

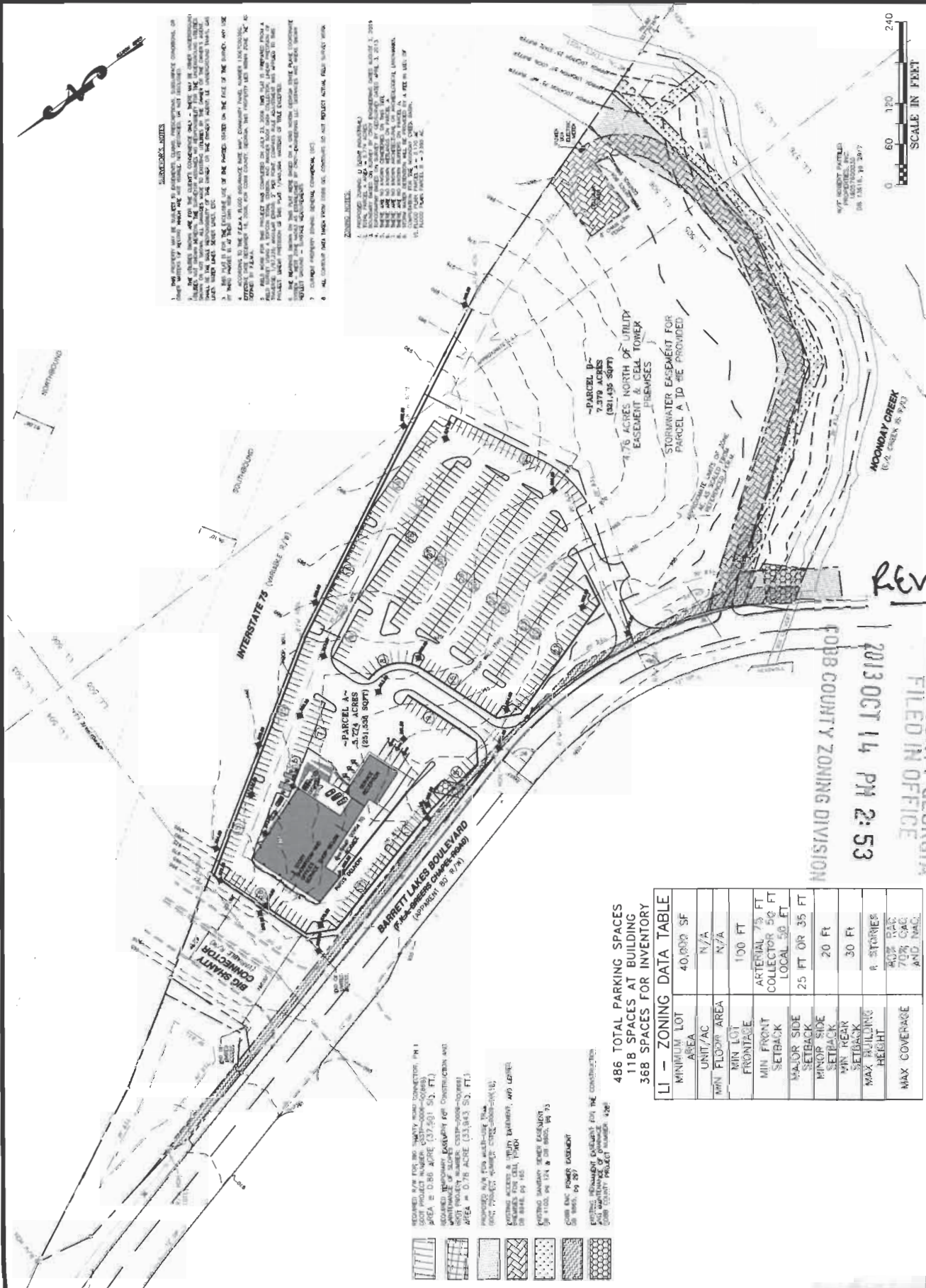
Z-65
(2013)

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CROY ENGINEERING
Engineers
Surveyors
2700 NORTH CROSS FARMWAY, SUITE 413
MARIETTA, GEORGIA 30067
PHONE: (770) 971-4643 FAX: (770) 971-4620

HYUNDAI OF KENNESAW
CORPORATION
LAND LOTS 504, 505, 506 OF THE 17TH DISTRICT, 2ND SECTION
COUNTY: LI

PROJECT #	1297.00
DATE	10/29/13
SCALE	1" = 60'
SHEET NUMBER	Z-1
DATE	10/29/13
PROJECT	HYUNDAI OF KENNESAW
CLIENT	HYUNDAI MOTOR AMERICA, INC.
LOCATION	2700 NORTH CROSS FARMWAY, SUITE 413, MARIETTA, GA 30067
DESIGNER	CROY ENGINEERING
CHECKED BY	[Signature]
DATE	10/29/13
PROJECT #	1297.00
DATE	10/29/13
SCALE	1" = 60'
SHEET NUMBER	Z-1



NOTICE TO THE PUBLIC

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ZONING NOTES

1. THE ZONING DISTRICT IS LI (LIGHT INDUSTRIAL).
2. THE ZONING DISTRICT IS LI (LIGHT INDUSTRIAL).
3. THE ZONING DISTRICT IS LI (LIGHT INDUSTRIAL).
4. THE ZONING DISTRICT IS LI (LIGHT INDUSTRIAL).
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8. THE ZONING DISTRICT IS LI (LIGHT INDUSTRIAL).
9. THE ZONING DISTRICT IS LI (LIGHT INDUSTRIAL).
10. THE ZONING DISTRICT IS LI (LIGHT INDUSTRIAL).

486 TOTAL PARKING SPACES
118 SPACES AT BUILDING
368 SPACES FOR INVENTORY

LI - ZONING DATA TABLE

MINIMUM LOT AREA	40,000 SF
UNIT/AC	N/A
MIN FLOOR AREA	N/A
MIN LOT FRONTAGE	100 FT
MIN FRONT SETBACK	ARTERIAL 75 FT COLLECTOR 50 FT LOCAL 50 FT
MAJOR SIDE SETBACK	25 FT OR 35 FT
MINOR SIDE SETBACK	20 FT
MIN REAR SETBACK	30 FT
MAX BUILDING HEIGHT	8 STORIES
MAX COVERAGE AND PAV.	40% PAV 70% COV AND PAV.

- REQUIRED NEW FOR THE SHANTY ROAD CONNECTION PH 1
- DOT PROJECT NUMBER: 0379-000-0000
- AREA = 0.86 ACRE (37,591 SQ. FT.)
- GENERAL PLAN: DEVELOPMENT FOR CONSTRUCTION AND
- DOT PROJECT NUMBER: 0379-000-0000
- AREA = 0.78 ACRE (33,943 SQ. FT.)
- PROPOSED NEW FOR EACH-CASE THIS
- EXISTING ACCESS & TRIP PATTERNS, AND LEGEND
- EXISTING SANITARY SEWER EASEMENT
- DOT PROJECT NUMBER: 0379-000-0000
- AREA = 0.86 ACRE (37,591 SQ. FT.)
- DOT PROJECT NUMBER: 0379-000-0000

2013 OCT 14 PM 2:53
CORR. COUNTY GEORGIA
FILED IN OFFICE
CORR. COUNTY ZONING DIVISION
REVISED

APPLICANT: Cherokee Hyundai of Kennesaw, LLC

770-649-5100

REPRESENTATIVE: John H. Moore 770-429-1499

Moore Ingram Johnson & Steele, LLP

TITLEHOLDER: McCamy Properties, LLC; Marian McCamy Houk

as Trustee of the Robert J. McCamy, Jr. Trust; Robert J. McCamy, Jr.

as Trustee of the Mary Stuart McCamy Trust, the Clare Shaw McCamy

Trust, and the Marian Sims McCamy Houk Trust

PROPERTY LOCATION: Northeast and southeast intersections of

Big Shanty Road and Barrett Lake Boulevard, west of Interstate 75.

ACCESS TO PROPERTY: Barrett Lakes Boulevard

PHYSICAL CHARACTERISTICS TO SITE: Undeveloped acreage

CONTIGUOUS ZONING/DEVELOPMENT

NORTH: Big Shanty Connector

SOUTH: HI/Office-Warehouse

EAST: I-75 and GC/Retail Center

WEST: Barrett Lakes Blvd and GC/Rollins Leasing; HI/Vulcan

PETITION NO: Z-65

HEARING DATE (PC): 11-05-13

HEARING DATE (BOC): 11-19-13

PRESENT ZONING: GC

PROPOSED ZONING: LI

PROPOSED USE: New and Used

Automobile Dealership and Related Services

SIZE OF TRACT: 13.105 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 _____

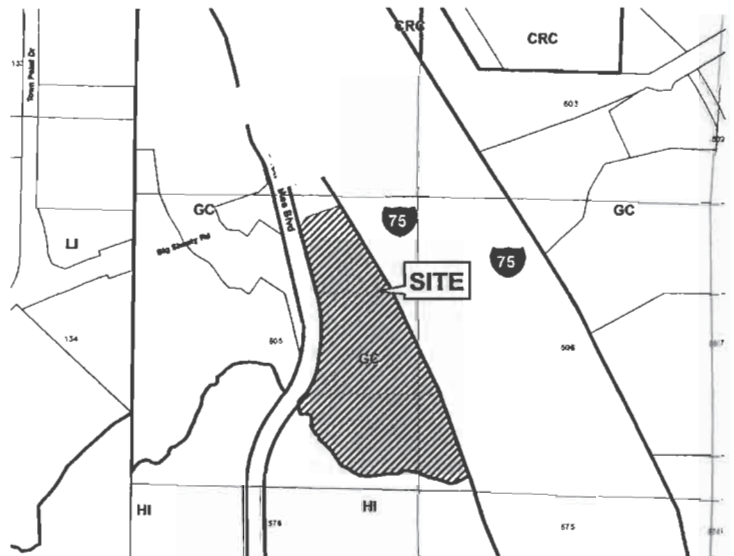
BOARD OF COMMISSIONERS DECISION

APPROVED _____ MOTION BY _____

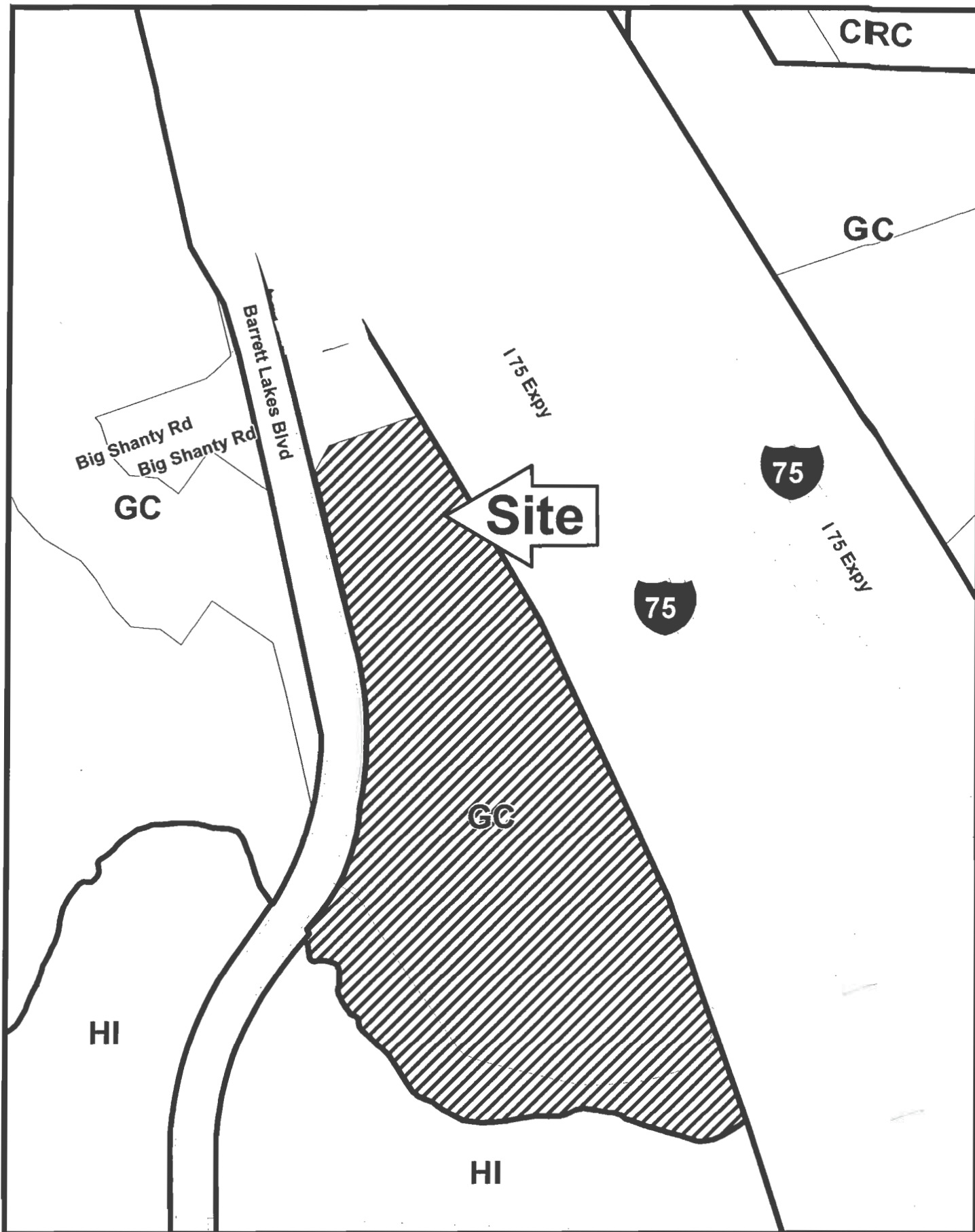
REJECTED _____ SECONDED _____

HELD _____ CARRIED _____

STIPULATIONS:



Z-65



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

0 200 400 Feet



City Boundary
Zoning Boundary

APPLICANT: Cherokee Hyundai of Kennesaw, LLC

PETITION NO.: Z-65

PRESENT ZONING: GC

PETITION FOR: LI

ZONING COMMENTS:

Staff Member Responsible: Jason A. Campbell

Land Use Plan Recommendation: Priority Industrial Area (PIA)

Proposed Number of Buildings: 1 **Total Square Footage of Development:** 23,600

F.A.R.: .09 **Square Footage/Acre:** 4,087

Parking Spaces Required: 486 **Parking Spaces Provided:** 486

Applicant is requesting the Light Industrial (LI) zoning category for the purpose of developing an automobile dealership for new and used vehicle sales and auto service. The hours of operation will be Monday through Saturday from 7 a.m. to 9 p.m. and Sunday from 12 p.m. to 6 p.m.

Cemetery Preservation: No comment.

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: Cherokee Hyundai of Kennesaw, LLC

PETITION NO.: Z-65

PRESENT ZONING: GC

PETITION FOR: LI

PLANNING COMMENTS:

The applicant is requesting a rezoning from GC to LI for purpose of new and used automobile dealership and other services. The 13.1 acre site is located at the northeast and southeast intersections of Big Shanty Road and Barrett Lake Boulevard, west of Interstate 75, and east of Town Point Drive.

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.

APPLICANT: Cherokee Hyundai of Kennesaw, LLC

PETITION NO.: Z-65

PRESENT ZONING: GC

PETITION FOR: LI

PLANNING COMMENTS: Continued

Master Plan/Corridor Study

Not applicable.

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 Cherokee Hyundai of Kennesaw, LLC

PETITION NO. Z-065

PRESENT ZONING GC

PETITION FOR LI

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:

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.

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 site on parcel B**

Estimated Waste Generation (in G.P.D.): **ADF 1584 Peak= 3960**

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

Drv 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 Sewer also on west side of Barrett Lakes Blvd parallel to ROW
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: Cherokee Hyundai of Kennesaw, LLC

PETITION NO.: Z-65

PRESENT ZONING: GC

PETITION FOR: LI

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.

APPLICANT: Cherokee Hyundai of Kennesaw, LLC

PETITION NO.: Z-65

PRESENT ZONING: GC

PETITION FOR: LI

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. Fee-in-lieu of detention is proposed for this project. This site does meet the drainage area threshold to quality 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. Adequate water quality treatment must be provided onsite.

APPLICANT: Cherokee Hyundai of Kennesaw, LLC

PETITION NO.: Z-65

PRESENT ZONING: GC

PETITION FOR: LI

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'
Big Shanty Road	N/A	Local	35 mph	Cobb County	50'

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.

Big Shanty Road is classified as a local and according to the available information the existing right-of-way does 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.

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STAFF RECOMMENDATIONS

Z-65 CHEROKEE HYUNDAI OF KENNESAW, 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. Other properties in the area are zoned GC, LI and HI with retail, office-warehouse and industrial 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 similarly zoned with 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 conformity with the policy and intent of the *Cobb County Comprehensive Plan*, which delineates this property to be within the Priority Industrial Area (PIA). The applicant is requesting Light Industrial (LI) and the proposed use is a permitted use in the LI zoning category.
- 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. The applicant's request is keeping with the PIA land use category by requesting the LI zoning category and developing a business that is a permitted use under the LI category.

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

- Revised site plan received by the Zoning Division on October 14, 2013, with the District Commissioner approving minor modifications;
- Water and Sewer Division comments and recommendations;
- Stormwater Management Division comments and recommendations;
- Department of Transportation comments and recommendations
- 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.

COBB COUNTY GEORGIA
FILED IN OFFICE

2013 SEP -5 PM 4: 19

COBB COUNTY ZONING DIVISION

Application No. z-65
Nov. (2013)

Summary of Intent for Rezoning*

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

- a) Proposed unit square-footage(s): _____
 - b) Proposed building architecture: _____
 - c) Proposed selling prices(s): _____
 - d) List all requested variances: _____
- _____
- _____
- _____

.....
Part 2. Non-residential Rezoning Information (attach additional information if needed)

- a) Proposed use(s): Automobile Dealership -- New & Used Vehicle Sales, auto service
 - b) Proposed building architecture: Showroom fascia Silver ACM panels w/ blue ACM panel accent box. Storefront will be clear anodized w/ low-e clear glazing. Exterior wall split-face CMU painted white w/ gray accents.
 - c) Proposed hours/days of operation: Monday-Saturday 7am to 9pm;
Sunday 12pm to 6pm
 - d) List all requested variances: None known at this time
- _____
- _____
- _____

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

COBB COUNTY GEORGIA
FILED IN OFFICE

ATTACHMENT TO APPLICATION FOR REZONING

2013 SEP -5 PM 4: 20

IMPACT ANALYSIS STATEMENT

COBB COUNTY ZONING DIVISION

Application No.: Z-65 (2013)
Hearing Dates: November 5, 2013
November 19, 2013

Applicant: Cherokee Hyundai of Kennesaw, LLC
Titleholders: McCamy Properties, LLC;
Marian McCamy Houk, as Trustee of the
Robert J. McCamy, Jr. Trust;
Robert J. McCamy, Jr., as Trustee of the
Mary Stuart McCamy Trust;
Robert J. McCamy, Jr., as Trustee of the
Clare Shaw McCamy Trust; and
Robert J. McCamy, Jr., as Trustee of the
Marian Sims McCamy Houk Trust

Analysis of impact of the proposed rezoning with respect to the following:

- (a) The Application for Rezoning requests rezoning of an approximately 13.105 acres located on the easterly side of Barrett Lakes Boulevard, westerly of Interstate 75, and northerly of Noonday Creek, in Land Lots 505 and 506, 16th District, 2nd Section, Cobb County, Georgia (hereinafter "Subject Property" or "Property") from the current zoning classification of General Commercial ("GC") to the proposed zoning classification of Light Industrial ("LI"). Applicant intends to develop the Subject Property to operate a new and used automobile dealership and related services. The rezoning of the Subject Property to the LI zoning classification for operation of the proposed dealership will permit a suitable use, and which is compatible with adjacent and nearby properties.
- (b) This zoning proposal will have no adverse effect on the existing use or usability of adjacent or nearby properties. The intended use is allowable under the proposed LI zoning classification, and as such, the proposed rezoning should have a minimal, if any, impact on surrounding properties, which are zoned to the Light Industrial, Heavy Industrial, and General Commercial zoning categories. The rezoning should have a positive effect to allow for a use of the Subject Property which is consistent with Cobb County's Future Land Use Map and Comprehensive Plan. If approved and used according to the request, the adjacent and nearby property owners should benefit in higher land values. The county will benefit in increased revenue.

- (c) The property as zoned does not have a reasonable economic use. Approval of the requested rezoning will allow for a more reasonable, economic use of the Subject Property.
- (d) This zoning proposal will not cause excessive or burdensome use of existing streets, transportation facilities, utilities, or schools.
- (e) The zoning proposal is in conformity with the Land Use Map of Cobb County, Georgia, as well as the policy and intent of the Land Use Plan as evidenced by the existing zoning category of General Commercial.
- (f) The entire area surrounding the Subject Property has seen dramatic growth and development. The Property is uniquely situated between a major interstate (I-75) and two major thoroughfares within the Town Center region—Barrett Lakes Boulevard and the recently constructed Big Shanty Connector. The overall shape of the Property; as well as the topography in that the southerly portion lies within flood plain and the Noonday Creek area are challenges which contribute to finding a viable user for the Property. These conditions, in addition to the economic climate, make the zoning proposal consistent with current conditions affecting the Subject Property.