

Accepted 11.8.12  
P.H.

# CITY of WOODSTOCK

## Application for Public Hearing

### Important Notes:

1. Please check all information supplied on the following pages to ensure that all spaces are filled out accurately before signing this form. This page should be the first page of your completed application package.
2. All documents required as part of the application package shall be submitted at the same time as the application. Incomplete application packages WILL NOT BE ACCEPTED.
3. Please contact the Zoning Administrator in the Community Development Department at 770.592.6039 if you have any questions regarding the application package, this application or the public hearing process.

Contact Person: Peter B. Millichap Phone: 404-388-8037

### Applicant's Information:

Name: Woodstock SLP, LLC

Address: 30000 Mill Creek Ave. Phone: 678-297-0388  
Suite 275

City, State, Zip: Alpharetta, Ga. 30022 Fax: 678-297-0384

### Property Owner's Information:

same as above

Name: John E. and Jane M. Watkins

Address: 163 Grandman Chase Phone: 678-880-0641

City, State, Zip: Canton, Ga. 30115 Fax: 678-880-0641  
 (fax same as phone)

### Requested Public Hearing (check all that apply):

- Annexation  Comprehensive Plan Amendment
- Rezoning  Other:
- Variance

STAFF USE ONLY:	PUBLIC HEARING SCHEDULE:
Case: <u>Z #058-12</u>	Public Input Meeting: <u>Nov 28 Latest</u>
Received by: <u>PH</u>	Planning Commission: <u>Jan 3, 2013 @ 7PM</u>
Fee Paid: <u>\$ 850.-</u>	Board of Appeals: _____
Date: <u>11.9.12</u>	City Council: <u>Jan 28, 2013 @ 7PM</u>
	Other: <u>DPC</u> <u>Dec 5, 2012 10:AM</u>

**Property Information:**

Location: Trickum Rd./Popcorn Drive, City of Woodstock

Parcel Identification Number(s) (PIN): 15N24033A and 15N24043 Total Acreage: 6.63

Existing Zoning of Property: OSI Future Development Map Designation: CVC

Adjacent Zonings: North General Commercial South \* outside City limits East \* outside City limits West \* outside City limits

Applicant's Request (Itemize the Proposal):

To rezone the subject 6.63 acres from OSI to SL-C.

Proposed Use(s) of Property:

As an assisted living/memory care facility.

**Infrastructure Information:**

Is water available to this site?  Yes  No

Jurisdiction: City of Woodstock

How is sewage from this site to be managed?

City of Woodstock

Will this proposal result in an increase in school enrollment?  Yes  No

If yes, what is the projected increase? \_\_\_\_\_ students

Proposed Use(s)	# of units	Multiplier	Number of Students
Single Family (Detached) Home		0.725	
Multi Family (Attached) Home		0.287	

**Traffic Generation:**

If a traffic study is not required as part of this application, complete the following charts to estimate traffic generated by the proposal. Information for additional residential and all commercial/industrial development shall follow the summary of ITE Trip Generation Rates published in the Transportation Planning Handbook by the Institute of Transportation Engineers.

What is the estimated number of trips generated? 102 trips

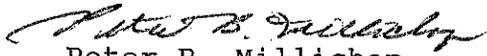
Code	Land Use(s)	# of units*	Daily Trip Ends	Number of Trips
210	Single Family Home/Townhome		9.57	
220	Apartment		6.63	
	Assisted Living (see attached)	59	1.72	102

\* A unit for residential purposes is equal to one residential unit. For commercial/industrial uses it is defined in the ITE table, but most often is equal to 1,000 square feet of floor area for the use specified.

Resident vehicles do not contribute measurably to traffic volumes generated by assisted living residences because most residents as a result of their age and physical limitations no longer drive.

**Authorization:**

Upon receipt of the completed application package, the Community Development Department shall notify the applicant of scheduled dates, times, and locations of the public meetings/hearings. The applicant or a representative must be present to answer any questions that may be asked. In the event that an application is not complete, the case may be delayed or postponed at the discretion of the department.

This form is to be executed under oath. I,  Peter B. Millichap, do solemnly swear and attest, subject to criminal penalties for false swearing, that the information provided in this Application for Public Hearing is true and correct and contains no misleading information.

This 5th day of November, 2012.

Print Name Peter B. Millichap

**Assisted Living Residences — A Study of Traffic and Parking Implications**

Total traffic volume generated by assisted living residences during peak weekday evening driving hours averaged 0.43 trips per unit, or 34 trips for an average sized assisted living residence.

Assisted Living Residence Traffic Generation				
Time	Employees	Visitors	Service	Total
Avg. Weekday AM Peak Hour (7 a.m. - 9 a.m.)	.19/unit 14 trips	.11/unit 9 trips	.07/unit 6 trips	.37/unit 29 trips
Avg. Weekday PM Peak Hour (4 p.m. - 6 p.m.)	.16/unit 12 trips	.22/unit 17 trips	.06/unit 4 trips	.43/unit 34 trips
Avg. Weekday (all hours)	.91/unit 71 trips	.55/unit 43 trips	.26/unit 20 trips	1.72/unit 134 trips

Traffic volume generated by assisted living residences is low to moderate when compared to other housing types. Single family housing, according to the Institute of Transportation Engineers, generates 0.74 trips per unit during peak weekday morning driving hours, 1.01 trips per unit during peak weekday evening driving hours, and 9.55 trips per unit during a typical weekday. Multifamily housing, according to the Institute of Transportation Engineers, generates 0.44 trips per unit during peak weekday morning driving hours, 0.49 trips per unit during peak weekday evening driving hours, and 6.28 trips per unit during a typical weekday.

Traffic Generation by Housing Types			
Housing Type	Avg. Weekday AM Peak (7 a.m. to 9 a.m.)	Avg. Weekday PM Peak (4 p.m. to 6 p.m.)	Avg. Weekday (All Hours)
Single Family Home (ITE 210)	0.74/unit	1.01/unit	9.55/unit
Apartment (ITE 220)	0.44/unit	0.49/unit	6.28/unit
Assisted Living Residence	0.37/unit	0.43/unit	1.72/unit

**Parking Generation Comparison**

Parking volumes generated by assisted living residences are also low to moderate compared to other housing types. Based on their traffic data, assisted living residences require 0.22

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# APPLICANT RESPONSE STATEMENT ANNEXATIONS AND REZONINGS

(SEE ATTACHED)

The applicant finds that the following standards are relevant in balancing the interest in promoting the public health, safety, morality, or general welfare against the right to unrestricted use of property and shall govern the exercise of the zoning power.

If this application is in response to an annexation and/or rezoning, please respond to the following standards in the form of a written narrative:

1. Explain the intent of the requested zoning.
2. Whether the zoning proposal will permit a use that is suitable in view of the use and development of adjacent and nearby property.
3. How the proposed zoning will adversely affect the existing use or usability of adjacent or nearby property.
4. Whether the property to be affected by a proposed zoning has a reasonable economic use as currently zoned.
5. Whether the proposed zoning will result in a use which will or could cause an excessive or burdensome use of existing streets, transportation facilities, utilities, or schools.
6. Whether the proposed zoning is in conformity with the policy and interest of the land use plan.
7. Whether there are other existing or changing conditions affecting the use and development of the property which give supporting grounds for either approval or disapproval of the proposed zoning.

**Answers to Applicant Response Statement  
Annexations and Rezoning**

1. The purpose of the requested rezoning is to permit the construction of a 59-unit, 40,000 SF, one-level assisted living/memory care facility for senior citizens who are typically in the 78 to 85+ age group.
2. The proposed use of the subject property is compatible with the use of adjacent and nearby properties which consist of single-family residences, rental apartments, office buildings, a climate-controlled storage facility, a landscaping business and retail facilities.
3. The proposed zoning allowing an assisted living/memory care facility will not adversely affect the usability of adjacent and nearby properties.
4. The property as currently zoned cannot be used as an assisted living/memory care facility.
5. The proposed zoning will not result in an excessive use of existing streets, transportation facilities, utilities or schools. Assisted living residents almost without exception, no longer drive (memory care residents are confined to the property). Residents desiring transportation to attend medical, dental and other appointments, shopping trips and outings will be driven by the property's mini-bus driver. Residents use minimal utilities and do not have any children attending schools.
6. The proposed zoning is consistent with the City's land use plan which designates certain areas for senior housing.
7. The proposed use of the property for assisted living/memory care will provide the elderly of the City of Woodstock and surrounding areas who are no longer able to live on their own a safe living environment while providing local employment opportunities for a staff of 26 to 28 and increased real estate taxes for the City of Woodstock.

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# APPLICANT RESPONSE STATEMENT

## VARIANCES

(SEE ATTACHED)

The applicant finds that the following standards are relevant in balancing the interest in promoting the public health, safety, morality, or general welfare against the right to unrestricted use of property and shall govern the exercise of the zoning power.

If this application is in response to a variance, please respond to the following standards in the form of a written narrative:

1. Explain requested variance.
2. How any special conditions and circumstances existing on the property which are peculiar to the land, structure(s) or building(s) involved and which are not applicable to other lands, structure(s) or building(s) in the same district.
3. How the literal interpretation of the provisions of the Zoning Ordinance would deprive the applicant of right commonly enjoyed by other properties within the same district under the terms of the Zoning Ordinance.
4. How the special conditions and circumstances do not result from the actions of the applicant.
5. How granting of the variance requested will not confer on the applicant any special privileges that is denied by the Zoning Ordinance to other lands, structure(s) or building(s) in the same district.
6. How no non-conforming use of neighboring lands, structures, or buildings in the same district and not permitted or non-use of lands, structure(s) or building(s) in other districts shall be considered grounds for issuance of a variance.
7. Explain how this requested variance is the minimum necessary that will allow the reasonable use of the land, structure(s) or building(s).
8. Explain how, if granted, this requested variance will be in harmony with the general purpose and intent of the Zoning Ordinance, and will not be injurious to the neighborhood, surrounding properties or otherwise detrimental to the public welfare.

## **Applicant Response Statement Variances**

1. The requested variance is to permit the front-most portion of the assisted living building to be constructed 105 feet from the front property line adjacent to Trickum Rd. Being located this distance from Trickum Rd. will permit the construction of a properly configured and sized entry drive which will accommodate both automobile, service vehicles and the Fire Department's trucks; to provide a side drive along the front and right side of the building for the Fire Department's trucks; to position four handicapped parking spaces at the front of the building so as to minimize the distance of the walk to the front door and to permit the construction of a porte cochere to shelter from bad weather those residents and visitors being dropped off by automobiles. This additional distance to the street will be "pedestrian friendly" with well-defined sidewalks and crosswalks tying into the sidewalk at the street. The open areas between the front of the building and the front property line will be well landscaped
2. The assisted living building's entrance drive's location on Trickum Rd. is dictated by the site distance south along Trickum Rd. and a deceleration lane requirement for the site. The resulting entry location at the center of the site forces the building back from Trickum Rd. to allow for the proper configuration of the entry for automobile, service vehicles and the Fire Department's trucks. Additionally, the County prefers the building be set back from Trickum Rd. to allow for the possible future road widening of Trickum Rd. which is a major thoroughfare through the County.
3. Under the proposed SR-C zoning, a building front must be sited no more than 10 feet from the front property line and all parking must be placed at the sides of the building. The building fronts of other properties within the same district are permitted to locate more than 10 feet from the front property line with parking spaces located between the front of the building and the front property line.
4. The special conditions and circumstances of the property do not result from the actions of the applicant, but rather from the need to address the items detailed in (1) and (2) above.
5. The granting of the proposed variance will not confer on the applicant any special privileges that are denied by the Zoning Ordinance to other lands in the same district.
6. No non-conforming use of neighboring lands in the same district is considered grounds for issuance of the requested variance.
7. The requested variance will allow for the minimum entrance drive meeting all traffic requirements and those of the Fire Department, the minimum number of handicapped

parking spaces in front of the building and a porte cochere sized to accommodate vehicles, including the Fire Department and the property's mini-bus.

8. If granted, the requested variance will allow the building to be sited properly without being injurious to the neighborhood or otherwise detrimental to the public welfare.