

APPLICANT: Noble Investment Group, LLC

404-262-9660

REPRESENTATIVE: Moore Ingram Johnson & Steele, LLP

John H. Moore 770-429-1499

TITLEHOLDER: First Citizens Bank and Trust Company, Inc.

PROPERTY LOCATION: At the northeasterly intersection of

Cumberland Boulevard and Interstate 75.

ACCESS TO PROPERTY: Cumberland Boulevard

PHYSICAL CHARACTERISTICS TO SITE: Undeveloped acreage

CONTIGUOUS ZONING/DEVELOPMENT

NORTH: RRC/Overton Park Office Building

SOUTH: I-75 and Cumberland Boulevard

EAST: Cumberland Boulevard

WEST: I-75 Ramp and I-75

PETITION NO: SLUP-5

HEARING DATE (PC): 04-05-11

HEARING DATE (BOC): 04-19-11

PRESENT ZONING: RRC with

Stipulations

PROPOSED ZONING: Special Land

Use Permit

PROPOSED USE: Suite Hotel

SIZE OF TRACT: 3.37 acres

DISTRICT: 17

LAND LOT(S): 1013, 1014, 1027, 1028

PARCEL(S): 6

TAXES: PAID X **DUE** _____

COMMISSION DISTRICT: 2

OPPOSITION: NO. OPPOSED **PETITION NO:** _____ **SPOKESMAN** _____

PLANNING COMMISSION RECOMMENDATION

APPROVED _____ **MOTION BY** _____

REJECTED _____ **SECONDED** _____

HELD _____ **CARRIED** _____

BOARD OF COMMISSIONERS DECISION

APPROVED _____ **MOTION BY** _____

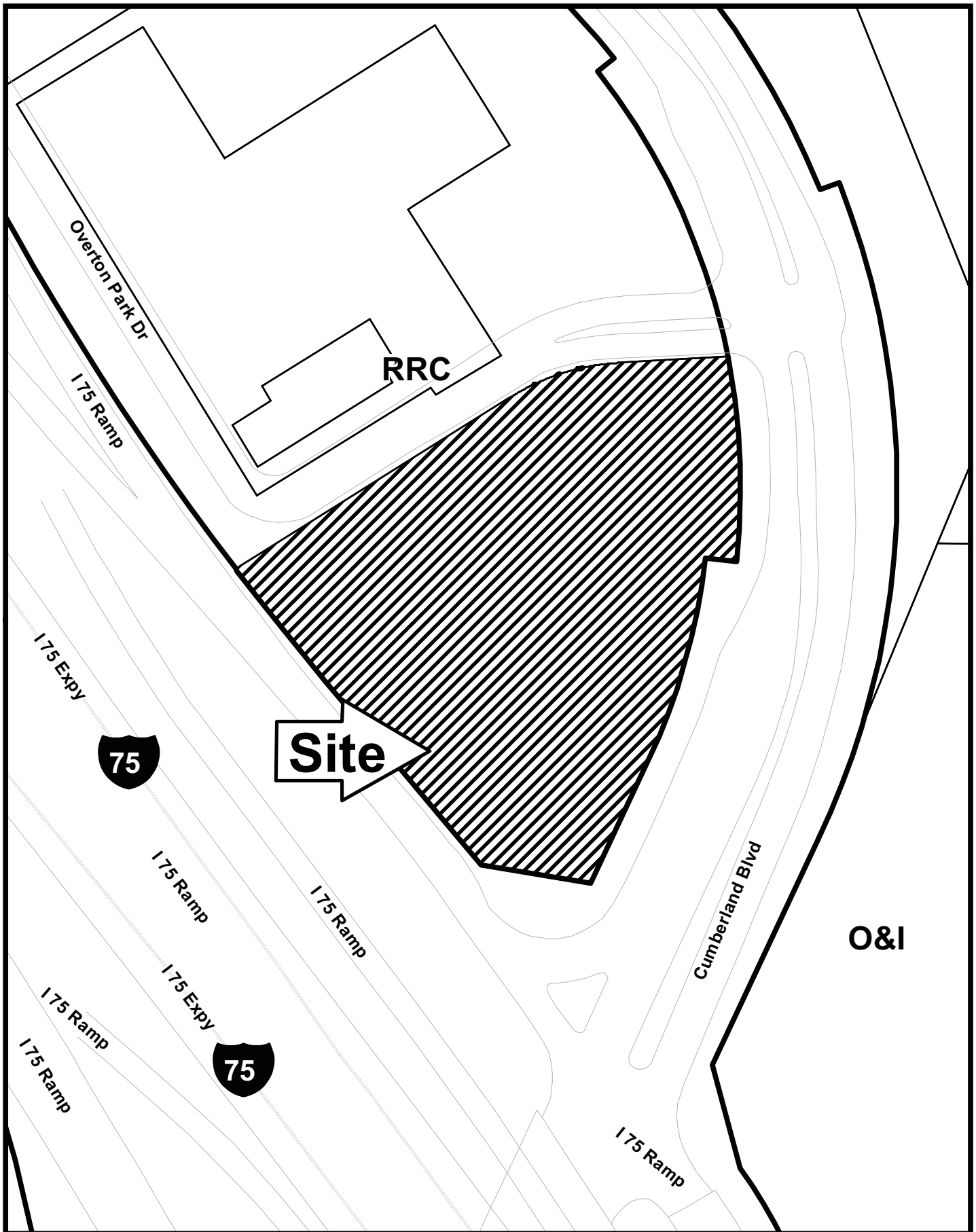
REJECTED _____ **SECONDED** _____

HELD _____ **CARRIED** _____

STIPULATIONS:



SLUP-5



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

100 0 100 Feet



City Boundary
Zoning Boundary

APPLICANT: Noble Investment Group, LLC

PETITION NO.: SLUP-5

PRESENT ZONING: RRC with Stipulations

PETITION FOR: SLUP

ZONING COMMENTS:

Staff Member Responsible: Jason A. Campbell

Land Use Plan Recommendation: Regional Activity Center

Proposed Number of Buildings: 1 (for suite hotel) **Total Square Footage of Development:** 123,250

F.A.R.: 0.840 **Square Footage/Acre:** 36,572

Parking Spaces Required: 212 **Parking Spaces Provided:** 100 total onsite

Applicant is requesting to rezone the subject property from RRC with Stipulations to RRC with Stipulations, concurrently herewith as Z-14, in order to amend items previously approved by the Board of Commissioners as part of Z-18 of 2007, which was last revised as Other Business Item #3 of December 14, 2010). Applicant is proposing to develop the property for a 123,250 square foot suite hotel (maximum of 170 units), one building containing 7,500 square feet of restaurant space and one building containing 15,000 square feet of restaurant space. The proposed building architecture will be according to the submitted rendering attached as an exhibit to this analysis. The proposed hours of operation will be Sunday – Saturday, 24 hours per day. The suite hotel requires the Special Land User Permit.

The applicant is requesting a setback variance as shown and described on the submitted site plan and a parking space variance with an accompanying shared parking agreement with the Overton Park development to the north.

Historic Preservation: No comment.

Cemetery Preservation: No comment.

WATER & SEWER COMMENTS:

Development must connect to public water and public sewer.

TRAFFIC COMMENTS:

Recommend GDOT permits for all work that encroaches upon State right-of-way.

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

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: Noble Investment Group, LLC

PETITION NO.: SLUP-5

PRESENT ZONING: RRC w/ stips

PETITION FOR: SLUP

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|--------------------------|
| DRAINAGE COMMENTS |
|--------------------------|

No comments.

STAFF RECOMMENDATIONS

SLUP-5 NOBLE INVESTMENT GROUP, LLC

- A. It is Staff's opinion that the applicant's rezoning proposal will permit a use that is suitable in view of the use and development of adjacent and nearby properties. The applicant's proposal is located in an area that contains a mixture of uses that include high-rise office buildings, mixed use projects, apartments, office buildings, a national park, as well as the Cobb Energy Performing Arts Centre.
- B. It is Staff's opinion that the applicant's rezoning proposal will not have an adverse affect on the usability of adjacent or nearby property. The area contains a variety of intense uses and the applicant's proposal will be compatible with those uses. The applicant's proposal is located within very close proximity to major transportation corridors, including I-75, I-285, Cobb Parkway and Cumberland Boulevard.
- 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 and Special Land Use Permit proposal is in conformity with the policy and intent of the *Cobb County Comprehensive Plan*, which delineates this area to be within a Regional Activity Center. Based upon the urban characteristics of the area, and the intensity of this particular Regional Activity Center, staff believes the applicant's proposal meets the intent of the *Cobb County Comprehensive Plan*.
- 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 and Special Land User Permit proposal. The applicant's proposal is located in an area of Cobb County that contains the most intensive land uses. The applicant's proposal is consistent with the area and the *Cobb County Comprehensive Plan*.

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

- Site plan received by the Zoning Division dated February 3, 2011, with the District Commissioner approving minor modifications;
- Fire Department comments and recommendations;
- Water and Sewer comments and recommendations;
- Stormwater Management comments and recommendations; and
- DOT comments and recommendations

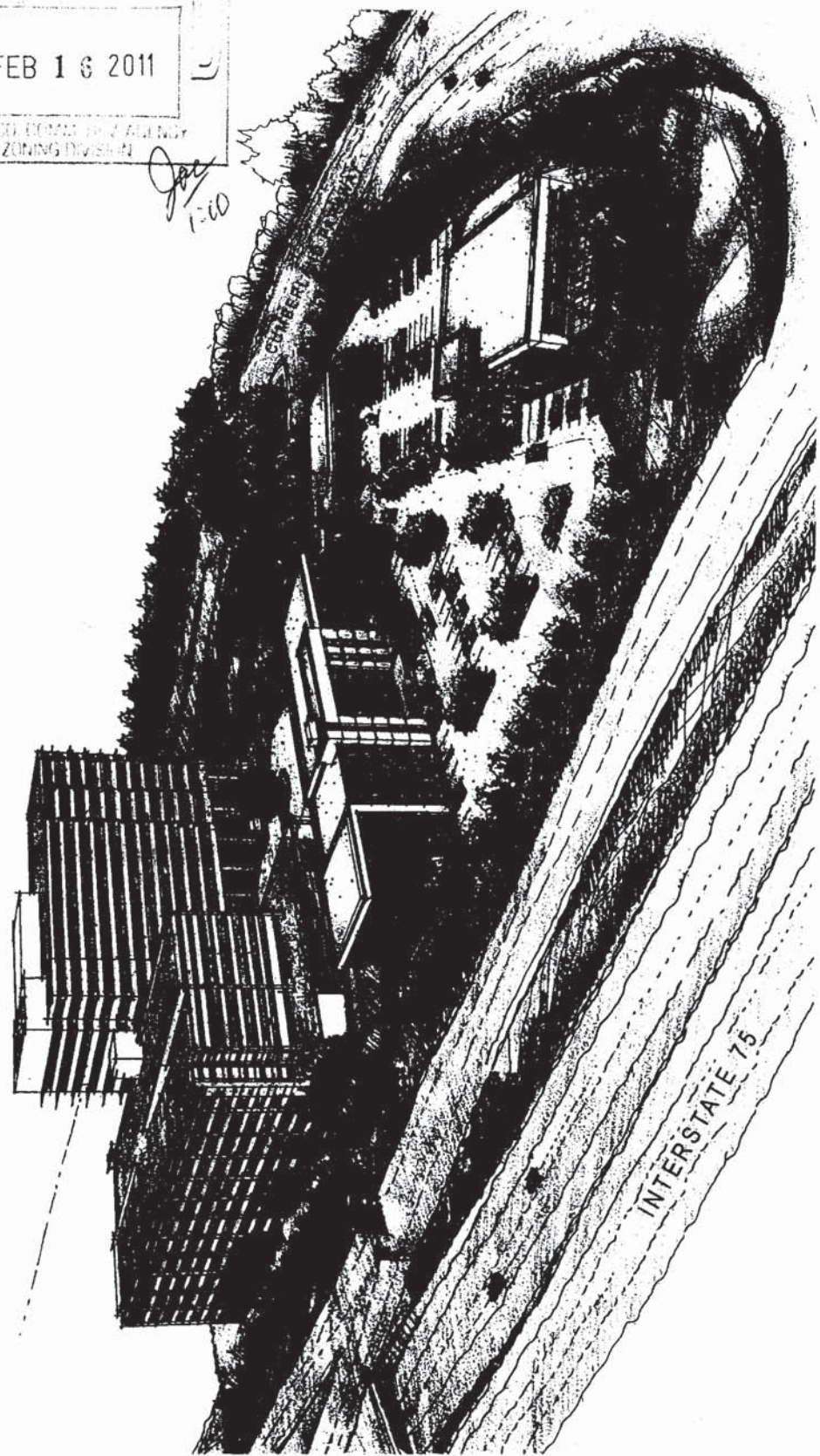
The recommendations made by the Planning and Zoning Staff are only the opinions of the Planning and Zoning Staff and are by no means the final decision. The Cobb County Board of Commissioners makes the final decisions on all Rezoning and Land Use Permits at an advertised public hearing.

Exhibit
SLUP-5
April 2011

COPY ROOM

FEB 1 6 2011
GEOGRAPHIC INFORMATION SYSTEMS
ZONING DIVISION

Joe
1:60



AERIAL VIEW

OVERTON PARK
Atlanta, Georgia

License No. AA 26000496

Notes

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