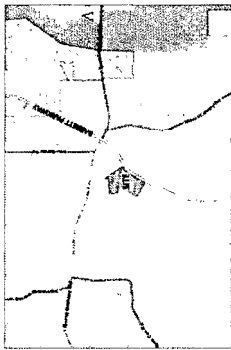


Z-34
(2015)

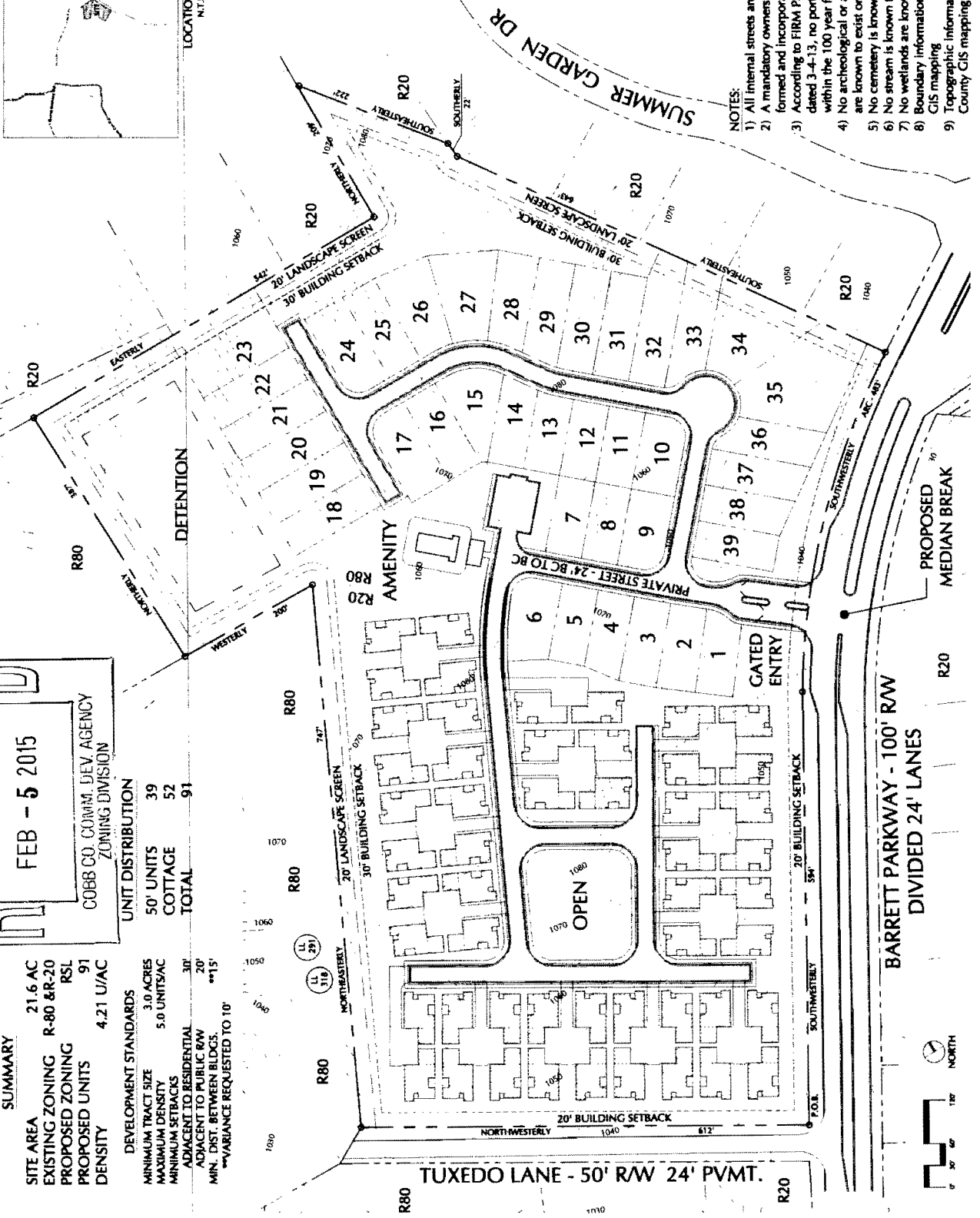
BARRETT PARKWAY TRACT
COBB COUNTY, GEORGIA - LAND LOTS 291 & 318, 20th DISTRICT, 2nd SECTION
MARIETTA, GEORGIA

ZONING
PLAN

| | |
|------------|--------|
| DATE | 2/4/15 |
| JOB NO. | 15003 |
| DRAWN BY | TS |
| CHECKED BY | TS |
| SCALE | 1"=40' |
| SHEET | Z-1 |
| | 1 of 1 |



- NOTES:
- 1) All internal streets are to be private.
 - 2) A mandatory owners association will be formed and incorporated.
 - 3) According to FIRB Panel #13067C0103H, dated 3-4-13, no portion of this property is within the 100 year flood zone.
 - 4) No archeological or architectural landmarks are known to exist on this site.
 - 5) No cemetery is known to exist on this site.
 - 6) No stream is known to exist on this site.
 - 7) No wetlands are known to exist on this site.
 - 8) Boundary information source: Cobb County GIS mapping
 - 9) Topographic information source: Cobb County GIS mapping



RECEIVED
FEB - 5 2015
COBB CO. COMM. DEV. AGENCY
ZONING DIVISION

SUMMARY

| | |
|-----------------|-------------|
| SITE AREA | 21.6 AC |
| EXISTING ZONING | R-80 & R-20 |
| PROPOSED ZONING | RSL |
| PROPOSED UNITS | 91 |
| DENSITY | 4.21 U/AC |

UNIT DISTRIBUTION

| | |
|--------------|-----------|
| 50' UNITS | 39 |
| COTTAGE | 52 |
| TOTAL | 91 |

DEVELOPMENT STANDARDS

| | |
|-----------------------------|--------------|
| MINIMUM TRACT SIZE | 3.0 ACRES |
| MAXIMUM DENSITY | 5.0 UNITS/AC |
| MINIMUM SETBACKS | 30' |
| ADJACENT TO RESIDENTIAL | 20' |
| ADJACENT TO PUBLIC RW | **15' |
| MIN. DIST. BETWEEN BLDGS. | **15' |
| **VARIANCE REQUESTED TO 10' | |



BARRETT PARKWAY - 100' RW
DIVIDED 24' LANES

TUXEDO LANE - 50' RW 24' PVMT.

APPLICANT: Thomas Homes & Communities, LLC

PETITION NO: Z-34

PHONE#: (678) 898-3000 **EMAIL:** tcgroger@bellsouth.net

HEARING DATE (PC): 04-07-15

REPRESENTATIVE: J. Kevin Moore

HEARING DATE (BOC): 04-21-15

PHONE#: (770) 429-1499 **EMAIL:** jkm@mj's.com

PRESENT ZONING: R-80, R-20

TITLEHOLDER: Sue B. McDonald, Barry G. Abernathy and Deborah S. Abernathy

PROPOSED ZONING: RSL

PROPERTY LOCATION: Northwest side of Ernest Barrett Parkway,

South of Burnt Hickory Road, and on the north side of Tuxedo Lane

PROPOSED USE: Residential Senior Living

(2952 Ernest Barrett Parkway).

(Nonsupportive)

ACCESS TO PROPERTY: Ernest Barrett Parkway

SIZE OF TRACT: 21.6 acres

PHYSICAL CHARACTERISTICS TO SITE: Single-family house

DISTRICT: 20

and undeveloped acreage

LAND LOT(S): 291, 318

PARCEL(S): 29, 7

TAXES: PAID X **DUE** _____

CONTIGUOUS ZONING/DEVELOPMENT

COMMISSION DISTRICT: 1

NORTH: R-20/Single-family houses and Garden Park

SOUTH: R-20/Single-family houses and Pebble Hill Estates

EAST: R-20/Pebble Hill Estates and R-20/OSC - Everleigh Estates

WEST: R-80/Single-family houses

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

PLANNING COMMISSION RECOMMENDATION

APPROVED _____ **MOTION BY** _____

REJECTED _____ **SECONDED** _____

HELD _____ **CARRIED** _____

BOARD OF COMMISSIONERS DECISION

APPROVED _____ **MOTION BY** _____

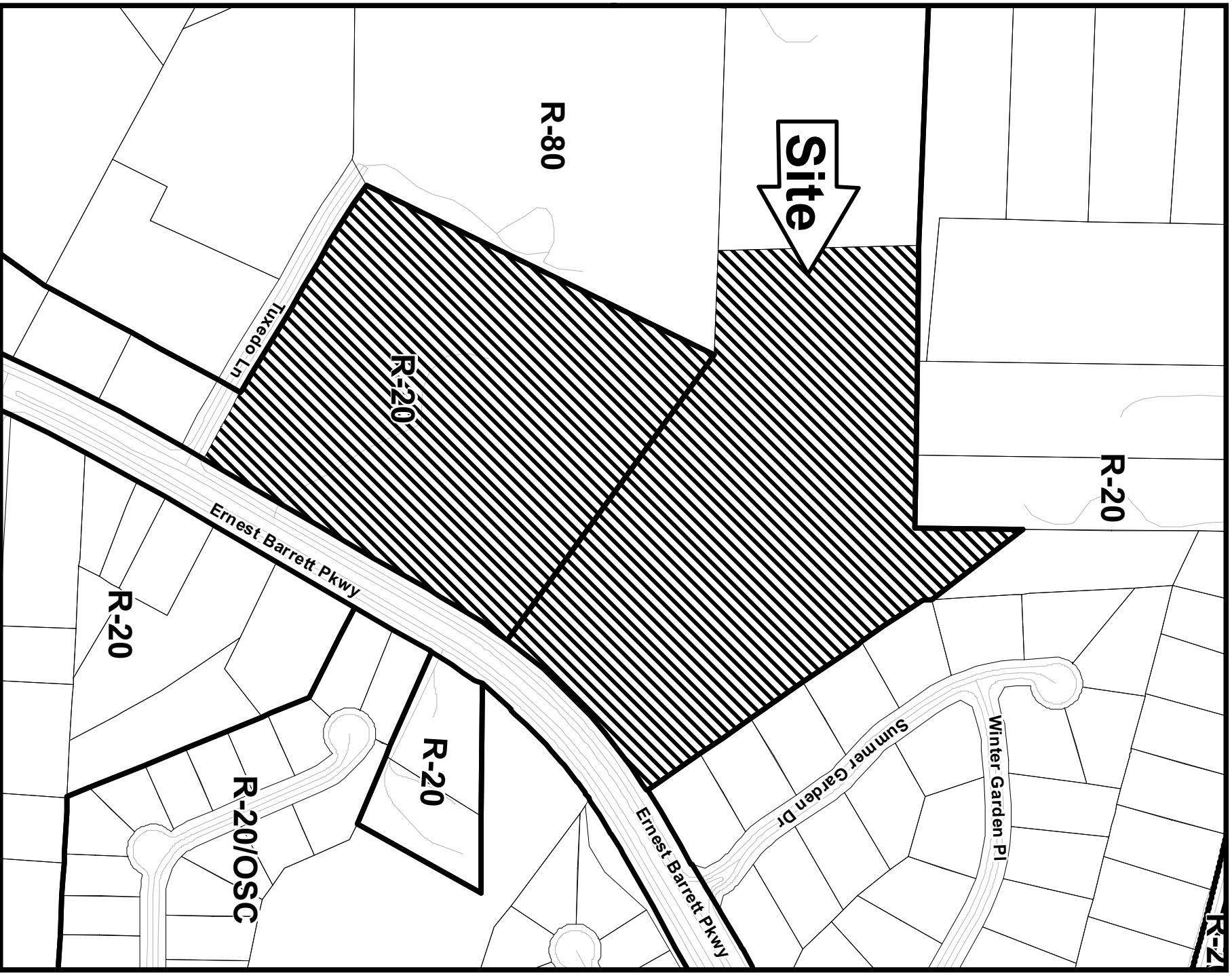
REJECTED _____ **SECONDED** _____

HELD _____ **CARRIED** _____

STIPULATIONS:

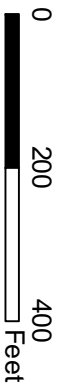


Z-34



Site

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



City Boundary
Zoning Boundary

APPLICANT: Thomas Homes & Communities, LLC

PETITION NO.: Z-34

PRESENT ZONING: R-80, 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: 91 **Overall Density:** 4.21 **Units/Acre**

Staff estimate for allowable # of units: 24 (4 for R-80 and 20 for R-20) **Units***
Increase of: 67 **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 development of a 91-lot non-supportive senior living community. The house sizes will be a minimum of 1,800 square feet and greater. The style of the homes will be English Cottage/Craftsman. The prices of the homes will be \$329,000 and greater. The proposed development will utilize private streets and will have a gated entry on Barrett Parkway. The proposed site plan indicates units arranged by fours around courtyards, single lots, open space and an amenity area. Applicant has indicated that the development will be the same as the RSL on East Piedmont Road.

Applicant is also requesting to waive the distance between structures from 15 feet to 10 feet.

Cemetery Preservation: No comment.

APPLICANT: Thomas Homes & Communities, LLC

PETITION NO.: Z-34

PRESENT ZONING: R-80, R-20

PETITION FOR: RSL

SCHOOL COMMENTS:

Number of

Capacity

Portable

Name of School

Enrollment

Status

Classrooms

Elementary

Middle

High

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

Additional Comments:

FIRE COMMENTS:

After analyzing the information presented for a Preliminary Review, the Cobb County Fire Marshal's Office is confident that all other items can be addressed during the Plan Review Stage.

APPLICANT: Thomas Homes & Communities, LLC

PETITION NO.: Z-34

PRESENT ZONING: R-80, R-20

PETITION FOR: RSL

PLANNING COMMENTS:

The applicant is requesting a rezoning from R-80 and R-20 to RSL for purpose of residential senior living (non supportive). The 21.6 acre site is located on the northwest side of Ernest Barrett Parkway, South of Burnt Hickory Road, and on the north side of Tuxedo Lane.

Comprehensive Plan

The parcel is within a Low Density Residential (**LDR**) future land use category, with R-80 and R-20 zoning designations. 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: Thomas Homes & Communities, LLC

PETITION NO.: Z-34

PRESENT ZONING: R-80, R-20

PETITION FOR: RSL

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 Thomas Homes and Communities LLC

PETITION NO. Z-034

PRESENT ZONING R-80, 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): 12" DI / W side of Johnson Ferry Rd

Additional Comments: Master county meter with private submeters required by Code

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= 14,560 Peak= 36,400

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 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: Thomas Homes & Communities, LLC

PETITION NO.: Z-34

PRESENT ZONING: R-80, R-20

PETITION FOR: RSL

STORMWATER MANAGEMENT COMMENTS

FLOOD HAZARD: YES NO POSSIBLY, NOT VERIFIED

DRAINAGE BASIN: Noses Cr/Mud Cr 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 CONDITIONS

- 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 systems.
- 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 Lakes Downstream - Everleigh Estates (to east), Private Lake (to southeast). Additional BMP's for erosion sediment controls will be required.
- Lake Studies 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 systems as well as two downstream lakes.

APPLICANT: Thomas Homes & Communities, LLC

PETITION NO.: Z-34

PRESENT ZONING: R-80, 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. This site is dominated by two knolls that create a ridgetline running roughly parallel to Barrett Parkway. The parcel is predominately wooded with slopes ranging from ~5 to 20%. The topography of the site is such that it drains in three separate directions – 41% to the east across Barrett Parkway, 22% to the south across Tuxedo Drive and 37% to the northwest.
2. Due to large drainage area splits of the onsite basins it is likely that an additional stormwater management facility will be required at or near the entrance and possible at the southeast corner of the site as well. This will most certainly impact the site layout and number of units.
3. Although there is an small existing cross drain under Tuxedo Drive, there is no well-defined conveyance downstream through the existing residential parcels. This issue will need to be addressed in Plan Review.
4. As indicated in the Downstream Conditions comments, there are two existing private lakes located downstream from this site. Additional BMP's for erosion sediment controls will be required as well as pre- and post-development sediment studies.

APPLICANT: Thomas Homes & Communities, LLC **PETITION NO.:** Z-34

PRESENT ZONING: R-30, R-20 **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 |
|------------------------|---------------------|------------------------|-------------|------------------------|--------------------------|
| Ernest Barrett Parkway | 37300 | Arterial | 45 | Cobb | 100' |

Based on [2008] traffic counting data taken by Cobb County DOT

COMMENTS AND OBSERVATIONS

Ernest Barrett Parkway is classified as an arterial and according to the available information the existing right-of-way meets 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 traffic generation statement.

Recommend deceleration lane for the Ernest Barrett Parkway access.

Recommend right-in/right-out only for the Ernest Barrett Parkway access.

Recommend no new median break on Ernest Barrett Parkway.

Recommend sidewalks on, at least, one side of the street within subdivision.

Recommend private streets be constructed to the Cobb County Standard Specifications.

STAFF RECOMMENDATIONS

Z-34 THOMAS HOMES & COMMUNITIES, 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, for large-lot, single-family detached houses. The RSL code requires overall residential developments to be compatible with neighboring residential uses.
- 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. Other properties in this area are developed with larger single-family lots and subdivisions with lower densities. The proposal would be out of character with adjoining large rural lots.
- C. It is Staff's opinion that the applicant's rezoning proposal will 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 Low Density Residential (LDR) land use category. However, as far as RSL being permitted in LDR, densities should range from 1-2.5 units per acre. Other zonings and developments in the area include: McDaniel Farm (zoned R-20 at 1.50 units per acre); Twelve Oaks (zoned R-20 at 1.61 units per acre); Everleigh Estates (zoned R-20/OSC at 1.69 units per acre); and Garden Parke (zoned R-20 at 1.78 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 lower density. While the RSL non-supportive category is allowed in LDR, Staff believes the proposed 4.21 units per acre is too far above the limit 2.5 limit of LDR.

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

- Maximum density of 2.5 units per acre;
- Site plan to be approved by the District Commissioner;
- 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.

Summary of Intent for Rezoning*

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

- a) Proposed unit square-footage(s): Minimum 1,800 square feet, and greater
- b) Proposed building architecture: English Cottage/Craftsman
- c) Proposed selling prices(s): \$329,000, and greater
- d) List all requested variances: Waiver of distance between structures
from 15 feet to 10 feet.

.....
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: _____

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

.....
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). None known at this time.

*Applicant specifically reserves the right to amend any information set forth in the Summary of Intent for Rezoning, or any other part of the Application for Rezoning, at any time during the rezoning process.

Barrett Parkway



 **Thomas
Homes &
Communities**


Barrett Parkway



 **Thomas
Homes &
Communities**

Barrett Parkway



 **Thomas
Homes &
Communities**

Z-34 (2015)
Elevations