



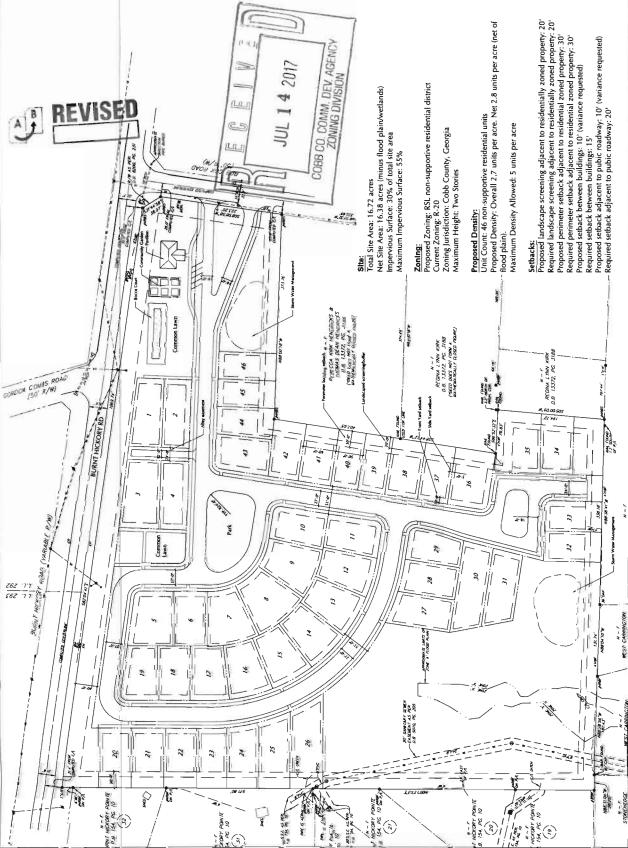
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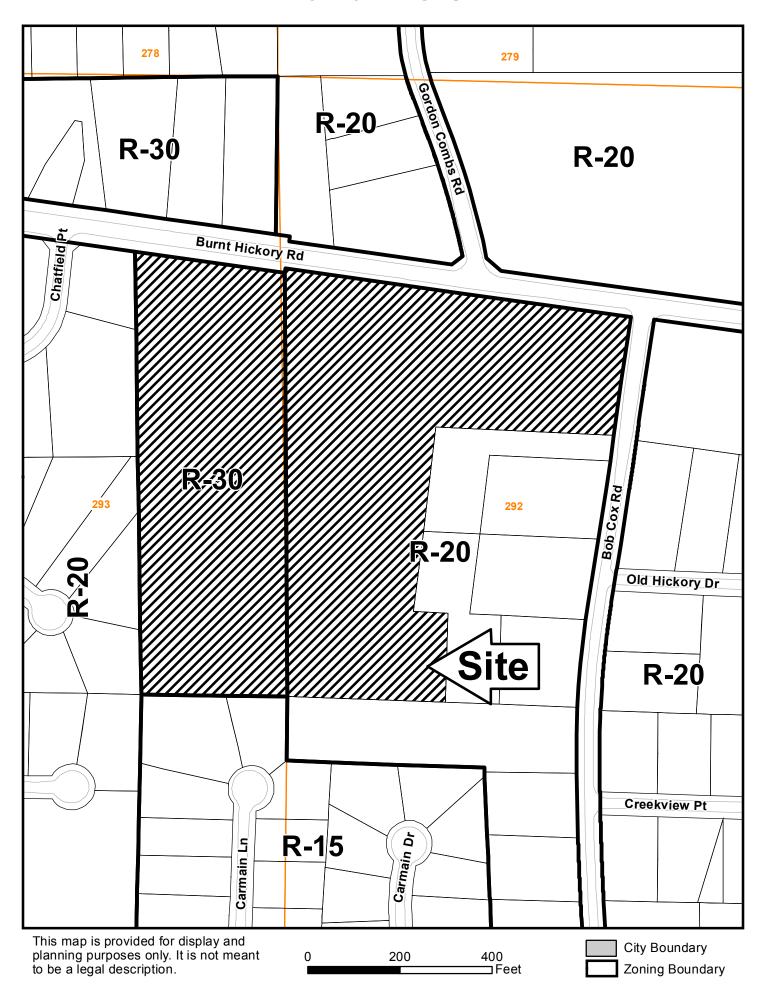
HICKORY **←** COBB, GA

BURNT



APPLICANT: Traton Homes, LLC	PETITION NO: Z-45
PHONE #: 770-427-9064 EMAIL: clif@tratonhomes.com	
REPRESENTATIVE: J. Kevin Moore	HEARING DATE (BOC): 08-15-17
PHONE #: 770-429-1499 EMAIL: jkm@mijs.com	PRESENT ZONING: R-30, R-20
TITLEHOLDER: Estate of Elsie Ewton Kirk	
	PROPOSED ZONING: RSL (Non-Supportive)
PROPERTY LOCATION: Southwest intersection of Burnt Hickor	ry
Road and Bob Cox Road	PROPOSED USE: Non-Supportive Residential
(2821 Burnt Hickory Road)	Senior Living
ACCESS TO PROPERTY: Burnt Hickory Road and Bob Cox F	Road SIZE OF TRACT: 16.3 acres
	DISTRICT: 20
PHYSICAL CHARACTERISTICS TO SITE: One single-famil	
residence on acreage.	
	TAXES: PAID X DUE
	COMMISSION DISTRICT:1
CONTIGUOUS ZONING/DEVELOPMENT	
	Adjacent Future Land Use:
NORTH: R-20, R-30/ Chimney Hollow Subdivision and single	North: Low Density e-family homes Residential (LDR)
SOUTH: R-15, R-20/ West Carrington Subdivision and single	
EAST: R-20/ Single-family homes	(LDR)
WEST: R-20/ Burnt Hickory Points Subdivision	South: Low Density Residential
1 20/ Built Hekely Folias Subdivision	(LDR) West: Low Density Residential
	(LDR)
OPPOSITION: NO. OPPOSEDPETITION NO:SPOR	KESMAN
<u> </u>	
PLANNING COMMISSION RECOMMENDATION	
APPROVEDMOTION BY	270
REJECTEDSECONDED	R-20
HELD CARRIED	R-20
- Q	Burnt Hickory Rd
BOARD OF COMMISSIONERS DECISION	
APPROVED MOTION BY SITE	
REJECTEDSECONDED	202
HELD CARRIED	R-20
	R-20
STIPULATIONS:	
Stoneridge Ct	
- Country of	R-15
	1

Z-45 2017-GIS



APPLICANT: Traton Homes, LLC	PETITION	NO.: <u>Z-45</u>
PRESENT ZONING: R-30, R-20	PETITION	FOR: RSL (Non-Supportive)
******	******	* * * * * * * * * * * * *
ZONING COMMENTS: Staff Mer	mber Responsible: Terry Martin	, MPA
Land Use Plan Recommendation: LD	R Low Density Residential	
Proposed Number of Units: 56	Overall Density: 3.5	Units/Acre
Staff estimate for allowable # of units: 24 *Estimate could be higher or lower based on enginee natural features such as creeks, wetlands, etc., and other	red plans taking into account topography, sl	Units/Lots hape of property, utilities, roadways,

The applicant is requesting a rezoning of the subject property from the current R-30 and R-20 single-family residential districts to the RSL nonsupportive residential senior living district in order to develop a 56 unit senior living community. The proposed homes will be traditional/craftsman in architecture and range in size from 1,800 sq. ft. to 2,800 sq. ft.

The community will provide amenities such as a park, cabana, community garden, and bocce court as well as guest parking. Other requirements of the RSL nonsupportive district are being met including provision of the required 20 foot perimeter landscape buffer, location along an arterial roadway (Burnt Hickory Road), 30 foot perimeter setbacks (but for one noted area), and total impervious development under the 50% maximum required (proposed 40%).

However, the applicant has identified particular variances that are needed which include:

- 1. Reduction in the minimum setback between buildings from 15 feet to 10 feet;
- 2. Reduction in the minimum setback adjacent to public roadways from 20 feet to 10 feet; and
- 3. Reduction in the minimum perimeter building setback from 30 feet to 24 feet at one specific location as indicated on the site plan.

Moreover, the Code calls for RSL nonsupportive residential developments to be compatible with neighboring residential uses. While there is no minimum lot size required for RSL developments, the Code specifies a maximum density of five (5) units per acre (upa) which may be reduced by the Board when necessary. With a proposed 3.5 upa (net of floodplain/wetlands), the development is less than the max of five (5). However, the aforementioned variances may be indicative of an attempt of creating a development with more units than is reasonable for the site.

Certainly, the proposed 3.5 upa is more than those communities in the immediate area. To the south, West Carrington Unit II contains 36 lots at a density of 2.19 upa. Burnt Hickory Pointe to the west has 32 lots for a density of 1.71 upa, a number that is only half of the applicant's proposal. Furthermore, Chimney Hollow Subdivision located to the north contains 10 lots at an even lower 1.2 upa. Ranging from 1.2 upa to 2.19 upa, the surrounding neighborhoods are much less dense that the applicant's proposal of 3.5 upa.

Cemetery Preservation: No comment.

APPLICANT: Iraton Homes, LLC		PETITION NO.:		
PRESENT ZONING:	R-30, R-20	PETITION F	OR: RSL (Non-Supportive)	
********	* * * * * * * * * * * * * * * *	*****	*****	
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:

The Cobb County Board of Education has concerns about this development. Senior residential developments generally have a negative impact on tax revenue for the Cobb County School District, unlike standard residential or commercial developments, where property taxes are not exempted. We, therefore, would like to express our concern to the Planning Commission and the Board of Commissioners and ask that you take our concerns under consideration as you review this zoning application.

APPLICANT: Traton Homes		PETITION NO.: Z-45		
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FIRE COMMI	NTS:			
* * * * * * * * *	*** ******	*******		

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.

PRESENT ZO	: Traton Homes, LLC ONING: R-30 & R-20	PETITION	NO.: Z-4 <u>5</u> NFOR: <u>RSL (1</u>	Non-Supportive)			
	* * * * * * * * * * * * * * * * * * *	* * * * * * * * * * * *	* * * * * * * * *	: * * * * *			
I Limit (II)	COMMENTS.						
supportive resi	is requesting a rezoning from R-30 and idential senior living. The 16.3 acre si and Bob Cox Road (2821 Burnt Hicko	te is located at the sou					
HB-489 Interg	overnmental Agreement Zoning Amen	dment Notification:					
	s the application site within one half $(1/2)$ mile of a city boundary? \square Yes \square No f yes, has the city of \square been notified? \square Yes \square No / N/A						
Comprehensiv	re Plan						
	within a Low Density Residential (LDI						
	The purpose of the Low Density Resident						
	w density housing between one (1) and	I two and one-half (2.5	b) dwelling units	s per acre. This			
category prese	ents a range of densities.						
	Policy Guidelines:						
There are no s	pecific policy guidelines for this area i	n the Comprehensive	Plan.				
Adjacent Futu	re Land Use:						
North:	Low Density Residential (LDR)						
East:	Low Density Residential (LDR)						
South:							
West:	Low Density Residential (LDR)						
Master Plan/C	Corridor Study						
The property i	s not located within the boundary of a	Plan or Corridor Stud	y				
Historic Prese	rvation						
	termined that the project area is in the	e immediate vicinity o	of documented (Civil War trenches.			
	letermine if any significant Civil V						
	field survey performed by a cultural r						
if completed, s	should be submitted to the historic pre-	eservation planner. Ba	ased on the dete	rmination of either			
-	or absence of potentially significan		commendations	(such as buffers,			
fencing, interp	retive signage, etc.) shall be made by	staff.					
Design Guidel	lines						
•	an area with Design Guidelines?	☐ Yes ■ No					
If yes, design guidelines area							
Does the curre	ent site plan comply with the design rec	quirements?					
Incentive Zone	es						
		□ Yes ■ No					
	ity Zone is an incentive that provides \$	3,500 tax credit per jo	b in eligible are	eas 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					
	1						

APPLICANT: Traton Homes, LLC	PETITION NO.: Z-45
PRESENT ZONING: R-30 & R-20 ***********************************	PETITION FOR: RSL (Non-Supportive)
********	* * * * * * * * * * * * * * * * * * * *
PLANNING COMMENTS:	CONT.
The Enterprise Zone is an incentive that incentives for qualifying businesses locating or expandinvestments.	t provides tax abatements and other economic ding within designated areas for new jobs and capital
The Commercial and Industrial Property Rehabilitatio	No Program is an incentive that provides a reduction in
ad valorem property taxes for qualifying redevelopme	ant in engine areas.
For more information on incentives, please call the Co 770.528.2018 or find information online at http://econ.org/linear.nlm .	
Special Districts Is this property within the Cumberland Special District ☐ Yes ■ No	et #1 (hotel/motel fee)?
Is this property within the Cumberland Special Distric ☐ Yes ■ No	et #2 (ad valorem tax)?
Is this property within the Six Flags Special Service D ☐ Yes ■ No	District?
Is the property within the: □ Dobbins Airfield Safety Zone? □ CZ (Clear Zone) □ APZ I (Accident Potential Zone I) □ APZ II (Accident Potential Zone II) □ Noise Zone □ Bird / Wildlife Air Strike Hazard (BASH) area	

PRESENT ZONING <u>R-30, R-20</u>				PE	FITION FOR RSL (non suppo
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WATER COMMENTS: NOTE: Comments refl	ect or	nly what facilities v	were	in exi	stence 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/	S side of Burnt H	Iicko	ry Ro	i
Additional Comments: Development Standards	requi	re dual water fee	ed wh	nen >	40 lots
Developer may be required to install/upgrade water mains, based on Review Process.	fire flo	ow test results or Fire D	epartn	nent Co	ode. This will be resolved in the Plan
* * * * * * * * * * * * * * * * * * * *	* *	* * * * * * * * *	* * *	* *	* * * * * * * * * * * * * *
SEWER COMMENTS: NOTE: Comments in	reflec	t only what facilitie	es we	re in 6	existence at the time of this review.
In Drainage Basin:	✓	Yes			No
At Development:	✓	Yes			No
Approximate Distance to Nearest Sewer: SW	corr	ner of site			
Estimated Waste Generation (in G.P.D.): A	D F=	8,960		F	Peak= 22,400
Treatment Plant:		South	Cob	b	
Plant Capacity:	✓	Available		Not	Available
Line Capacity:	~	Available		Not	Available
Projected Plant Availability:	~	0 - 5 years		5 - 1	0 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
Flow Test Required:		Yes	~	No	review/approval as to form and stipulations prior to the execution of easements by the
Letter of Allocation issued:		Yes	v	No	property owners. All easement acquisitions are the responsibility of the Developer
Septic Tank Recommended by this Department	: 🗆	Yes	✓	No	
Subject to Health Department Approval:		Yes	✓	No	
Additional					

PETITION NO. Z-045

APPLICANT <u>Traton Homes LLC</u>

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: Traton Homes, LLC	PETITION NO.: <u>Z-45</u>
PRESENT ZONING: <u>R-20, R-30</u>	PETITION FOR: RSL
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STORMWATER MANAGEMENT COMMEN	NTS
FLOOD HAZARD: YES NO POSSIB	SLY, NOT VERIFIED
DRAINAGE BASIN: <u>Trib to Mud Creek</u> FI ☐ FEMA Designated 100 year Floodplain Flood. ☐ Flood Damage Prevention Ordinance DESIGNATE ☐ Project subject to the Cobb County Flood Damage I ☐ Dam Breach zone from (upstream) (onsite) lake - not	Prevention Ordinance Requirements.
WETLANDS: YES NO POSSIBLY,	NOT VERIFIED
Location: Within or adjacent to stream channel or buffe	er.
☐ The Owner/Developer is responsible for obtaining Corps of Engineer/Georgia EPD.	any required wetland permits from the U.S. Army
STREAMBANK BUFFER ZONE: X YES X NO	D POSSIBLY, NOT VERIFIED
 Metropolitan River Protection Area (within 2000' of buffer each side of waterway). Chattahoochee River Corridor Tributary Area - Coux Georgia Erosion-Sediment Control Law and County Georgia DNR Variance may be required to work in County Buffer Ordinance: 50', 75', 100' or 200' each 	unty review (<u>undisturbed</u> buffer each side). y Ordinance - County Review/State Review. 25 foot streambank buffers.
DOWNSTREAM CONDITIONS	
 ☑ Potential or Known drainage problems exist for dev ☑ Stormwater discharges must be controlled not to exe drainage system. ☑ Minimize runoff into public roads. 	ceed the capacity available in the downstream storm
Minimize the effect of concentrated stormwater disc Developer must secure any easements required to naturally	
 □ Existing Lake Downstream Additional BMP's for erosion sediment controls wil □ Lake Study needed to document sediment levels. □ Stormwater discharges through an established reside □ Project engineer must evaluate the impact of increase. 	ential neighborhood downstream.
project on receiving streams.	

APPLICANT: <u>Traton Homes, LLC</u>	PETITION NO.: <u>Z-45</u>
PRESENT ZONING: <u>R-20, R-30</u>	PETITION FOR: RSL
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STORMWATER MANAGEMENT COMM	IENTS – Continued
SPECIAL SITE CONDITIONS	
Provide comprehensive hydrology/stormwater com Submit all proposed site improvements to Plan Re	view.
Any spring activity uncovered must be addressed Structural fill must be placed under the direction engineer (PE).	by a qualified geotechnical engineer (PE). ection of a qualified registered Georgia geotechnical
Existing facility.	
Project must comply with the Water Quality requir Water Quality Ordinance.	ements of the CWA-NPDES-NPS Permit and County
Water Quality/Quantity contributions of the exist conditions into proposed project.	ing lake/pond on site must be continued as baseline
Calculate and provide % impervious of project site	2.
Revisit design; reduce pavement area to reduce rui	

ADDITIONAL COMMENTS

- 1. This parcel is located at the southwest intersection of Burnt Hickory and Bob Cox Roads. It is bordered by Burnt Hickory Pointe Subdivision to the west, West Carrington Subdivision to the south and a 1+ acre-sized residential parcels to the east. The majority of the site is wooded. Average slopes range from 4 to 20%. The entire site drains to the south into and through the West Carrington and Stonehenge Subdivisions.
- 2. The existing downstream subdivisions are older and have limited stormwater conveyance capacity with numerous drainage issues and complaints. As a result, it is recommended that stormwater management be elevated such that each storm discharge is controlled not to exceed the allowable discharge of the next lower, more frequent storm event (ie. 5-year storm event released at 2-year rate; 10-year event at 5-year rate; etc. to 100-year event at 50-year rate).
- 3. Stormwater management for the site is proposed to be underground. Private roads and underground stormwater management will require that all stormwater infrastructure be maintained by the required homeowner's association.
- 4. There is an existing, critical channel erosion issue immediately downstream of the site. The increased runoff volume from this development will likely exacerbate this situation. If this development is approved, it is recommended that channel stabilization measures be installed as part of the development to protect the channel and existing residential structure from adverse impacts.

APPLICANT: Traton Homes, LLC	PETITION NO.: Z-45			
PRESENT ZONING: R-30, R-20	PETITION FOR: RSL			
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TRANSPORTATION COMMENTS:

ROADWAY	ROADWAY CLASSIFICATION	SPEED LIMIT	JURISDICTIONAL CONTROL	MIN. R.O.W. REQUIREMENTS
Burnt Hickory Road	Arterial	40 mph	Cobb County	100'
Bob Cox Road	Minor Collector	35 mph	Cobb County	60'

ROADWAY	LOCATION	AVERAGE DAILY TRIPS	LEVEL OF SERVICE
Burnt Hickory Road	East of Barrett Parkway	12,400	D
Bob Cox Road	North of Ivy Manor Drive	3,600	С

Based on 2015AADT counting data taken by GDOT, as published on their website, for Burnt Hickory Road.

Based on 2009 traffic counting data taken by Cobb County DOT for Bob Cox Road.

Planning Level of Service based on available Average Daily Trips using GRTA guideline thresholds. Classification thresholds for LOS A and LOS B are not available for local roads from this data source.

LOS C or D is acceptable based on GDOT Design Policy Manual criteria.

COMMENTS AND OBSERVATIONS

Burnt Hickory 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.

Bob Cox 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 south side of Burnt Hickory 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 Bob Cox 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 Burnt Hickory Road and Bob Cox 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.

APPLICANT: Traton Homes, LLC	PETITION NO.: Z-45		
PRESENT ZONING: R-30, R-20	PETITION FOR: RSL		
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Recommend relocating entrance on Burnt Hickory Road further west to allow construction of a full length left turn lane at the entrance. Recommend access on Burnt Hickory Road include a deceleration lane and left turn lane. Recommend location and design be determined during plan review, subject to Cobb County DOT approval.

Recommend access on Bob Cox Road include a deceleration lane and left turn lane. If a left turn lane cannot be added due to geometric restrictions, recommend access be restricted to right-in/right-out. Recommend location and design be determined during plan review, subject to Cobb County DOT approval.

Recommend the proposed gate be a minimum of 50' from the right-of-way and meet Cobb County Development Standards.

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STAFF RECOMMENDATIONS

Z-45 TRATION HOMES, LLC

- A. It is Staff's opinion that the applicant's rezoning proposal will permit a use that is potentially not suitable in view of the use and development of adjacent and nearby properties. Due to its density being 3.5 units per acre (upa), the proposal is far higher than those of surrounding communities which range from 1.2 upa to 2.19 upa. While single-family residential development is suitable for the area, and there may be a market for senior oriented housing in the area, the density is out of character with that of adjacent neighborhoods.
- 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. As previously highlighted, the proposed density is well above that of nearby communities. The Code seeks to encourage RSL developments that follows the trend of density set by existing nearby communities to ensure compatibility. The concerns such as traffic, stormwater, etc. that come with increased density could have an adverse effect upon nearby properties.
- C. It is Staff's opinion that the applicant's rezoning proposal may result in a use which would cause an excessive or burdensome use of existing streets, transportation facilities, utilities, or schools. The Cobb County School District has concerns about this application. 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 the property to be within the LDR low density residential future land use category. This category forecasts development of low density housing between one (1) and two and one-half (2.5) dwelling units per acre. Though the Code allows for the RSL district to be within the LDR category, that category's intended maximum of 2.5 upa, as well as the Code's intention that RSL developments be in keeping with surrounding communities highlight the possible incongruity of the applicant's proposal at 3.5 upa. It should be noted that the Board of Commissioners, in making land use decisions, use the future land use map as a guide in the decision making process, but there are circumstances when decisions will be made that are contrary to this document based upon a change in market conditions, information unbeknownst to staff/community in the preparation of this document, or some other condition.
- 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 with stipulations. As a single-family residential development, the applicant's proposal is in keeping with the use and development of the surrounding area. However, as evidenced by the necessary variances the applicant has identified as well as the total density of 3.5 upa, the proposal as presented may result in a development too dense when compared to nearby properties. Though located within the LDR future land use category, and allowed by Code within this residential category, the plan is over the density of even the next dense community in the immediate area (West Carrington Unit II at 2.19 upa) and nearly three times as dense as nearby Chimney Hollow (1.2 upa). A density of 3.5 upa and the concerns it brings in regards to traffic and stormwater issues, as well as other considerations, is more than should be allowed for this area.

Z-45 TRATION HOMES, LLC (Continued)

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

- 1. Maximum density of 2.5 units per acre net of any floodplain/wetlands;
- 2. Final site plan to be approved by the District Commissioner;
- 3. Landscape plan to be approved by the District Commissioner;
- 4. Fire Department comments and recommendations;
- 5. Sewer and Water Division comments and recommendations;
- 6. Stormwater Management Division comments and recommendations;
- 7. Department of Transportation comments and recommendations; and
- 8. 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.



Rezoning, at any time during the rezoning process.

Application No. <u>z-45 (2017)</u>

Hearing Dates:

PC: 08/01/2017

BOC: 08/15/2017

Summary of Intent for Rezoning*

a)	dential Rezo	ed unit square-footage(s): 1,800 - 2,800 square feet, and greater	
/			
b)	Propos	ed building architecture:Traditional/Craftsman	
c)	List all	requested variances:	
(1)		ion minimum setback between buildings from 15 feet to 10 feet;	
(2)	Reduct	ion minimum setback adjacent to public roadway from 20 feet to 1	0
(3)		ion minimum perimeter building setback from 30 feet to 24 feet e specific location as noted on Site Plan).	
2. Non-	residential	Rezoning Information (attach additional information if needed)	
a)	Propos	ed use(s): Not Applicable	
b)	Dronos	ed building architecture:	
D)	FTopos	ed building architecture.	
<u>c)</u>	Propos	ed hours/days of operation:	
d)	List all	requested variances:	
rt 3. O	ther Pertine	nt Information (List or attach additional information if needed)	
	•	operty included on the proposed site plan owned by the Local, State, or Federal Government Right-of-Ways, Government owned lots, County owned parcels and/or remnants, etc., and att	
		wing where these properties are located). None known at this time.	atl
		None known at this time.	