

APPLICANT: Arrowhead Real Estate Partners, LLC
770-246-0085

PETITION NO: Z-51
HEARING DATE (PC): 12-04-12

REPRESENTATIVE: Garvis L. Sams, Jr. 770-422-7016
Sams, Larkin & Huff

HEARING DATE (BOC): 12-18-12
PRESENT ZONING: R-20

TITLEHOLDER: Estate of Mary Annette Blackwell Farrell,
deceased, Farrell Realty Partners, LLLP

PROPOSED ZONING: RSL, RA-5

PROPERTY LOCATION: North side of Roswell Road, west of
Robert Lane
(2671 Roswell Road).

PROPOSED USE: Residential Senior Living
Facility and Single Family Homes

ACCESS TO PROPERTY: Roswell Road

SIZE OF TRACT: 10.589 acres
DISTRICT: 16

PHYSICAL CHARACTERISTICS TO SITE: Single-family house
and wooded acreage

LAND LOT(S): 961,984,985
PARCEL(S): 12
TAXES: PAID X **DUE** _____

COMMISSION DISTRICT: 3

CONTIGUOUS ZONING/DEVELOPMENT

- NORTH:** R-20/Crafton Heights and Stone Hall Subdivisions
- SOUTH:** R-20/Single-family House, RA-4 & PRD/Bridgeway Subdivision
- EAST:** R-20/Stone Hall Subdivision
- WEST:** R-15/Sterling Ridge Subdivision

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

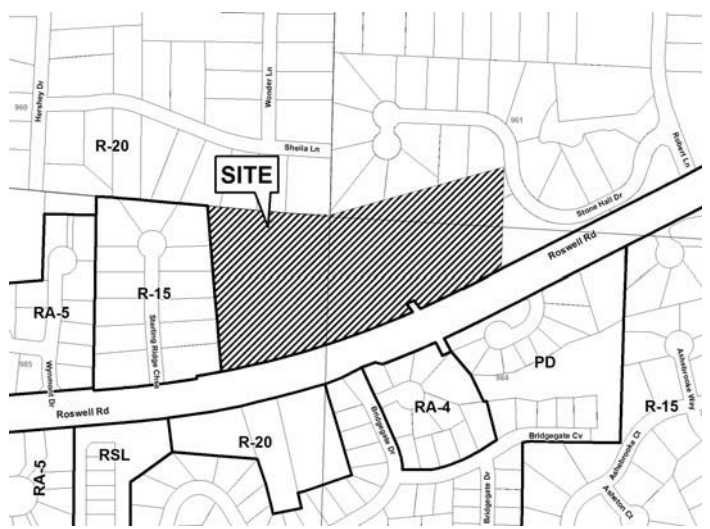
PLANNING COMMISSION RECOMMENDATION

APPROVED _____ **MOTION BY** _____
REJECTED _____ **SECONDED** _____
HELD _____ **CARRIED** _____

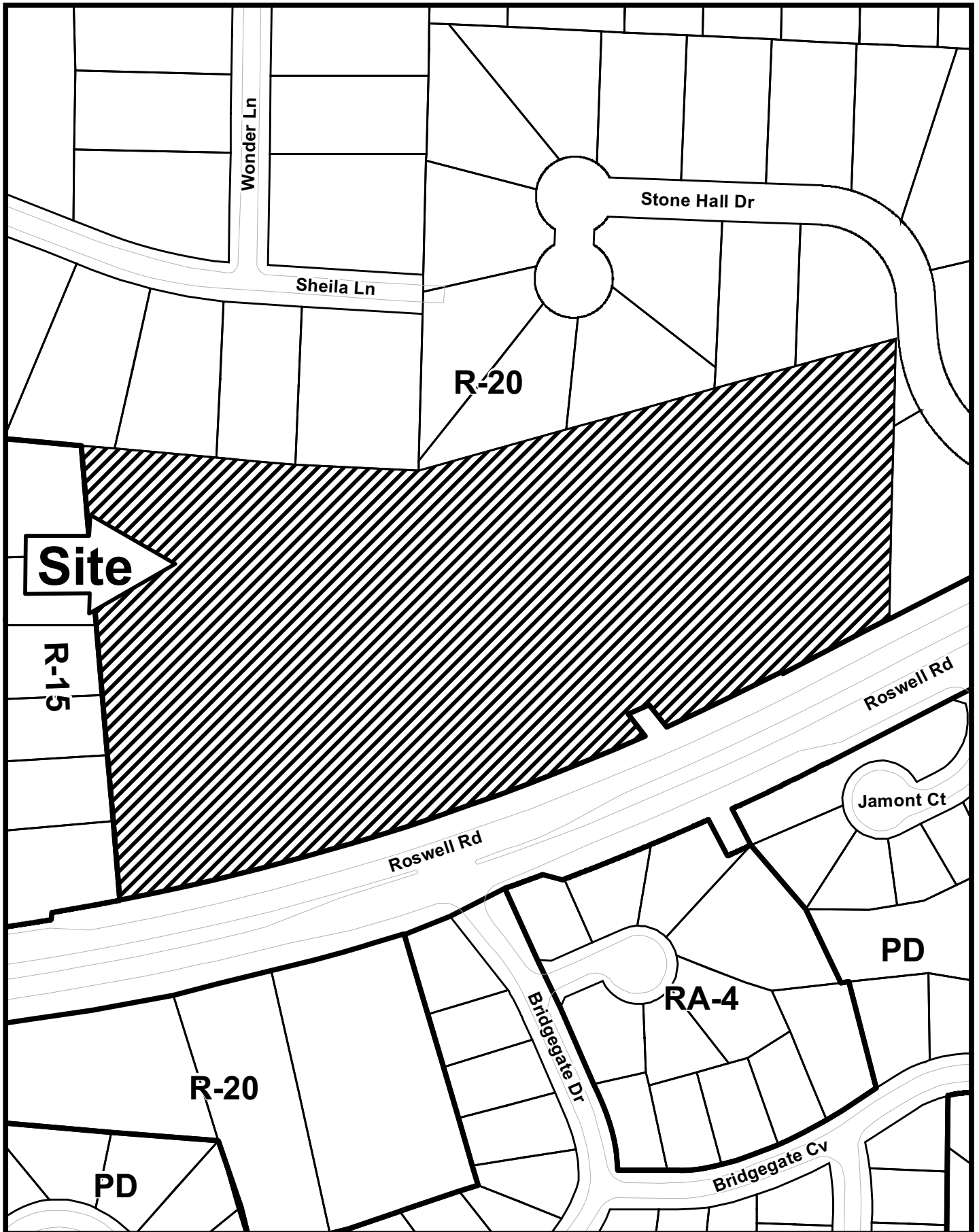
BOARD OF COMMISSIONERS DECISION

APPROVED _____ **MOTION BY** _____
REJECTED _____ **SECONDED** _____
HELD _____ **CARRIED** _____

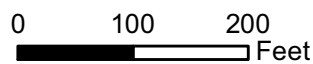
STIPULATIONS:



Z-51



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



City Boundary
Zoning Boundary

APPLICANT: Arrowhead Real Estate Partners, LLC

PETITION NO.: Z-51

PRESENT ZONING: R-20

PETITION FOR: RSL and RA-5

ZONING COMMENTS:

Staff Member Responsible: Jason A. Campbell

Land Use Plan Recommendation: Low Density Residential (LDR) 1-2.5 units per acre

Proposed Number of Units: 109 Overall Density: 53 Units/Acre

Present Zoning Would Allow: 18 Units Increase of: 35 Units/Lots

Applicant is requesting the RSL and RA-5 zoning categories for the purpose of developing a 95-unit assisted living facility and a 14-lot single family detached subdivision. The single family homes shall range in size from 2,400 square feet to 4,000 square feet and beyond. Architectural renderings are attached for review. The rent for the units within the Residential Senior Living (RSL) facility will be approximately \$3,000 to \$4,000 per month. The single-family homes will range in price from \$450,000 to \$550,000 and beyond.

The proposed site plan will need the following contemporaneous variances:

1. Waive the rear setback on the RA-5 lots abutting Roswell Road from the required 40 feet to 20 feet;
2. Waive the rear setback on the RA-5 lots on the northern property line from the required 40 feet to 30 feet; and
3. Waive the minimum lot width for the RA-5 lots from the required 75 feet to 60 feet.

Cemetery Preservation: No comment.

PLANNING COMMENTS:

The applicant is requesting a rezoning from R-20 to RSL, RA-5 for purposes of residential senior living and single family homes. The 10.589 acre site is located on the north side of Roswell Road, west of Robert Lane. (2671 Roswell Road)

Comprehensive Plan

The parcel is within a Low Density Residential (LDR) future land use category with R-20 zoning designation. The purpose of the 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.

Master Plan/Corridor Study

Not applicable

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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PETITION FOR: RSL and RA-5

SCHOOL COMMENTS:

| <u>Name of School</u> | <u>Enrollment</u> | <u>Capacity Status</u> | <u>Number of Portable Classrooms</u> |
|-----------------------|-------------------|------------------------|--------------------------------------|
| <u>East Side</u> | <u>1,068</u> | <u>Under</u> | <u> </u> |
| Elementary | | | |
| <u>Dodgen</u> | <u>1,179</u> | <u>Over</u> | <u> </u> |
| Middle | | | |
| <u>Walton</u> | <u>2,636</u> | <u>Over</u> | <u> </u> |
| High | | | |

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

Additional Comments: Approval of this petition could seriously and adversely affect the enrollment at Dodgen Middle School and Walton High School, both of which are over enrollment at this time.

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PETITION FOR: RSL and RA-5

FIRE 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). As proposed fire apparatus access is not provided according to the standard and a full NFPA 13 Fire Sprinkler System will be required.

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. Grass Pavers will not be permitted. If concrete pavers are utilized the boundary must be encapsulated with a concrete ribbon curb.

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)

GUEST PARKING: 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 Arrowhead Real Estate Partners, LLC

PETITION NO. Z-051

PRESENT ZONING R-20

PETITION FOR RSL, RA-5

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): 8" and 10" DI / N side of Roswell Road

Additional Comments: CCWS meter(s) to be set at public ROW

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** 6990 **Peak=** 17745

Treatment Plant: **Sutton**

Plant Capacity: Available Not Available

Line Capacity: Available Not Available

Projected Plant Availability: 0 - 5 years 5 - 10 years over 10 years

Drv 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: Proposed 14-lot SD and 95-unit senior living

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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PRESENT ZONING: R-20

PETITION FOR: RSL/RA-5

STORMWATER MANAGEMENT COMMENTS

FLOOD HAZARD: YES NO POSSIBLY, NOT VERIFIED

DRAINAGE BASIN: Robertson Creek 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: within or adjacent to stream buffer

- 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 (Bridgegate Pond Subdivision).
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 the downstream receiving system including the lake located immediately downstream.

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PETITION FOR: RSL/RA-5

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 just north of Roswell Road and is bounded by Sterling Ridge S/D to the west, Crafton Heights and Stone Hill S/Ds to the north and Stone Hill S/D to the east. The site is dominated by a stream the runs diagonally across the site that roughly divides the parcel in half. Average slopes on the site are approximately 10%.
2. Since the proposed detention facility will serve a commercial parcel it must be privately maintained. Since it will be located adjacent to the entrance along Roswell Road it should be well screened by landscaping.
3. The embankment created by Roswell Road creates a significant flooding potential for this parcel. County Code will require that all minimum finished floor elevations be at least 2 feet above the overflow low point of Roswell Road.

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STAFF RECOMMENDATIONS

Z-51 ARROWHEAD REAL ESTATE PARTNERS, 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 surrounding properties are zoned R-20 and R-15. The character of the area is well defined with single-family detached homes. It is staff's opinion that the supportive building would be out of scale with the existing houses and does not meet the location requirement by the Zoning Ordinance that the RSL section be located within a RAC, CAC or NAC land use category.
- 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. Although building suitable housing for the senior population is important and needed, this may not be an appropriate location. The area is populated with single-family homes until you approach Roswell Road's intersection with Hood Road, west of the subject property.
- 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 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 categories, having densities ranging from 1-2.5 units per acre. While the RA-5 portion of the subject property has been calculated to a density of 2.48 units per acre that falls in the range of LDR, the RSL zoning category is not compliant with the LDR land use category. The RSL assisted living use is a type of development that is required to be in a Regional Activity Center (RAC), Community Activity Center (CAC) or a Neighborhood Activity Center (NAC) land use category.
- 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. The RSL proposal is not in accordance with the *Cobb County Comprehensive Plan*, which delineates this property to be within the Low Density Residential land use category. It is staff's opinion that the proposed development of the RSL assisted living facility in conjunction with the RA-5 single-family detached subdivision is not a compatible use for this area of Roswell Road.

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.

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PLANNING AGENCY
PLANNING DIVISION

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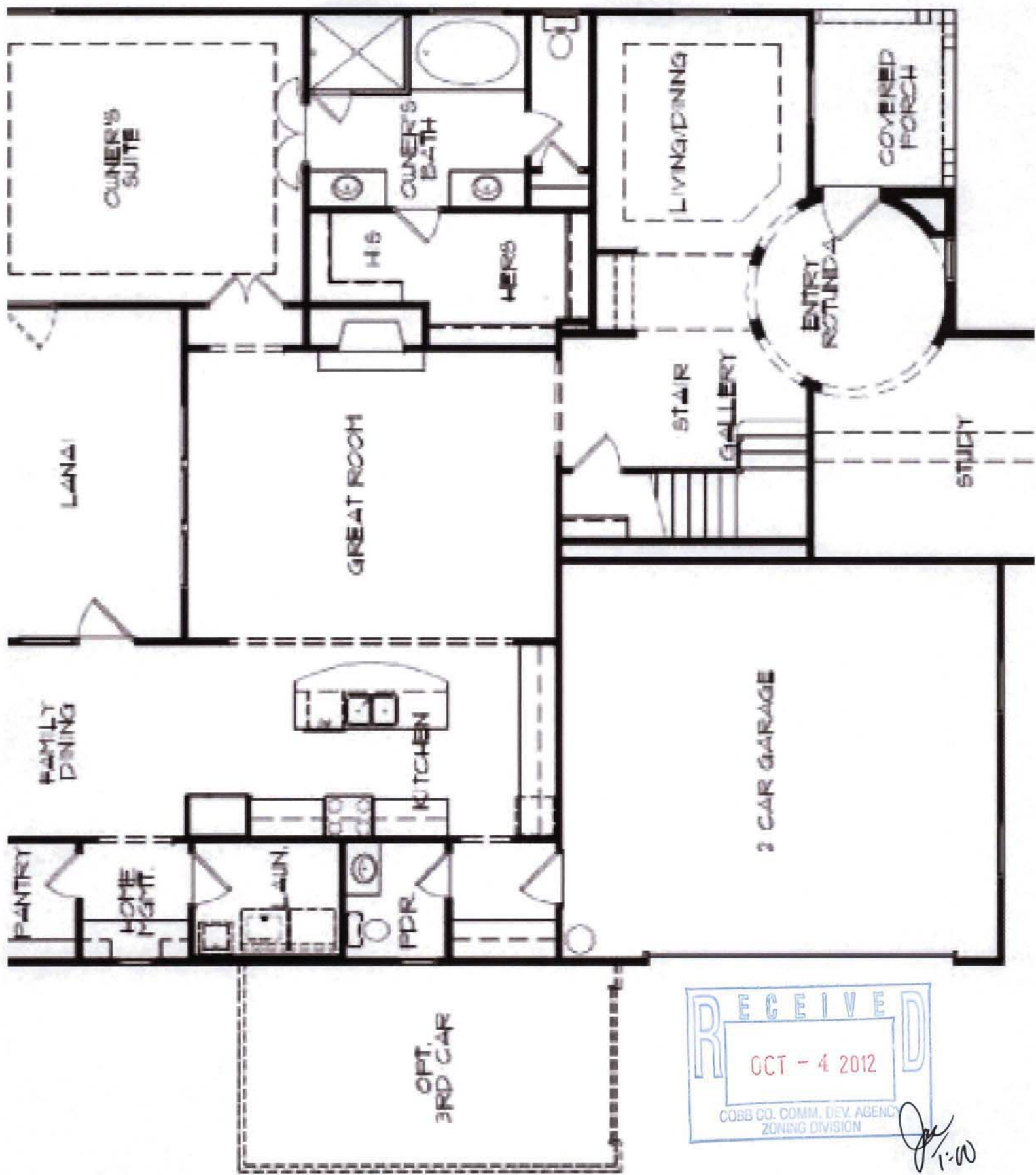
Z-51 (2012)
Renderings and
Floor Plan



OCT - 4 2012

CLACK CO. COMMUNITY AGENCY
ZONING DIVISION

[Signature]
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RECEIVED
OCT - 4 2012
COBB CO. COMM. DEV. AGENCY
ZONING DIVISION

John
1:00



Application No. z-51
Dec. 2012

Summary of Intent for Rezoning *

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

- a) **Proposed unit square-footage(s):** The RSL Facility shall be approximately 95 units. The single family homes shall range in size from 2,400 sq. ft. - 4,000 sq. ft. and beyond.
- b) **Proposed building architecture:** Architectural renderings/elevations for the RSL Facility and the Single Family Homes are being submitted contemporaneously herewith.
- c) **Proposed selling prices(s):** Rental for the units within the RSL Facility shall be approx. \$3,000-\$4,000 per month. Single Family homes shall range in price from \$450,000-\$550,000 and beyond.
- d) **List all requested variances:** _____

Those shown on the site plan filed with the application.

.....
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)

The subject property is located in an area which is denominated as Low Density Residential ("LDR") under the County's Future Land Use Map which contemplates densities ranging up to 2.5 units per acre.

.....
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).

* The applicant reserves the right to amend the Summary of Intent for Rezoning and the preliminary information provided therein at any time during the rezoning process.