



**APPLICANT:** St. Clair Holdings, LLC

**PHONE#:** (404) 407-5161 **EMAIL:** pclark@stclairholdings.com

**REPRESENTATIVE:** J. Kevin Moore

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

**TITLEHOLDER:** Multiple titleholders indicated on Rezoning Application

**PROPERTY LOCATION:** Northern intersection of Johnson Ferry Road and Bishop Lake Road

**ACCESS TO PROPERTY:** Bishop Lake Road

**PHYSICAL CHARACTERISTICS TO SITE:** Wooded acreage

**PETITION NO:** Z-116

**HEARING DATE (PC):** 12-06-16

**HEARING DATE (BOC):** 12-20-16

**PRESENT ZONING:** R-30

**PROPOSED ZONING:** RSL

**PROPOSED USE:** Non-supportive Senior Living

**SIZE OF TRACT:** 6.278 acres

**DISTRICT:** 16

**LAND LOT(S):** 758,759,826,827

**PARCEL(S):** 4

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

**COMMISSION DISTRICT:** 2

**CONTIGUOUS ZONING/DEVELOPMENT**

- NORTH:** R-30/Wood Acres School
- SOUTH:** R-20/Churches; R-12/Camden Park; R-15/Hunters Trace
- EAST:** R-15/Bishops Green Subdivision
- WEST:** R-20/Oakhill Manor; R-30/Wood Acres School

*Adjacent Future Land Use:*

- North: Public Institutional (PI) and Low Density Residential (LDR)
- East: Park / Recreational / Conservation (PRC)
- South: Public Institutional (PI) and Low Density Residential (LDR)
- West: Public Institutional (PI) and Low Density Residential (LDR)

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

**PLANNING COMMISSION RECOMMENDATION**

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

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

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

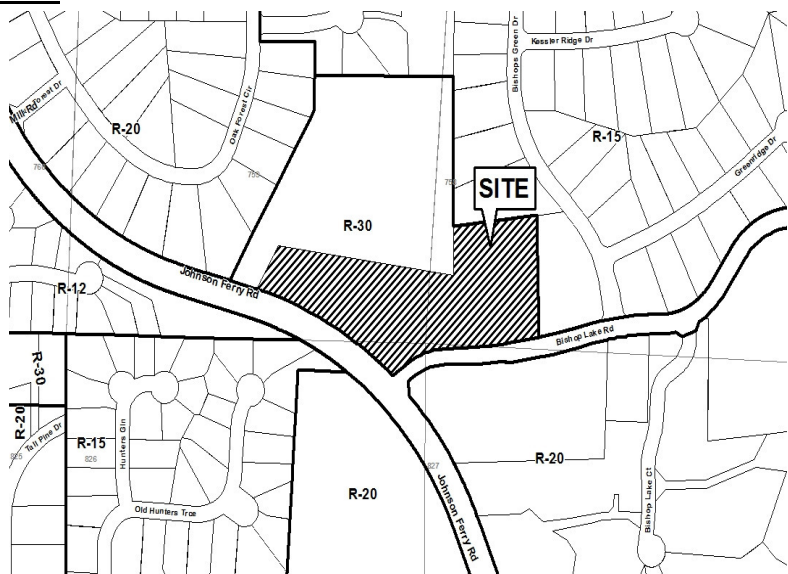
**BOARD OF COMMISSIONERS DECISION**

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

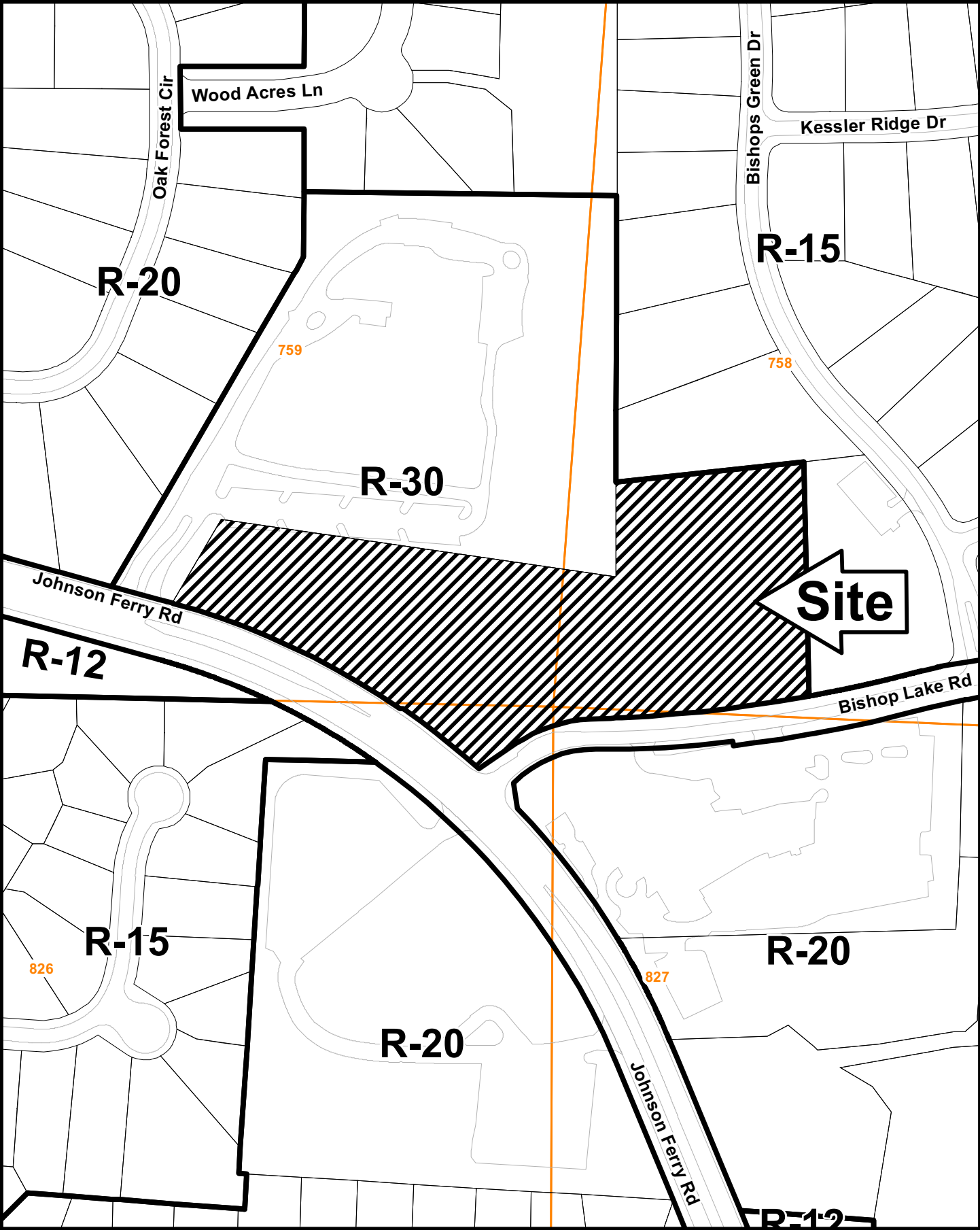
**REJECTED** \_\_\_\_\_ **SECONDED** \_\_\_\_\_

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

**STIPULATIONS:**



# Z-116-2016 GIS



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

0 100 200 Feet

City Boundary  
Zoning Boundary

APPLICANT: St. Clair Holdings, LLC

PETITION NO.: Z-116

PRESENT ZONING: R-30

PETITION FOR: RSL

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**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:** 30 **Overall Density:** 4.77 **Units/Acre**

**Staff estimate for allowable # of units:** 6 **Units\*** **Increase of:** 24 **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 district for the development of a 30-unit attached senior living development. The units will range in size from 2,500 square feet to 3,500 square feet and will be traditional with brick, stone, cedar shake, board and batten exteriors. The prices will range from the \$600,000s to \$700,000. The development will be gated and will have a swimming pool.

The proposed site plan will require a contemporaneous variance to allow five- and six-unit attached buildings instead of the four-unit maximum permitted by the RSL (non-supportive) district.

**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 lot.

**SITE PLAN REVIEW SECTION  
COMMENTS:**

This project must comply with the Cobb County Tree Ordinance. The three existing trees shown as to remain will not receive Tree Ordinance density credit if there is any disturbance within their critical rootzones (CRZ). In addition, Tree Ordinance mitigation will be required if there is any disturbance within their CRZ and they meet the specimen tree criteria as per the Cobb County Tree Ordinance.

If a landscape buffer is required along the NE property line, then it must be fully vegetated across their entire width, and not include any deck/patio encroachments. The rear walls of the units along the NE property line are depicted as being congruent with the 40' building setback line, with no buffer being shown. For safety, security, and maintenance purposes, there must be a physical separation between the rear walls of these units and any required buffer.

**APPLICANT:** St. Clair Holdings, LLC

**PETITION NO.:** Z-116

**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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**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: St. Clair Holdings, LLC

PETITION NO.: Z-116

PRESENT ZONING: R-30

PETITION FOR: RSL

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**PLANNING COMMENTS:**

The applicant is requesting a rezoning from R-30 to RSL (non-supportive) for the purpose of not-supportive senior living. The 6.278 acre site is located on the northern intersection of Johnson Ferry Road and Bishop Lake 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 Low Density Residential (LDR) future land use category, with R-30 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, and non-supportive senior living housing that in certain circumstances may reach five (5) dwelling units per acre, depending on existing conditions such as product type and mix, structure/building height, tract size, topographic conditions, etc in order to provide compatibility with adjacent residential uses.

Specific Area Policy Guidelines:

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

Adjacent Future Land Use:

North: Public Institutional (PI) and Low Density Residential (LDR)  
East: Park / Recreational / Conservation (PRC)  
South: Public Institutional (PI) and Low Density Residential (LDR)  
West: Public Institutional (PI) and 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?

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.

APPLICANT: St. Clair Holdings, LLC

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PRESENT ZONING: R-30

PETITION FOR: RSL

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**PLANNING COMMENTS:**

CONT.

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?

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 St. Claire Holdings, LLC

PETITION NO. Z-116

PRESENT ZONING R-30

PETITION FOR RSL

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**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 / N side of Johnson Ferry

Additional Comments: Also 8" DI / N side of Bishop Lake Rd

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.

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**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: At eastern boundary of development

Estimated Waste Generation (in G.P.D.): A D F= 4,800 Peak= 12,000

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

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**

FLOOD HAZARD:  YES  NO  POSSIBLY, NOT VERIFIED

DRAINAGE BASIN: Tributary to Bishop Lake 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: \_\_\_\_\_

- 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 within Bishop's Green 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 downstream conveyance through the Wood Acres School site, the Wood Acres School detention pond and the headwater pool at Bishop's Green Drive.

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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 site is located just north of the intersection of Johnson Ferry and Bishop’s Lake Roads. Except for a very small area at the northeast and southeast corners, the entire site drains into and through the adjacent Wood Acres School site to the north. The existing conveyance through the school is not well-defined and will likely need to be improved to accommodate the increase runoff from the proposed development.
2. Downstream hydrograph routings will be required for the existing Wood Acres School detention pond as well as the culvert at Bishop’s Green Drive at Plan Review to verify no adverse impact at these structures.
3. A 20-foot drainage easement may be required along eastern property line to direct site runoff to the proposed detention pond and to limit runoff bypass from the site.

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**PETITION FOR:** RSL

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**TRANSPORTATION COMMENTS:**

ROADWAY	AVERAGE DAILY TRIPS	ROADWAY CLASSIFICATION	SPEED LIMIT	JURISDICTIONAL CONTROL	MIN. R.O.W. REQUIREMENTS
Johnson Ferry Road	39,300	Arterial	45 mph	Cobb County	100'
Bishop Lake Road	1,379	Minor Collector	25 mph	Cobb County	60'

*Based on 2009 traffic counting data taken by Cobb County DOT for Johnson Ferry Road.  
Based on 2013 traffic counting data taken by Cobb County DOT for Bishop Lake Road.*

**COMMENTS AND OBSERVATIONS**

Johnson Ferry 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.

Bishop Lake 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.

**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 east side of Johnson Ferry 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 north side of Bishop Lake Road, a minimum of 30' from the roadway centerline.

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

Recommend curb, gutter, and sidewalk along the frontage of Bishop Lake Road.

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

Recommend private streets be constructed to the Cobb County Standard Specifications.

Recommend the proposed gate meet Cobb County Development Standards.

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## STAFF RECOMMENDATIONS

### **Z-116 ST. CLAIR HOLDINGS, 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. Other properties in this area are zoned and developed for single-family houses on individual lots.
- B. It is Staff's opinion that the applicant's rezoning proposal may have an adverse effect on the usability of adjacent or nearby property. The proposed development has a higher density than other single-family residential subdivisions in this area.
- 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*, as far as being an allowed zoning category in the Low Density Residential (LDR) land use category. However, the proposed density of 4.77 units per acre is not compatible with some of the abutting and nearby single-family residential subdivisions. These subdivisions include: Bishop's Hollow (zoned R-20 at .33 units per acre); Oakhill Manor (zoned R-20 at approximately 1.62 units per acre); Easthampton Unit V (zoned PRD at 1.70 units per acre); Bishop's Green (zoned R-15 at 1.81 units per acre); and Hunter's Trace (zoned R-15 at 2.25 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 at a density that is compatible with neighborhoods in the surrounding area. While the RSL nonsupportive district is allowed in the Low Density Residential (LDR) land use category, one of the requirements in that section of the ordinance is that the development be compatible with existing developments. While properties to the south are developed for church uses and the abutting property to the north has developed for a school for many years, the area includes numerous single-family developments that are less intense than the proposed 4.77 units per acre.

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

1. Board of Commissioners to approve final site plan, with the District Commissioner approving minor modifications;
2. Maximum density of 2.5 units per acre;
3. Fire Department comments and recommendations;
4. Water and Sewer Division comments and recommendations;
5. Stormwater Management Division comments and recommendations;
6. Department of Transportation comments and recommendations; and
7. 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- 118  
Dec. (2016)

## Summary of Intent for Rezoning\*

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

- a) Proposed unit square-footage(s): Minimum 2,500 sf; ranging upwards to 3,500 sf, and
- b) Proposed building architecture: Traditional (with brick, stone, cedar shake, greater board and batten exteriors)
- c) Proposed selling prices(s): \$600s - \$700s
- d) List all requested variances: None known at this time

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**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)**

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

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