

Z-75  
(2016)

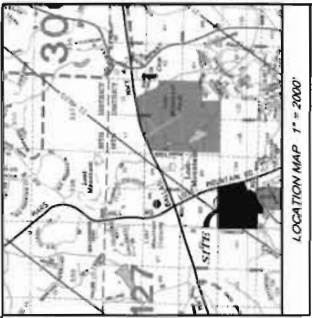
**Gaskins**  
ENGINEERING  
PLANNING/CONSULTING  
PROJECT MGMT  
1770 GA-700  
FLEX OFFICE BLDG  
MARIETTA, GEORGIA 30067  
WWW.GASKINS.COM

LAND LOTS 139, 140, AND 157, 198 DISTRICT, 2ND SECTION  
COBB COUNTY, GEORGIA  
WINDSONG AT LOST MOUNTAIN  
ZONING PLAN

NO.	DATE	REVISION
1		
2		
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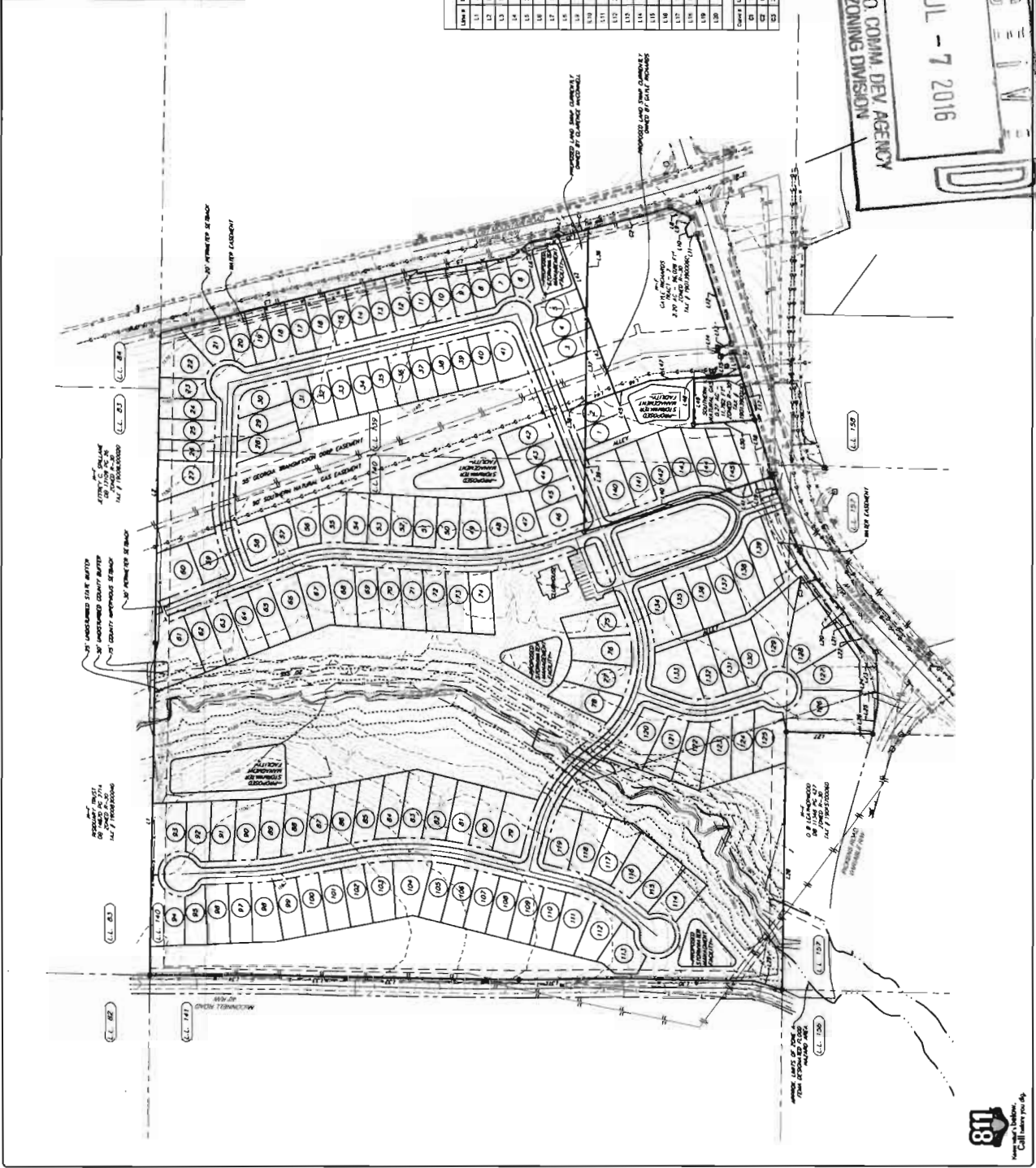


PROJECT NO. 1770-02-100  
 CHECKED BY: [Blank]  
 DRAWN BY: DPH  
 SCALE: 1" = 100'  
 SHEET DATE: 07/06/16  
 SHEET NUMBER: 1



- 1. ALL LOTS - 60 FT WIDE
- 2. ALL LOTS - 100 FT WIDE
- 3. ALL LOTS - 150 FT WIDE
- 4. ALL LOTS - 200 FT WIDE
- 5. ALL LOTS - 250 FT WIDE
- 6. ALL LOTS - 300 FT WIDE
- 7. ALL LOTS - 350 FT WIDE
- 8. ALL LOTS - 400 FT WIDE
- 9. ALL LOTS - 450 FT WIDE
- 10. ALL LOTS - 500 FT WIDE
- 11. ALL LOTS - 550 FT WIDE
- 12. ALL LOTS - 600 FT WIDE
- 13. ALL LOTS - 650 FT WIDE
- 14. ALL LOTS - 700 FT WIDE
- 15. ALL LOTS - 750 FT WIDE
- 16. ALL LOTS - 800 FT WIDE
- 17. ALL LOTS - 850 FT WIDE
- 18. ALL LOTS - 900 FT WIDE
- 19. ALL LOTS - 950 FT WIDE
- 20. ALL LOTS - 1000 FT WIDE

Lot #	Area (sq ft)	Area (ac)	Permit #
1	1000	0.023	
2	1000	0.023	
3	1000	0.023	
4	1000	0.023	
5	1000	0.023	
6	1000	0.023	
7	1000	0.023	
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100	1000	0.023	



**APPLICANT:** Windsong Properties, LLC

**PHONE#:** (770)516-3409 **EMAIL:** steve@windsonglife.com

**REPRESENTATIVE:** Parks F. Huff

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

**TITLEHOLDER:** Clarence Luther McConnell, Jr.; Gayle L. Norton,  
a/k/a Gayle L. Richards

**PROPERTY LOCATION:** Northwest corner of Lost Mountain Road  
and Corner Road, on the east side of McConnell Road; and on the  
north side of Pickens Road

**ACCESS TO PROPERTY:** Corner Road

**PHYSICAL CHARACTERISTICS TO SITE:** Undeveloped acreage

**PETITION NO:** Z-75

**HEARING DATE (PC):** 09-08-16

**HEARING DATE (BOC):** 09-20-16

**PRESENT ZONING:** R-30

**PROPOSED ZONING:** RSL

**PROPOSED USE:** Residential Senior  
Living (non-supportive)

**SIZE OF TRACT:** 46.72 acres

**DISTRICT:** 19

**LAND LOT(S):** 139,140,157

**PARCEL(S):** 6,1,140

**TAXES: PAID** X **DUE** \_\_\_\_\_

**COMMISSION DISTRICT:** 1

**CONTIGUOUS ZONING/DEVELOPMENT**

**NORTH:** R-30/Undeveloped  
**SOUTH:** R-30/Kemp Elem School; R-30/Single-family house  
**EAST:** CS/Broadlands Subdivision  
**WEST:** R-30/Single-family houses

Adjacent Future Land Use:

North: Very Low Density Residential (VLDR)  
Northeast: Very Low Density Residential (VLDR)  
Southeast: Very Low Density Residential (VLDR)  
South: Very Low Density Residential (VLDR)  
West: Very Low Density Residential (VLDR)

**OPPOSITION:** NO. OPPOSED **PETITION NO:** \_\_\_\_\_ **SPOKESMAN** \_\_\_\_\_

**PLANNING COMMISSION RECOMMENDATION**

**APPROVED** \_\_\_\_\_ **MOTION BY** \_\_\_\_\_

**REJECTED** \_\_\_\_\_ **SECONDED** \_\_\_\_\_

**HELD** \_\_\_\_\_ **CARRIED** \_\_\_\_\_

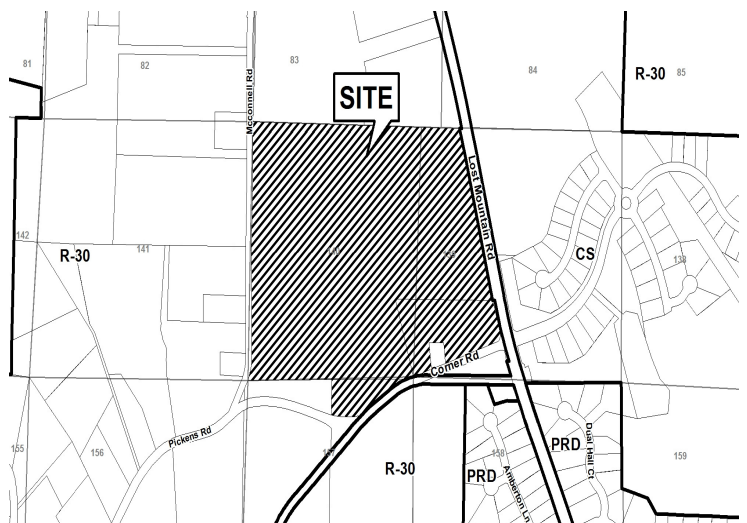
**BOARD OF COMMISSIONERS DECISION**

**APPROVED** \_\_\_\_\_ **MOTION BY** \_\_\_\_\_

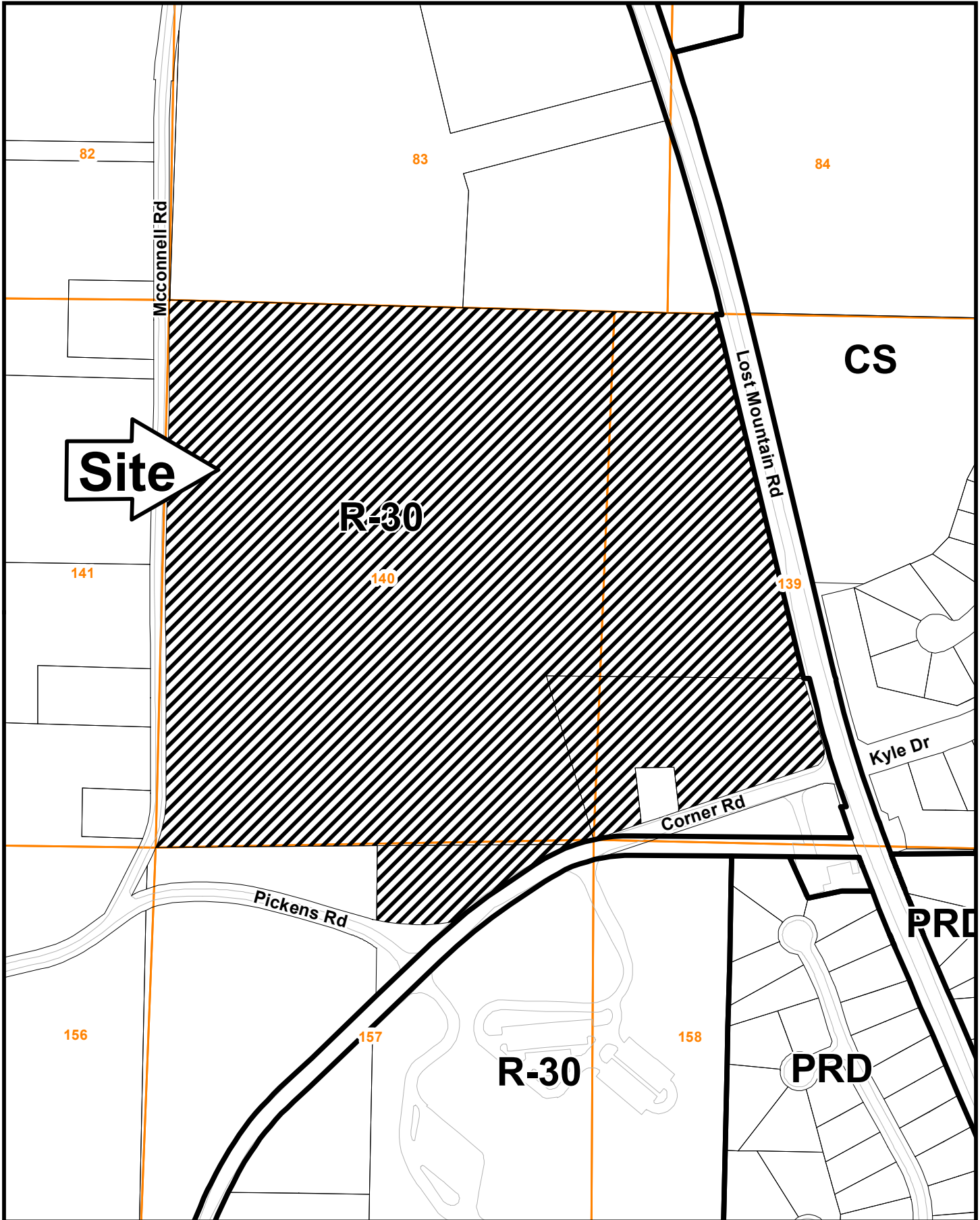
**REJECTED** \_\_\_\_\_ **SECONDED** \_\_\_\_\_

**HELD** \_\_\_\_\_ **CARRIED** \_\_\_\_\_

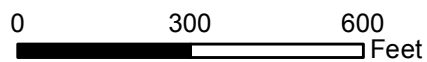
**STIPULATIONS:**





# Z-75-2016 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:** Windsong Properties, LLC

**PETITION NO.:** Z-75

**PRESENT ZONING:** R-30

**PETITION FOR:** RSL

\*\*\*\*\*

**ZONING COMMENTS:**

**Staff Member Responsible:** Jason A. Campbell

**Land Use Plan Recommendation:** Very Low Density Residential (0-2 units per acre)

**Proposed Number of Units:** 145                      **Overall Density:** 3.10                      **Units/Acre**

**Staff estimate for allowable # of units:** 50                      **Units\***                      **Increase of:** 95                      **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 the Residential Senior Living zoning district for the purpose of developing a 145-lot non-supportive senior living subdivision. The houses will range in size from 1,200 to 2,500 square feet and the price range will be from \$250,000 to \$400,000. The proposed site plan indicates 145 lots, a clubhouse and tree save and green space areas.

The proposed site plan will require the following contemporaneous variances to:

1. Waive the required 20-foot landscape buffer along the northern property line abutting residentially zoned property; and
2. Waive the distance between buildings from the required 15 feet to 10 feet.

**Cemetery Preservation:** No comment

APPLICANT: Windsong Properties, LLC

PETITION NO.: Z-75

PRESENT ZONING: R-30

PETITION FOR: RSL

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**SCHOOL COMMENTS:**

<b>Name of School</b>	<b>Enrollment</b>	<b>Capacity Status</b>	<b>Number of Portable Classrooms</b>
<b>Elementary</b>			
<b>Middle</b>			
<b>High</b>			

- 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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**APPLICANT:** Windsong Properties

**PETITION NO.:** Z-75

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**FIRE COMMENTS:**

RSL- 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: Windsong Properties, LLC

PETITION NO.: Z-75

PRESENT ZONING: R-30

PETITION FOR: RSL

\*\*\*\*\*

**PLANNING COMMENTS:**

The applicant is requesting a rezoning from R-30 to RSL for the purpose of residential senior living (non-supportive). The 46.72 acre site is located on the northwest corner of Lost Mountain Road and the Corner Road, on the east side of McConnell Road; and on the north side of Pickens 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 Very Low Density Residential (VLDR) future land use category, with R-30 zoning designation. The purpose of the Very Low Density Residential (VLDR) category is to provide for areas that are suitable for very low density housing, particularly in locations which may not have basic services such as sewer, or where the existing or desired residential development pattern is zero to two (2) dwelling units per acre.

Specific Area Policy Guidelines:

There are no specific policy guidelines for this area in the Comprehensive Plan.

Adjacent Future Land Use:

North: Very Low Density Residential (VLDR)  
Northeast: Very Low Density Residential (VLDR)  
Southeast: Very Low Density Residential (VLDR)  
South: Very Low Density Residential (VLDR)  
West: Very Low Density Residential (VLDR)

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: Windsong Properties, LLC**

**PRESENT ZONING: R-30**

**PETITION NO.: Z-75**

**PETITION FOR: RSL**

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**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?

Yes  No

If so, which particular safety zone is this property within?

CZ (Clear Zone)  APZ I (Accident Potential Zone I)

APZ II (Accident Potential Zone II)

Bird / Wildlife Air Strike Hazard (BASH) area



APPLICANT Windsong Properties, LLC

PETITION NO. Z-075

PRESENT ZONING R-30

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): 12" DI high service / N side of Corner Road

Additional Comments: Lost Mountain High Service fee is \$3,000 per ERU (per lot)

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: \*\*600' SE if elevations allow

Estimated Waste Generation (in G.P.D.): A D F= 23,200 Peak= 58,000

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: \*\* ~3,800' SW if nearest sewer (Amberton S/D area) does not allow for gravity flow. Sewer flow study may be required at Plan Review

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: Windsong Properties, LLC

PETITION NO.: Z-75

PRESENT ZONING: R-30

PETITION FOR: RSL

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**STORMWATER MANAGEMENT COMMENTS**

FLOOD HAZARD:  YES  NO  POSSIBLY, NOT VERIFIED

DRAINAGE BASIN: Trib to Mill Creek No. 1/Luther Ward Br 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 and adjacent to stream buffer and floodplain

- 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 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 R.O.W required to receive concentrated discharges where none exist naturally
- Existing Lake Downstream Woodward Pond (~650 downstream).  
Additional BMP's for erosion sediment controls will be required.
- Lake Study needed to document sediment levels.
- Stormwater discharges through an established residential neighborhoods downstream.
- Project engineer must evaluate the impact of increased volume of runoff generated by the proposed project on receiving stream and existing culvert at Pickens Road..

**APPLICANT: Windsong Properties, LLC**

**PETITION NO.: Z-75**

**PRESENT ZONING: R-30**

**PETITION FOR: RSL**

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**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 parcel is located at the northwest corner of Lost Mountain and Corner Roads. The majority of the site drains to the southwest corner into the floodplain of Mill Creek No. 1 Tributary. The eastern portion of the site drains to the southeast into a tributary to Luther Ward Branch.
2. Stormwater management is proposed to be provided by multiple ponds. Depending on the grading required to develop lots 82-104, the northernmost pond may need to be relocated further to the south to provide serve this portion of the site.
3. As indicated in the Downstream Conditions Comment Section, there is an existing lake located approximately 2300 feet downstream. A pre- and post-development sediment survey will be required for the existing pond located on the Woodward property to document any possible sediment impacts to this pond.

**APPLICANT:** Windsong Properties, LLC

**PETITION NO.:** Z-75

**PRESENT ZONING:** R-30

**PETITION FOR:** RSL

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**TRANSPORTATION COMMENTS:**

ROADWAY	AVERAGE DAILY TRIPS	ROADWAY CLASSIFICATION	SPEED LIMIT	JURISDICTIONAL CONTROL	MIN. R.O.W. REQUIREMENTS
McConnell Road	N/A	Local	30 mph	Cobb County	50'
Corner Road	7,500	Major Collector	35 mph	Cobb County	80'
Lost Mountain Road	14,600	Arterial	45 mph	Cobb County	100'
Pickens Road	N/A	Local	35 mph	Cobb County	50'

*Based on 2016 traffic counting data taken by Cobb County DOT for Corner Road.  
Based on 2015 traffic counting data taken by Cobb County DOT for Lost Mountain Road.*

**COMMENTS AND OBSERVATIONS**

McConnell Road is classified as a local and according to the available information the existing right-of-way does not meet the minimum requirements for this classification.

Corner Road is classified as a major collector and according to the available information the existing right-of-way does not meet the minimum requirements for this classification.

Lost Mountain 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.

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

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 east side of McConnell Road, a minimum of 25' 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 north side of Corner Road, a minimum of 40' 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 Lost Mountain Road, a minimum of 50' from the roadway centerline.

**APPLICANT:** Windsong Properties, LLC

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**PETITION FOR:** RSL

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As necessitated by this development, recommend Corner Road access include deceleration lane and left turn lane. Recommend location and design be determined during plan review, subject to Cobb County DOT approval.

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

Recommend a traffic study.

Recommend sidewalk, curb, and gutter along the frontage of Corner Road and Lost Mountain Road.

Recommend a no access easement along the lots that border Lost Mountain Road and Corner Road.

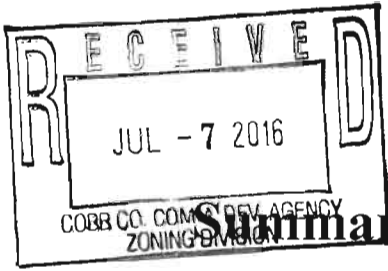
## STAFF RECOMMENDATIONS

### **Z-75 WINDSONG PROPERTIES, 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 subject property abuts R-30 properties consisting of single-family houses on larger lots.
- B. It is Staff's opinion that the applicant's rezoning proposal will have an adverse effect on the usability of adjacent or nearby property. The proposed use is more intense than what exists in the area and is also more intense than if the property was to be developed under the current zoning.
- 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 being in the Very Low Density Residential (VLDR) land use category, having densities ranging from 0-2 units per acre. The proposed Residential Senior Living (non-supportive) zoning district is designed to be located within any land use category other than industrial, industrial compatible, rural residential and *very low density residential*. Other properties in the area include: Poplar Springs (zoned CS at 1.31 units per acre); The Park at Kyle Farm (zoned CS at 1.549 units per acre); Amberton (zoned PRD at 2.00 units per acre); and numerous single-family houses on lots zoned R-30. The proposed density is 3.10 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 denying the applicant's rezoning proposal. Staff feels applicant's request is not compatible with the surrounding properties that consist of single-family houses on larger lots, nor is it compatible with the *Cobb County Comprehensive Plan* designation of Very Low Density Residential.

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.**



Application No. Z-75

PC Hearing Date: 9-8-16

BOC Hearing Date: 9-20-16

# Summary of Intent for Rezoning \*

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

- a) Proposed unit square-footage(s): 1,200 to 2,500
  - b) Proposed building architecture: To be provided at a later time
  - c) Proposed selling prices(s): \$250,000 to \$400,000
  - d) List all requested variances: None identified at this time
- \_\_\_\_\_
- \_\_\_\_\_
- \_\_\_\_\_

.....  
**Part 2. Non-residential Rezoning Information (attach additional information if needed)**

- a) Proposed use(s): N/A
  - 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)**

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

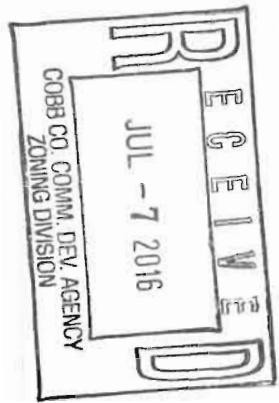
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**Part 4. Is any of the property included on the proposed site plan owned by the Local, State, or Federal Government?**  
(Please list all Right-of-Ways, Government owned lots, County owned parcels and/or remnants, etc., and attach a plat clearly showing where these properties are located). None known at this time.

\_\_\_\_\_

\_\_\_\_\_

\* Applicant specifically reserves the right to amend any information set forth in this Summary of Intent for Rezoning, or any other portion of the Application for Rezoning, at any time during the rezoning process.

SC  
SITE CONCEPTS, LLC  
200 Palmer Center  
Atlanta, GA 30328  
Phone: 770-233-8944

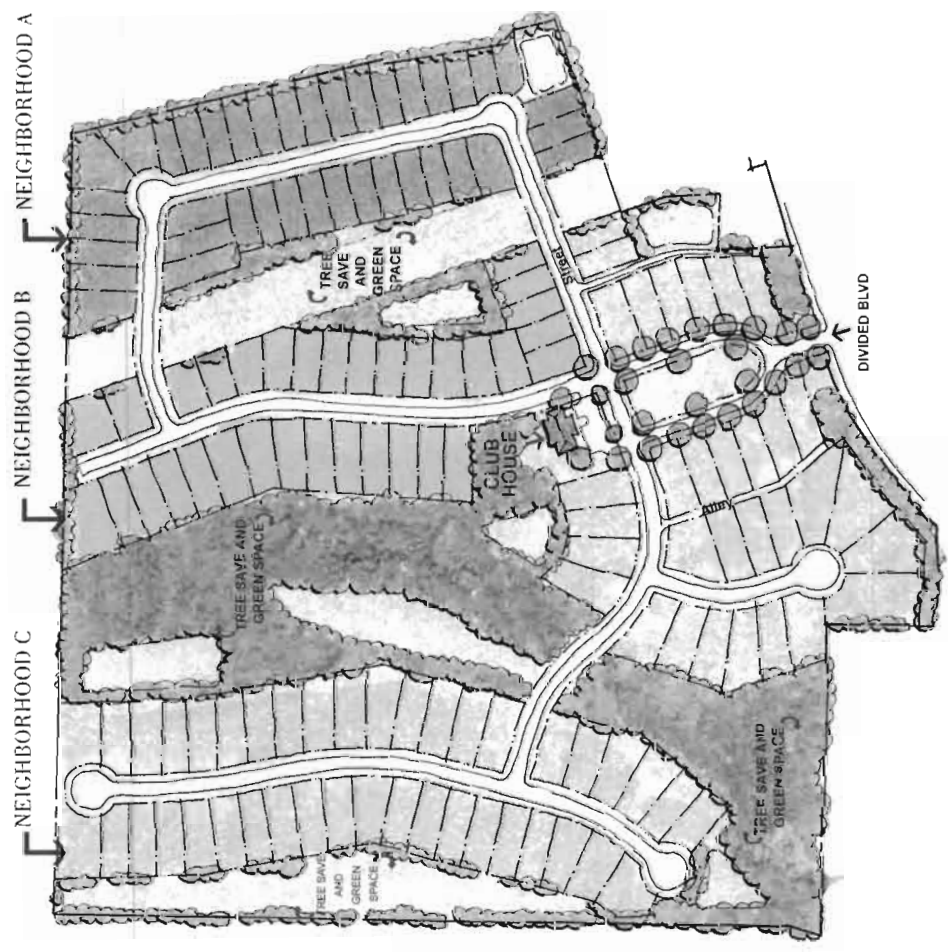


Windsong at Lost Mountain

CONCEPTUAL STUDY  
1" = 100'

DEVELOPMENT SUMMARY

SITE: 46.72 AC  
TOTAL LOTS: 145  
DENSITY: 3.1 UNITS / AC



# Windsong at Lost Mountain

Proposed Site Plan

