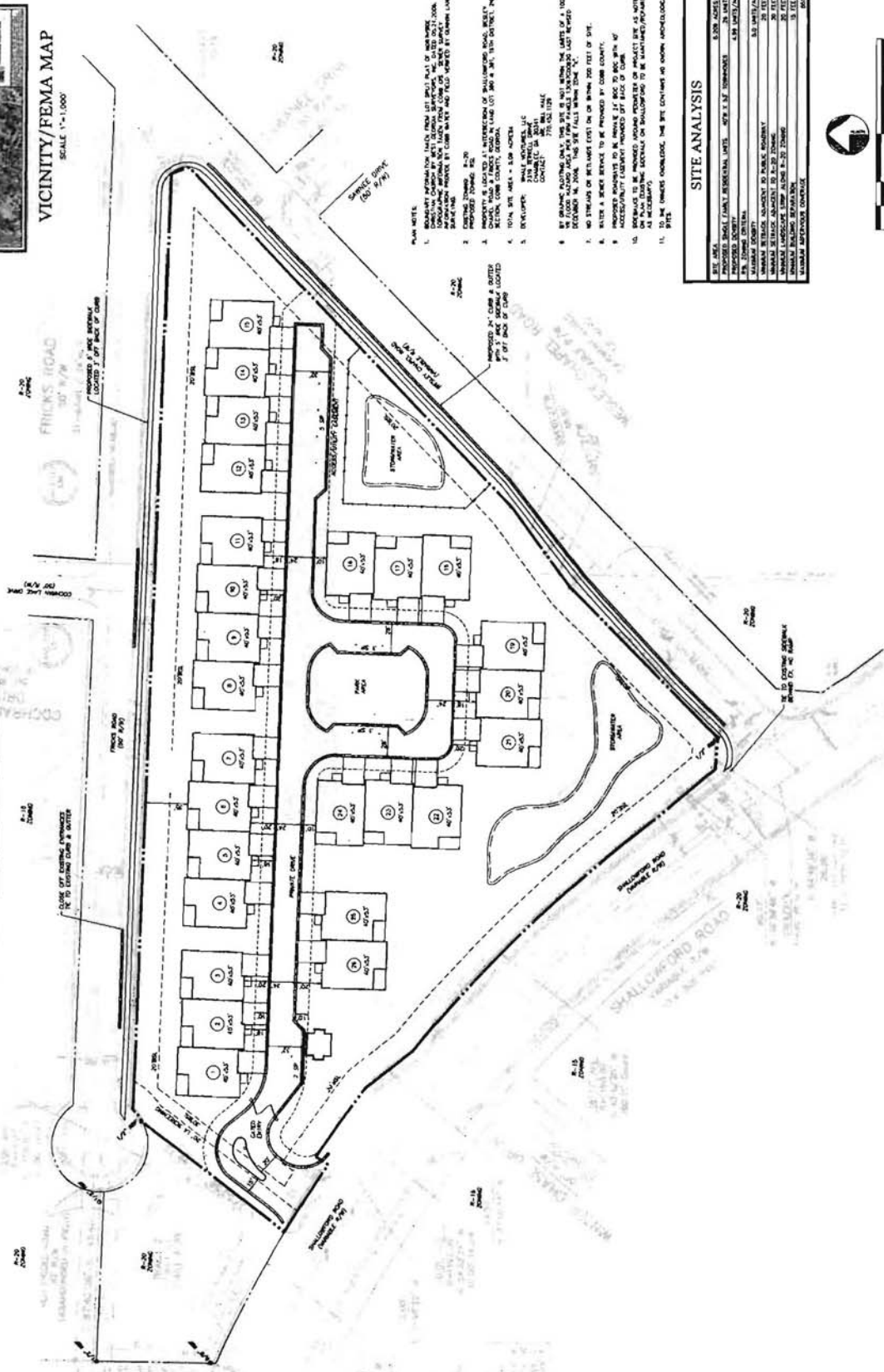




VICINITY/FEMA MAP
SCALE: 1" = 1000'



- PLAN NOTES:**
1. EXISTING UTILITIES AND EASEMENTS SHOWN ON THIS PLAN ARE NOT TO BE MOVED OR DELETED UNLESS SHOWN OTHERWISE.
 2. ALL UTILITIES AND EASEMENTS SHALL BE DELETED OR MOVED AS SHOWN ON THIS PLAN UNLESS SHOWN OTHERWISE.
 3. ALL UTILITIES AND EASEMENTS SHALL BE MOVED AS SHOWN ON THIS PLAN UNLESS SHOWN OTHERWISE.
 4. ALL UTILITIES AND EASEMENTS SHALL BE MOVED AS SHOWN ON THIS PLAN UNLESS SHOWN OTHERWISE.
 5. ALL UTILITIES AND EASEMENTS SHALL BE MOVED AS SHOWN ON THIS PLAN UNLESS SHOWN OTHERWISE.
 6. ALL UTILITIES AND EASEMENTS SHALL BE MOVED AS SHOWN ON THIS PLAN UNLESS SHOWN OTHERWISE.
 7. ALL UTILITIES AND EASEMENTS SHALL BE MOVED AS SHOWN ON THIS PLAN UNLESS SHOWN OTHERWISE.
 8. ALL UTILITIES AND EASEMENTS SHALL BE MOVED AS SHOWN ON THIS PLAN UNLESS SHOWN OTHERWISE.
 9. ALL UTILITIES AND EASEMENTS SHALL BE MOVED AS SHOWN ON THIS PLAN UNLESS SHOWN OTHERWISE.
 10. ALL UTILITIES AND EASEMENTS SHALL BE MOVED AS SHOWN ON THIS PLAN UNLESS SHOWN OTHERWISE.
 11. ALL UTILITIES AND EASEMENTS SHALL BE MOVED AS SHOWN ON THIS PLAN UNLESS SHOWN OTHERWISE.

SITE ANALYSIS

ITEM	DESCRIPTION	AREA (SQ. FT.)	PERCENTAGE
1	TOTAL SITE AREA	1,200,000	100%
2	IMPROVED PAVEMENT	100,000	8.3%
3	ASPHALT DRIVEWAY	50,000	4.2%
4	GRAVEL DRIVEWAY	50,000	4.2%
5	LANDSCAPE	100,000	8.3%
6	UTILITY	100,000	8.3%
7	WATER	100,000	8.3%
8	SEWER	100,000	8.3%
9	STORMWATER	100,000	8.3%
10	MINIMUM APPROVED DRIVEWAY	100,000	8.3%



APR - 2 2015
COBB CO. COMM. DEV. AGENCY
ZONING DIVISION

APPLICANT: Whale Ventures, LLC

PETITION NO.: Z-57

PHONE#: (770) 452-1129 **EMAIL:** Bhale@bellsouth.net

HEARING DATE (PC): 06-02-15

REPRESENTATIVE: J. Kevin Moore

HEARING DATE (BOC): 06-16-15

PHONE#: (770) 429-1499 **EMAIL:** jkm@mjs.com

PRESENT ZONING: R-20

TITLEHOLDER: Northwest Christian Church, Inc.

PROPOSED ZONING: RSL

PROPERTY LOCATION: North intersection of Shallowford Road

and Wesley Chapel Road, and on the south side of Fricks Road

PROPOSED USE: Residential Senior Living

(3535 Shallowford Road).

(Nonsupportive)

ACCESS TO PROPERTY: Shallowford Road

SIZE OF TRACT: 5.2 acres

PHYSICAL CHARACTERISTICS TO SITE: Church

DISTRICT: 16

LAND LOT(S): 390, 391

PARCEL(S): 1

TAXES: PAID **DUE** _____

CONTIGUOUS ZONING/DEVELOPMENT

COMMISSION DISTRICT: 3

NORTH: R-20/Single-family house and R-15/Mountain Lake Estates

SOUTH: R-15/Winter Chase Subdivision and R-20/Single-family house

EAST: R-20/Shallowford Heights Subdivision

WEST: R-20/Single-family house

PLANNING COMMISSION RECOMMENDATION

APPROVED _____ **MOTION BY** _____

REJECTED _____ **SECONDED** _____

HELD _____ **CARRIED** _____

BOARD OF COMMISSIONERS DECISION

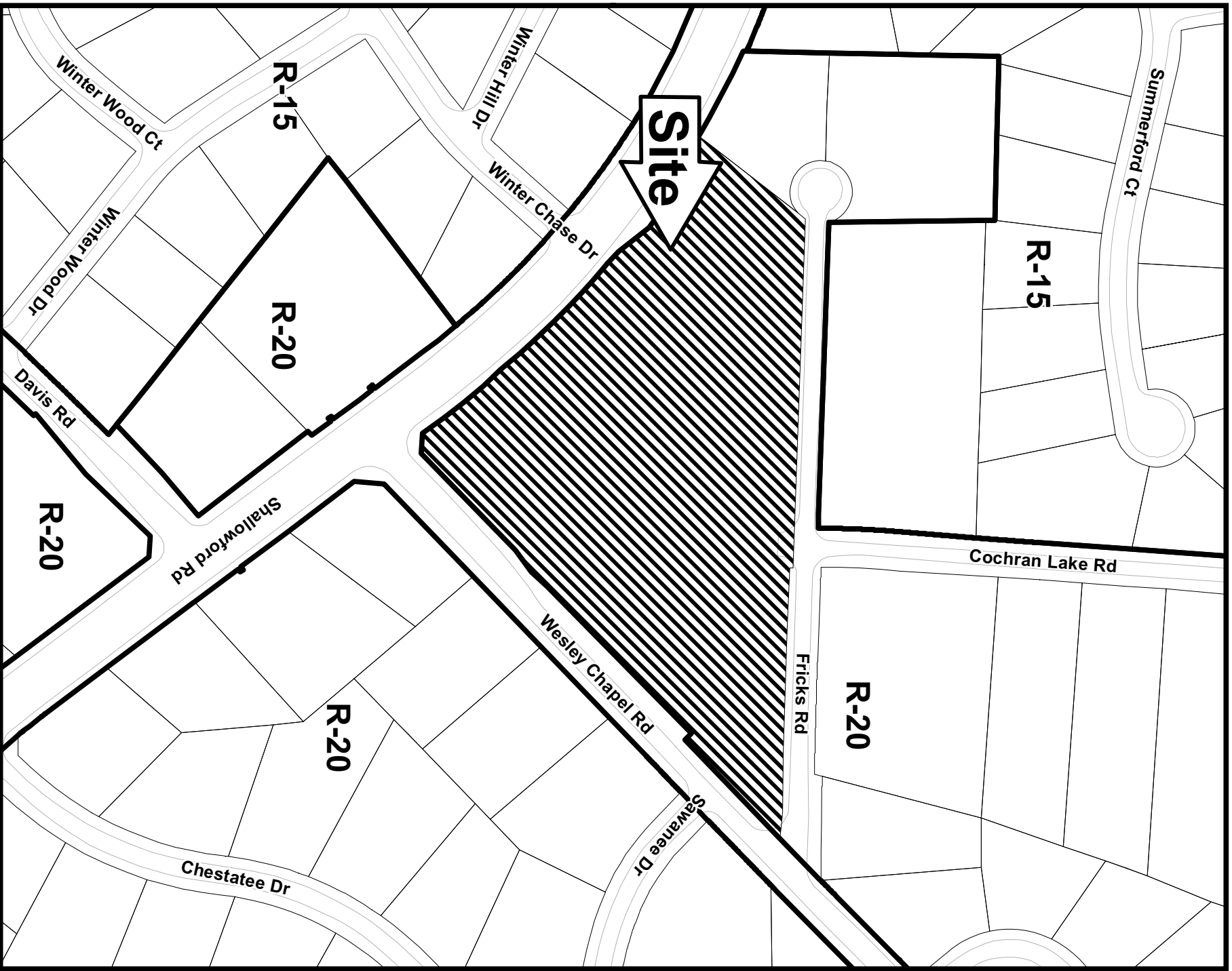
APPROVED _____ **MOTION BY** _____

REJECTED _____ **SECONDED** _____

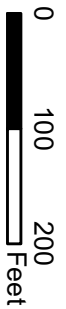
HELD _____ **CARRIED** _____

STIPULATIONS:





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



City Boundary
Zoning Boundary

APPLICANT: Whale Ventures, LLC

PETITION NO.: Z-57

PRESENT ZONING: R-20

PETITION FOR: RSL

ZONING COMMENTS: Staff Member Responsible: Jason A. Campbell

Land Use Plan Recommendation: Public Institutional (PI)

Proposed Number of Units: 26 **Overall Density:** 4.99 **Units/Acre**

Staff estimate for allowable # of units: 9 **Units*** **Increase of:** 17 **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 non-supportive residential senior living subdivision. The proposed homes will be in the townhouse-style and will have traditional architecture and a minimum size of 2,500 square feet. The prices for the homes will range from \$400,000s to mid \$500,000s. “Easy Living” standards will also be utilized in the proposed development. The applicant proposes a gated entry.

Cemetery Preservation: No comment.

APPLICANT: Whale Ventures, LLC

PETITION NO.: Z-57

PRESENT ZONING: R-20

PETITION FOR: RSL

SCHOOL COMMENTS:

Number of

Capacity

Portable

Name of School

Enrollment

Status

Classrooms

Elementary

Middle

High

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

Additional Comments:

FIRE 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: Whale Ventures, LLC

PETITION NO.: Z-57

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 5.2 acre site is located on the north intersection of Shallowford Road and Wesley Chapel Road, and on the south side of Fricks Road.

Comprehensive Plan

The parcel is within a Public/Institutional (PI) future land use category, with R-20 zoning designation. The purpose of the Public/Institutional (PI) category is to provide for certain state, federal or local government uses and institutional land uses such as government building complexes, police and fire stations, colleges, churches, hospitals, etc.

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?

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>.

APPLICANT: Whale Ventures, LLC

PETITION NO.: Z-57

PRESENT ZONING: R-20

PETITION FOR: RSL

PLANNING COMMENTS: (Continued)

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

APPLICANT Whale Ventures

PETITION NO. Z-057

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 / N side of Shallowford

Additional Comments: Current development connected to water

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: Wesley Chapel Rd at Suwanee Dr.

Estimated Waste Generation (in G.P.D.): A D F= 4,160 Peak= 10,400

Treatment Plant: Big Creek

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 Current development connected to sewer

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: Whale Ventures, LLC

PETITION NO.: Z-57

PRESENT ZONING: R-20

PETITION FOR: RSL

STORMWATER MANAGEMENT COMMENTS

FLOOD HAZARD: YES NO POSSIBLY, NOT VERIFIED

DRAINAGE BASIN: Sweet Mountain Cr/Piney Grove Cr 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 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 downstream receiving systems.

APPLICANT: Whale Ventures, LLC

PETITION NO.: Z-57

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. Redevelopment of this existing church property will require meeting the current stormwater management requirements. The proposed stormwater management facilities must be tied directly to the existing systems located within the adjacent rights-of-way.

APPLICANT: Whale Ventures, LLC

PETITION NO.: Z-57

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
Shallowford Road	27,300	Arterial	45 mph	Cobb County	100'
Wesley Chapel Road	3500	Minor Collector	35 mph	Cobb County	60'
Fricks Road	N/A	Local	25 mph	Cobb County	50'

*Based on 2011 traffic counting data taken by Cobb DOT (Shallowford Road)
Based on 2011 traffic counting data taken by Cobb DOT (Wesley Chapel Road)*

COMMENTS AND OBSERVATIONS

Shallowford 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.

Wesley Chapel 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.

Fricks Road 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 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 north side of Shallowford 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 Wesley Chapel Road, a minimum of 30' from the roadway centerline.

Recommend curb, gutter, and sidewalk along the Wesley Chapel Road frontage.

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

STAFF RECOMMENDATIONS

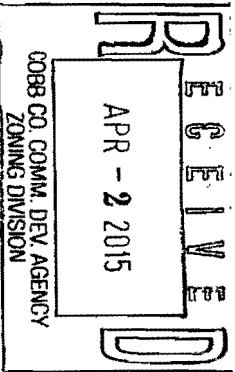
Z-57 WHALE VENTURES, LLC

- A. It is Staff's opinion that the applicant's rezoning proposal may 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. The attached housing may be out of character with the area.
- B. It is Staff's opinion that the applicant's rezoning proposal may 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 of other properties in the area. The character of the area is defined with single-family detached subdivisions having lower densities than what is proposed by the applicant.
- 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. 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) land use plan, having densities ranging from 1-2.5 units per acre. While the RSL non-supportive category is an allowed use under LDR, the proposed density of 4.9 units per acre is over the LDR range. Applicant's proposal is not consistent with other densities in the area that include: Shallowford Heights Unit Two (zoned R-20 at approximately 1.40 units per acre); Cochran Lake Estates (zoned R-20 at 1.61 units per acre); Summerford Subdivision (zoned R-15 at 2.02 units per acre); Sutton's Orchard Subdivision (zoned R-15 at 2.16 units per acre); and Winter Chase Subdivision (zoned R-15 at approximately 2.23 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 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 4.9 units per acre is at a higher density than other developments in the area. While the RSL Non-supportive zoning category is allowed in the LDR land use category, §132-203.2 of that category indicates that the proposed development "shall be compatible with neighboring residential uses".

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

- Maximum of 2.5 units per acre;
- Detached units;
- Final site plan to be approved by the Board of Commissioners, with the District Commissioner approving minor modifications;
- Fire Department comments and recommendations;
- Water and Sewer Division comments and recommendations;
- Stormwater Management Division comments and recommendations;
- Department of Transportation comments and recommendations; and
- 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-S-7
June (2015)

Summary of Intent for Rezoning*

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

- a) Proposed unit square-footage(s): Minimum 2,500 square feet, and greater
- b) Proposed building architecture: Traditional
- c) Proposed selling prices(s): High \$400s - Mid \$500s
- d) List all requested variances: None known at this time.

.....
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 known 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 reserves the right to amend any information set forth in the Summary of Intent for Rezoning, or any other part of the Application for Rezoning, at any time during the rezoning process.



BRICK
SHAKE

BRICK
BOARD & BATTEN

BRICK
STONE
SIDING

STONE
SHAKE