



**APPLICANT:** Campus Crest Development, LLC  
704-496-2500

**REPRESENTATIVE:** J. Kevin Moore 770-429-1499  
Moore, Ingram, Johnson & Steele, LLP

**TITLEHOLDER:** (Due to number of titleholders, list can be found  
in the zoning file)

**PROPERTY LOCATION:** Southeast and northeast intersection of  
Barrett Lakes Boulevard and Big Shanty Road, west of Interstate 75

**ACCESS TO PROPERTY:** Barrett Lakes Boulevard

**PHYSICAL CHARACTERISTICS TO SITE:** Undeveloped acreage

**CONTIGUOUS ZONING/DEVELOPMENT**

- NORTH:** ROW and I-75
- SOUTH:** HI/Office-Warehouse
- EAST:** I-75 and GC/Retail Center
- WEST:** Barrett Lakes Blvd and GC/Rollins Leasing; HI/Vulcan

**PETITION NO:** Z-50

**HEARING DATE (PC):** 08-06-13

**HEARING DATE (BOC):** 08-20-13

**PRESENT ZONING:** GC

**PROPOSED ZONING:** RM-16

**PROPOSED USE:** Student Housing

**SIZE OF TRACT:** 13.93 acres

**DISTRICT:** 16

**LAND LOT(S):** 504, 505, 506

**PARCEL(S):** 2

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

**COMMISSION DISTRICT:** 1

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

**PLANNING COMMISSION RECOMMENDATION**

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

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

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

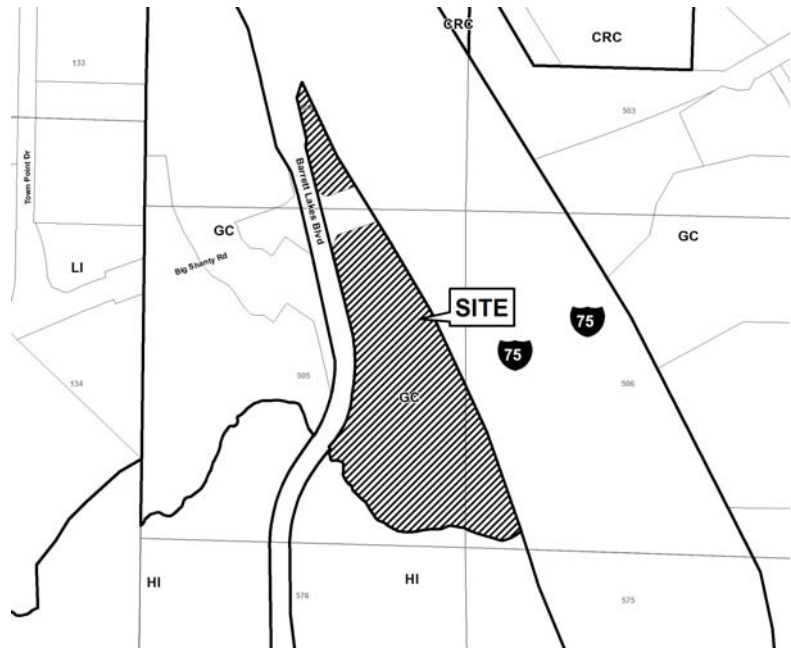
**BOARD OF COMMISSIONERS DECISION**

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

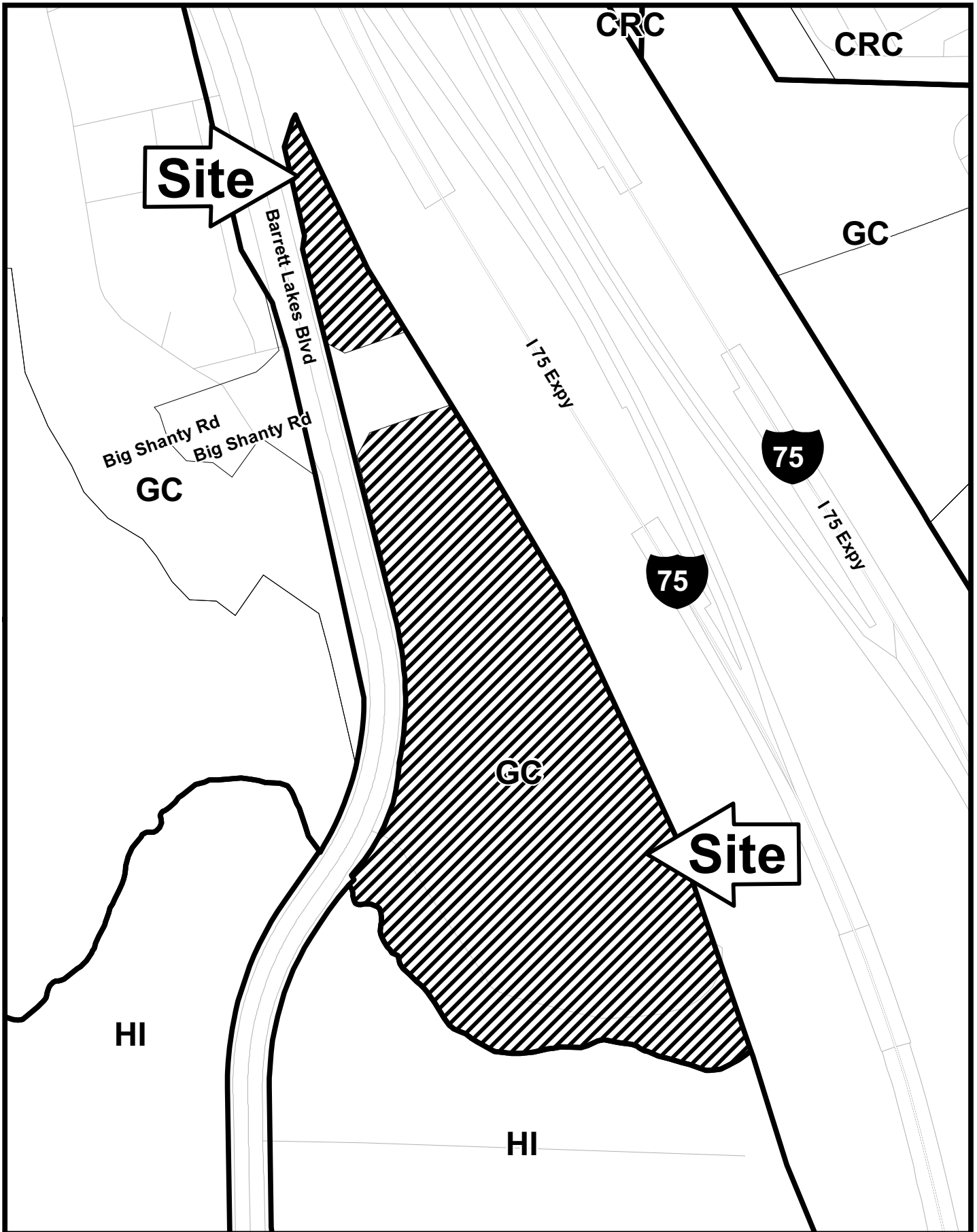
**REJECTED** \_\_\_\_\_ **SECONDED** \_\_\_\_\_

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

**STIPULATIONS:**



# Z-50



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

200 0 200 Feet



City Boundary  
Zoning Boundary

**APPLICANT:** Campus Crest Development, LLC

**PETITION NO.:** Z-50

**PRESENT ZONING:** GC

**PETITION FOR:** RM-16

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**ZONING COMMENTS:**

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

**Land Use Plan Recommendation:** Primary Industrial Area (PIA)

**Proposed Number of Units:** 136      **Overall Density:** 12      **Units/Acre**

**Present Zoning Would Allow:** 0      **Units**      **Increase of:** 136      **Units/Lots**

Applicant is requesting the RM-16 zoning category for the purpose of developing student housing apartments as shown on the attached site plan. The buildings will be traditional, three-story and the units are proposed to be 1800 square feet (heated).

**Cemetery Preservation:** No comment.

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**PETITION FOR:** RM-16

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**SCHOOL COMMENTS:**

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

- School attendance zones are subject to revision at any time.

**Additional Comments:**

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**FIRE COMMENTS:**

**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:** Campus Crest Development, LLC

**PETITION NO.:** Z-50

**PRESENT ZONING:** GC

**PETITION FOR:** RM-16

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**PLANNING COMMENTS:**

The applicant is requesting a rezoning from GC to RM-16 for purpose of student housing. The 13.93 acre site is located on the southeast and northeast intersection of Barrett Lakes Boulevard and Big Shanty Road, west of Interstate 7.

**Comprehensive Plan**

The parcel is within a Priority Industrial Area (PIA) future land use category, with GC zoning designation. The purpose of the PIA is to provide protection for industrial areas that can support future job growth for industrial, manufacturing, office/warehouse, technology, biomedical and distribution uses. Typical uses are determined through the PIA and its subcategories. This parcel is located within the sub category Industrial Compatible which can support light industrial, office/warehouse, and distribution uses.

The following professional evaluation and data analysis should be conducted when the Planning Commission and the Board of Commissioners are considering a land use change that alters a PIA property or areas adjacent to PIA properties from its existing Industrial or Industrial Compatible land use category to any other future land use category. In addition, the same professional evaluation and data analysis should be conducted, by the applicant, when the Planning Commission and the Board of Commissioners are requested to consider a zoning change to a PIA property or areas adjacent to PIA properties that alters its zoning designation to one which is not compatible with its existing industrial future land use category (Industrial or Industrial Compatible). Finally, the policy relating to “Adjacency to viable industrial areas” should be considered by the Planning Commission and the Board of Commissioners when a zoning change occurs to a property adjacent to PIA properties:

- *Job impacts:* Consider the number of existing and future industrial jobs lost, existing and future job opportunities for residents with less than a four-year degree, and job density at the site.
- *Tax Base Impacts:* Evaluate and compare the tax base impacts between potential uses with the existing zoning and the proposed zoning; as well as, comparing tax base impacts to job impacts.
- *Viability:* Prioritize developments with immediate uses over potential uses without users lined up.
- *Transition:* Consider the cost of transitioning a property from one use to another through zoning. Properties made non-conforming may suffer years of deferred maintenance until a viable use surfaces.
- *Adjacency to viable industrial areas:*  
Consider negative impacts of residential users on adjacent and viable industrial sites, such as land price uncertainty and conflicts with residents. If a residential project is being considered adjacent to a PIA site, the Planning Commission and Board of Commissioners should consider requiring additional and enhanced buffering and screening requirements on the residential project in order to protect the residential land users as well as the viability of the adjacent industrial users.

**Master Plan/Corridor Study**

Not applicable.

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PETITION NO.: Z-50

PRESENT ZONING: GC

PETITION FOR: RM-16

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**PLANNING COMMENTS: Continued**

**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?

APPLICANT Campus Crest Development, LLC

PETITION NO. Z-050

PRESENT ZONING GC

PETITION FOR RM-16

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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 / W side of Barrett Lakes Blvd

Additional Comments: County master meter to serve development

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: On site along southern property

Estimated Waste Generation (in G.P.D.): **A D F** 21760 **Peak=** 54400

Treatment Plant: **Noonday**

Plant Capacity:  Available  Not Available

Line Capacity:  Available  Not Available

Projected Plant Availability:  0 - 5 years  5 - 10 years  over 10 years

Drw 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: 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.



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**STORMWATER MANAGEMENT COMMENTS**

FLOOD HAZARD:  YES  NO  POSSIBLY, NOT VERIFIED

DRAINAGE BASIN: Noonday Creek FLOOD HAZARD INFO: Zone AE

- 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 Noonday Creek 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 CONDITION

- 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 \_\_\_\_\_.  
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 receiving stream (Noonday Creek) and Regional Detention Facility located downstream.

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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 triangular-shaped site is located between Barrett Lakes Boulevard and Interstate 75 just north of Noonday Creek. The majority of the site is wooded with average slopes ranging from 10 to 15%. The entire site drains to the Noonday Creek floodplain.
2. The location of the proposed water quality pond may be impacted by the recent map revision for Noonday Creek which became effective on March 4, 2013. The water quality pond may be located in the 100-year floodplain as long as it is above the 10-year flood elevation. However, no fill is allowed within the floodway or floodplain.
3. Any stormwater detention must be located outside the 100-year floodplain. This site does meet the drainage area threshold to qualify for fee-in-lieu of detention. However, approval of this would be subject to a “no adverse impact” analysis that will be required at Plan Review.
4. The proposed plan shows an impervious coverage that exceeds that allowed by the requested zoning category. A variance will be required.

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**TRANSPORTATION COMMENTS**

The following comments and recommendations are based on field investigation and office review of the subject rezoning case:

ROADWAY	AVERAGE DAILY TRIPS	ROADWAY CLASSIFICATION	SPEED LIMIT	JURISDICTIONAL CONTROL	MIN. R.O.W. REQUIREMENTS
Barrett Lakes Boulevard	15,400	Arterial	40 mph	Cobb County	100'

*Based on 2009 traffic counting data taken by Cobb DOT (Barrett Lakes Boulevard)*

**COMMENTS AND OBSERVATIONS**

Barrett Lakes Boulevard 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.

**RECOMMENDATIONS**

Recommend applicant consider entering into a development agreement pursuant of 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 Barrett Lakes Boulevard, a minimum of 50' from the roadway centerline.

Recommend a wide sidewalk along the Barrett Lakes Boulevard frontage.

Recommend a deceleration lane on Barrett Lakes Boulevard for the entrance.

Recommend no access to Big Shanty Road.

Recommend developer coordinate with Georgia DOT regarding I-75 Northwest Corridor Project.

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

## STAFF RECOMMENDATIONS

### **Z-50 CAMPUS CREST DEVELOPMENT, 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. Abutting properties are zoned for industrial and commercial uses.
- 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. Nearby properties are developed with industrial and commercial uses; however, this residential use will cause conflicts with the adjacent and nearby commercial and industrial uses.
- 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 not conformity with the policy and intent of the *Cobb County Comprehensive Plan*, which delineates this property as Primary Industrial Area (PIA) in the subcategory of Industrial Compatible (IC); however, the RM-16 section of the Zoning Ordinance, §134-207, allows the category if it is “within one mile of the main campus of a college or university under the Board of Regents of the University System of Georgia and/or accredited by the Southern Association of Colleges and Schools (SACS)”.
- 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. Nearby properties are zoned as industrial categories (LI and HI) for industrial uses and GC (commercial uses). The requested zoning category of RM-16 is not compatible with the *Cobb County Comprehensive Plan*. The subject property also appears to be within or in close proximity to the area delineated as part of the Civilian Airport Hazard District (§134-275) of the Cobb County Zoning Ordinance.

Based on the above analysis, Staff recommends DENIAL of the application.

**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.**

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2013 JUN -6 PM 4: 14

COBB COUNTY ZONING DIVISION **Summary of Intent for Rezoning\***

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

- a) Proposed unit square-footage(s): 1,800 square feet (heated)
  - b) Proposed building architecture: Traditional
  - c) Proposed selling prices(s): Not Applicable
  - d) List all requested variances: None known at this time
- \_\_\_\_\_
- \_\_\_\_\_
- \_\_\_\_\_

.....  
**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)**

Proposed for Student Housing

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

.....  
**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 portion of the information set forth herein, or any part of the Application for Rezoning, at any time during the rezoning process.**