

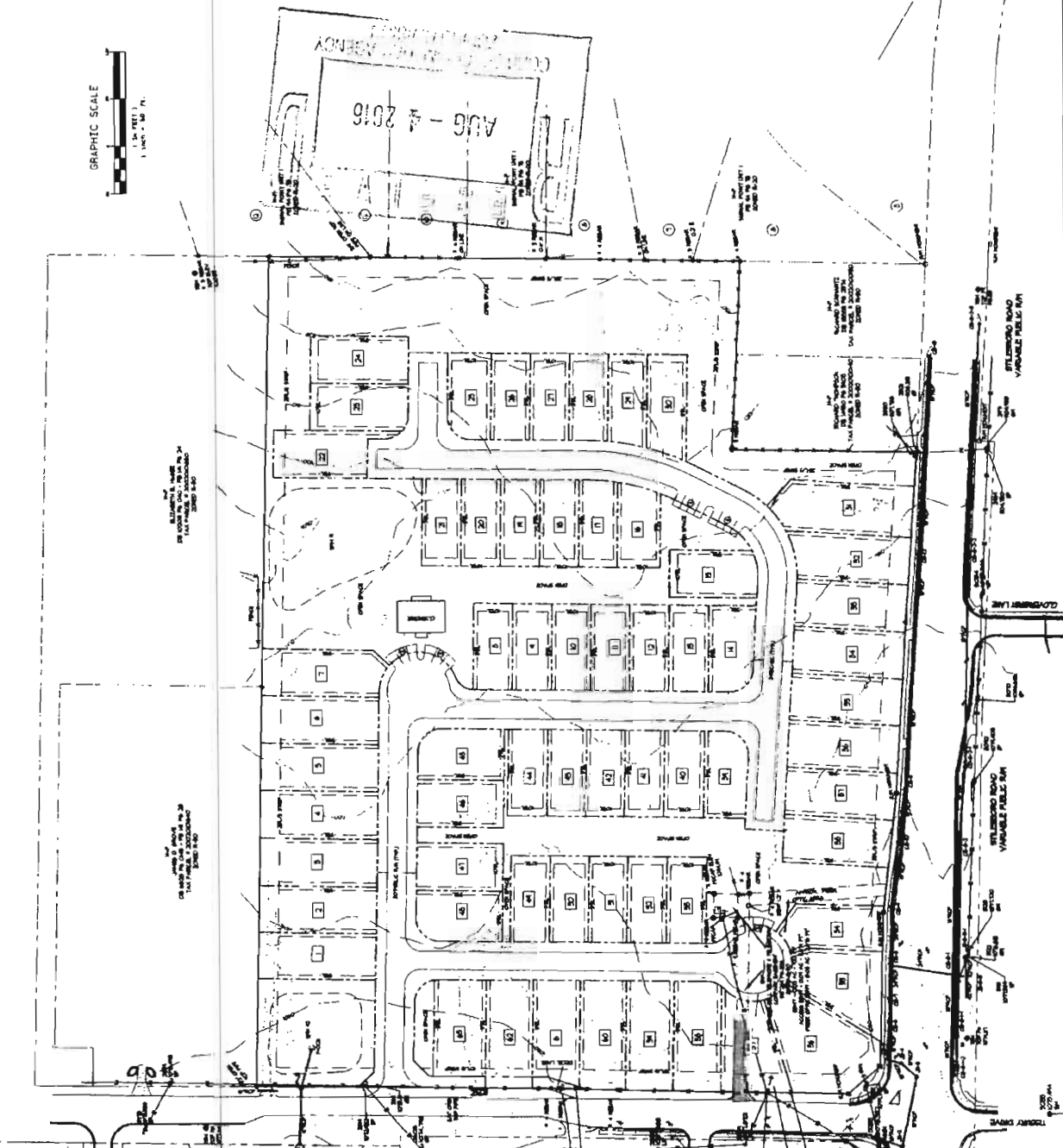
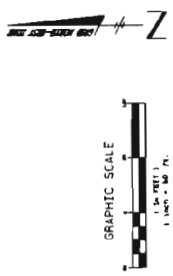
Z-86
(2016)

REZONING EXHIBIT FOR
ENCORE
LOCATED IN
LAND LOT 201
H DISTRICT, 2ND SECTION
DOB COUNTY, GEORGIA



W&A ENGINEERING, INC.
1100 WELLS LANE, SUITE 200
MARIETTA, GA 30067
PH: 770.576.8100
FAX: 770.576.8101
www.waengr.com

NO.	DATE	DESCRIPTION	BY	APP.
1	10/10/14	PRELIMINARY	W&A	W&A
2	02/03/15	REVISED	W&A	W&A
3	06/01/15	REVISED	W&A	W&A
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5	06/01/15	REVISED	W&A	W&A
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AUG - 4 2016
COMMUNITY DEVELOPMENT AGENCY

DEVELOPMENT DATA:
 CURRENT ZONING: R-30
 PROPOSED ZONING: RES
 TOTAL AREA: 47.185 AC
 DENSITY: 63 UNITS/ACRE
 SETBACKS: FRONT - 0', SIDE - 5', REAR - 10'
 MINIMUM LOT SIZE: 5500 SF
 MINIMUM LOT WIDTH: 50'
 ADDITIONAL PARKING SPACES: 11

REAR YARD SETBACK 50' PUBLIC ROW
 MACK DEERE ROAD VARIABLE FIELD ROW
 ATKINSON ROAD VARIABLE FIELD ROW
 CLOVER LANE VARIABLE FIELD ROW
 TILDEN DRIVE VARIABLE FIELD ROW
 50' SIDE SETBACK
 50' FRONT SETBACK

APPLICANT: Windsong Properties, LLC

PHONE#: 770-516-3409 x102 **EMAIL:** steve@windsonglife.com

REPRESENTATIVE: Parks F. Huff

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

TITLEHOLDER: See zoning file

PROPERTY LOCATION: Located at the northeast intersection of Stilesboro Road and Mack Dobbs Road

ACCESS TO PROPERTY: Mack Dobbs Road

PHYSICAL CHARACTERISTICS TO SITE: Single-family houses and undeveloped acreage

CONTIGUOUS ZONING/DEVELOPMENT

- NORTH:** R-30/Single-family houses
- SOUTH:** R-80/Single-family houses; R-20/Single-family houses, Cloverhurst and Hartford Lakes Subdivisions
- EAST:** R-30/Single-family house; R-20/Signal Point
- WEST:** R-30/Living Hope Lutheran Church; R-20/Greyfield North

PETITION NO: Z-86

HEARING DATE (PC): 10-04-16

HEARING DATE (BOC): 10-18-16

PRESENT ZONING: R-30

PROPOSED ZONING: RSL

PROPOSED USE: Residential Senior Living (non-supportive)

SIZE OF TRACT: 18.45 acres

DISTRICT: 20

LAND LOT(S): 201

PARCEL(S): 5, 16, 161, 166, 168, 169, 170

TAXES: PAID X **DUE** _____

COMMISSION DISTRICT: 1

Adjacent Future Land Use:

- North: Low Density Residential (LDR)
- East: Low Density Residential (LDR)
- South: Very Low Density Residential (VLDR)
- West: Public Institutional (PI) and Low Density Residential (LDR)

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

PLANNING COMMISSION RECOMMENDATION

APPROVED _____ **MOTION BY** _____

REJECTED _____ **SECONDED** _____

HELD _____ **CARRIED** _____

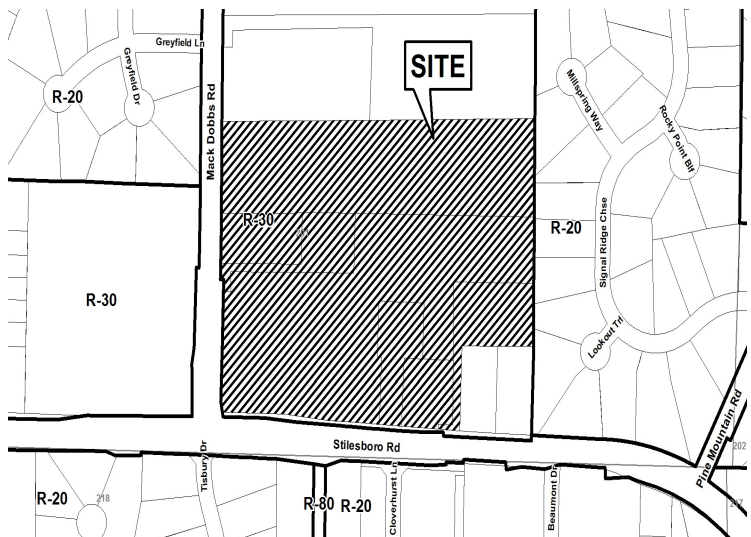
BOARD OF COMMISSIONERS DECISION

APPROVED _____ **MOTION BY** _____

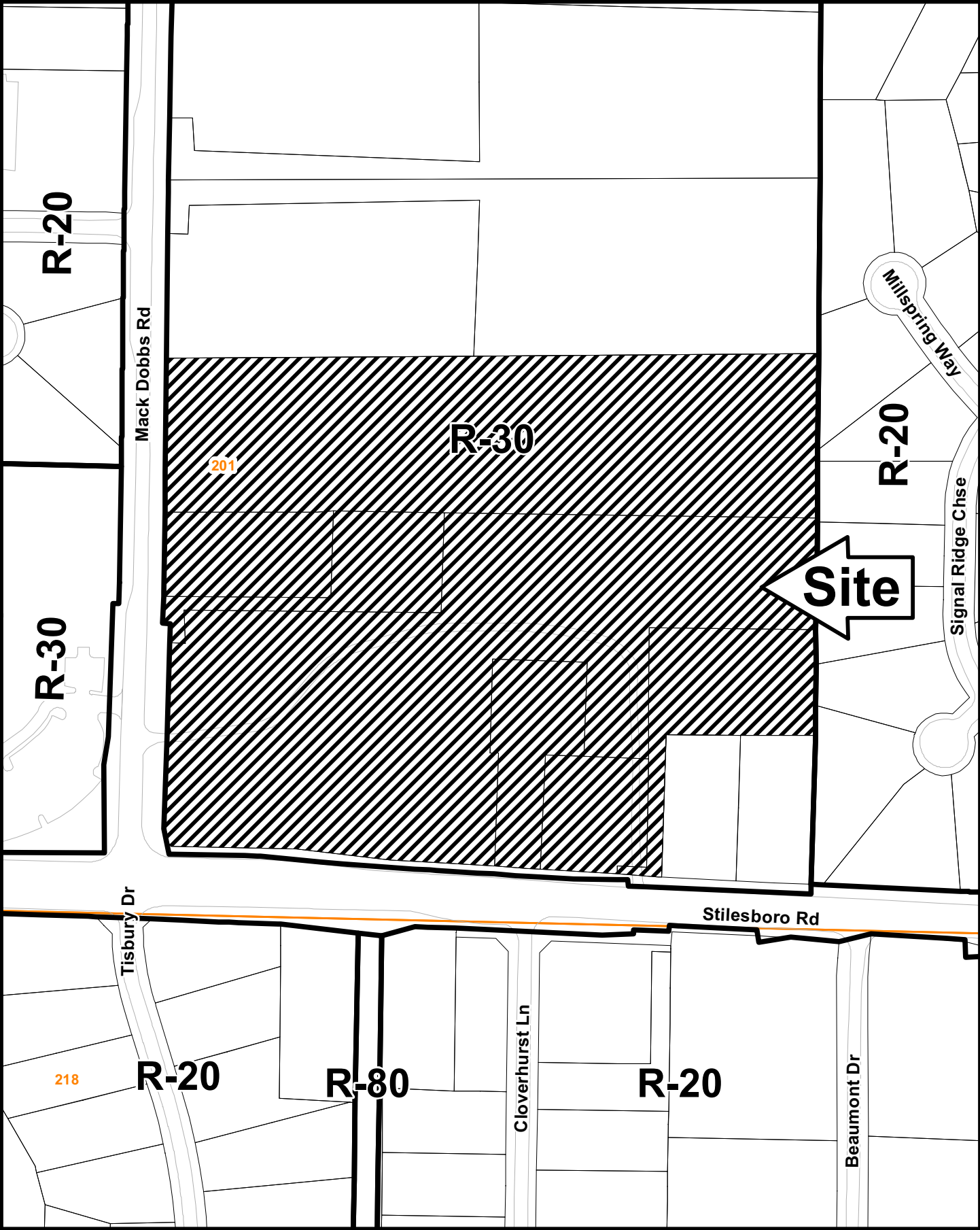
REJECTED _____ **SECONDED** _____

HELD _____ **CARRIED** _____

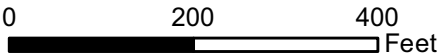
STIPULATIONS:



Z-86-2016 GIS



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



- City Boundary
- Zoning Boundary

APPLICANT: Windsong Properties, LLC

PETITION NO.: Z-86

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)

Proposed Number of Units: 63 **Overall Density:** 3.4 **Units/Acre**

Staff estimate for allowable # of units: 20 **Units*** **Increase of:** 43 **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 district for the purpose of developing a 63-lot independent senior living subdivision. The homes will range in size 1,800 to 3,500 square feet and the prices will range from \$375,000 to \$475,000.

The proposed development will require contemporaneous variances for the setbacks as they are shown on the site plan received by the Zoning Division on August 4, 2016.

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.

FIRE COMMENTS:

RSL- NO 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: Windsong Properties, LLC

PETITION NO.: Z-86

PRESENT ZONING: R-30

PETITION FOR: RSL

SCHOOL COMMENTS:

<u>Name of School</u>	<u>Enrollment</u>	<u>Capacity Status</u>	<u>Number of Portable Classrooms</u>
<u>Bullard Elem</u>	<u>868</u>	<u>1109</u>	<u> </u>
Elementary <u>McClure Middle</u>	<u>1203</u>	<u>1046</u>	<u> </u>
Middle <u>Kennesaw Mtn High</u>	<u>2170</u>	<u>1987</u>	<u> </u>

High

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

Additional Comments:

Approval of this petition will not have an impact on the enrollment at Cobb County Schools.

APPLICANT: Windsong Properties, LLC

PETITION NO.: Z-86

PRESENT ZONING: R-30

PETITION FOR: RSL

PLANNING COMMENTS:

The applicant is requesting a rezoning from R-30 with stipulations to RSL for the purpose of residential senior living (non-supportive). The 18.45 acre site is located at the northeast intersection of Stilesboro Road and Mack Dobbs Road.

HB-489 Intergovernmental Agreement Zoning Amendment Notification:

Is the application site within one half (1/2) mile of a city boundary? Yes No
If yes, has the city of Kennesaw been notified? Yes No / N/A

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.

Specific Area Policy Guidelines:

There are no specific policy guidelines for this area in the Comprehensive Plan.

Adjacent Future Land Use:

North: Low Density Residential (LDR)
East: Low Density Residential (LDR)
South: Very Low Density Residential (VLDR)
West: Public Institutional (PI) and Low Density Residential (LDR)

Master Plan/Corridor Study

The property is not located within the boundary of a Plan or Corridor Study

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.

APPLICANT: Windsong Properties, LLC

PETITION NO.: Z-86

PRESENT ZONING: R-30

PETITION FOR: RSL

PLANNING COMMENTS:

CONT.

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.

For more information on incentives, please call the Community Development Agency, Planning Division at 770.528.2018 or find information online at <http://economic.cobbcountyga.gov>.

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

Is the property within the Dobbins Airfield Safety Zone?

Yes No

If so, which particular safety zone is this property within?

CZ (Clear Zone) APZ I (Accident Potential Zone I)

APZ II (Accident Potential Zone II)

Bird / Wildlife Air Strike Hazard (BASH) area

APPLICANT Windsong Properties, LLC

PETITION NO. Z-086

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): 6" AC / W side of Mack Dobbs Rd

Additional Comments:

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: 300' NW in Greyfield Lane

Estimated Waste Generation (in G.P.D.): A D F= 10,080 Peak= 25,200

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

Dry 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: Windsong Properties, LLC

PETITION NO.: Z-86

PRESENT ZONING: R-30

PETITION FOR: RSL

STORMWATER MANAGEMENT COMMENTS

FLOOD HAZARD: YES NO POSSIBLY, NOT VERIFIED

DRAINAGE BASIN: Butler Cr (N)/Allatoona Cr (S) 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 drainage easements 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 existing receiving systems/channels.

APPLICANT: Windsong Properties, LLC

PETITION NO.: Z-86

PRESENT ZONING: R-30

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 located at the northeast intersection of Stilesboro and Mack Dobbs Roads. The existing site contains six residential parcels. The site contains multiple ridgelines that directs runoff in three directions – 5.7 acres to the south into the Stilesboro Road R/W, 5.2 acres to the north through several large estate-sized lots and 7.6 acres to the west through the Mack Dobbs Road R/W into and through the Greyfield North Subdivision.
2. Two stormwater management facilities will be required as shown on the proposed site plan. Both of these are located at the exterior of the development and should be screened by landscaping from adjacent properties. If retaining walls are required they should be decoratively faced to mitigate impacts to existing adjacent property owners. There is a short open channel section located on the downstream of Mack Dobbs Road on Lot 35 of Greyfield North S/D. Since this is the likely path for the proposed sanitary sewer tie-in and will require a combined sanitary sewer and drainage easement through Lot 35, it is recommended that this open channel section be piped to directly connect the existing pipe systems. Since at least one of the stormwater facilities will be located with the open space/common area, the stormwater facilities will be maintained by the HOA.

APPLICANT: Windsong Properties, LLC

PETITION NO.: Z-86

PRESENT ZONING: R-30

PETITION FOR: RSL

TRANSPORTATION COMMENTS:

ROADWAY	AVERAGE DAILY TRIPS	ROADWAY CLASSIFICATION	SPEED LIMIT	JURISDICTIONAL CONTROL	MIN. R.O.W. REQUIREMENTS
Mack Dobbs Road	4,900	Major Collector	40 mph	Cobb County	80'
Stilesboro Road	16,100	Arterial	45 mph	Cobb County	100'

*Based on 2009 traffic counting data taken by Cobb County DOT for Mack Dobbs Road.
Based on 2014 traffic counting data taken by Cobb County DOT for Stilesboro Road.*

COMMENTS AND OBSERVATIONS

Mack Dobbs Road is classified as a major collector and according to the available information the existing right-of-way does meet the minimum requirements for this classification.

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 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 east side of Mack Dobbs Road, a minimum of 40' from the roadway centerline.

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

Recommend curb and gutter along both sides and sidewalk along one side of proposed development roadway.

Recommend a deceleration lane on Mack Dobbs Road for the entrance.

Recommend a no access easement along the lots that border Stilesboro Road and Mack Dobbs Road.

Recommend public roads to end in residential cul-de-sacs with 50' radius.

Recommend guest parking be located outside of the right-of-way.

Recommend removing and closing existing entrance on Mack Dobbs Road that development renders unnecessary.

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STAFF RECOMMENDATIONS

Z-86 WINDSONG PROPERTIES, LLC

- A. It is Staff's opinion that the applicant's rezoning proposal may 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 on large lots and subdivisions with larger lots.
- B. It is Staff's opinion that the applicant's rezoning proposal may have an adverse effect 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 may be 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 3.4 units per acre. Other developments in this area have lower densities and include: Signal Point Unit I (zoned R-20 at approximately 1.49 units per acre); Greyfield North (zoned R-20 at approximately 1.60 units per acre); and Cloverhurst Subdivision (zoned R-20 at 1.68 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. Staff feels applicant's request as submitted at 3.4 units per acre is not compatible with the surrounding zonings and uses in this area, which have larger wooded lots, specifically at this section of the intersection of Stilesboro Road and Mack Dobbs Road. Approval of the request with a maximum of 2.5 units per acre would help to make the proposal more compatible with neighboring residential uses.

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

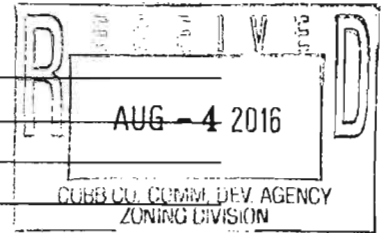
1. Maximum of 2.5 units per acre;
2. District Commissioner to approve final site plan;
3. Lots 1-7 and Lot 22 to have the 25-foot landscape strip taken out of the lots, and placing this 25-foot landscape strip in commonly owned property;
4. Water and Sewer Division comments and recommendations;
5. Stormwater Management Division comments and recommendations;
6. Department of Transportation comments and recommendations; and
7. 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.

Summary of Intent for Rezoning *

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

- a) Proposed unit square-footage(s): 1,800 to 3,500
- b) Proposed building architecture: To be provided at a later time
- c) Proposed selling prices(s): \$375,000 to \$475,000
- d) List all requested variances: None identified at this time



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

- a) Proposed use(s): N/A
- 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)

Windsong's Encore neighborhood will provide superior homes for active adults who want to remain in West Cobb, but want the lifestyle that comes with a house and neighborhood that is built for their needs.

.....
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 this Summary of Intent for Rezoning, or any other portion of the Application for Rezoning, at any time during the rezoning process.