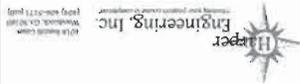


Z-34  
(2014)

SITE LAYOUT PLAN

DRAWING NO.

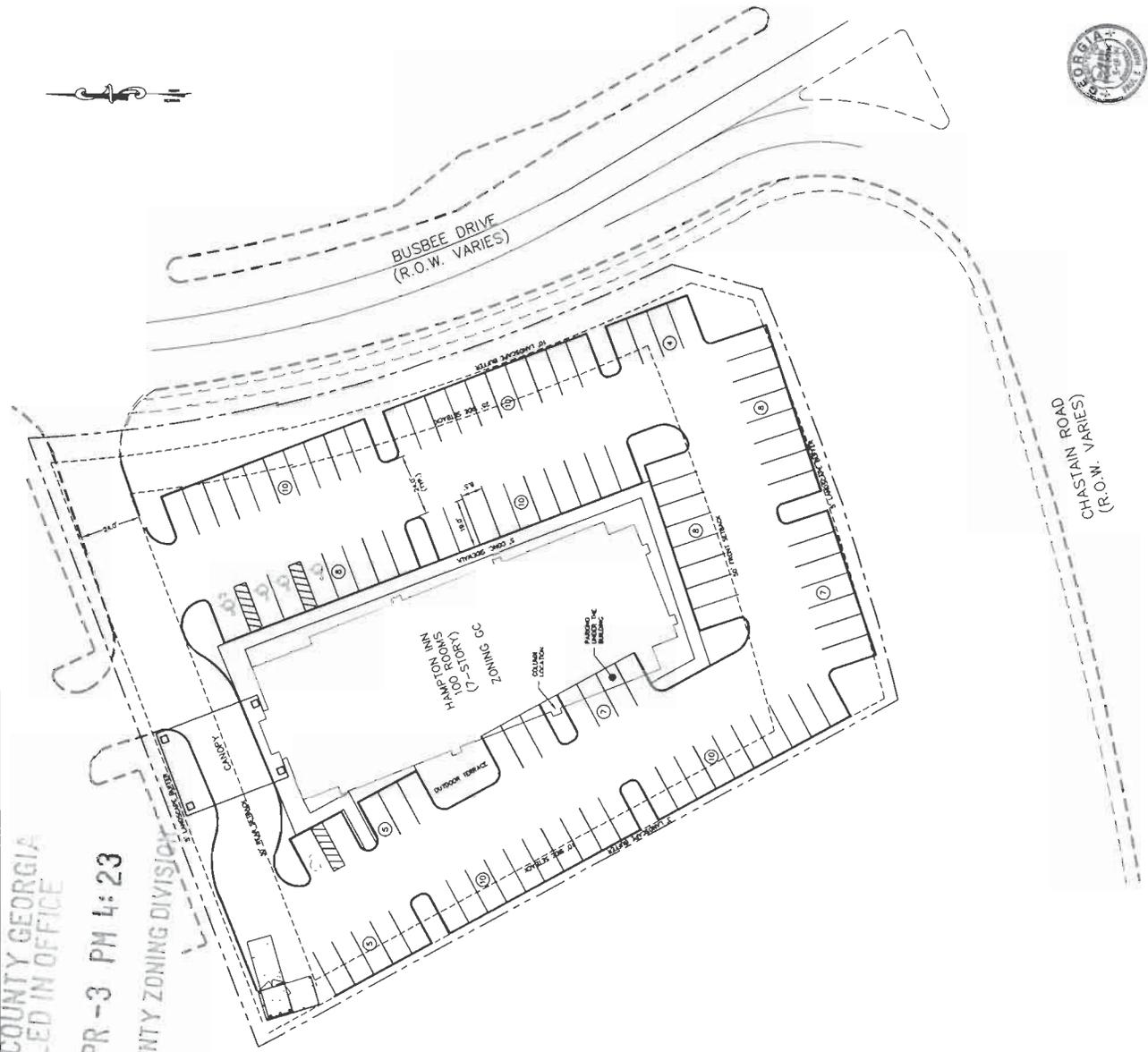


HAMPTON INN  
R.L. 42, 16th DISTRICT, COBB COUNTY



SETBACK & BUFFER:  
(ZONING CODE)  
FRONT SETBACK = 50'  
SIDE SETBACK = 10'  
REAR SETBACK = 10'  
LANDSCAPE BUFFER = 10'

PARKING CALCULATIONS:  
92 STANDARD SPACES PROVIDED ON-SITE  
7 STANDARD SPACES UNDER BUILDING  
4 STANDARD HANDICAP SPACES PROVIDED  
LANDSCAPE HANDICAP SPACE PROVIDED  
TOTAL SPACES PROVIDED 103



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COBB COUNTY ZONING DIVISION

**APPLICANT:** Hampton Inn Chastain, LLC  
(678) 720-4699

**REPRESENTATIVE:** John H. Moore (770) 429-1499  
Moore Ingram Johnson & Steele, LLP

**TITLEHOLDER:** KLCK, Inc.

**PROPERTY LOCATION:** Northwest intersection of Chastain Road  
and Busbee Drive, east of I-75  
(3405 Busbee Drive).

**ACCESS TO PROPERTY:** Busbee Drive

**PHYSICAL CHARACTERISTICS TO SITE:** Former restaurant  
and associated parking

**PETITION NO:** Z-34

**HEARING DATE (PC):** 06-03-14

**HEARING DATE (BOC):** 06-17-14

**PRESENT ZONING:** GC

**PROPOSED ZONING:** OMR

**PROPOSED USE:** Hotel

**SIZE OF TRACT:** 1.41 acres

**DISTRICT:** 16

**LAND LOT(S):** 432

**PARCEL(S):** 3

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

**COMMISSION DISTRICT:** 3

**CONTIGUOUS ZONING/DEVELOPMENT**

- NORTH:** O&I/ Suite Hotel
- SOUTH:** GC/ Retail Commercial
- EAST:** GC/ Retail Commercial
- WEST:** Interstate 75

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

**PLANNING COMMISSION RECOMMENDATION**

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

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

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

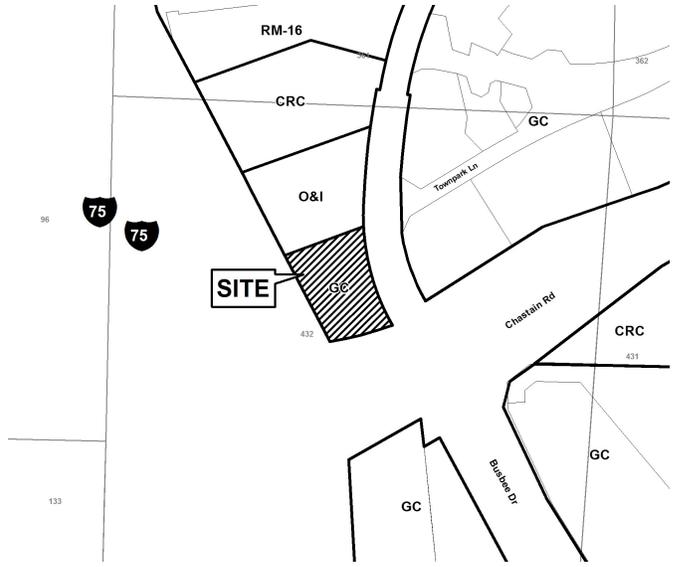
**BOARD OF COMMISSIONERS DECISION**

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

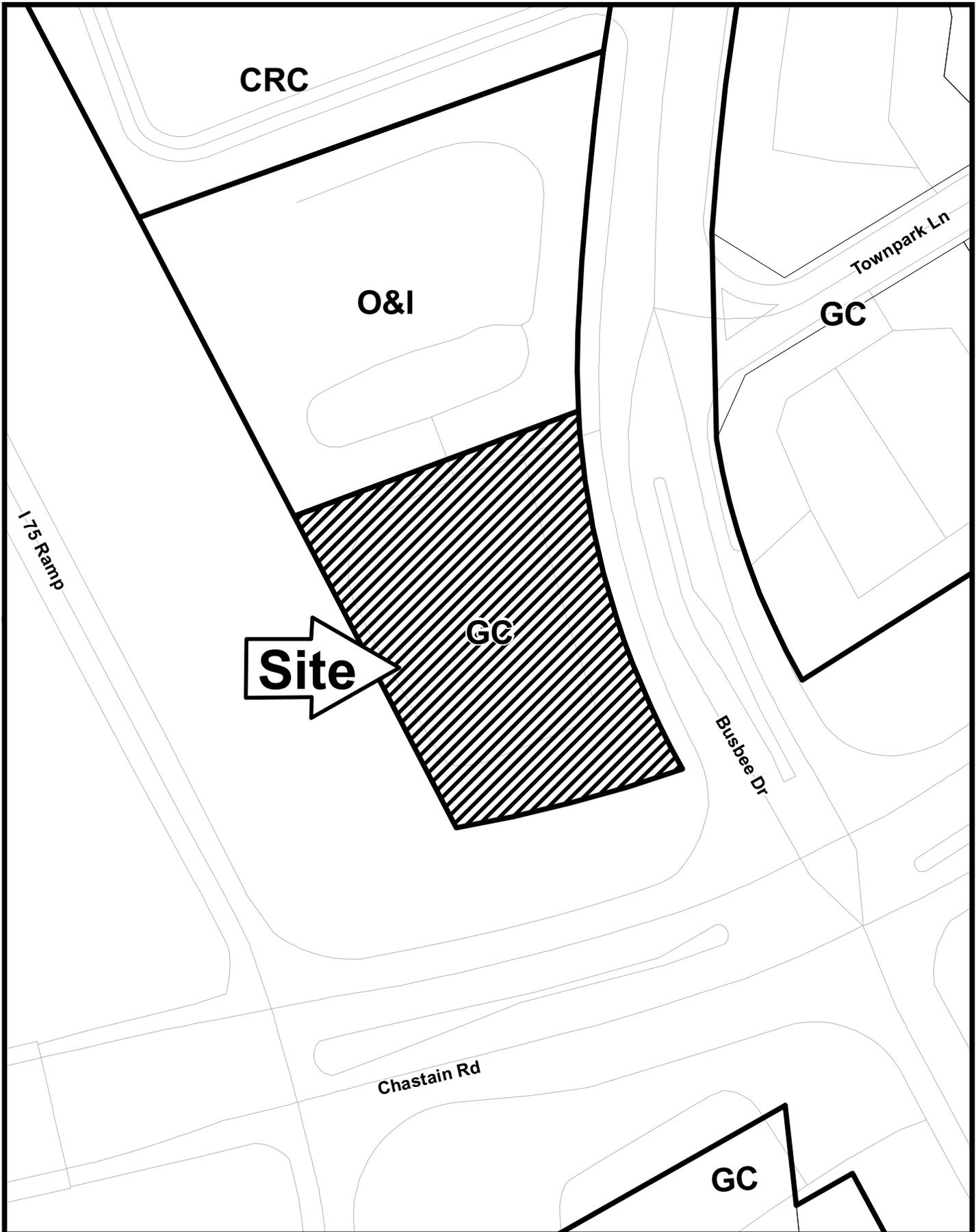
**REJECTED** \_\_\_\_\_ **SECONDED** \_\_\_\_\_

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

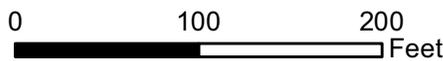
**STIPULATIONS:**



# Z-34



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



-  City Boundary
-  Zoning Boundary

**APPLICANT:** Hampton Inn Chastain, LLC

**PETITION NO.:** Z-34

**PRESENT ZONING:** GC

**PETITION FOR:** OMR

\*\*\*\*\*

**ZONING COMMENTS:**

**Staff Member Responsible:** Terry Martin, MPA

**Land Use Plan Recommendation:** Regional Activity Center (Subcategory - Commercial)

**Proposed Number of Buildings:** 1 **Total Square Footage of Development:** 62,233 sq. ft.

**F.A.R.:** 1.01\* **Square Footage/Acre:** 44,136.88 sq. ft.

**Parking Spaces Required:** 100 **Parking Spaces Provided:** 102

\* **Per the Comprehensive Plan, office zonings in regional activity centers are permitted to have an FAR of 2.0 or less.**

The applicant is requesting a rezoning to the OMR office midrise district from the GC general commercial district in order to construct a seven (7) story, 100 room Hampton Inn Hotel and associated uses which will operate Sunday through Saturday, 24 hours a day. The hotel will be traditional in style. A five (5) foot landscape buffer is proposed on the northerly and southerly sides and a three (3) foot landscape buffer is proposed on the westerly side. A rear setback variance will be necessary from the required 40 feet to the proposed six (6) feet for the canopy.

**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: Hampton Inn Chastain, LLC

PETITION NO.: Z-34

PRESENT ZONING: GC

PETITION FOR: OMR

\*\*\*\*\*

**PLANNING COMMENTS:**

The applicant is requesting a rezoning from GC to CRC for purposes of hotel. The 1.41 acre site is located on the northwest intersection of Chastain Road and Busbee Drive, east of I-75.

Comprehensive Plan

The parcel is within a Regional Activity Center (RAC) future land use category, with GC zoning designation. The purpose of the Regional Activity Center (RAC) category is to provide for areas that can support a high intensity of development which serves a regional market. Typical land uses in these areas include high-rise office buildings, regional malls and varying densities of residential development.

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.

Special Districts

Is this property within the Cumberland Special District #1 (hotel/motel fee)?

Yes  No

Is this property within the Cumberland Special District #2 (ad valorem tax)?

Yes  No

APPLICANT Hampton Inn Chastain, LLC

PETITION NO. Z-034

PRESENT ZONING GC

PETITION FOR OMR

\*\*\*\*\*

**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): 10" DI / W side of Busbee Drive

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: E side of Busbee Drive

Estimated Waste Generation (in G.P.D.): A D F= +720\*\* Peak= +1800\*\*

Treatment Plant: Noontday

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 Comments: \*\*Increase in waste generation above what was assessed for existing (former) restaurant

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: Hampton Inn Chastain, LLC

PETITION NO.: Z-34

PRESENT ZONING: GC

PETITION FOR: OMR

\*\*\*\*\*

**STORMWATER MANAGEMENT COMMENTS**

FLOOD HAZARD:  YES  NO  POSSIBLY, NOT VERIFIED

DRAINAGE BASIN: Unnamed Trib to Noonday Cr FLOOD HAZARD INFO: Zone X

- 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: \_\_\_\_\_

- 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 existing receiving system within R/W.

APPLICANT: Hampton Inn Chastain, LLC

PETITION NO.: Z-34

PRESENT ZONING: GC

PETITION FOR: OMR

\*\*\*\*\*

**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. As with the current site development almost the entire parcel is proposed to be utilized for parking or structure. Underground detention will be required and must be tied directly to the existing stormwater system within the Chastain Road R/W.

**APPLICANT: Hampton Inn Chastain, LLC**

**PETITION NO.: Z-34**

**PRESENT ZONING: GC**

**PETITION FOR: OMR**

\*\*\*\*\*

**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
Busbee Drive	3400	Major Collector	35 mph	Cobb County	80'
Chastain Road	41,900	Arterial	45 mph	Cobb County	100'

*Based on 2007 traffic counting data taken by Cobb County DOT (Busbee Drive)  
Based on 2011 traffic counting data taken by Cobb County DOT (Chastain Road)*

**COMMENTS AND OBSERVATIONS**

Busbee Drive is classified as a major collector and according to the available information the existing right-of-way does meet the minimum requirements for this classification.

Chastain Road is classified as an arterial and according to the available information the existing right-of-way does meet the minimum requirements for this classification.

**RECOMMENDATIONS**

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

Recommend applicant coordinate with Cobb County DOT prior to development plan approval to ensure compatibility with SPLOST Project E4010, Skip Spann Connector.

Recommend no access to Chastain Road.

Recommend access on Busbee Drive be restricted to a right in/ right out as shown on the Skip Spann Connector plans.

Recommend a FAA study.

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

## STAFF RECOMMENDATIONS

### **Z-34 HAMPTON INN CHASTAIN, 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. This area has many intense uses such as Kennesaw State University, Town Center Mall, and Townpark
- B. It is Staff's opinion that the applicant's rezoning proposal will not have an adverse effect on the usability of adjacent or nearby property. The height and sizing of the proposed hotel would be consistent with other buildings in Townpark, which include a hotel and office building with similar heights.
- 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*. The future land use category for this site is regional activity center (RAC) that may support a hotel on the property.
- 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 height and size of the proposed hotel is in character with adjacent properties.

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

- Site plan received by the Zoning Division on April 3, 2014 with District Commissioner approving minor modifications;
- Fire Department comments and recommendations;
- Water and Sewer Division comments and recommendations;
- Stormwater Management Division comments and recommendations;
- Department of Transportation 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.**

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COBB COUNTY ZONING DIVISION



Application #: Z- 34 (2014)  
PC Hearing Date: 06/03/2014  
BOC Hearing Date: 06/17/2014

## Summary of Intent for Rezoning

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

- a) Proposed unit square-footage(s): Not Applicable
- 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): Hotel and associated uses
- b) Proposed building architecture: Traditional
- c) Proposed hours/days of operation: Sunday-Saturday; 24 hours per day
- d) List all requested variances: Landscape Buffer - 10 feet to 5 feet on the northerly and southerly sides; 10 feet to 3 feet on the westerly side

.....  
**Part 3. Other Pertinent Information (List or attach additional information if needed)**

None at this time

.....  
**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

.....  
**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).**

MOORE INGRAM JOHNSON & STEELE, LLP

Applicant signature: BY: [Signature] Date: April 3, 2014

Applicant name (printed): John H. Moore; Georgia Bar No. 519800  
Attorneys for Applicant and Property Owner

**\*Applicant specifically reserves the right to amend any information set forth in the Summary of Intent for Rezoning, or any part of the Application for Rezoning, at any time during the rezoning process.** Revised 11/21/2013

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**ATTACHMENT TO APPLICATION FOR REZONING**

2014 APR -3 PM 4: 23

**IMPACT ANALYSIS STATEMENT**

COBB COUNTY ZONING DIVISION

**Application No.:** Z-34 (2014)  
**Hearing Dates:** June 3, 2014  
June 17, 2014

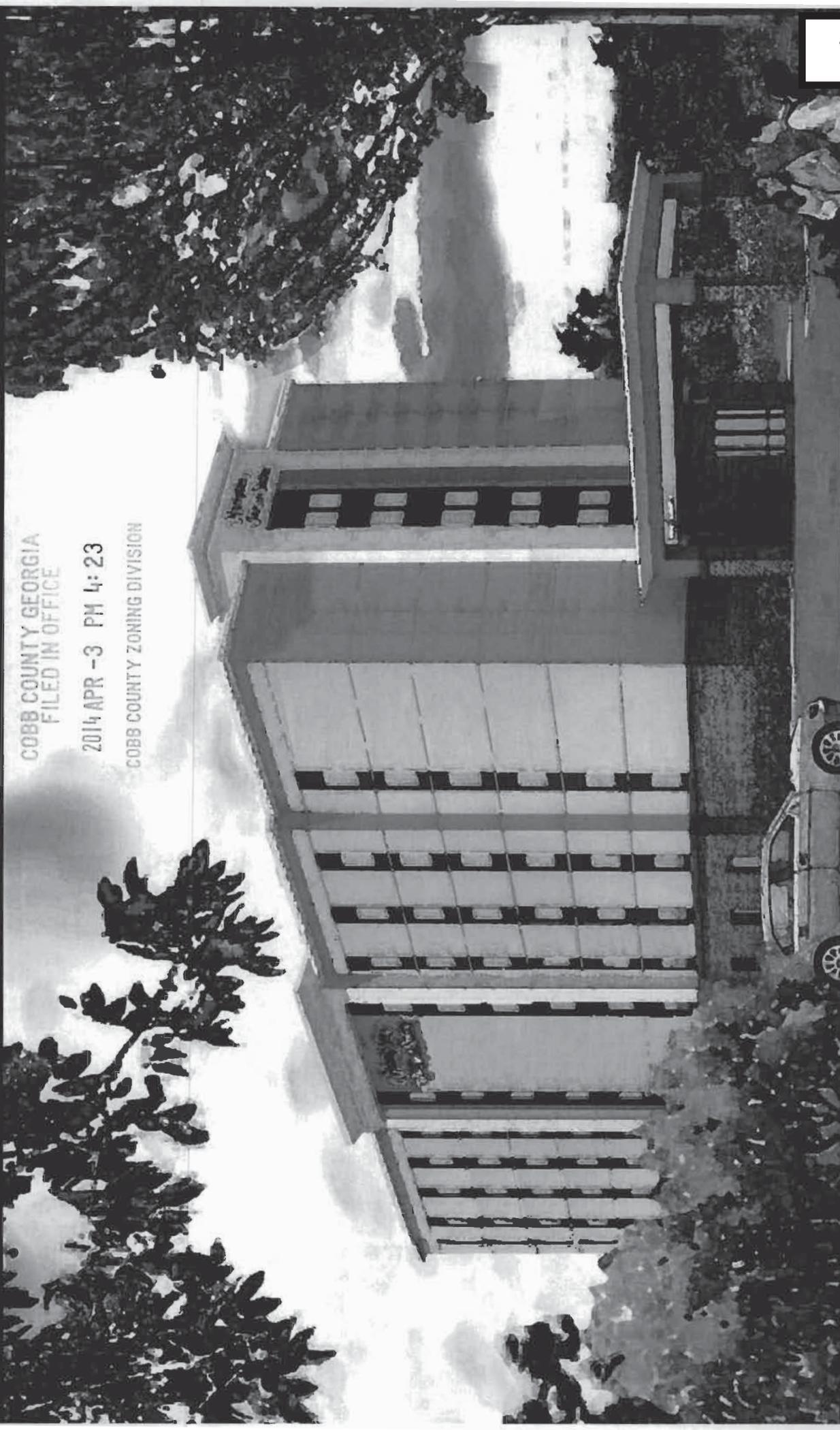
**Applicant:** Hampton Inn Chastain, LLC  
**Titleholder:** KLCK, Inc.

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

- (a) The Application for Rezoning requests rezoning of an approximately 1.41 acres located at the northwesterly intersection of Chastain Road and Busbee Drive, and immediately easterly of the entrance ramp onto Interstate 75, in Land Lot 432, 16<sup>th</sup> District, 2<sup>nd</sup> Section, Cobb County, Georgia (hereinafter “Subject Property” or “Property”) from the current zoning classification of General Commercial (“GC”) to the proposed zoning classification of Community Retail Commercial (“CRC”). The Subject Property is currently developed and operating as a restaurant facility. Applicant intends to demolish the existing structure and redevelop the Subject Property to erect and operate a hotel, with associated uses. The rezoning of the Subject Property to the CRC zoning classification for operation of the proposed hotel and associated uses will permit a more suitable use 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 CRC zoning classification, and as such, the proposed rezoning should have a minimal, if any, impact on surrounding properties, which are zoned to the General Commercial, Office and Institutional, and Community Retail Commercial zoning categories. The rezoning should have a positive effect to allow for a more suitable 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 and roadway improvements in recent years. The Property is uniquely situated at the intersection of a major interstate (I-75) and a major thoroughfare (Chastain Road), and is in very close proximity to Kennesaw State University. . The demand for hotel and related services within the Town Center area has increased while the facilities themselves have not. Such a facility on the Subject Property would greatly benefit not only the surrounding community, but also travelers along the Interstate 75 corridor. Thus, the rezoning proposed in the pending Application for Rezoning would allow for a more suitable and economic use without detrimental impact upon the surrounding area.

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HAMPTON INN by Hilton Chastain Road / Kennesaw Georgia  
RICHARD RAUH & ASSOCIATES Architects for Dr. Gerald Sapp, et. al.