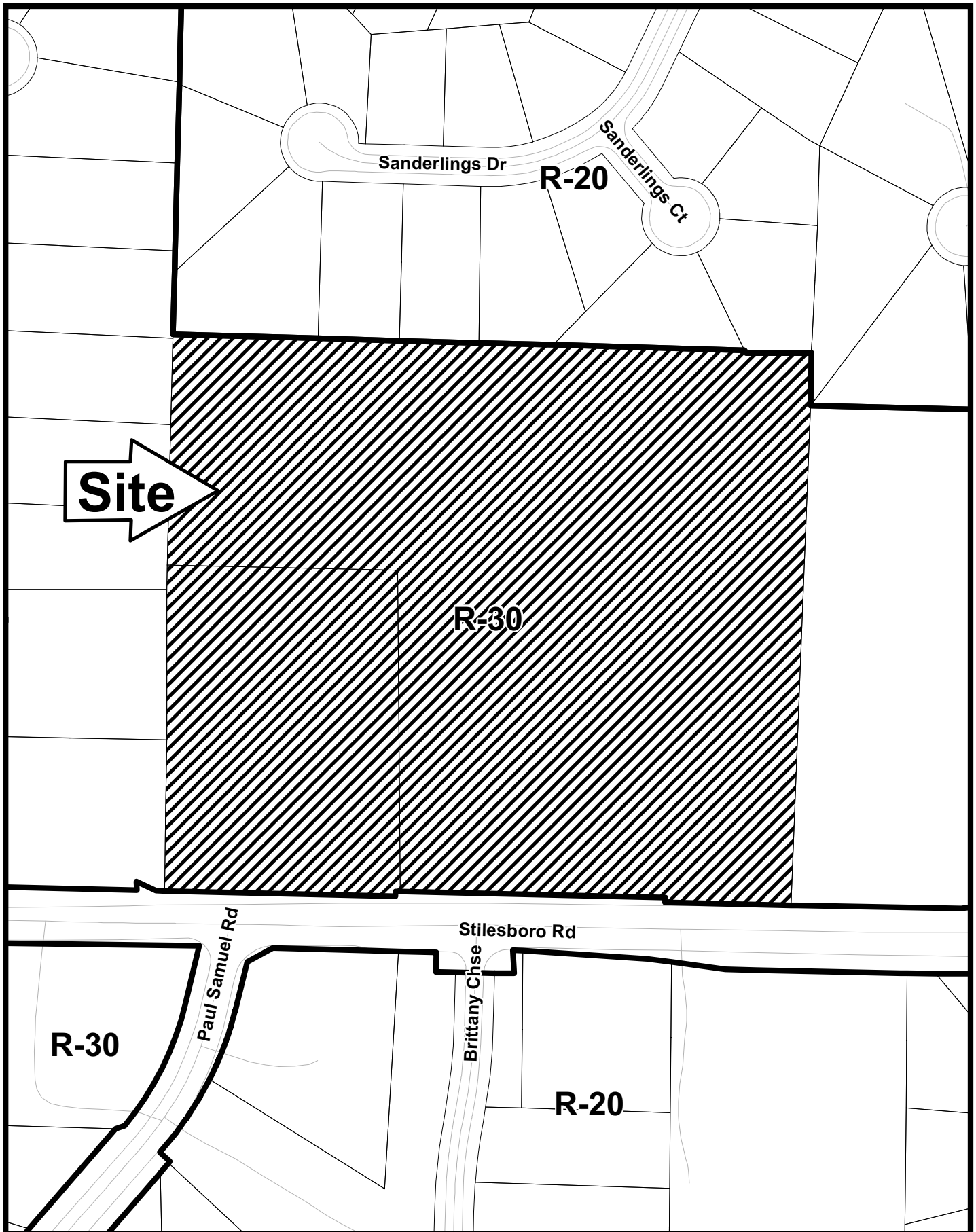
**REJECTED** \_\_\_\_\_ **SECONDED** \_\_\_\_\_

**HELD** \_\_\_\_\_ **CARRIED** \_\_\_\_\_

**STIPULATIONS:**



# Z-8



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

0 100 200 Feet



City Boundary  
Zoning Boundary

**APPLICANT:** Windsong Properties

**PETITION NO.:** Z-8

**PRESENT ZONING:** R-30

**PETITION FOR:** RSL

\*\*\*\*\*

**ZONING COMMENTS:**

**Staff Member Responsible:** Jason A. Campbell

**Land Use Plan Recommendation:** Low Density Residential (1-2.5 units per acre) and Public/Institutional

**Proposed Number of Units:** 52 **Overall Density:** 3.87 **Units/Acre**

**Staff estimate for allowable # of units:** 14 **Units\*** **Increase of:** 38 **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 zoning category for the development of a 52-lot non-supportive senior living development. The detached units will be traditional in architecture and will range in size from 2,000 square feet to 2,500 square feet. The price range will be \$300,000 to \$350,000. The proposed site plan also includes a clubhouse and open space.

Applicant will require the following simultaneous variances:

1. Reducing the required 15-foot side setbacks to be 5 feet with 10 feet between each home.

**Cemetery Preservation:** No comment.

APPLICANT: Windsong Properties

PETITION NO.: Z-8

PRESENT ZONING: R-30

PETITION FOR: RSL

\*\*\*\*\*

SCHOOL COMMENTS:

		Capacity	Number of
Name of School	Enrollment	Status	Portable
			Classrooms
Elementary			
Middle			
High			

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

Additional Comments:

\*\*\*\*\*

FIRE COMMENTS:

When projects contemplate less than 20 foot separation between units, guest parking shall be provided or the streets shall be labeled as a fire lane.

APPLICANT: Windsong Properties

PETITION NO.: Z-8

PRESENT ZONING: R-30

PETITION FOR: RSL

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**PLANNING COMMENTS:**

The applicant is requesting a rezoning from R-30 to RSL for residential senior living neighborhood. The 13.45 acre site is located on the north of Stilesboro Road east of Beckford Oats Place.

**Comprehensive Plan**

The parcel is within a Low Density Residential (**LDR**) future land use category, with R-30 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.

**Master Plan/Corridor Study**

Not applicable.

**Historic Preservation**

It has been determined that the project area is in the immediate vicinity of documented Civil War trenches. In order to determine if any significant Civil War features are located within the project area, an archeological field survey performed by a cultural resource professional is to be considered at site plan review. This survey, if completed, should be submitted to the historic preservation planner. Based on the determination of either the presence or absence of potentially significant features, further recommendations (such as buffers, fencing, interpretive signage, etc.) shall be made by staff.

**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: Windsong Properties

PETITION NO.: Z-8

PRESENT ZONING: R-30

PETITION FOR: RSL

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**PLANNING COMMENTS:** (Continued)

***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

Is this property within the Six Flags Special Service District?

☐ Yes      ☒ No

APPLICANT Windsong Properties

PETITION NO. Z-008

PRESENT ZONING R-30

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): 12" DI / N side of Stilesboro Road

Additional Comments: Individual public meters if streets are to be public.

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 at NE corner of property

Estimated Waste Generation (in G.P.D.): A D F= 8,480 Peak= 21,200

Treatment Plant: Northwest

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 Public sewer if streets are to be public. Confirmation of tie-in sewer manhole location  
Comments: recommended

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: Windsong Properties

PETITION NO.: Z-8

PRESENT ZONING: R-30

PETITION FOR: RSL

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<b>STORMWATER MANAGEMENT COMMENTS</b>
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FLOOD HAZARD: ☐ YES ☒ NO ☐ POSSIBLY, NOT VERIFIED

DRAINAGE BASIN: Butler and Due West Creeks 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 – Mikel Lake.  
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 culverts at Beckford Oaks Place, Stilesboro Road and Sanderlings Drive as well as the private Mikel Lake.

APPLICANT: Windsong Properties

PETITION NO.: Z-8

PRESENT ZONING: R-30

PETITION FOR: RSL

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**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 subject parcel is located just north of Stilesboro Road. The site lies on a ridgeline and drains in three separate directions – approximately 3.5 acres to the west through Beckford Place S/D, 4.5 acres to the north through Greyfield North S/D and 5.5 acres to the south under Stilesboro Road through the Brittany Chase S/D. The proposed site plan utilizes a single stormwater management facility. This would require significant transfer of runoff volume to a single basic which may not be possible due to existing downstream conditions. The site plan may need to be revised during Plan Review to accommodate additional onsite detention ponds.
2. The pond located at the entrance is proposed to be utilized as an amenity with a permanent pool. All permanent pool ponds must be maintained by the HOA.

**APPLICANT:** Windsong Properties, LLC

**PETITION NO.:** Z-8

**PRESENT ZONING:** R-30

**PETITION FOR:** RSL

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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
Stilesboro Road	20,100	Arterial	45	Cobb	100'

*Based on [2005] traffic counting data taken by Cobb County DOT*

**COMMENTS AND OBSERVATIONS**

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

Recommend applicant consider entering into a development agreement pursuant to O.C.G.A. 36-71-13 for dedication of the following system improvements to mitigate traffic concerns: a) donation of right-of-way on the north side of Stilesboro Road, a minimum of 50' from the roadway centerline.

Recommend deceleration lane for the Stilesboro Road access.

Recommend cul-de-sac at three dead ends.

## **STAFF RECOMMENDATIONS**

### **Z-8 WINDSONG PROPERTIES, LLC**

- A. It is Staff's opinion that the applicant's rezoning proposal will not permit a use that is suitable in view of the use and development of adjacent and nearby properties. The subject property is surrounded by single-family houses and subdivisions.
- B. It is Staff's opinion that the applicant's rezoning proposal will have an adverse affect on the usability of adjacent or nearby property. The proposed use is more intense than what exists in the area and is also more intense than if the property was to be developed under the current zoning.
- 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. While the Low Density Residential category allows non-supportive RSL, 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, having densities ranging from 1-2.5 units per acre. Applicant's proposed development indicates a density of 3.87 units per acre. Other developments in this area have lower densities and include: Beckford Place (R-30 at 1.07 units per acre); Edgeboro Park (R-30 at 1.19 units per acre); Brittany Chase on Stilesboro (R-20 at 1.33 units per acre); Cloverhurst Subdivision (R-20 at 1.68 units per acre); Hartford Lakes Phase One (R-20 at 1.7 units per acre); and Greyfield North (R-20 at 1.93 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 denying the applicant's rezoning proposal. Staff feels applicant's request as submitted at 3.87 units per acre is not compatible with the surrounding zonings and uses in this area, which have larger wooded lots.

Based on the above analysis, Staff recommends **DENIAL**.

**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.**



Application #: Z-8

PC Hearing Date: 02/03/2015

BOC Hearing Date: 02/17/2015

## Summary of Intent for Rezoning

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

- a) Proposed unit square-footage(s): 2,000 to 2,500 square feet
- b) Proposed building architecture: Traditional
- c) Proposed selling prices(s): \$3000,000 - \$350,000
- d) List all requested variances: 5' side setback with 10' between each home.

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

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

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

None.

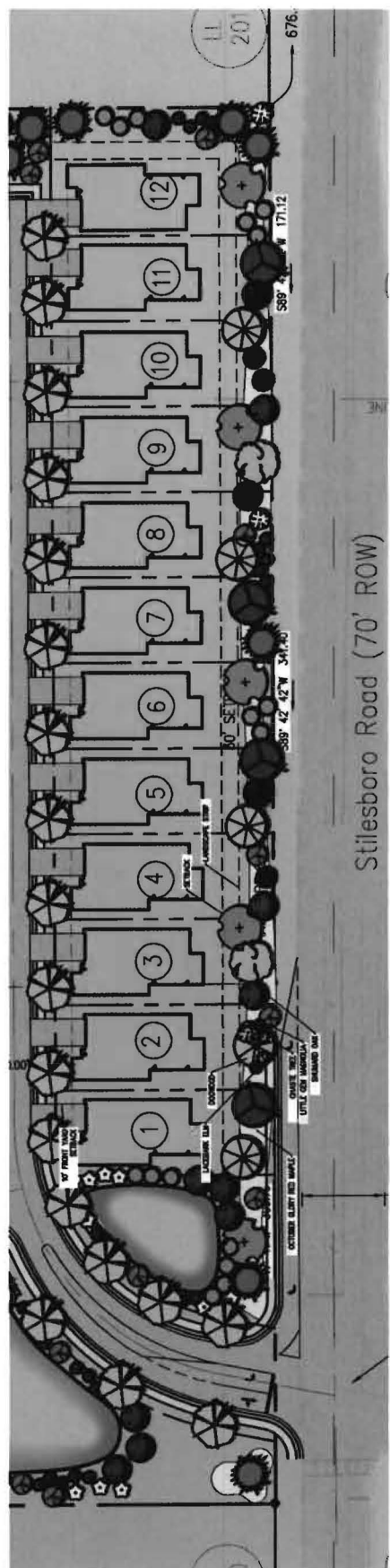
.....  
**Part 4. Is any of the property included on the proposed site plan owned by the Local, State, or Federal Government?**

**(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.

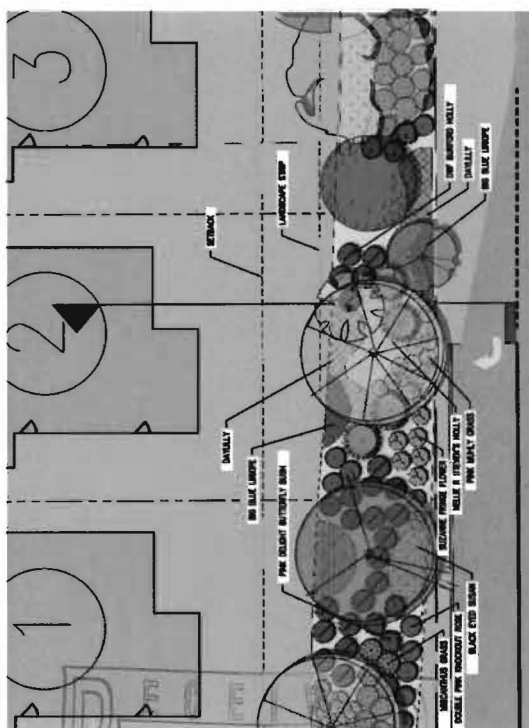
.....  
**Part 5. Is this application a result of a Code Enforcement action? No X; Yes\_\_\_ (If yes, attach a copy of the Notice of Violation and/or tickets to this form).**

Applicant signature: [Signature] Date: 1-24-2014

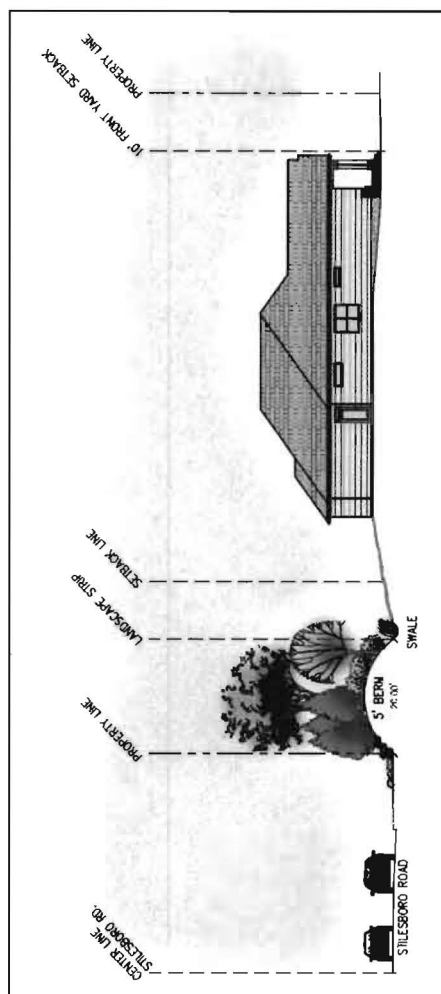
Applicant name (printed): Parks F. Huff, Esq., Attorney for Applicant



## Berm- Tree Plan



### Berm- Ornamental Planting Plan Segment



Berm- Elevation



DEC - 4 2014

COBB CO. COMM. DEV. AGENCY  
ZONING DIVISION