

ASPEN HEIGHTS  
 CHASTAIN MEADOWS PARKWAY  
 KENNESAW, GA  
 PROPOSED ZONING PLAN

C1.0

Z-69  
Dec. 2013

REVISED

2013 NOV 21 PM 3:52

COBB COUNTY GEORGIA  
FILED IN OFFICE

COBB COUNTY ZONING DIVISION

U/F DEVELOPMENT AUTHORITY  
OF COOK COUNTY

ALL INFORMATION CONTAINED HEREIN IS UNCLASSIFIED EXCEPT WHERE SHOWN OTHERWISE

NOVEMBER 1990

**APPLICANT:** BK Properties, LP

770-951-2278

**REPRESENTATIVE:** Charles J. Maxwell

404-693-1618

**TITLEHOLDER:** BK Properties, L.P.

**PROPERTY LOCATION:** South side of Big Shanty Road, east side of  
Chastain Meadows Parkway, and west side of Bells Ferry Road  
(73 Big Shanty Road).

**ACCESS TO PROPERTY:** Big Shanty Road, Chastain Meadows  
Parkway and Bells Ferry Road

**PHYSICAL CHARACTERISTICS TO SITE:** Single-family house  
and undeveloped acreage

#### **CONTIGUOUS ZONING/DEVELOPMENT**

**NORTH:** OS/Office Developments

**SOUTH:** NS/O&I/R-20/Noonday Creek Walking Trail

**EAST:** RA-4/Big Shanty Plantation Subdivision

**WEST:** OS/Office Developments and undeveloped acreage

**PETITION NO:** Z-69

**HEARING DATE (PC):** 12-03-13

**HEARING DATE (BOC):** 12-17-13

**PRESENT ZONING:** OS, O&I, R-20, NS

**PROPOSED ZONING:** RM-8

**PROPOSED USE:** Low Density/  
Multi-Family Homes

**SIZE OF TRACT:** 39.92 acres

**DISTRICT:** 16

**LAND LOT(S):** 437, 438, 439, 498, ~~499~~, 500,  
~~510~~, ~~511~~

**PARCEL(S):** 1, 2, 60

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

**COMMISSION DISTRICT:** 3

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

#### **PLANNING COMMISSION RECOMMENDATION**

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

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

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

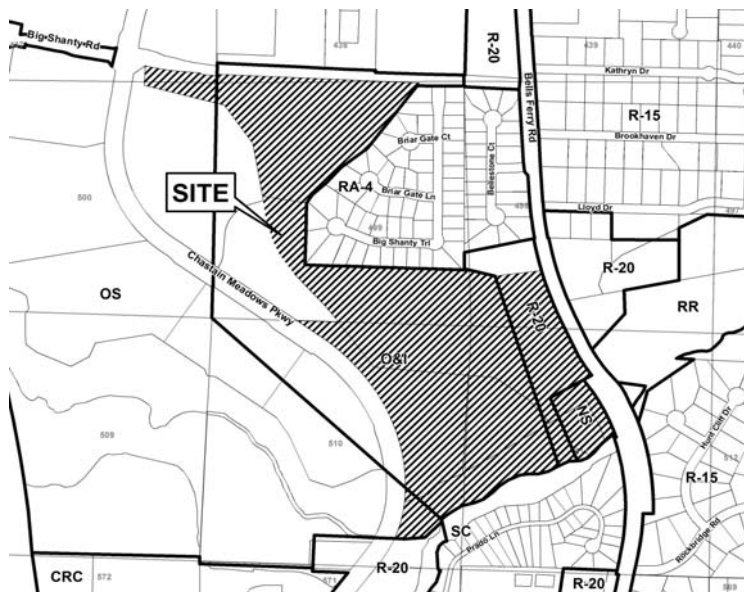
#### **BOARD OF COMMISSIONERS DECISION**

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

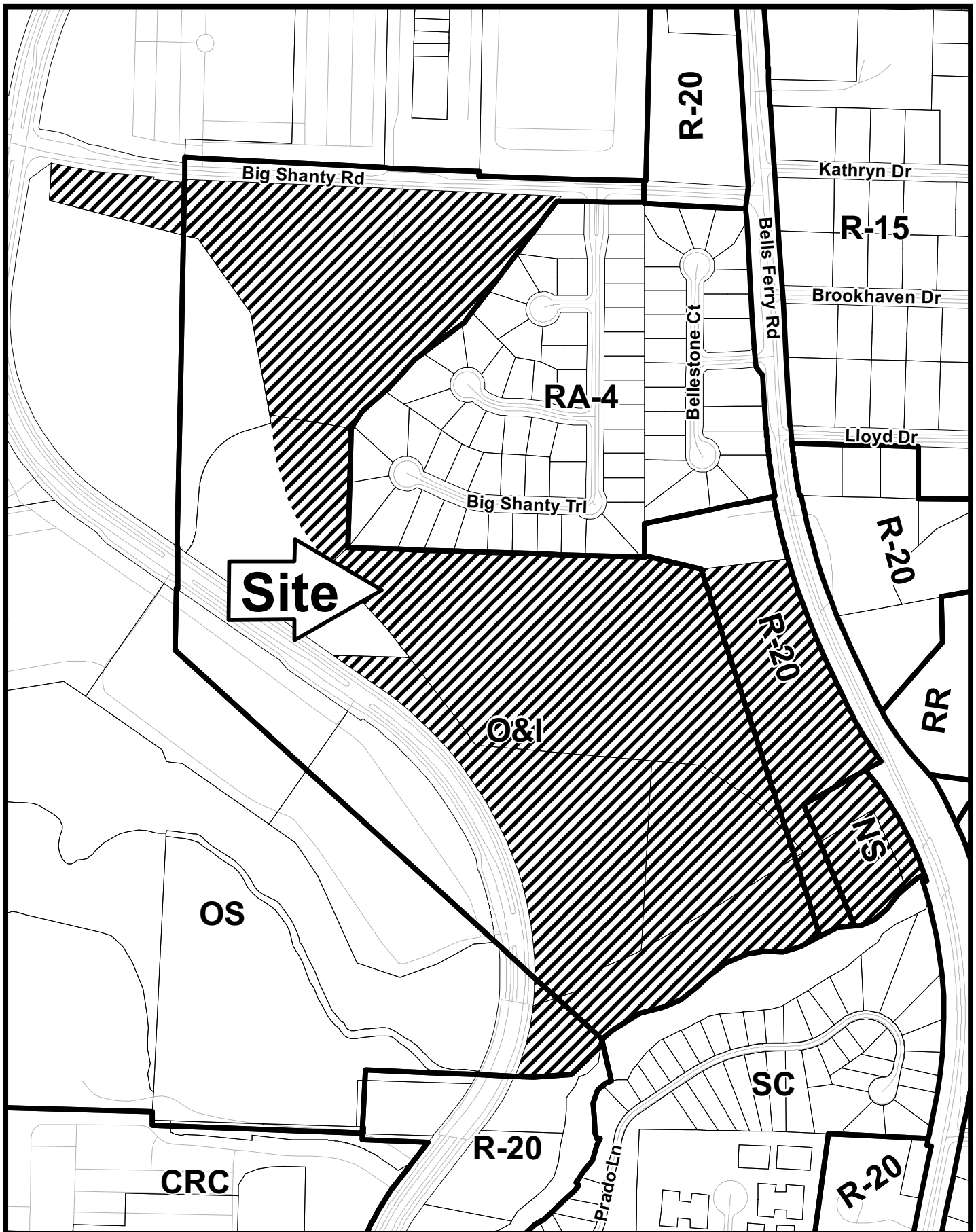
**REJECTED** \_\_\_\_\_ **SECONDED** \_\_\_\_\_

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

**STIPULATIONS:**



# Z-69



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

0 300 600 Feet



City Boundary  
Zoning Boundary

**APPLICANT:** BK Properties, LP

**PETITION NO.:** Z-69

**PRESENT ZONING:** OS, O&I, R-20, NS

**PETITION FOR:** RM-8

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**ZONING COMMENTS:**

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

**Land Use Plan Recommendation:** Medium Density Residential (2.5-5 units per acre)

**Proposed Number of Units:** 182 **Overall Density:** 7.88 **Units/Acre**

**Staff estimate for allowable # of units:** 7 (On R-20) Units\*Increase of: 175 Units/Lots

\*Estimate could be higher or lower based on engineered plans taking into account topography, shape of property, utilities, roadways, natural features such as creeks, wetlands, etc., and other unforeseen circumstances.

Applicant is requesting the RM-8 zoning category for the purpose of developing a multi-family home subdivision that is planned to be student housing for Kennesaw State University. The proposed residences will be two-story frame residences with hardi-plank siding and will be similar to the attached renderings.

**Cemetery Preservation:** No comment.

APPLICANT: BK Properties, LP

PETITION NO.: Z-69

PRESENT ZONING: OS, O&I, R-20, NS

PETITION FOR: RM-8

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SCHOOL COMMENTS:

		Capacity	Number of
		Status	Portable
Name of School	Enrollment		Classrooms
Elementary			
Middle			
High			

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

Additional Comments:

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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: BK Properties, LP

PETITION NO.: Z-69

PRESENT ZONING: OS, O&I, R-20, NS

PETITION FOR: RM-8

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**PLANNING COMMENTS:**

The applicant is requesting a rezoning from OS, O&I, R-20, and NS to rM-8 for purpose of Low Density/Multi-Family Homes. The 39.92 acre site is located on the south side of Big Shanty Road, east side of Chastain Meadows Parkway, and west and east sides of Bells Ferry Road.

**Comprehensive Plan**

The parcel is within a Medium Density Residential (**MDR**) future land use category, with OS, O&I, R-20, and NS zoning designations. The purpose of the Medium Density Residential (MDR) category is to provide for areas that are suitable for moderate density housing, between two and one-half (2.5) and five (5) dwelling units per acre.

**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?

**Incentive Zones**

Is the property within an Opportunity Zone? ☐ Yes ☒ No

The Opportunity Zone is an incentive that provides \$3,500 tax credit per job in eligible areas 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

The Enterprise Zone is an incentive that provides tax abatements and other economic incentives for qualifying businesses locating or expanding within designated areas for new jobs and capital investments.

Is the property eligible for incentives through the Commercial and Industrial Property Rehabilitation Program?

☐ Yes ☒ No

The Commercial and Industrial Property Rehabilitation Program is an incentive that provides a reduction in ad valorem property taxes for qualifying redevelopment in eligible areas.

For more information on design guidelines, please contact the Community Development Planning Division at 770.528.2015.

For more information on incentives, please call the Office of Economic Development at 770.528.2607 or find information online at <http://economic.cobbcountyga.gov>.



APPLICANT BK Properties, LP

PETITION NO. Z-069

PRESENT ZONING OS,O&I,R-20,NS

PETITION FOR RM-8

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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): 8" DI / W side of Chastain Meadows Pkwy

Additional Comments: Master meter(s) to be set at public ROW

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

Estimated Waste Generation (in G.P.D.): **A D F** 31200 **Peak=** 78000

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: If zoned to a site plan, code-required easement setbacks must be upheld.

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: BK Properties, LP

PETITION NO.: Z-69

PRESENT ZONING: OS, O&I, R-20, NS

PETITION FOR: RM-8

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<b>STORMWATER MANAGEMENT COMMENTS</b>
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FLOOD HAZARD: ☒ YES ☐ NO ☐ POSSIBLY, NOT VERIFIED

DRAINAGE BASIN: Noonday Creek FLOOD HAZARD INFO: Zone A & 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 and adjacent to onsite streams

- ☒ 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.



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PETITION FOR: RM-8

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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 site is located adjacent to Noonday Creek and an unnamed tributary. The parcel is bounded by Noonday Creek to the south, Chastain Meadows Parkway to the west, Big Shanty Road to the north and Bells Ferry Road & Big Shanty Plantation Subdivision to the east. Slopes on the site are gentle to moderate. A significant portion of the parcel is encumbered by floodplain.
2. The preliminary site plan shows 18 units being located within the regulatory floodplain. All structures must be located outside the 100-year floodplain. While grading within the floodplain is allowed there can be no net fill or loss of floodplain volume and no increase in flood elevations. In addition, the units located on the southeastern portion of the site have no emergency access provided during a flood event. It is anticipated that some type of access to Bells Ferry Road will be required.

APPLICANT: BK Properties, LP

PETITION NO.: Z-69

PRESENT ZONING: OS, O&I, R-20, NS

PETITION FOR: RM-8

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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
Chastain Meadows Parkway	11,400	Arterial	45 mph	Cobb County	100'
Big Shanty Road	4100	Major Collector	35 mph	Cobb County	80'
Bells Ferry Road	10,700	Arterial	45 mph	Cobb County	100'

*Based on 2009 traffic counting data taken by Cobb County DOT (Chastain Meadows Parkway)*

*Based on 2006 traffic counting data taken by Cobb County DOT (Big Shanty Road)*

*Based on 2010 traffic counting data taken by Cobb County DOT (Bells Ferry Road)*

### COMMENTS AND OBSERVATIONS

Chastain Meadows Parkway is classified as a local and according to the available information the existing right-of-way does 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 not meet the minimum requirements for this classification.

Bells Ferry 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.

### 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 south side of Big Shanty Road, a minimum of 40' from the roadway centerline.

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 west side of Bells Ferry Road, a minimum of 50' from the roadway centerline.

Recommend a traffic study.

Recommend sidewalk along the Big Shanty Road frontage.

Recommend curb, gutter, and sidewalk along the Bells Ferry Road frontage.

Recommend a left turn and deceleration lane for the main entrance on Big Shanty Road.

Revised December 2, 2013



Recommend a left turn and deceleration lane for the Bells Ferry Rd entrance.

Recommend coordinating with Cobb County DOT regarding the Noonday Creek Trail Phase 2C SPLOST project.

Recommend coordinating with Cobb County DOT regarding the Big Shanty Road sidewalk project.

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

## **STAFF RECOMMENDATIONS**

### **Z-69 BK PROPERTIES, LP**

- 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 for office and medium density residential 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. The proposed residential use may have less of an impact if it is developed within the range of the MDR land use plan (2.5-5 units per acre).
- 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 not in conformity with the policy and intent of the *Cobb County Comprehensive Plan*, which delineates this property to be within the Medium Density Residential (MDR) land use category, having densities ranging from 2.5-5 units per acre. Applicant's proposal indicates a net density of approximately 8.2 units per acre – exceeding the MDR range of 2.5-5 units per acre.
- 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, but limiting the density to the limit allowed in the MDR land use category (2.5-5 units per acre).

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

- Maximum density of five units per acre;
- Site plan and architecture to be approved by the District Commissioner;
- Water and Sewer Division comments and recommendations;
- Stormwater Management Division comments and recommendations;
- Department of Transportation comments and recommendations; and
- 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.**



Application #: Z-69  
PC Hearing Date: 12-3-13  
BOC Hearing Date: 12-17-13

## Summary of Intent for Rezoning

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

- a) Proposed unit square-footage(s): 195 UNITS - 124,200 ft<sup>2</sup> TOTAL HARDI-  
b) Proposed building architecture: TWO STORY FRAME RESIDENCE WITH PLANK  
c) Proposed selling prices(s): \_\_\_\_\_ SIDING  
d) List all requested variances: \_\_\_\_\_

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

- a) Proposed use(s): \_\_\_\_\_  
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)

.....  
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

.....  
Part 5. Is this application a result of a Code Enforcement action? No ☒; Yes \_\_\_\_\_ (If yes, attach a copy of the Notice of Violation and/or tickets to this form).

Applicant signature: M. E. Keappler Date: 10/02/2013

Applicant name (printed): MARK E Keappler  
for BK Properties, LP

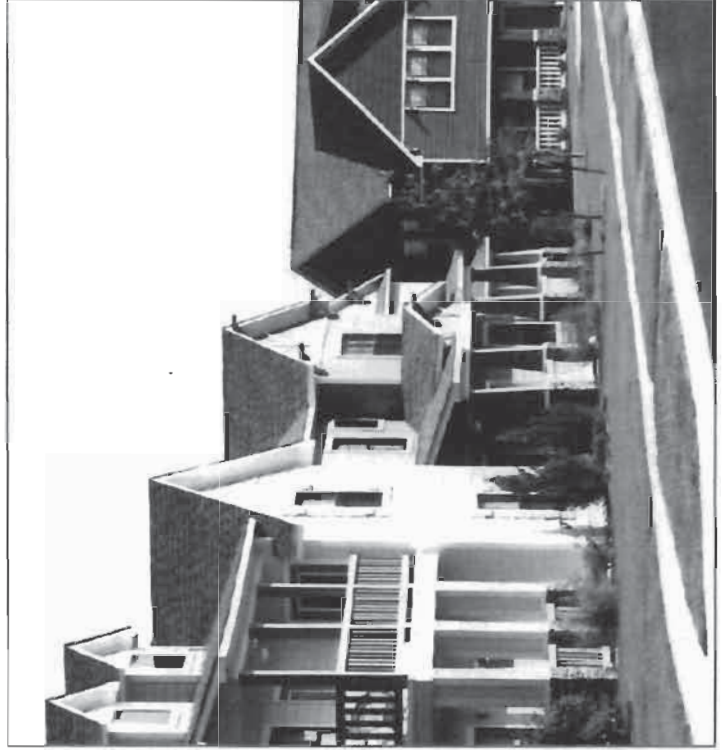
Revised August 21, 2013

COBB COUNTY GEORGIA  
FILED IN OFFICE  
2013 OCT -3 PM 12:01  
COBB COUNTY ZONING DIVISION

# Student Housing Reinvented

## Company Snapshot

Aspen Heights is a national student housing developer and manager headquartered in Austin, Texas. Founded in 2006 Aspen Heights has reinvented the concept of student housing by building neighborhoods of American Craftsman-style homes with all of the amenities of a luxury apartment complex. With a staff of over 200 employees, Aspen Heights is active in markets across the country and has established a reputation and brand as an industry leader for the its excellence in construction and customer service. Recently, Aspen Heights has expanded its product offerings to include garden-style, mid-rise, and high-rise communities.





# Product Overview

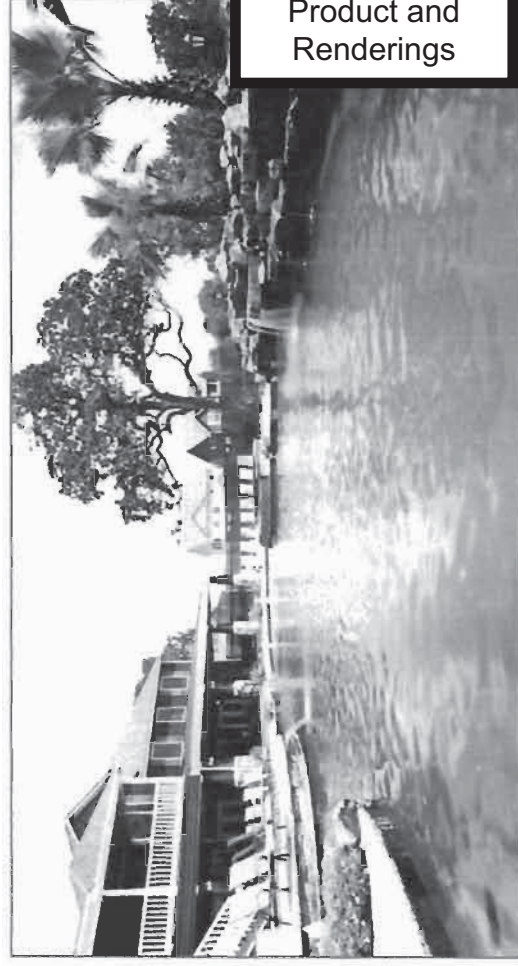
## The Best of Both Worlds – Aspen Heights' Cottages

### All Student Neighborhood

Aspen Heights' unique cottage product includes four-bedroom cottages and two- and three-bedroom duplexes and rowhouses built in the American Craftsman style characterized by clean lines and quality materials. Aspen Heights homes far exceed the prevailing standard in the student housing industry in their attention to detail, luxury finishes, amenities and size. Homes are often up to 1,000 square feet larger than competitors' units and feature an open kitchen-den concept, large individual bedrooms with attached bathrooms and walk-in closets.

### Luxury Amenities

Aspen Heights' cottage neighborhoods feature resort-style pools, 24-hour fitness rooms, study rooms, sports courts, running trails, and more, contributing to a comfortable and balanced student lifestyle. Based on broad market research that includes student and university administration focus groups, Aspen Heights continues to evolve its concept and design to further redefine the standard in student living.



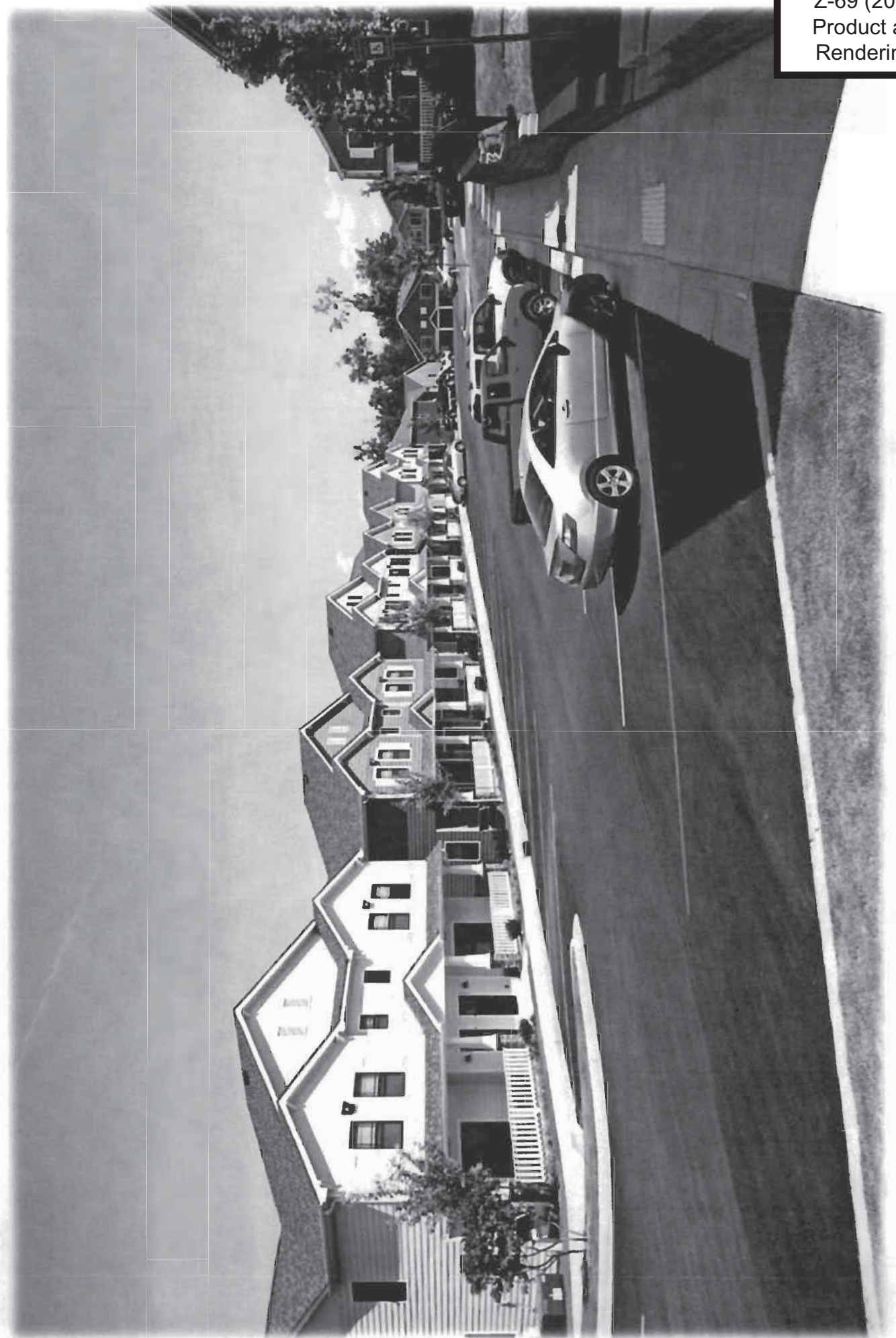


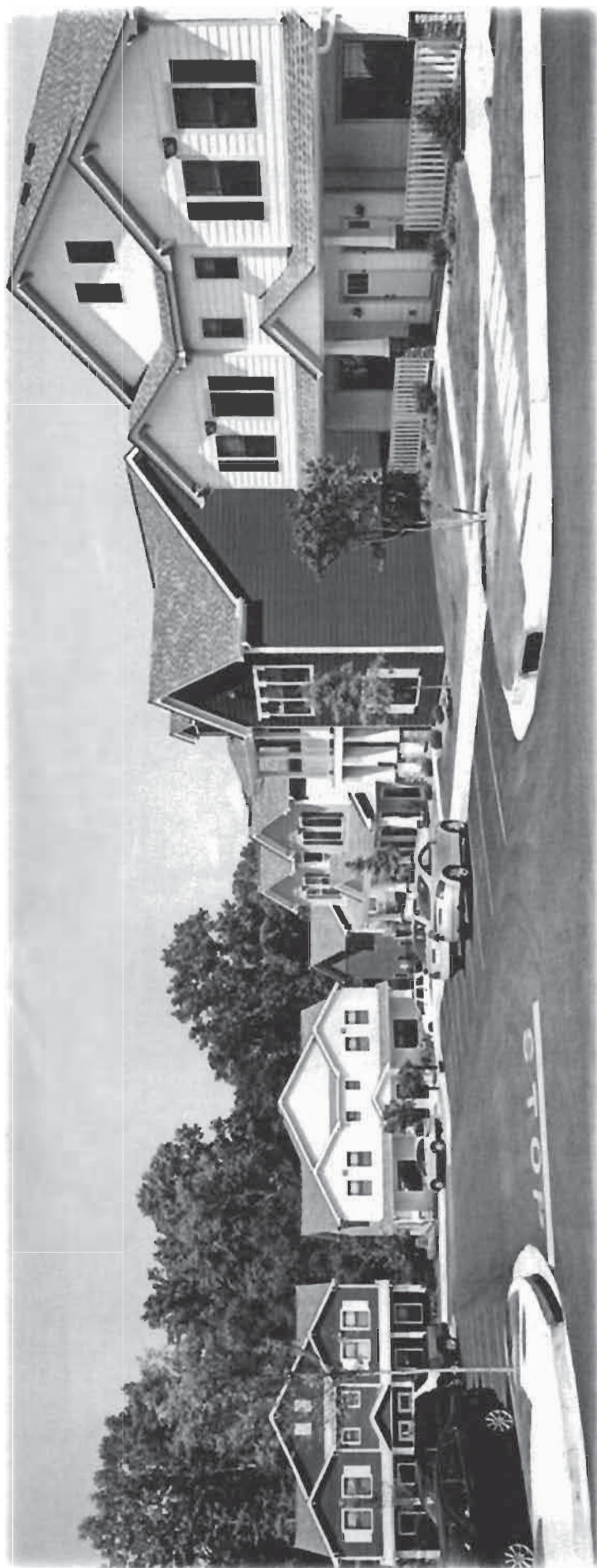


Athens, GA



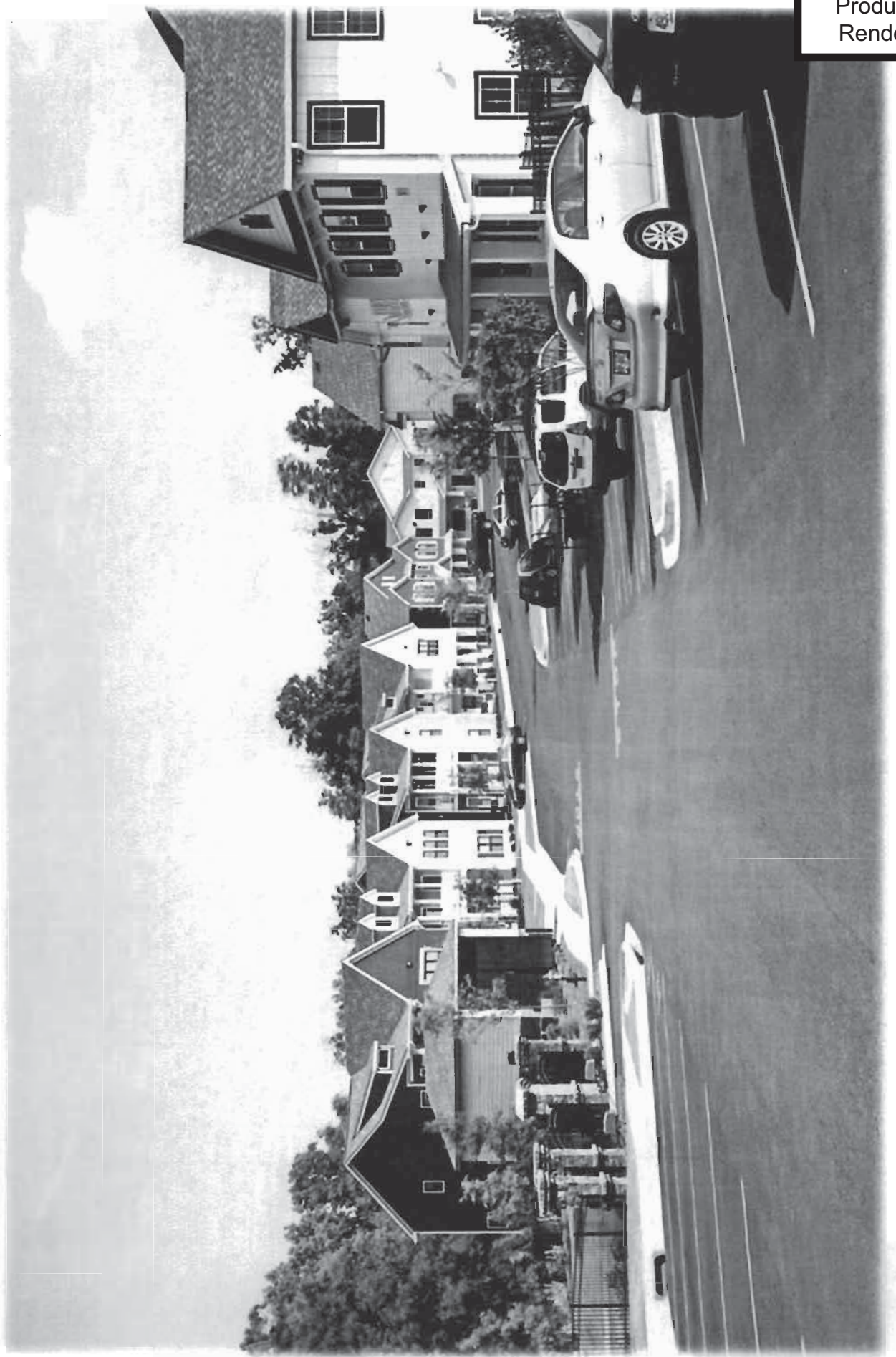
Athens, GA Streetscape





Athens, GA Streetscape





Athens, GA Streetscape



San Marcos, TX Streetscape





Z-69 (2013)  
Product and  
Renderings

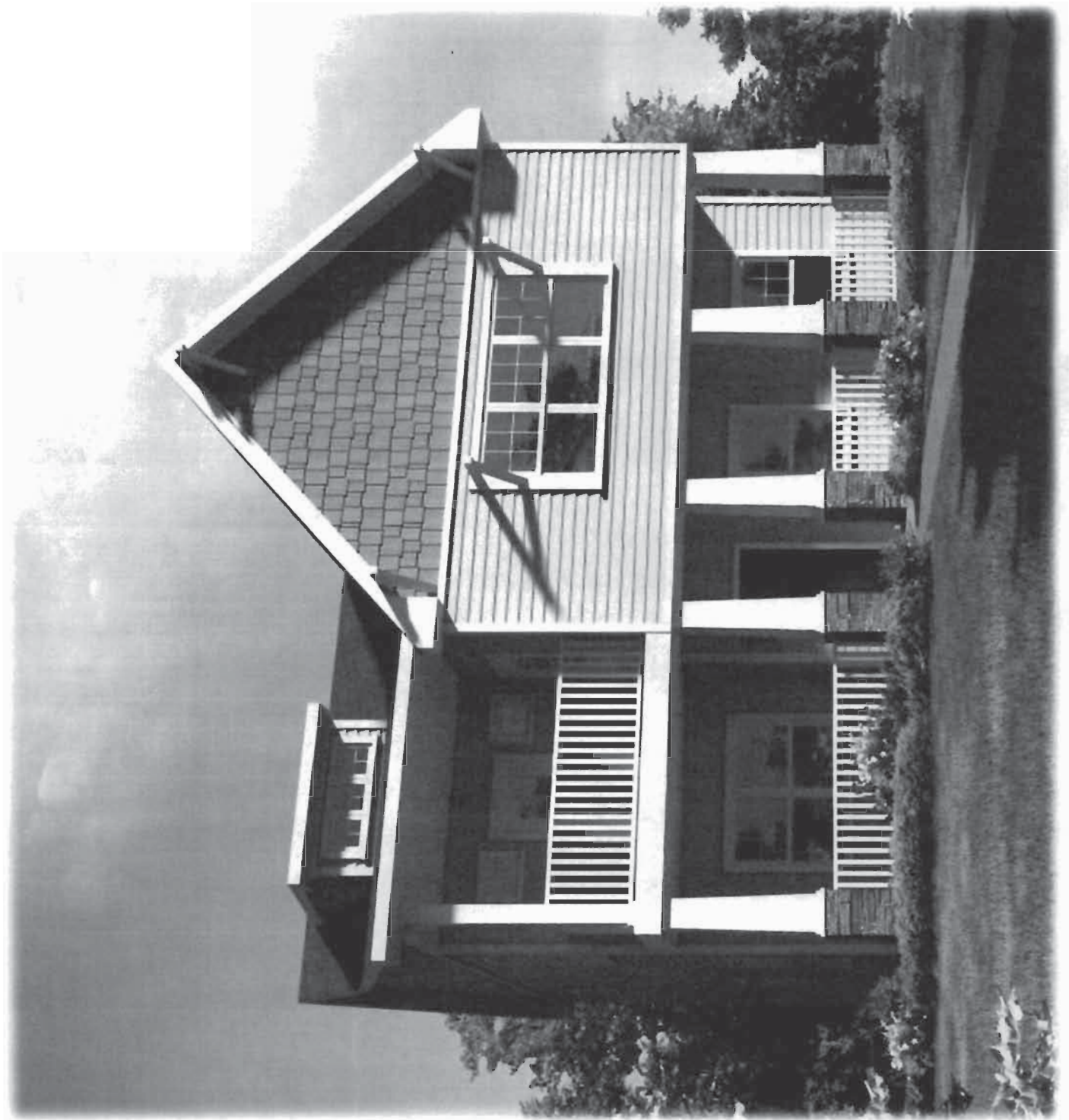


San Marcos, TX Streetscape



Vail - 4BR





Boulder – 4BR



Statesboro, GA - A-Basin 5BR





Aspen Duplex – 2 BR Units



Frisco Duplex – 3 BR Units