

APPLICANT: West Cobb Senior Living, LLC

PHONE #: **EMAIL:**

REPRESENTATIVE: Parks F. Huff, LLP

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

TITLEHOLDER: Jeptha B. Foster, Jr. and Loretta Foster; Julia K.

Martin and Chester Martin; and Matthew L. Sawyer and Kristy K.

Sawyer; and David Kent Ritchie

PROPERTY LOCATION: North side of Kennesaw View Drive,

west of West Sandtown Road

(3130, 3140, 3150 and 3160 Kennesaw View Drive)

ACCESS TO PROPERTY: Kennesaw View Drive

PHYSICAL CHARACTERISTICS TO SITE: Single-family houses

CONTIGUOUS ZONING/DEVELOPMENT

NORTH: RSL/Sterling Estates
SOUTH: R-20/Nature's Walk Subdivision
EAST: R-20/Kennesaw View Subdivision
WEST: RSL/Sterling Estates

Adjacent Future Land Use:

North: Neighborhood Activity Center (NAC)
East: Neighborhood Activity Center (NAC) and Community Activity Center (CAC)
South: Community Activity Center (CAC) and Medium Density Residential (MDR)
West: Medium Density Residential (MDR) and Neighborhood Activity Center (NAC)

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:

PETITION NO.: Z-61

HEARING DATE (PC): 10-03-17

HEARING DATE (BOC): 10-17-17

PRESENT ZONING: R-20

PROPOSED ZONING: RSL

PROPOSED USE: Memory Care Facility

SIZE OF TRACT: 2.574 acres

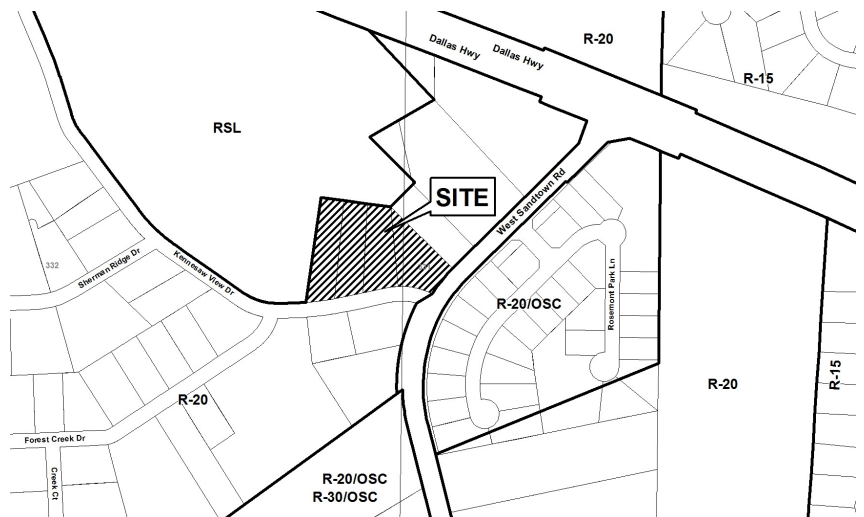
DISTRICT: 20

LAND LOT(S): 331,332

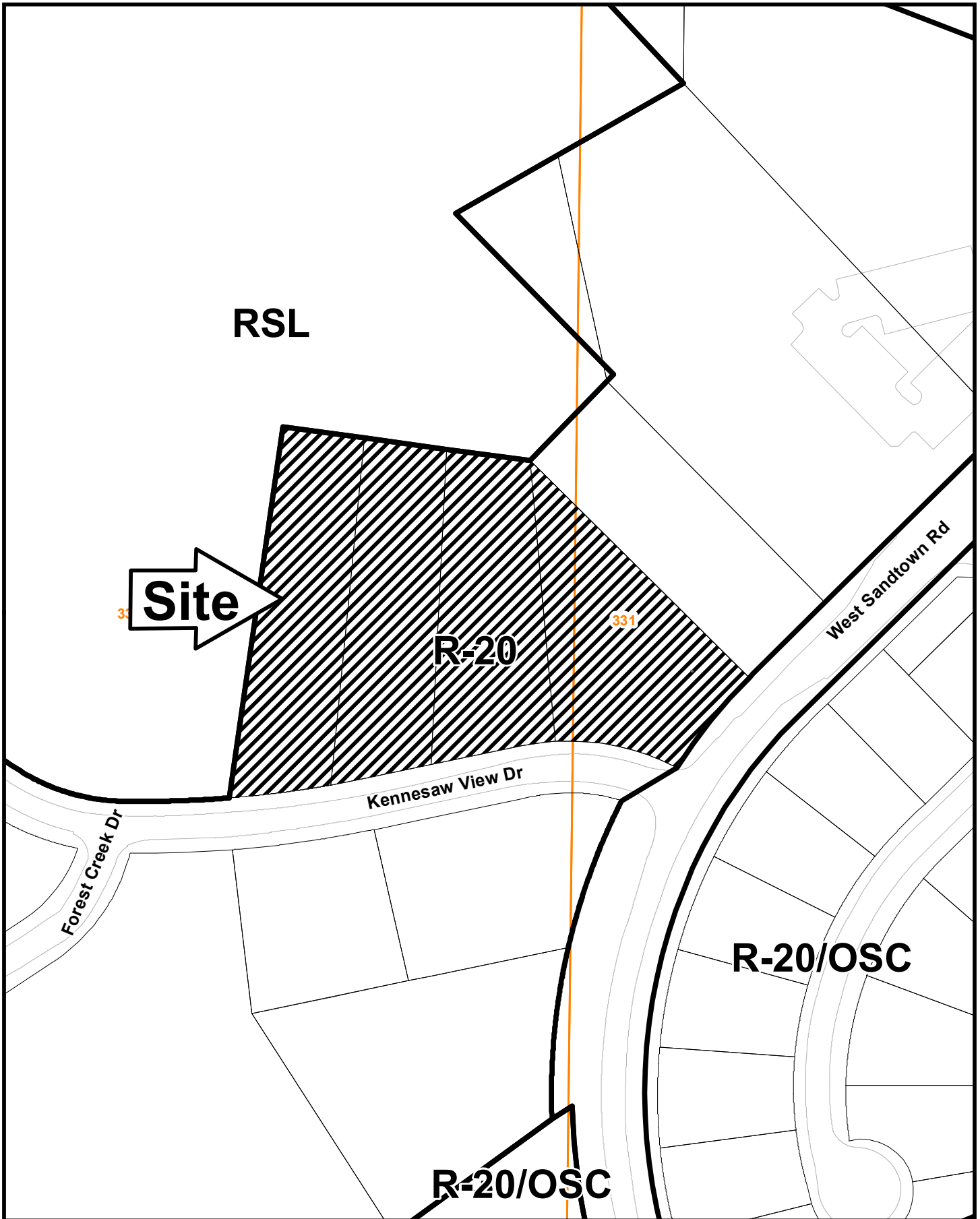
PARCEL(S): 15,16,47,48

TAXES: PAID X **DUE**

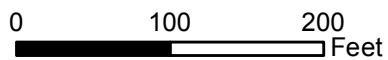
COMMISSION DISTRICT: 1





Z-61 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: West Cobb Senior Living, LLC

PETITION NO.: Z-61

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: 32 **Overall Density:** 12.43 **Units/Acre**

Staff estimate for allowable # of units: 7 **Units*** **Increase of:** 25 **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) supportive zoning district for the purpose of developing a 32-unit supportive (memory care facility) senior living facility to be incorporated with the overall campus of Sterling Estates. The new development provide medical care and will have eight to ten staff members, including a full-time nurse on staff. The new building will be 30,000 square feet, one story (maximum of 20 feet) and will be traditional in style. The proposed site plan indicates an outdoor courtyard space and open spaces.

The revised site plan from October 6, 2017, requests the following contemporaneous variances:

1. Reducing the required landscape buffer from 40 feet to 30 feet; and
2. Reducing the perimeter building setback from the required 40 feet to 20 feet.

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

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PETITION NO.: Z-61

PRESENT ZONING: R-20

PETITION FOR: RSL

SCHOOL COMMENTS:

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

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PETITION NO.: Z-61

PRESENT ZONING: R-20

PETITION FOR: RSL

FIRE COMMENTS:

Modifications may be required to incorporate the Cobb County Fire Marshal’s Office 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-61

PRESENT ZONING: R-20

PETITION FOR: RSL

PLANNING COMMENTS:

The applicant is requesting a rezoning from R-20 to RSL for the purpose of a memory care facility. The 2.037 acre site is located on the north side of Kennesaw View Drive, west of West Sandtown Road (3140, 3150 and 3160 Kennesaw View Drive).

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-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 Area Policy Guidelines:

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 development 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.

Adjacent Future Land Use:

Northeast: Low Density Residential (LDR)
East: Low Density Residential (LDR)
South: Very Low Density Residential (VLDR)
Northwest: 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?

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PLANNING COMMENTS:

CONT.

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.

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 West Cobb Senior Living LLC

PETITION NO. Z-061

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): 6" DI / S side of Kennesaw View Dr

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: private sewer within Sterling Estates

Estimated Waste Generation (in G.P.D.): A D F= 1,700 Peak= 4,250

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.

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STORMWATER MANAGEMENT COMMENTS

The master hydrology study for West Cobb Senior Living must be revised to accommodate this additional development expansion.

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TRANSPORTATION COMMENTS:

ROADWAY	ROADWAY CLASSIFICATION	SPEED LIMIT	JURISDICTIONAL CONTROL	MIN. R.O.W. REQUIREMENTS
Kennesaw View Drive	Local	25 mph	Cobb County	50'

ROADWAY	LOCATION	AVERAGE DAILY TRIPS	LEVEL OF SERVICE
Kennesaw View Drive	N/A	N/A	N/A

COMMENTS AND OBSERVATIONS

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

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

STAFF RECOMMENDATIONS

Z-61 WEST COBB SENIOR LIVING, 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. Other properties in the area are zoned and developed for single-family residential subdivision, churches, offices and residential senior living.
- B. It is Staff's opinion that the applicant's rezoning proposal may not have an adverse effect on the usability of adjacent or nearby property. The proposed development will be an expansion of the abutting RSL (Sterling Estates) campus, previously approved as Z-60 of 2014, that proposed 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 is 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 as being within the Low Density Residential (LDR) future land use category. RSL's are permitted in this area and this would be an addition to the Sterling campus.
- 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. The subject parcels are being incorporated into the overall Sterling campus and will better define the limits of same as Kennesaw View Drive reaches West Sandtown Road. In addition, the *Cobb County Comprehensive Plan* contains language specifically for the development of an RSL for this area. The proposed development will provide additional services to the residences of the existing RSL.

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

1. Site plan received by the Zoning Division on October 6, 2017, with the District Commissioner approving minor modifications;
2. Fire Department comments and recommendations;
3. Planning Division comments and recommendations;
4. Water and Sewer Division comments and recommendations;
5. Stormwater Management Division comments and recommendations; and
6. 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.



Application No. Z-61

Oct. 2017

Summary of Intent for Rezoning

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

a) Proposed unit square-footage(s): One building of 30,000 square feet

b) Proposed building architecture: Traditional style

c) List all requested variances: _____

.....
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)

This property will be added to the already approved senior community

.....
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

