

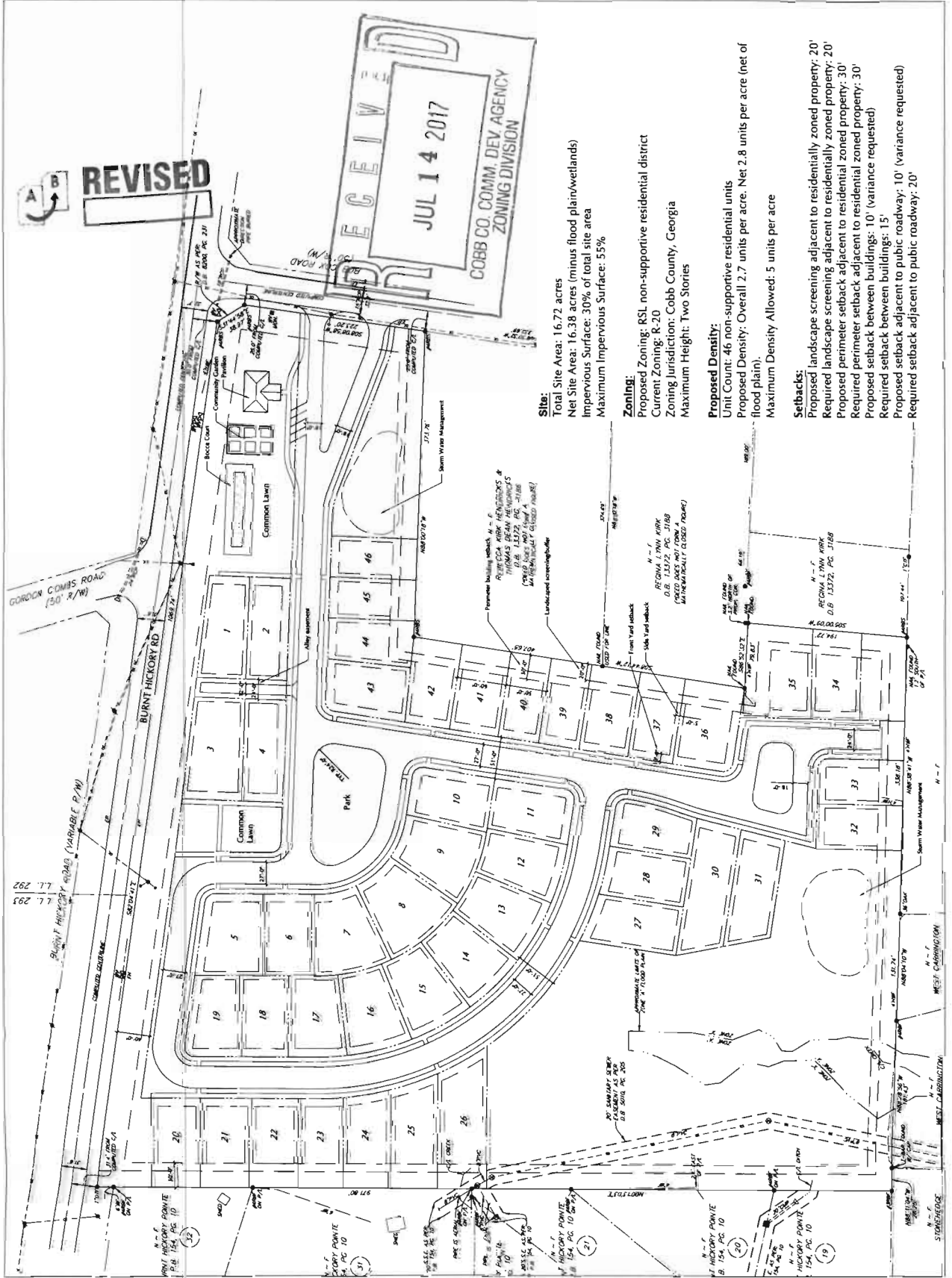
Z-45
(2017)



BURNT
HICKORY
COBB, GA



BURNT
HICKORY
Cobb, Georgia
Tishon Norman
DATE: 01-11-2017
SITE PLAN
Z1.00



RECEIVED
JUL 14 2017
COBB CO. COMM. DEV. AGENCY
ZONING DIVISION

- Site:**
 - Total Site Area: 16.72 acres
 - Net Site Area: 16.38 acres (minus flood plain/wetlands)
 - Impervious Surface: 30% of total site area
 - Maximum Impervious Surface: 55%
- Zoning:**
 - Proposed Zoning: RSL non-supportive residential district
 - Current Zoning: R-20
 - Zoning Jurisdiction: Cobb County, Georgia
 - Maximum Height: Two Stories
- Proposed Density:**
 - Unit Count: 46 non-supportive residential units
 - Proposed Density: Overall 2.7 units per acre, Net 2.8 units per acre (net of flood plain)
 - Maximum Density Allowed: 5 units per acre
- Setbacks:**
 - Proposed landscape screening adjacent to residentially zoned property: 20'
 - Required landscape screening adjacent to residentially zoned property: 20'
 - Proposed perimeter setback adjacent to residentially zoned property: 30'
 - Required perimeter setback adjacent to residentially zoned property: 30'
 - Proposed setback between buildings: 10' (variance requested)
 - Required setback between buildings: 15'
 - Proposed setback adjacent to public roadway: 10' (variance requested)
 - Required setback adjacent to public roadway: 20'

APPLICANT: Traton Homes, LLC

PHONE #: 770-427-9064 EMAIL: clif@tratonhomes.com

REPRESENTATIVE: J. Kevin Moore

PHONE #: 770-429-1499 EMAIL: jkm@mijs.com

TITLEHOLDER: Estate of Elsie Ewton Kirk

PETITION NO: Z-45

HEARING DATE (PC): 08-01-17

HEARING DATE (BOC): 08-15-17

PRESENT ZONING: R-30, R-20

PROPOSED ZONING: RSL (Non-Supportive)

PROPOSED USE: Non-Supportive Residential Senior Living

PROPERTY LOCATION: Southwest intersection of Burnt Hickory Road and Bob Cox Road (2821 Burnt Hickory Road)

ACCESS TO PROPERTY: Burnt Hickory Road and Bob Cox Road

SIZE OF TRACT: 16.3 acres

DISTRICT: 20

PHYSICAL CHARACTERISTICS TO SITE: One single-family residence on acreage.

LAND LOT(S): 292,293

PARCEL(S): 4

TAXES: PAID X DUE _____

COMMISSION DISTRICT: 1

CONTIGUOUS ZONING/DEVELOPMENT

NORTH: R-20, R-30/ Chimney Hollow Subdivision and single-family homes

SOUTH: R-15, R-20/ West Carrington Subdivision and single-family homes

EAST: R-20/ Single-family homes

WEST: R-20/ Burnt Hickory Points Subdivision

Adjacent Future Land Use:

North: Low Density Residential (LDR)

East: Low Density Residential (LDR)

South: Low Density Residential (LDR)

West: 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 _____

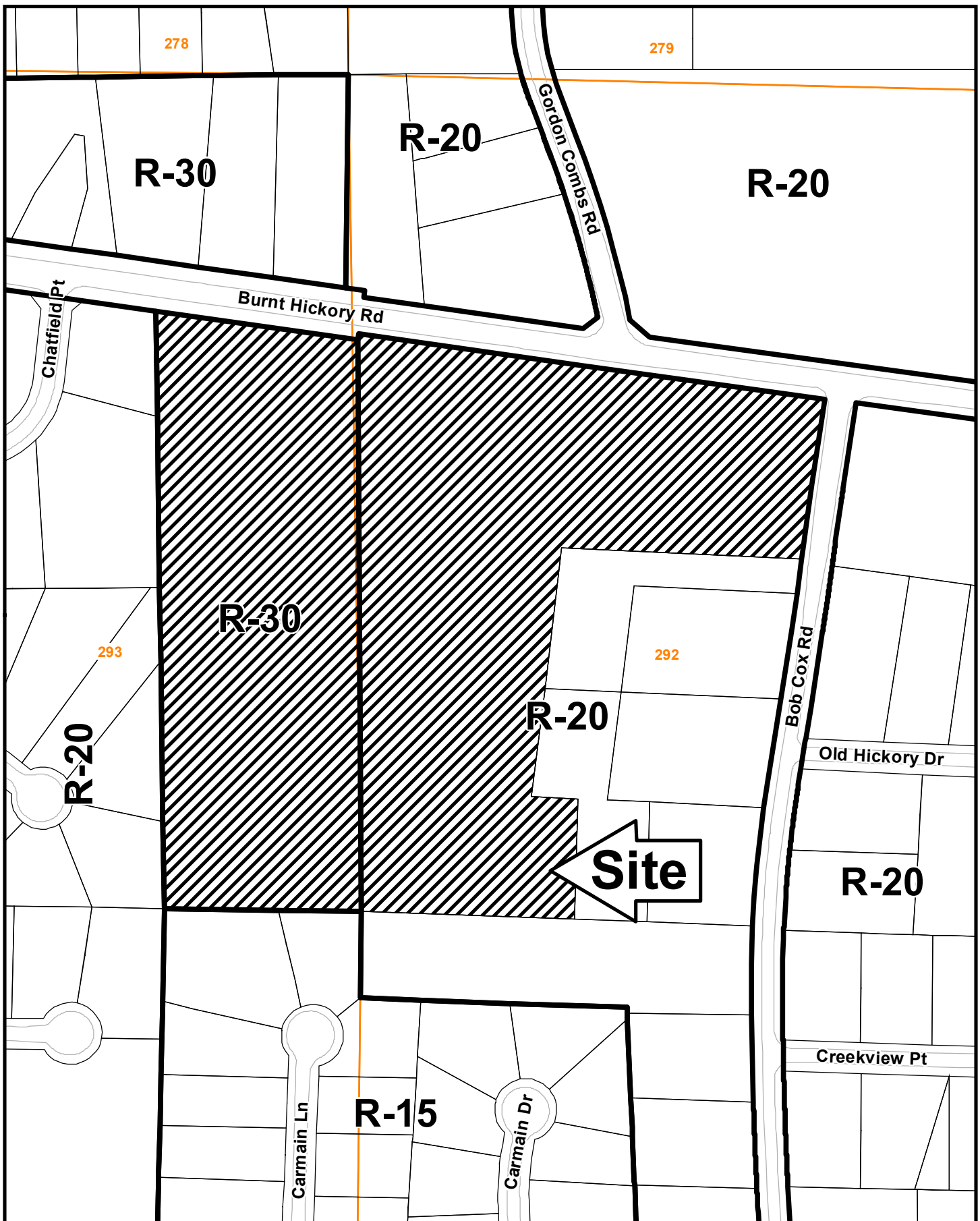
REJECTED _____ SECONDED _____

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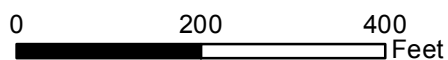
STIPULATIONS:





Z-45 2017-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: Traton Homes, LLC

PETITION NO.: Z-45

PRESENT ZONING: R-30, R-20

PETITION FOR: RSL (Non-Supportive)

ZONING COMMENTS:

Staff Member Responsible: Terry Martin, MPA

Land Use Plan Recommendation: LDR Low Density Residential

Proposed Number of Units: 46 **Overall Density:** 2.8 **Units/Acre**

Staff estimate for allowable # of units: 24 **Units*** **Increase of:** 22 **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.

The applicant is requesting a rezoning of the subject property from the current R-30 and R-20 single-family residential districts to the RSL nonsupportive residential senior living district in order to develop a 46 unit senior living community. The proposed homes will be traditional/craftsman in architecture and range in size from 1,800 sq. ft. to 2,800 sq. ft.

The community will provide amenities such as a park, cabana, community garden, and bocce court as well as guest parking. Other requirements of the RSL nonsupportive district are being met including provision of the required 20 foot perimeter landscape buffer, location along an arterial roadway (Burnt Hickory Road), 30 foot perimeter setbacks (but for one noted area), and total impervious development under the 50% maximum required (proposed 40%).

However, the applicant has identified particular variances that are needed which include:

1. Reduction in the minimum setback between buildings from 15 feet to 10 feet; and
2. Reduction in the minimum setback adjacent to public roadways from 20 feet to 10 feet.

Moreover, the Code calls for RSL nonsupportive residential developments to be compatible with neighboring residential uses. While there is no minimum lot size required for RSL developments, the Code specifies a maximum density of five (5) units per acre (upa) which may be reduced by the Board when necessary. With a proposed 2.8 upa (net of floodplain/wetlands), the development is less than the max of five (5). However, the aforementioned variances may be indicative of an attempt of creating a development with more units than is reasonable for the site.

Certainly, the proposed 2.8 upa is more than those communities in the immediate area. To the south, West Carrington Unit II contains 36 lots at a density of 2.19 upa. Burnt Hickory Pointe to the west has 32 lots for a density of 1.71 upa, a number that is only half of the applicant’s proposal. Furthermore, Chimney Hollow Subdivision located to the north contains 10 lots at an even lower 1.2 upa. Ranging from 1.2 upa to 2.19 upa, the surrounding neighborhoods are much less dense that the applicant’s proposal of 3.5 upa.

Cemetery Preservation: No comment.

APPLICANT: Traton Homes, LLC

PETITION NO.: Z-45

PRESENT ZONING: R-30, R-20

PETITION FOR: RSL (Non-Supportive)

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:

The Cobb County Board of Education has concerns about this development. Senior residential developments generally have a negative impact on tax revenue for the Cobb County School District, unlike standard residential or commercial developments, where property taxes are not exempted. We, therefore, would like to express our concern to the Planning Commission and the Board of Commissioners and ask that you take our concerns under consideration as you review this zoning application.

APPLICANT: Traton Homes

PETITION NO.: Z-45

FIRE COMMENTS:

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: **Traton Homes, LLC**

PETITION NO.: **Z-45**

PRESENT ZONING: **R-30 & R-20**

PETITION FOR: **RSL (Non-Supportive)**

PLANNING COMMENTS:

The applicant is requesting a rezoning from R-30 and R-20 to RSL (Non-Supportive) for the purpose of non-supportive residential senior living. The 16.3 acre site is located at the southwest intersection of Burt Hickory Road and Bob Cox Road (2821 Burnt Hickory 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 _____ 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: Low Density Residential (LDR)
West: Low Density Residential (LDR)

Master Plan/Corridor Study

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

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 should be considered. 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

APPLICANT: Traton Homes, LLC
PRESENT ZONING: R-30 & R-20

PETITION NO.: Z-45
PETITION FOR: RSL (Non-Supportive)

PLANNING COMMENTS:

CONT.

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.

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?
 - CZ (Clear Zone)
 - APZ I (Accident Potential Zone I)
 - APZ II (Accident Potential Zone II)
 - Noise Zone
 - Bird / Wildlife Air Strike Hazard (BASH) area

APPLICANT Traton Homes LLC

PETITION NO. Z-045

PRESENT ZONING R-30, R-20

PETITION FOR RSL (non suppo

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 / S side of Burnt Hickory Rd

Additional Comments: Development Standards require dual water feed when >40 lots

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: SW corner of site

Estimated Waste Generation (in G.P.D.): A D F= 8,960 Peak= 22,400

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

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: Traton Homes, LLC

PETITION NO.: Z-45

PRESENT ZONING: R-20, R-30

PETITION FOR: RSL

STORMWATER MANAGEMENT COMMENTS

FLOOD HAZARD: YES NO POSSIBLY, NOT VERIFIED

DRAINAGE BASIN: Trib to Mud Creek FLOOD HAZARD INFO: Zone A

- 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 or adjacent to stream channel or buffer.

- The Owner/Developer is responsible for obtaining any required wetland permits from the U.S. Army Corps of Engineer/Georgia EPD.

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 system.
- Minimize runoff into public roads.
- Minimize the effect of concentrated stormwater discharges onto adjacent properties.
- Developer must secure any 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 receiving streams.

APPLICANT: Traton Homes, LLC

PETITION NO.: Z-45

PRESENT ZONING: R-20, 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.

ADDITIONAL COMMENTS

1. This parcel is located at the southwest intersection of Burnt Hickory and Bob Cox Roads. It is bordered by Burnt Hickory Pointe Subdivision to the west, West Carrington Subdivision to the south and a 1+ acre-sized residential parcels to the east. The majority of the site is wooded. Average slopes range from 4 to 20%. The entire site drains to the south into and through the West Carrington and Stonehenge Subdivisions.
2. The existing downstream subdivisions are older and have limited stormwater conveyance capacity with numerous drainage issues and complaints. As a result, it is recommended that stormwater management be elevated such that each storm discharge is controlled not to exceed the allowable discharge of the next lower, more frequent storm event (ie. 5-year storm event released at 2-year rate; 10-year event at 5-year rate; etc. to 100-year event at 50-year rate).
3. Stormwater management for the site is proposed to be underground. Private roads and underground stormwater management will require that all stormwater infrastructure be maintained by the required homeowner’s association.
4. There is an existing, critical channel erosion issue immediately downstream of the site. The increased runoff volume from this development will likely exacerbate this situation. If this development is approved, it is recommended that channel stabilization measures be installed as part of the development to protect the channel and existing residential structure from adverse impacts.

APPLICANT: Traton Homes, LLC

PETITION NO.: Z-45

PRESENT ZONING: R-30, R-20

PETITION FOR: RSL

TRANSPORTATION COMMENTS:

ROADWAY	ROADWAY CLASSIFICATION	SPEED LIMIT	JURISDICTIONAL CONTROL	MIN. R.O.W. REQUIREMENTS
Burnt Hickory Road	Arterial	40 mph	Cobb County	100'
Bob Cox Road	Minor Collector	35 mph	Cobb County	60'

ROADWAY	LOCATION	AVERAGE DAILY TRIPS	LEVEL OF SERVICE
Burnt Hickory Road	East of Barrett Parkway	12,400	D
Bob Cox Road	North of Ivy Manor Drive	3,600	C

Based on 2015AADT counting data taken by GDOT, as published on their website, for Burnt Hickory Road.
Based on 2009 traffic counting data taken by Cobb County DOT for Bob Cox Road.
Planning Level of Service based on available Average Daily Trips using GRTA guideline thresholds. Classification thresholds for LOS A and LOS B are not available for local roads from this data source.
LOS C or D is acceptable based on GDOT Design Policy Manual criteria.

COMMENTS AND OBSERVATIONS

Burnt Hickory 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.

Bob Cox Road is classified as a minor collector 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 south side of Burnt Hickory Road, a minimum of 50' from the roadway centerline.

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 west side of Bob Cox Road, a minimum of 30' from the roadway centerline.

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

Recommend curb, gutter, and sidewalk along the frontage of Burnt Hickory Road and Bob Cox Road.

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

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

APPLICANT: Traton Homes, LLC

PETITION NO.: Z-45

PRESENT ZONING: R-30, R-20

PETITION FOR: RSL

Recommend relocating entrance on Burnt Hickory Road further west to allow construction of a full length left turn lane at the entrance. Recommend access on Burnt Hickory Road include a deceleration lane and left turn lane. Recommend location and design be determined during plan review, subject to Cobb County DOT approval.

Recommend access on Bob Cox Road include a deceleration lane and left turn lane. If a left turn lane cannot be added due to geometric restrictions, recommend access be restricted to right-in/ right-out. Recommend location and design be determined during plan review, subject to Cobb County DOT approval.

Recommend the proposed gate be a minimum of 50' from the right-of-way and meet Cobb County Development Standards.

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STAFF RECOMMENDATIONS

Z-45 TRATION HOMES, LLC

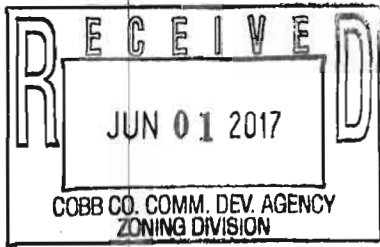
- A. It is Staff's opinion that the applicant's rezoning proposal will permit a use that is potentially not suitable in view of the use and development of adjacent and nearby properties. Due to its density being 2.8 units per acre (upa), the proposal is far higher than those of surrounding communities which range from 1.2 upa to 2.19 upa. While single-family residential development is suitable for the area, and there may be a market for senior oriented housing in the area, the density is out of character with that of adjacent neighborhoods.
- 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. As previously highlighted, the proposed density is well above that of nearby communities. The Code seeks to encourage RSL developments that follows the trend of density set by existing nearby communities to ensure compatibility. The concerns such as traffic, stormwater, etc. that come with increased density could have an adverse effect upon nearby properties.
- C. It is Staff's opinion that the applicant's rezoning proposal may result in a use which would cause an excessive or burdensome use of existing streets, transportation facilities, utilities, or schools. The Cobb County School District has concerns about this application. 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 the property to be within the LDR low density residential future land use category. This category forecasts development of low density housing between one (1) and two and one-half (2.5) dwelling units per acre. Though the Code allows for the RSL district to be within the LDR category, that category's intended maximum of 2.5 upa, as well as the Code's intention that RSL developments be in keeping with surrounding communities highlight the possible incongruity of the applicant's proposal at 2.8 upa. It should be noted that the Board of Commissioners, in making land use decisions, use the future land use map as a guide in the decision making process, but there are circumstances when decisions will be made that are contrary to this document based upon a change in market conditions, information unbeknownst to staff/community in the preparation of this document, or some other condition.
- 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 with stipulations. As a single-family residential development, the applicant's proposal is in keeping with the use and development of the surrounding area. However, as evidenced by the necessary variances the applicant has identified as well as the total density of 2.8 upa, the proposal as presented may result in a development too dense when compared to nearby properties. Though located within the LDR future land use category, and allowed by Code within this residential category, the plan is over the density of even the next dense community in the immediate area (West Carrington Unit II at 2.19 upa) and nearly three times as dense as nearby Chimney Hollow (1.2 upa). A density of 2.8 upa and the concerns it brings in regards to traffic and stormwater issues, as well as other considerations, is more than should be allowed for this area.

Z-45 TRATION HOMES, LLC (Continued)

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

1. Maximum density of 2.5 units per acre net of any floodplain/wetlands;
2. Final site plan to be approved by the District Commissioner;
3. Landscape plan to be approved by the District Commissioner;
4. Fire Department comments and recommendations;
5. Sewer and Water Division comments and recommendations;
6. Stormwater Management Division comments and recommendations;
7. Department of Transportation comments and recommendations; and
8. 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.



Application No. Z-45 (2017)

Hearing Dates: PC: 08/01/2017

BOC: 08/15/2017

Summary of Intent for Rezoning*

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

a) Proposed unit square-footage(s): 1,800 - 2,800 square feet, and greater

b) Proposed building architecture: Traditional/Craftsman

c) List all requested variances: _____

(1) Reduction minimum setback between buildings from 15 feet to 10 feet;

(2) Reduction minimum setback adjacent to public roadway from 20 feet to 10 feet;

(3) Reduction minimum perimeter building setback from 30 feet to 24 feet
(at one specific location as noted on Site Plan).

.....
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 portion of the Application for Rezoning, at any time during the rezoning process.