

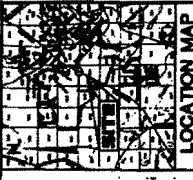
Kinder-Care Learning Centers, Inc.
 2400 Presidents Drive
 Marietta, Georgia
 (770) 577-9090



**PROJECT SPRINGS RD.
 COBB CO., GA.
 KINDER PLEX
 136**

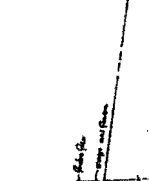
SITE PLAN

Drawing Title: **SITE PLAN**
 Drawing Number: **1 OF 4**

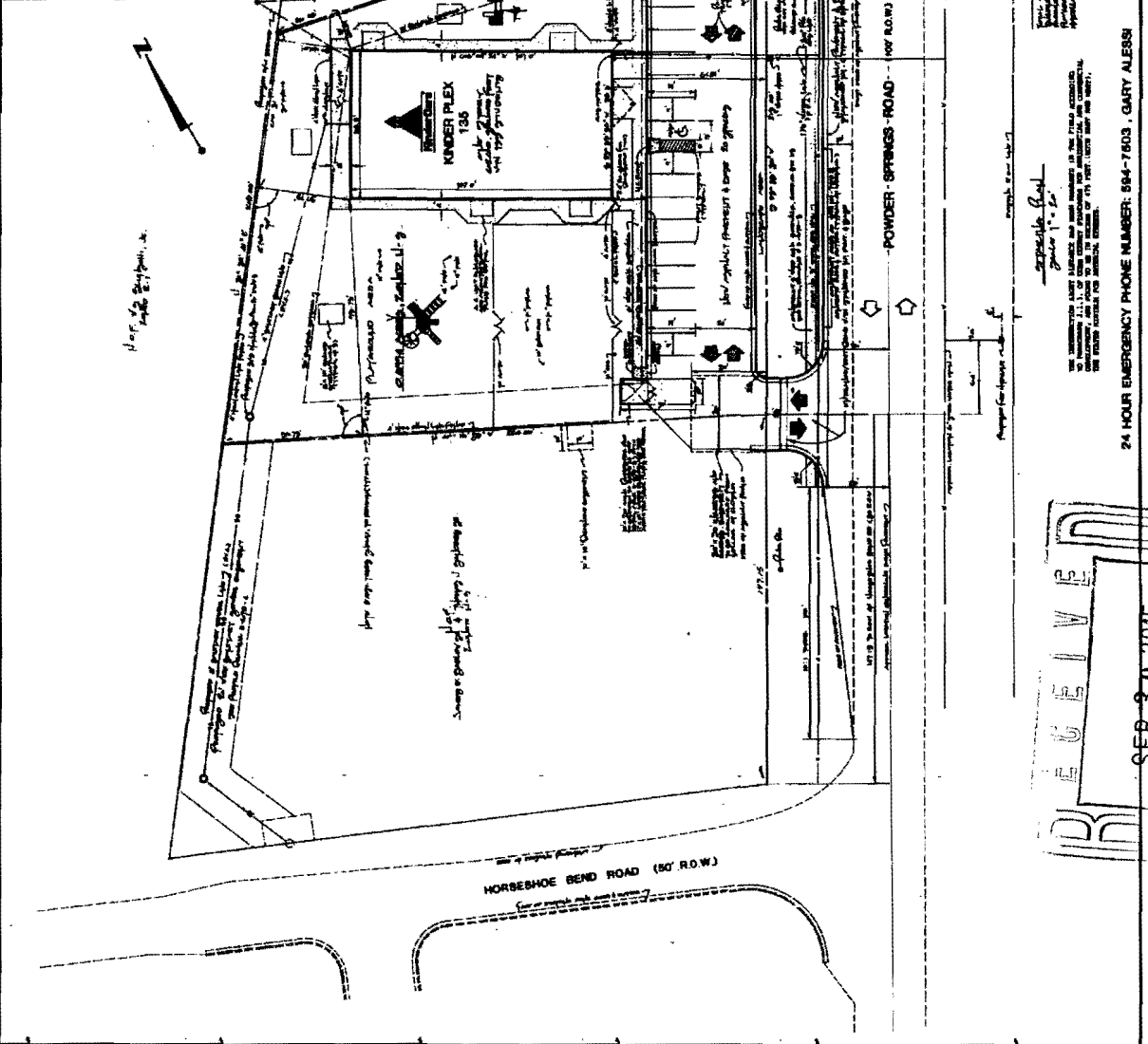


LOCATION MAP

GENERAL NOTES:
 1. ALL UTILITIES SHOWN ON THIS PLAN ARE BASED ON THE RECORD DRAWINGS AND FIELD SURVEY DATA. THE CONTRACTOR SHALL VERIFY THE LOCATION AND DEPTH OF ALL UTILITIES PRIOR TO CONSTRUCTION.
 2. THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS FROM THE APPROPRIATE AGENCIES.
 3. THE CONTRACTOR SHALL MAINTAIN ACCESS TO ALL ADJACENT PROPERTIES AT ALL TIMES.
 4. THE CONTRACTOR SHALL PROTECT ALL EXISTING TREES AND LANDSCAPE FEATURES.
 5. THE CONTRACTOR SHALL MAINTAIN PROPER DRAINAGE AND EROSION CONTROL MEASURES.
 6. THE CONTRACTOR SHALL MAINTAIN PROPER LIGHTING AND SIGNAGE.
 7. THE CONTRACTOR SHALL MAINTAIN PROPER SAFETY MEASURES DURING CONSTRUCTION.
 8. THE CONTRACTOR SHALL MAINTAIN PROPER RECORD DRAWINGS AND FIELD SURVEY DATA.
 9. THE CONTRACTOR SHALL MAINTAIN PROPER COMMUNICATIONS WITH THE CITY OF MARIETTA.
 10. THE CONTRACTOR SHALL MAINTAIN PROPER RECORD DRAWINGS AND FIELD SURVEY DATA.



HANDICAPPED PARKING DETAIL



HORSESHOE BEND ROAD (50' R.O.W.)

POWDER SPRINGS ROAD - (60' R.O.W.)

Site Office:
 1. 11:00 AM - 5:00 PM
 2. 5:00 PM - 11:00 PM
 3. 11:00 PM - 5:00 AM
 4. 5:00 AM - 11:00 AM

24 HOUR EMERGENCY PHONE NUMBER: 884-7803 - GARY ALESSI

RECEIVED
SEP 30 2015
COBB CO. COMM. DEV. AGENCY
ZONING DIVISION

PREPARED BY: RICKER-SUPRENT & ASSOCIATES
 1000 W. BENTLEY AVENUE, SUITE 100
 MARIETTA, GA 30067
 PHONE: 770-426-1111
 FAX: 770-426-1112
 WWW: WWW.RICKER-SUPRENT.COM

DATE: 09/24/15

PROJECT: KINDER PLEX 136

SCALE: AS SHOWN

APPLICANT: Knowledge Universe Education LLC

PETITION NO: Z-101

PHONE#: (503) 872-1300 **EMAIL:** _____

HEARING DATE (PC): 12-01-15

REPRESENTATIVE: John H. Moore

HEARING DATE (BOC): 12-15-15

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

PRESENT ZONING NS

TITLEHOLDER: KC Propco, LLC

PROPOSED ZONING: NRC

PROPERTY LOCATION: Northwest side of Powder Springs Road,
northeast of Horseshoe Bend Road
(2380 Powder Springs Road)

PROPOSED USE: Daycare Facility

ACCESS TO PROPERTY: _____

SIZE OF TRACT: 0.8994 acre

Powder Springs Road

DISTRICT: 19

PHYSICAL CHARACTERISTICS TO SITE: Closed Child Care
facility

LAND LOT(S): 694

PARCEL(S): 15

TAXES: PAID X **DUE** _____

COMMISSION DISTRICT: 4

CONTIGUOUS ZONING/DEVELOPMENT

- NORTH:** NS/Undeveloped property
- SOUTH:** LRO/Undeveloped property
- EAST:** RSL/Recently rezoned Seven Springs Development and R-20/Single-family house
- WEST:** R-20/Single-family houses

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

PLANNING COMMISSION RECOMMENDATION

APPROVED _____ **MOTION BY** _____

REJECTED _____ **SECONDED** _____

HELD _____ **CARRIED** _____

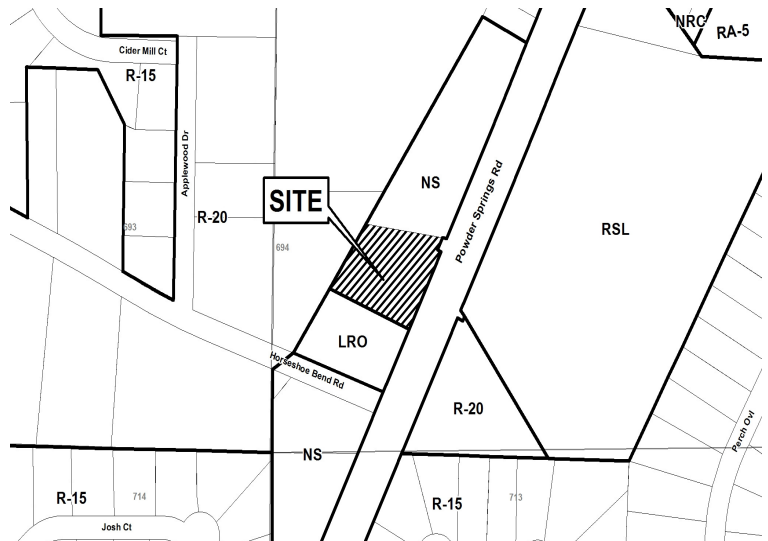
BOARD OF COMMISSIONERS DECISION

APPROVED _____ **MOTION BY** _____

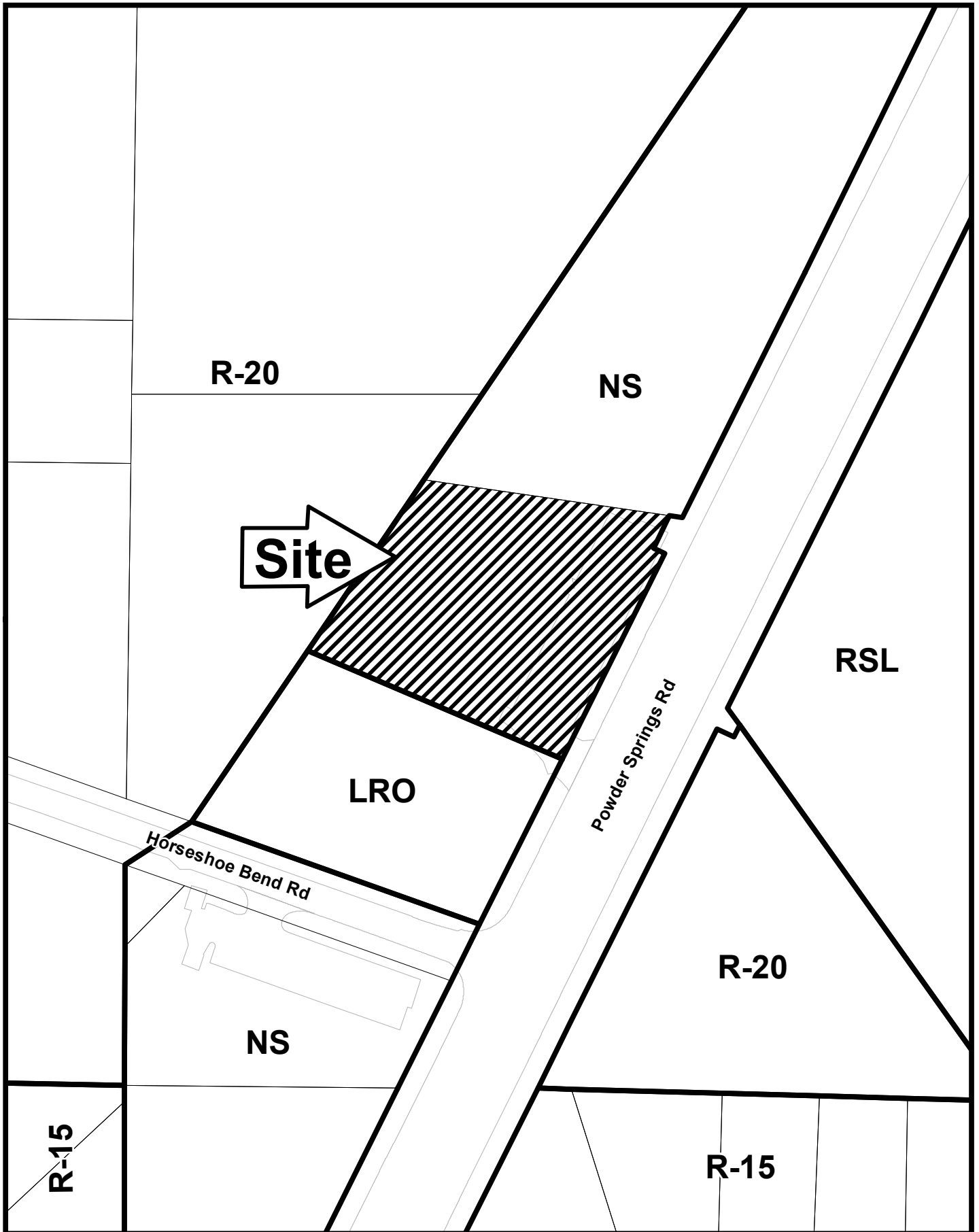
REJECTED _____ **SECONDED** _____

HELD _____ **CARRIED** _____

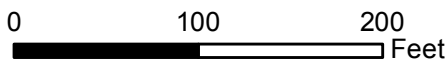
STIPULATIONS:





Z-101



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



-  City Boundary
-  Zoning Boundary

APPLICANT: Knowledge Universe Education LLC

PETITION NO.: Z-101

PRESENT ZONING: NS

PETITION FOR: NRC

ZONING COMMENTS:

Staff Member Responsible: Kim Wakefield

Land Use Plan Recommendation: Neighborhood Activity Center

Proposed Number of Buildings: 1 **Total Square Footage of Development:** 6313

F.A.R.: 0.16 **Square Footage/Acre:** 7019.1238

Parking Spaces Required: 20 **Parking Spaces Provided:** 19

Applicant is requesting the Neighborhood Retail Commercial (NRC) category in order to use the property for a daycare. The current zoning category (NS) is not consistent with the comprehensive land use plan. The existing building was used as a daycare. According to Business License documentation, the daycare went out of business on May 30, 2014. The applicant has indicated they will utilize the existing facility with no proposed site changes. The applicant intends to operate the daycare Monday through Friday, 6:00 a.m. until 7:00 p.m. and Saturday from 7:00 a.m. until 6:00 p.m.

The request will require the following contemporaneous variances:

- Reduce minimum required parking spaces from 20 spaces to 19 spaces;
- Waive 20 ft landscaped screening buffer along rear property line.

Cemetery Preservation:

No Comment.

FIRE COMMENTS:

No comment. 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: Knowledge Universe Education LLC

PETITION NO.: Z-101

PRESENT ZONING: NS

PETITION FOR: NRC

PLANNING COMMENTS:

The applicant is requesting a rezoning from NS to NRC for the purpose of a daycare facility. The .8994 acre site is located on the northwest side of Powder Springs Road at 2380 Powder Springs Road.

HB-489 Intergovernmental Agreement Zoning Amendment Notification:

Is the application site within one half (1/2) mile of a city boundary? Yes No
If yes, has the city of _____ been notified? Yes No / N/A

Comprehensive Plan

The parcel is within a Neighborhood Activity Center (NAC) future land use category, with RSL zoning designation. The purpose of the Neighborhood Activity Center (NAC) category is to provide for areas that serve neighborhood residents and businesses. Typical land uses for these areas include small offices, limited retail and grocery stores.

Specific Area Policy Guidelines:

There are no specific policy guidelines for this area in the Comprehensive Plan.

Adjacent Future Land Use:

Northeast: Neighborhood Activity Center (NAC)
Southeast: Low Density Residential (LDR) (across Powder Springs Road)
Southwest: Neighborhood Activity Center (NAC)
Northwest: Low Density Residential (LDR)

Master Plan/Corridor Study

The property is not located within the boundary of a Plan or Corridor Study

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 Smyrna-Osborne 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.

APPLICANT: Knowledge Universe Education LLC

PETITION NO.: Z-101

PRESENT ZONING: NS

PETITION FOR: NRC

PLANNING COMMENTS: Continued

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 incentives, please call the Community Development Agency, Planning Division at 770.528.2018 or find information online at <http://economic.cobbcountyga.gov>.

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

Is this property within the Six Flags Special Service District?

Yes No

APPLICANT Knowledge Universe Education LLC

PETITION NO. Z-101

PRESENT ZONING NS

PETITION FOR NRC

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 Powder Springs Road

Additional Comments: Existing water customer

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: 170' S in Horseshoe Bend Road

Estimated Waste Generation (in G.P.D.): A D F= +0 Peak= +0

Treatment Plant: South Cobb

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 Existing sewer customer
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: Knowledge Universe Education, LLC

PETITION NO.: Z-101

PRESENT ZONING: NS

PETITION FOR: NRC

| |
|---------------------------------------|
| STORMWATER MANAGEMENT COMMENTS |
|---------------------------------------|

No comments.

APPLICANT: Knowledge Universe Education LLC

PETITION NO.: Z-101

PRESENT ZONING: NS

PETITION FOR: NRC

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 |
|---------------------|---------------------|------------------------|-------------|------------------------|--------------------------|
| Powder Springs Road | 26,100 | Arterial | 45 mph | Cobb County | 100' |
| | | | | | |

Based on [2008] traffic counting data taken by Cobb County DOT for Powder Springs Road

COMMENTS AND OBSERVATIONS

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

Recommend replacing disturbed curb, gutter, and sidewalk along the Powder Springs Road frontage.

Recommend deceleration lane on Powder Springs Road for the entrance.

STAFF RECOMMENDATIONS

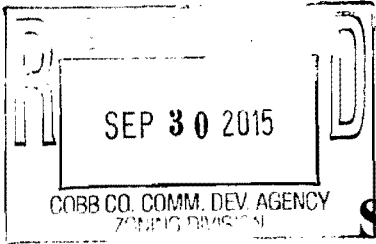
Z-101 KNOWLEDGE UNIVERSE EDUCATION LLC

- 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. The property was previously used as a daycare and primarily serves the surrounding residential areas.
- 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. In fact, the request will allow the property to be used as already developed while encouraging upkeep of the property.
- 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 a NAC Neighborhood Activity Center land use category. This NAC category seeks to encourage uses such as small offices, limited retail uses and other low intense uses to serve the surrounding residential areas.
- 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 request is simply to allow the existing building and property to be utilized as it has been for many years. The less intense NRC will serve as a step down zoning between the commercial and residential properties. Also, since being vacant for over a year and having lost its "grandfathered" status, allowing the property to be rezoned for the use keeps the property from deteriorating any further.

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

- Site plan received in Zoning dated September 30, 2015;
- Signage to comply with current code including freestanding sign to be made ground based monument style;
- Fire Department comments and recommendations;
- Water and Sewer Department comments and recommendations;
- Stormwater Management Division comments and recommendations; and
- 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.



Application No. z-101
Dec. (2015)

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): Childcare and early childhood education facility
- b) Proposed building architecture: No changes to existing structure
- c) Proposed hours/days of operation: Monday-Friday - 6:00 a.m. - 7:00 p.m.
Saturday - 7:00 a.m. - 6:00 p.m.
- d) List all requested variances: None known at this time.

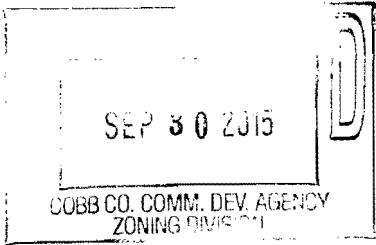
.....
Part 3. Other Pertinent Information (List or attach additional information if needed)

.....
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 information set forth in the within Summary of Intent for Rezoning, or any other portion of the Application for Rezoning, at any time during the rezoning process.

ATTACHMENT TO APPLICATION FOR REZONING

IMPACT ANALYSIS STATEMENT



Application No.: Z- 161 (2015)
Hearing Dates: December 1, 2015
December 15, 2015

Applicant: Knowledge Universe Education LLC
Titleholder: KC Propco, LLC

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

- (a) This Application for Rezoning requests rezoning of an approximately 0.8994 acre tract located at 2380 Powder Springs Road (hereinafter “Property” or “Subject Property”) from the existing zoning category of Neighborhood Shopping (“NS”) to the proposed zoning category of Neighborhood Retail Commercial (“NRC”). A daycare facility was operated on the Subject Property for a number of years under the existing NS zoning category. However, due to a lapse of continued operation of a daycare facility, Applicant is now required to seek rezoning of the Subject Property to the NRC category to allow for the continued use of the Subject Property, and for the Property to be placed into conformity with the Future Land Use Map of Cobb County.
- (b) This zoning proposal should have no adverse effect on the existing use or usability of adjacent or nearby properties.
- (c) The Subject Property as presently zoned does not have a reasonable economic use. The proposed zoning will allow for the proposed use of the Subject Property to conform to the zoning category of the Subject Property.
- (d) This zoning proposal will not cause excessive or burdensome use of existing streets, transportation facilities, utilities, or schools. Commercial development has almost no effect on schools, minimal effect on utilities and transportation facilities. The widened and improved roadways in the area will ease any increased traffic without burdensome effects. The business proposed to be located on the Subject Property was in operation for a number of years prior to its closing; and, thus no changes for infrastructure are required.
- (e) The zoning proposal is in conformity with the Land Use Map of Cobb County, Georgia, as the Subject Property is within a Neighborhood Activity Center (“NAC”).
- (f) Rezoning the Subject Property to the NRC zoning classification will allow Applicant to utilize the existing structure and facilities and reopen a previously established business operation.