

REVISED

COBB COUNTY GEORGIA
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2013 SEP -9 PM 3:08
COBB COUNTY ZONING DIVISION

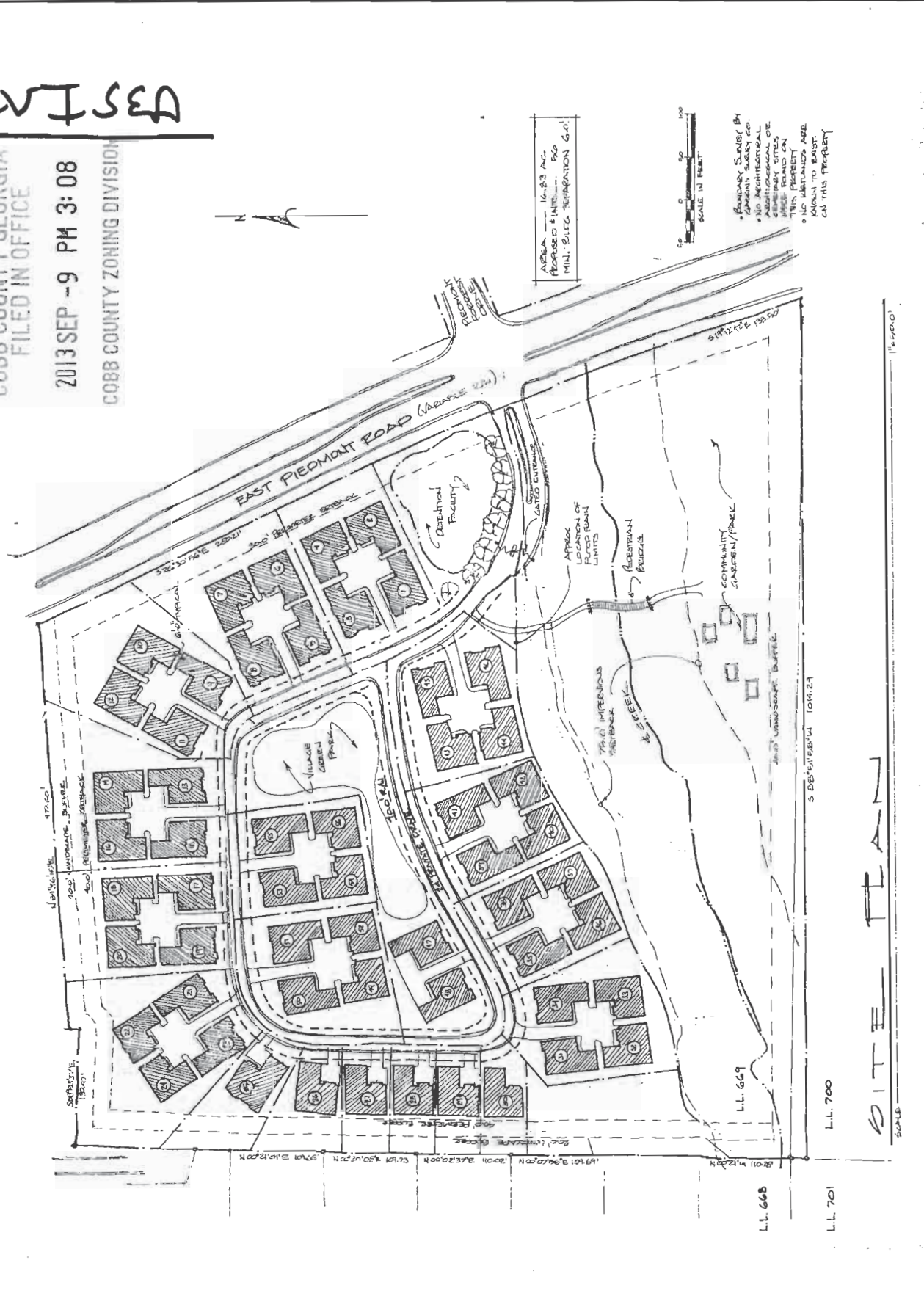
PROJECT
VILLAGE GREEN AT
EAST COBB
E#7 2013

CALDWELL • CLINE
ARCHITECTS & DESIGNERS

Z-59
(2013)

A 20064
2-6-2013

DATE	08-18-13
BY	JAC
PROJECT NO.	1011
DATE	08-13-13
BY	JAC
PROJECT NO.	1011
DATE	
BY	
PROJECT NO.	



AREA 16.93 AC.
PROPOSED & INTENTED TO BE
MINI-SITE SEPARATION G.O.

BOUNDARY SURVEY BY
DANIEL SURVEY CO.
NO MEASUREMENTAL
ERRORS OR OMISSIONS OF
ANY KIND SHALL BE
MADE IN THE PERFORMANCE
OF THIS SERVICE.
THIS SURVEY IS FOR THE
PURPOSES OF THE PROJECT
ON THIS PROPERTY.

SITE PLAN
SCALE 1" = 50.0'

5 DECEMBER 10M-27

APPLICANT: Thomas Homes & Communities, LLC
678-898-3000

REPRESENTATIVE: J. Kevin Moore 770-429-1499
Moore Ingram Johnson & Steele, LLP

TITLEHOLDER: The Estate of Elmo Lovinggood, Linda Pruett,
Executrix

PROPERTY LOCATION: West side of East Piedmont Road,
north of Fairport Way, and at the terminus of Pinkney Drive
(2316 Pinkney Drive).

ACCESS TO PROPERTY: East Piedmont Road

PHYSICAL CHARACTERISTICS TO SITE: Single-family house
and accessory structures

PETITION NO: Z-59

HEARING DATE (PC): 10-01-13

HEARING DATE (BOC): 10-15-13

PRESENT ZONING: R-20

PROPOSED ZONING: RSL

PROPOSED USE: Residential Senior Living

SIZE OF TRACT: 16.83 acres

DISTRICT: 16

LAND LOT(S): 669

PARCEL(S): 1

TAXES: PAID X **DUE** _____

COMMISSION DISTRICT: 3

CONTIGUOUS ZONING/DEVELOPMENT

- NORTH:** R-20/Single-family house
- SOUTH:** PRD/Fairport Subdivision
- EAST:** R-20/Piedmont Forest Subdivision
- WEST:** R-20/Sandy Plains Estates Subdivision

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

PLANNING COMMISSION RECOMMENDATION

APPROVED _____ **MOTION BY** _____

REJECTED _____ **SECONDED** _____

HELD _____ **CARRIED** _____

BOARD OF COMMISSIONERS DECISION

APPROVED _____ **MOTION BY** _____

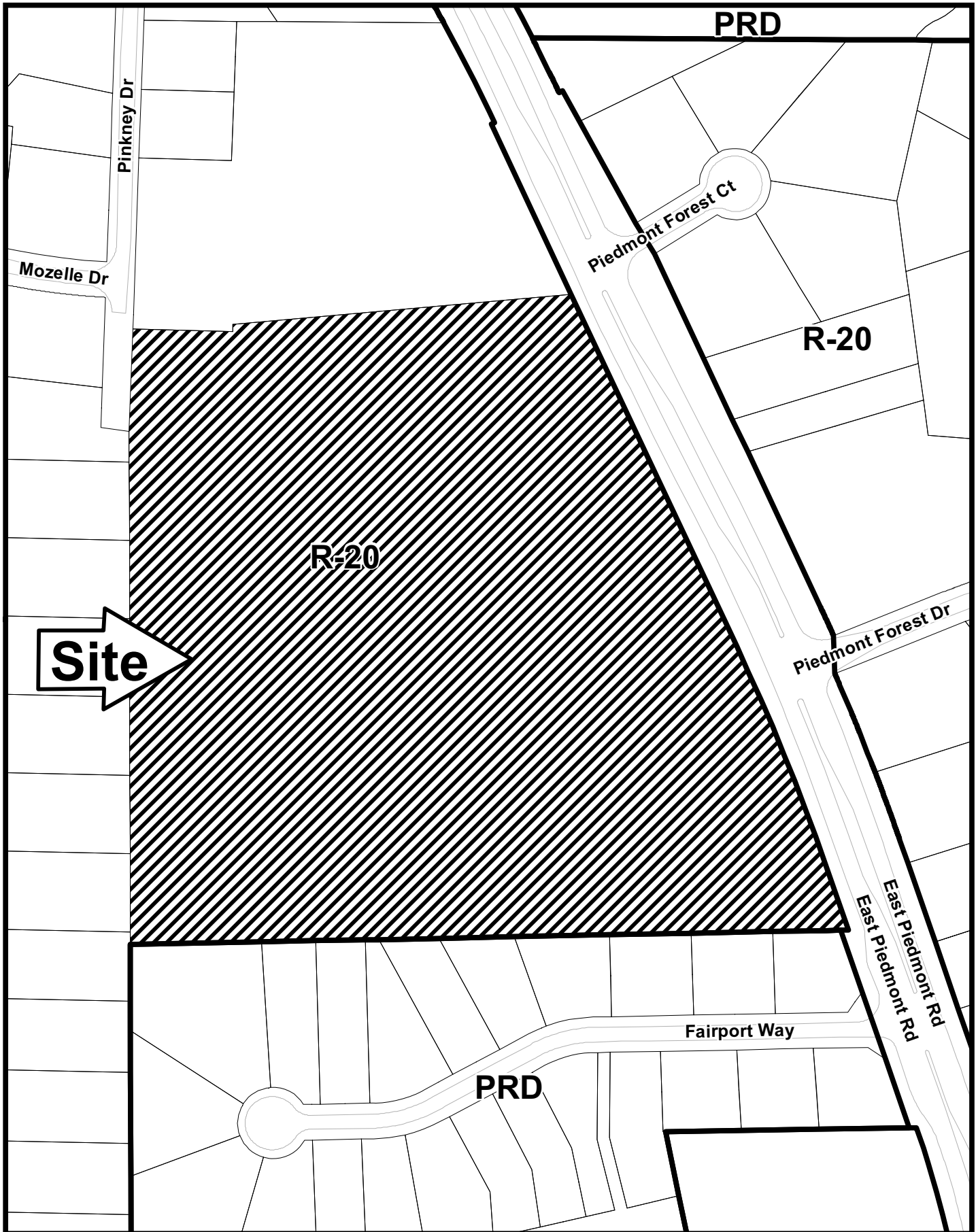
REJECTED _____ **SECONDED** _____

HELD _____ **CARRIED** _____

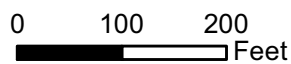
STIPULATIONS:





Z-59



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-59

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: 56 **Overall Density:** 3.32 **Units/Acre**

Staff estimate for allowable # of units: 29 **Units*** **Increase of:** 28 **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 57-unit non-supportive senior living community. The minimum unit size will be 1,800 square feet and greater. The units will be traditional and will range in price from \$295,000 and up. The development will be a gated private road community. The proposed site plan, last revised August 30, 2013 and received by the Zoning Division on September 9, 2013, indicates a 40-foot perimeter and a 20-foot landscaped buffer along the perimeter of the development. The Zoning Ordinance requires a 30-foot perimeter setback. The proposed plan also includes a village green park in the center of the development and common/recreational areas on the southern portion of the property. Per the Zoning Ordinance, non-supportive developments are to have 15 feet between buildings.

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:

When projects contemplate less than 20 foot separation between units, emergency vehicle access can be accomplished by any of the following methods or combinations of methods:

- Parking spaces as required by zoning in addition to .50 guest parking per unit (i.e. 10 units = 5 guest parking spaces). Spaces shall be delineated as guest parking spaces and 24 ft. roadways do not account for parking on the street.
- Streets shall be designated as fire lanes, appropriately marked/identified in accordance with Cobb County Code

APPLICANT: Thomas Homes & Communities, LLC

PETITION NO.: Z-59

PRESENT ZONING: R-20

PETITION FOR: RSL

PLANNING COMMENTS:

The applicant is requesting a rezoning from R-20 to RSL for purpose of residential senior living. The 16.83 acres site is located at the west side of East Piedmont Road, north of Fairport Way and at the terminus of Pinkney Drive.

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.

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?

APPLICANT Thomas Homes & Communities LLC

PETITION NO. Z-059

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): *8" DI / W side of East Piedmont*

Additional Comments: County master meter to serve development

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, traversing southern portion of parcel*

Estimated Waste Generation (in G.P.D.): **A D F** 9120 **Peak=** 22800

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

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: Sewer in private streets to be private

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-59

PRESENT ZONING: R-20

PETITION FOR: RSL

STORMWATER MANAGEMENT COMMENTS

FLOOD HAZARD: YES NO POSSIBLY, NOT VERIFIED

DRAINAGE BASIN: Sewell Mill 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 and adjacent to stream channel

- 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 .
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 culvert under East Piedmont Road.

APPLICANT: Thomas Homes & Communities, LLC

PETITION NO.: Z-59

PRESENT ZONING: 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 located to the west of East Piedmont Road and is bounded by Fairport Subdivision to the south, Sandy Plains Estates to the west and a large estate-sized lot to the north. All but a small portion of the northwest corner of the parcel drains to the floodplain of a small tributary to Sewell Mill Creek which traverses the southern portion of the site. Slopes on the site are moderate at less than 15%.
2. The proposed pedestrian bridge crossing will require a no-rise certification to verify no adverse impact to flood elevations off the site.

APPLICANT: Thomas Homes & Communities, LLC **PETITION NO.: Z-59**

PRESENT ZONING: 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
East Piedmont Road	19,500	Arterial	45 mph	Cobb County	100'

Based on 2010 traffic counting data taken by Cobb DOT (East Piedmont Road)

COMMENTS AND OBSERVATIONS

East Piedmont Road is classified as an arterial and according to the available information the existing right-of-way does meet the minimum requirements for this classification.

RECOMMENDATIONS

Recommend a deceleration lane on East Piedmont Road for the entrance.

Recommend no monument signs on the right-of-way.

Recommend if streets are private then roadways be constructed to the Cobb County Standard Specifications.

Recommend modifying pavement markings for left turn lane on East Piedmont Road.

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

STAFF RECOMMENDATIONS

Z-59 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. Adjacent and nearby properties are developed as single-family residential subdivisions with lower densities than the applicant's proposal.
- 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. Applicant's proposal for a non-supportive RSL development is not consistent with the densities and uses of other properties in this area. The character of the area is defined with single-family houses.
- 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 as Low Density Residential (LDR) for properties having a density range of 1-2.5 units per acre. Applicant's proposal is not within that range and other developments in the area have lower densities ranging from approximately 1.63 units per acre (Piedmont Chase, zoned R-15); 2.16 units per acre (Fairport, zoned PRD); and 3.014 units per acre (Autumn Lake, zoned PRD).
- 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 limiting the density to a maximum of 2.5 units per acre. Applicant's proposal does not meet the density range of the *Cobb County Comprehensive Plan* for the LDR category (1-2.5 units per acre). The proposed development of 3.32 units per acre is at a higher density than other developments in the area. Staff is also concerned that the proposed plan does not meet the 15 feet between buildings requirement of the RSL (Non-Supportive) section on the ordinance.

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

- Maximum of 2.5 units per acre;
- Detached units;
- Final site plan to be approved by the Board of Commissioners;
- Fire Department comments and recommendations;
- 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.

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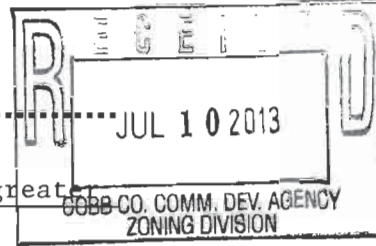
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Summary of Intent for Rezoning*



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

- a) Proposed unit square-footage(s): Minimum 1,800 square feet, and greater
- b) Proposed building architecture: Traditional
- c) Proposed selling prices(s): \$295,000, and greater
- d) List all requested variances: Waiver of side setbacks from 15 feet to 6 feet between structures.

.....
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)

None at this time.

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