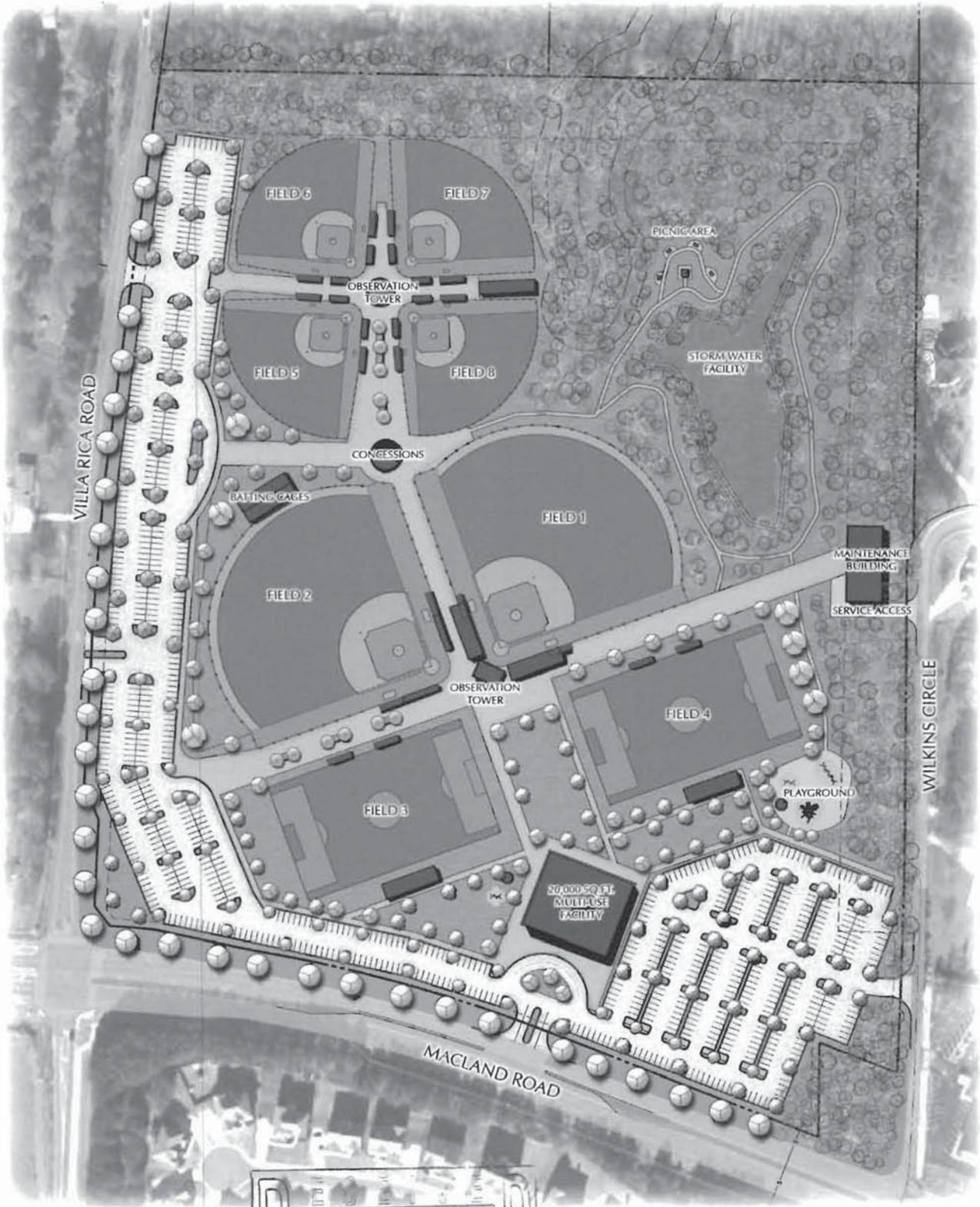


WEST COBB SPORTS COMPLEX

SLUP-19
(2014)



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AUG - 7 2014
COBB CO. COMM. DEV. AGENCY
ZONING DIVISION

**PLANNERS AND ENGINEERS
COLLABORATIVE**

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APPLICANT: West Cobb Sports Complex

PETITION NO: SLUP-19

PHONE#: (678) 996-3403 **EMAIL:** n/a

HEARING DATE (PC): 10-07-14

REPRESENTATIVE: J. Kevin Moore

HEARING DATE (BOC): 10-21-14

PHONE#: (770) 429-1499 **EMAIL:** jkm@mijs.com

PRESENT ZONING: R-80

TITLEHOLDER: Due to individual parcels, a complete list of titleholders is available in the Zoning Office

PROPOSED ZONING: Special Land Use Permit

PROPERTY LOCATION: Northeast intersection of Macland Road and Villa Rica Road, and on the west side of Wilkins Circle.

PROPOSED USE: Non-Profit Community Center

ACCESS TO PROPERTY: Macland Road, Villa Rica Road, Wilkins Circle

SIZE OF TRACT: 45.0 acres

PHYSICAL CHARACTERISTICS TO SITE: Single-family house and wooded acreage

DISTRICT: 19

LAND LOT(S): 427, 462

PARCEL(S): 1, 2

TAXES: PAID X **DUE** _____

COMMISSION DISTRICT: 1

CONTIGUOUS ZONING/DEVELOPMENT

- NORTH:** R-80/Single-family house
- SOUTH:** R-20/OSC/Woodland Chase Subdivision
- EAST:** R-80/Single-family houses and church
- WEST:** R-80/Single-family houses

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

PLANNING COMMISSION RECOMMENDATION

APPROVED _____ **MOTION BY** _____

REJECTED _____ **SECONDED** _____

HELD _____ **CARRIED** _____

BOARD OF COMMISSIONERS DECISION

APPROVED _____ **MOTION BY** _____

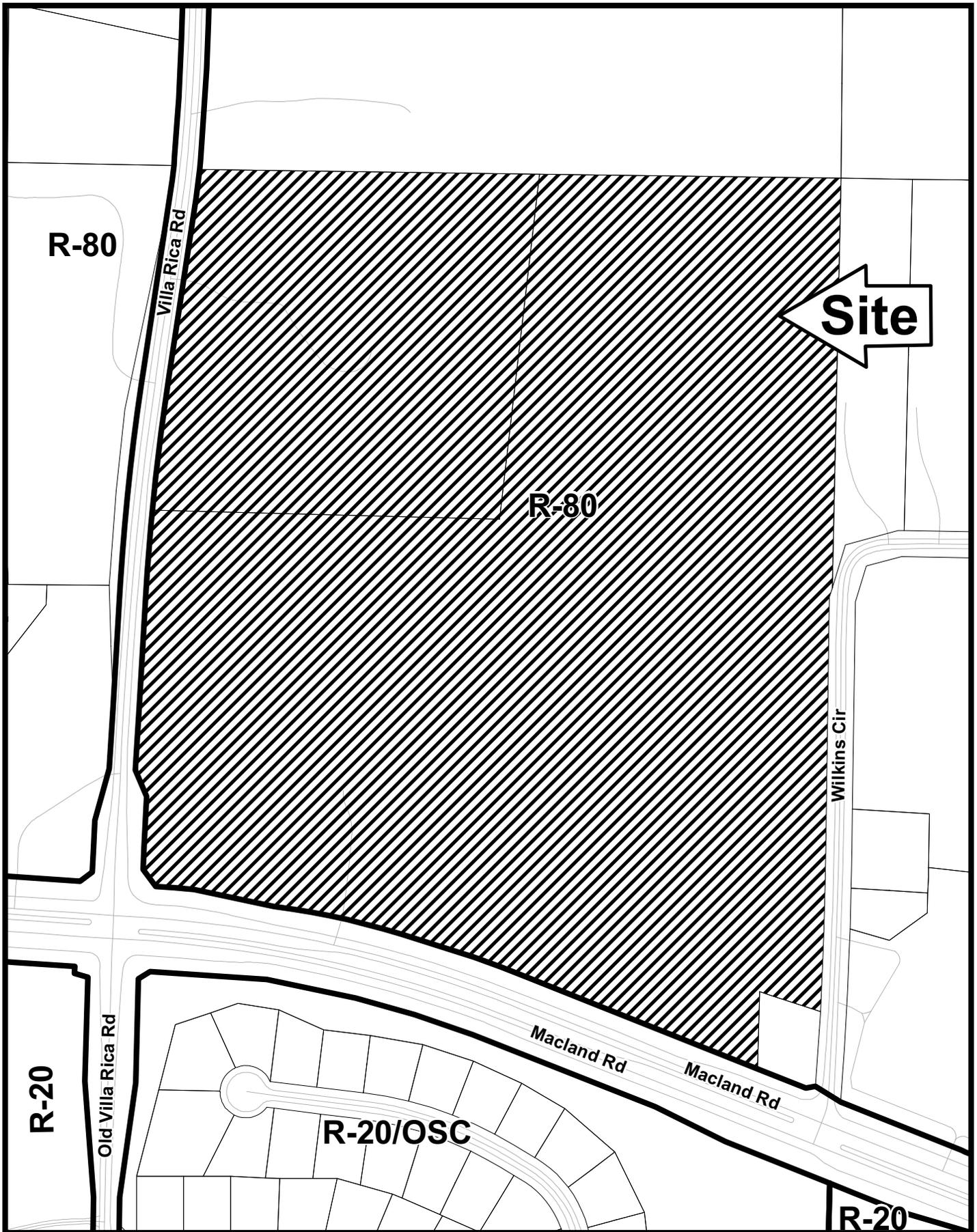
REJECTED _____ **SECONDED** _____

HELD _____ **CARRIED** _____

STIPULATIONS:



SLUP-19



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: West Cobb Sports Complex

PETITION NO.: SLUP-19

PRESENT ZONING: R-80

PETITION FOR: SLUP

ZONING COMMENTS:

Staff Member Responsible: Jason A. Campbell

Applicant is requesting a Special Land Use Permit (SLUP) for the purpose of developing a nonprofit sports complex with related facilities. The proposed site plan indicates six baseball/softball fields, two lacrosse/soccer fields, a multi-use facility, concessions, batting cages, two observation towers, a playground, picnic area, walking trails, a pond (for detention) and a maintenance building. There are approximately 845 parking spaces, which meets the minimum number of 720 parking spaces. There will be a detailed lighting plan to control lights shining onto the athletic fields as well light spillage or "light halo" onto offsite properties. There will not be play-by-play loud speaker announcing, but there will be a public address system for emergencies and for public safety announcements. The site plan also indicates a 100 foot buffer along the northern and eastern property lines abutting other residential properties. The facility will operate much like a public park that has game play and recreational activities seven days a week.

Historic Preservation: Is the parcel in an area with Design Guidelines? Yes No

If yes, design guidelines area Macland Road Design Guidelines

Does the current site plan comply with the design requirements?

- Pedestrian access to buildings
 Yes No Not applicable
- Streetscape elements
 Yes No Not applicable
- Building Frontage
 Yes No Not applicable
- Parking Standard
 Yes No Not applicable
- Architecture standard
 Yes No Not applicable

Cemetery Preservation: There is no significant impact on the cemetery site listed in the Cobb County Cemetery Preservation Commission's Inventory Listing which is located in this, or adjacent land lot.

WATER & SEWER COMMENTS:

Development must connect to active sanitary sewer if sewer is available.

APPLICANT: West Cobb Sports Complex

PETITION NO.: SLUP-19

PRESENT ZONING: R-80

PETITION FOR: SLUP

TRAFFIC COMMENTS:

Recommend applicant consider entering into a development agreement pursuant to 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 Villa Rica Road, a minimum of 40' from the roadway centerline.

Recommend curb, gutter, and sidewalk along the Villa Rica Road and Macland Road frontages.

Recommend deceleration lanes for Macland Road access and both Villa Rica Road accesses.

Recommend left turn lane for the Macland Road access if GDOT allows a break in the median.

Recommend a left turn lane for the proposed full access on Villa Rica Road.

Recommend no access to Wilkins Circle.

Georgia DOT permits will be required for all work that encroaches upon State right-of-way.

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: West Cobb Sports Complex

PETITION NO.: SLUP-19

PRESENT ZONING: R-80

PETITION FOR: SLUP

STORMWATER MANAGEMENT COMMENTS

FLOOD HAZARD: YES NO POSSIBLY, NOT VERIFIED

DRAINAGE BASIN: Luther Ward & Mud Creeks 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: within and adjacent to stream buffer

- 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 Lakes Downstream Dobb's Lake (west), Brooks Lake (north) & Davis Farm Lake (east). Additional BMP's for erosion sediment controls will be required.
- Lake Studies 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 streams and downstream lakes.

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 at the northeast intersection of Macland and Villa Rica Roads. The existing site area is predominately wooded with a mixture of soft and hardwoods. The average slopes range from approximately 5 to 10%. The site topography is dominated by two ridgelines that form a “V” in the middle of the parcel. The majority of the site (48%) drains to the north. The western portion of the site (29%) drains to and under Villa Rica Road. The remainder of the site (23%) drains to the east to Wilkins Circle.
2. All three discharge points have existing lakes located downstream. As indicated in the Downstream Conditions section pre- and post-development sediment studies will be required for all three lakes.
3. There is a single stormwater management facility proposed on the site plan. It may be difficult to provide adequate site detention and water quality without a significant amount of runoff volume transfer between basins with a single facility. This would not be recommended due to the limited spillway capacities of the existing downstream dams. It may be necessary to provide one or more additional stormwater and/or water quality ponds.

STAFF RECOMMENDATIONS

SLUP-19 WEST COBB SPORTS COMPLEX

There are fifteen criteria that must be considered for a Special Land Use Permit. The criteria are below in italics, with the Staff analysis following in bold.

- (1) *Whether or not there will be a significant adverse effect on the neighborhood or area in which the proposed use will be located.*

It is Staff's opinion that the applicant's proposal will not have an adverse affect on the usability of adjacent or nearby property. The proposed use is allowed as a special exception with a Special Land Use Permit in the R-80 zoning category. The proposed site plan indicates 100-foot and 102-foot buffers along the northern and eastern property lines and the playing fields are 100 feet or more from most property lines. There will be a lighting plan to control lighting, and the public address systems will only be used during emergencies.

- (2) *Whether or not the use is otherwise compatible with the neighborhood.*

It is Staff's opinion that the applicant's proposal will permit a use that is suitable in view of the use and development of adjacent and nearby properties. The applicant's use will function much like a County park, most of which are located in predominately residential areas such as the applicant's property.

- (3) *Whether or not the use proposed will result in a nuisance as defined under state law.*

The use should not be a nuisance as defined by state law. Recreational uses such as this are normally found in residential areas. Hours of operation, lighting, buffering, scheduling and uses can be determined by the Board of Commissioners and be made part of the Special Land Use Permit.

- (4) *Whether or not quiet enjoyment of surrounding property will be adversely affected.*

The quiet enjoyment of surrounding property will not be adversely affected due to the adequate buffering (100 feet on the north side and 102 feet on the east side) abutting other residential properties. The Board of Commissioners may elect to impose other restrictions on the use of the property under this SLUP. There are recreational uses similar to this located in residential areas that increase the enjoyment of surrounding properties. Examples of this can be seen throughout the county, such as Lost Mountain Park, Terrell Mill Park, Sandy Plains Park, East Cobb (McCleskey) YMCA and Wild Horse Creek Park.

- (5) *Whether or not property values of surrounding property will be adversely affected.*

Property values should not be negatively impacted. With restrictions on uses and hours of operations by the Board of Commissioners, measures can be taken to reduce negative impacts on surrounding properties. The applicant's proposal would be an amenity for this part of the county. Properties near recreational uses are normally more desirable due to the intrinsic value added by the recreational use.

- (6) *Whether or not adequate provisions are made for parking and traffic considerations.*

The applicant should follow the comments and recommendations of the Department of Transportation to alleviate traffic concerns. The proposed site plan has indicated striped paved parking that exceeds the minimum required amount.

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STAFF RECOMMENDATIONS

SLUP-19 WEST COBB SPORTS COMPLEX (Continued)

- (7) *Whether or not the site or intensity of the use is appropriate.*
The applicant's site is appropriate for this use. Recreational uses are typically found in residential areas. Residential zoning districts can typically have uses that are more intense than single-family houses, such as churches, parks, schools or governmental buildings. Additionally, the property is located on a four lane divided state highway at a traffic signal.
- (8) *Whether or not special or unique conditions overcome the board of commissioners' general presumption that residential neighborhoods should not allow noncompatible business uses.*
The applicant's proposed use would be compatible with residential neighborhoods due to the fact that these types of uses are normally found in residential areas.
- (9) *Whether or not adequate provisions are made regarding hours of operation.*
The hours of operation can be limited by the Board of Commissioners to be consistent with the hours of operation of county parks.
- (10) *Whether or not adequate controls and limits are placed on commercial and business deliveries.*
The applicant has not submitted any stipulations regarding deliveries, but the Board of Commissioners can, and usually does, stipulate hours and days for deliveries.
- (11) *Whether or not adequate landscape plans are incorporated to ensure appropriate transition.*
One of the applicant's site plans is a colored rendering that provides 100-foot and 102-foot buffers abutting residentially zoned properties. The landscape plan approval can be made subject to the District Commissioner's approval in addition to the normal plan review process.
- (12) *Whether or not the public health, safety, welfare or moral concerns of the surrounding neighborhood will be adversely affected.*
The applicant's proposal should not negatively impact the public health, safety, welfare or moral concerns of the surrounding neighborhood. There are a number of these type uses that have been approved by the Board of Commissioners that have not caused problems to public health, safety, welfare or moral concerns of the surrounding neighborhoods.
- (13) *Whether the application complies with any applicable specific requirements set forth in this chapter for special land use permits for particular types of uses.*
The application complies with applicable specific requirements of this use set forth in this chapter for special land use permits in the Zoning Ordinance.
- (14) *Whether the applicant has provided sufficient information to allow a full consideration of all relevant factors.*
The applicant has submitted a detailed site plan that shows all the improvements on the property including parking, detention and landscaping.

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STAFF RECOMMENDATIONS

SLUP-19 WEST COBB SPORTS COMPLEX (Continued)

(15) In all applications for a special land use permit the burden shall be on the applicant both to produce sufficient information to allow the county fully to consider all relevant factors and to demonstrate that the proposal complies with all applicable requirements and is otherwise consistent with the policies reflected in the factors enumerated in this chapter for consideration by the county.

The applicant is requesting a Special Land Use Permit (SLUP) in order to operate a 45-acre sports complex. The applicant has provided documentation that reflects it is a not-for-profit organization. The property is zoned R-80 and the proposed use is allowed in that category with a Special Land Use Permit approved by the Board of Commissioners. The proposed site plan indicates the athletic fields and buildings, along with pockets of open space and 100-foot or better buffers abutting residentially zoned properties to the north and east. Cobb County has other similar uses that were developed prior to the requirement of a Special Land Use Permit and some properties have been rezoned to categories that allow the use outright, without a SLUP. To address concerns of the area, the Board of Commissioners can utilize its usual procedure for approving requests and imposing restrictions on uses, hours of operation, landscaping, traffic concerns and lighting.

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

- Site plans received August 7, 2014, with the District Commissioner approving minor modifications;
- Applicant meet the Macland Road Design Guidelines;
- Hours of operation be consistent with Cobb County Parks;
- Lighting plan to be approved by the District Commissioner;
- No Access to Wilkins Circle;
- 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 to 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.