

Z-7
(2017)

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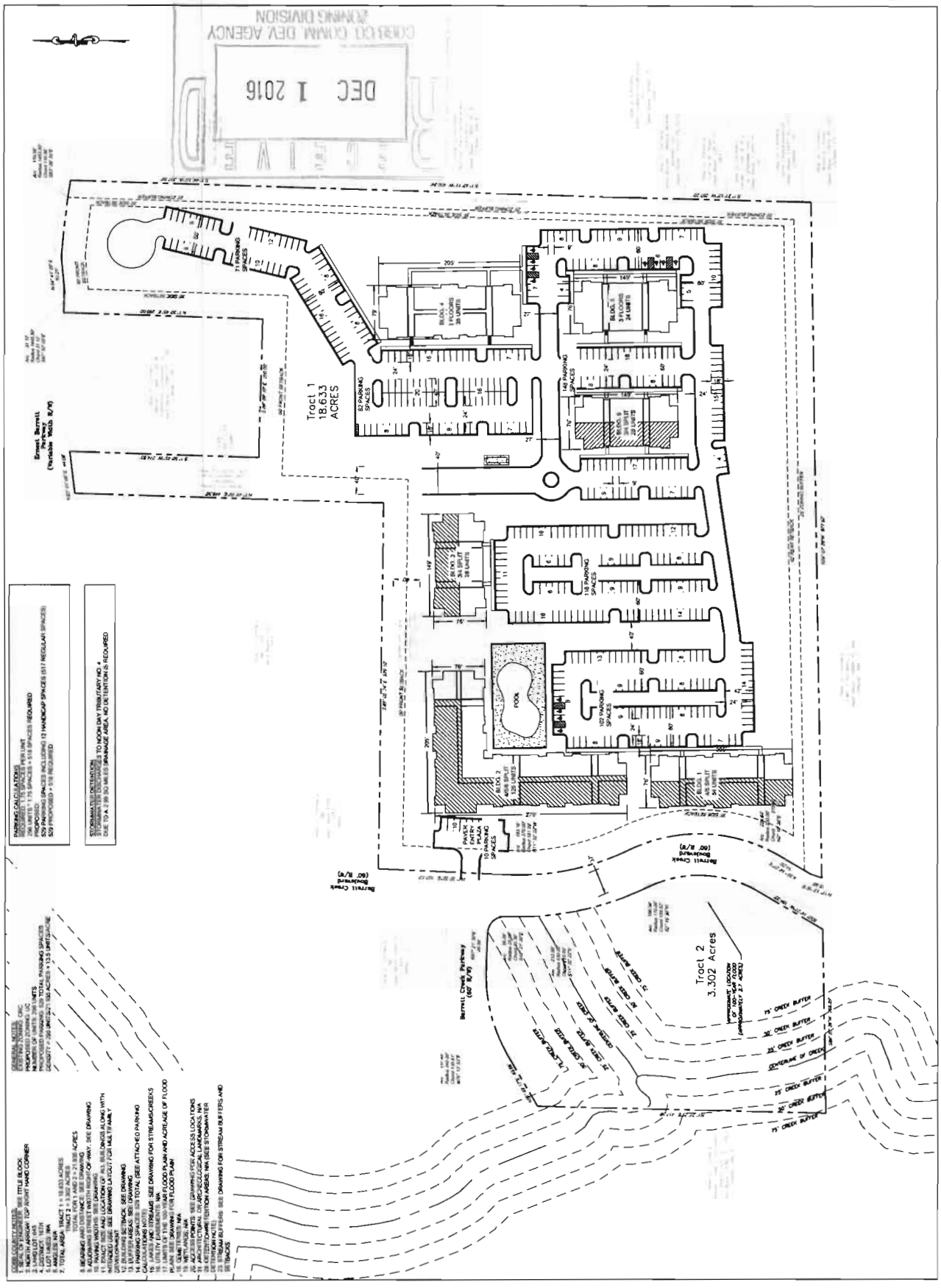


NO.	DATE	DESCRIPTION

PREPARED FOR
POLLACK SHORES
REAL ESTATE GROUP

BARRETT PARKWAY
MULTIFAMILY DEVELOPMENT
LAND LOT 643, 16TH DISTRICT
COBB COUNTY, GEORGIA

SHEET	C 101
DATE	11/20/16
PROJECT	16403



PARKING CALCULATIONS
REQUIRED: 115 SPACES PER UNIT
PROPOSED: 115 SPACES PER UNIT
DUE TO 4.2 PER BUILT-UP AREA, NO VENTILATION IS REQUIRED.

STORMWATER MANAGEMENT
DUE TO 4.2 PER BUILT-UP AREA, NO VENTILATION IS REQUIRED.

1. GENERAL NOTES: SEE TRACT 1 & 2 DRAWINGS.
2. NORTH ARROW: TOP RIGHT HAND CORNER.
3. LAND LOT: 643.
4. LOT AREA: 18.633 ACRES.
5. LOT AREA: 3.302 ACRES.
6. TOTAL AREA: TRACT 1 = 18.633 ACRES; TRACT 2 = 3.302 ACRES.
7. BEARING AND DISTANCE: SEE DRAWING.
8. PROPERTY: SEE DRAWING.
9. PAVING MATERIALS: SEE DRAWING.
10. CONSTRUCTION: SEE DRAWING.
11. UTILITIES: SEE DRAWING.
12. MULTIFAMILY DEVELOPMENT: SEE DRAWING.
13. STREAM BUFFERS: SEE DRAWING.
14. CALCULATIONS: SEE DRAWING.
15. STREAMS: SEE DRAWING FOR STREAM LOCATIONS.
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APPLICANT: Pollack Shores Real Estate Group, LLC

PHONE#: (470) 428-4036 **EMAIL:** NRandall@pollackshores.com

REPRESENTATIVE: Garvis L. Sams, Jr.

PHONE#: (770) 422-7016 **EMAIL:** gsams@slhb-law.com

TITLEHOLDER: Nancy Teem Benton; L.O. Benton, III, Trustee, 1019174

Trust; Lurner O. Benton, III, F&M Profit Sharing Plan; R. Linton Jordan; and J.S. Blackwell, Jr.

PROPERTY LOCATION: South side of Ernest Barrett Parkway, east and west sides of Barrett Creek Boulevard; south side of Barrett Creek Parkway

ACCESS TO PROPERTY: Barrett Creek Boulevard

PHYSICAL CHARACTERISTICS TO SITE: Undeveloped acreage

PETITION NO: Z-7

HEARING DATE (PC): 02-07-17

HEARING DATE (BOC): 02-21-17

PRESENT ZONING: CRC

PROPOSED ZONING: UC

PROPOSED USE: Multi-family Residential

SIZE OF TRACT: 21.935 acres

DISTRICT: 16

LAND LOT(S): 643

PARCEL(S): 5

TAXES: PAID X **DUE** _____

COMMISSION DISTRICT: 3

CONTIGUOUS ZONING/DEVELOPMENT

NORTH: GC/Retail

SOUTH: RM-12/Multi-family residential

EAST: NS/Bank and retail; RM-8/Ashford Oaks; FST/The Villas at Barrett Creek

WEST: CRC/Retail and Restaurant; GC-CRC/Restaurant; RM-8/Undeveloped portion of Barrett Creek development

Adjacent Future Land Use:
 North: Community Activity Center (CAC)
 East: Neighborhood Activity Center (NAC) and Medium Density Residential (MDR)
 South: Neighborhood Activity Center (NAC)
 West: Community Activity Center (CAC) and Park / Recreation / Conservation (PRC)

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

PLANNING COMMISSION RECOMMENDATION

APPROVED _____ **MOTION BY** _____

REJECTED _____ **SECONDED** _____

HELD _____ **CARRIED** _____

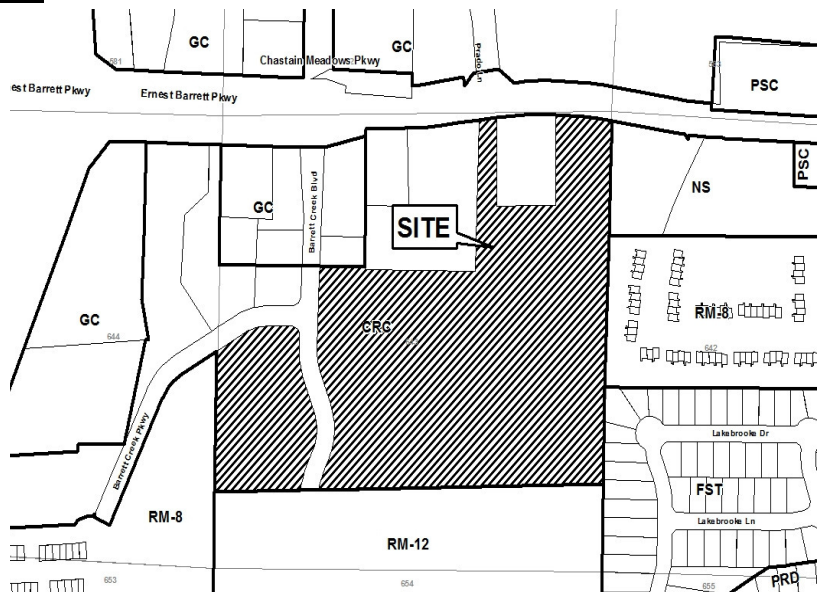
BOARD OF COMMISSIONERS DECISION

APPROVED _____ **MOTION BY** _____

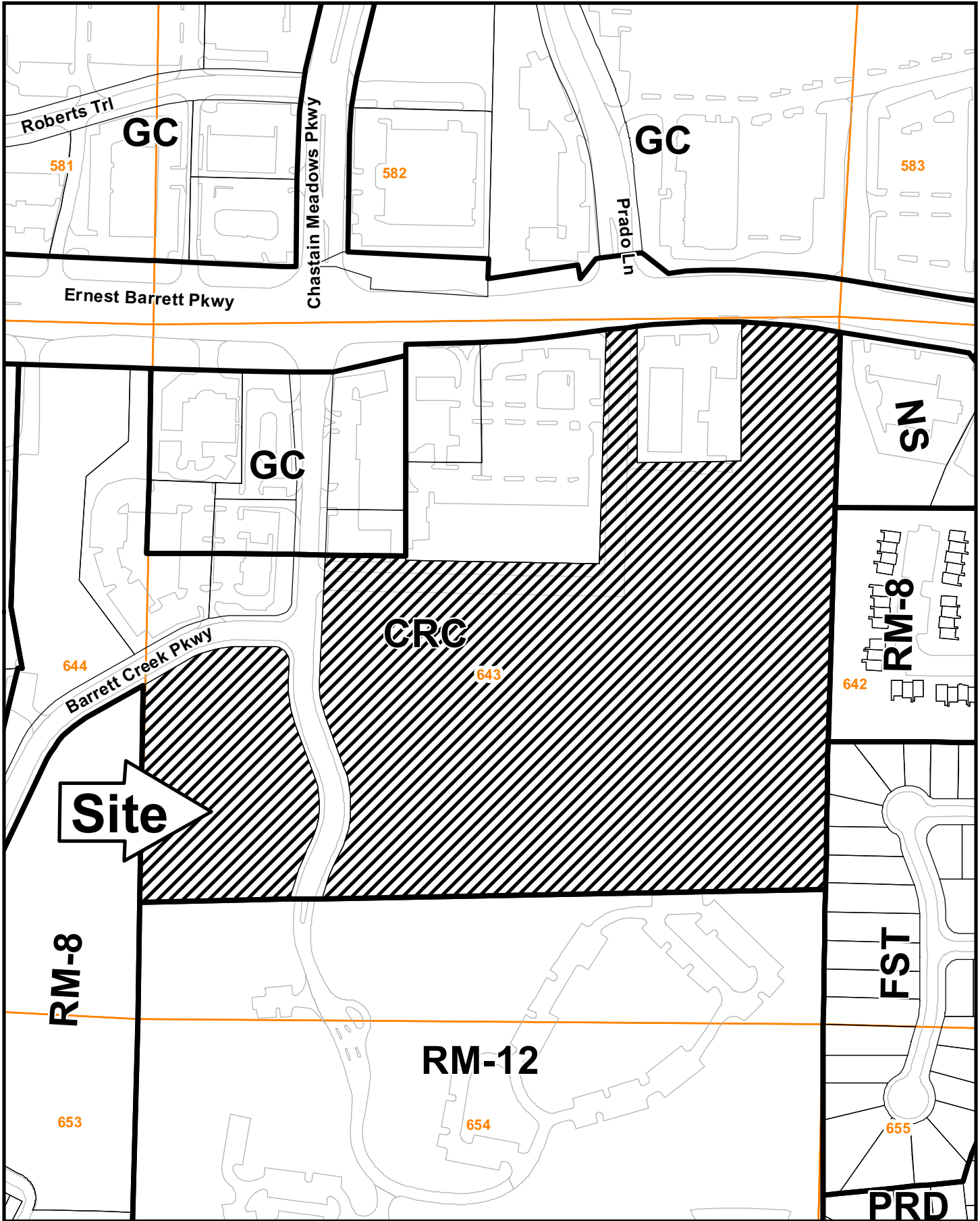
REJECTED _____ **SECONDED** _____

HELD _____ **CARRIED** _____

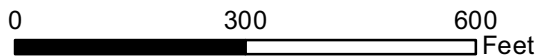
STIPULATIONS:



Z-7-2017 GIS



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



- City Boundary
- Zoning Boundary

APPLICANT: Pollack Shores Real Estate Group, LLC

PETITION NO.: Z-7

PRESENT ZONING: CRC

PETITION FOR: UC

ZONING COMMENTS:

Staff Member Responsible: Jason A. Campbell

Land Use Plan Recommendation: Community Activity Center and Neighborhood Activity Center

Proposed Number of Units: 296 **Overall Density:** 13.5 **Units/Acre**

Staff estimate for allowable # of units: 0 **Units*** **Increase of:** 296 **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 Urban Condominium (UC) zoning district (conditional) for a 296-unit multi-family development. The community will be gated and the average unit size will be 960 square feet. There will be a 6,000-8,000 square-foot amenity area that will include a pool, gym, clubroom, and yoga. The property was zoned to the CRC zoning district in 1997 (Z-50) and this parcel was not developed. The present CRC zoning is also the reason no residential units would currently be allowed on the property.

The application will require the following contemporaneous variances:

1. Waiver of the maximum acreage for UC from 10 acres to 21.935 acres;
2. Waiver of the number of required parking spaces from 592 to 529;
3. Allowing all units to be rental; and
4. Reducing the parking space length from 19 feet to 18 feet.

Cemetery Preservation: No comment.

APPLICANT: Pollack Shores Real Estate Group, LLC

PETITION NO.: Z-7

PRESENT ZONING: CRC

PETITION FOR: UC

SCHOOL COMMENTS:

<u>Name of School</u>	<u>Enrollment</u>	<u>Capacity Status</u>	<u>Number of Portable Classrooms</u>
<u>Bells Ferry Elem</u>	<u>696</u>	<u>646</u>	<u> </u>
Elementary			
<u>Daniell Middle</u>	<u>991</u>	<u>991</u>	<u> </u>
Middle			
<u>Sprayberry High</u>	<u>1693</u>	<u>2062</u>	<u> </u>

High

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

Additional Comments:

Approval of this petition will have a significant impact on the enrollment at these schools, and we oppose its approval.

FIRE COMMENTS:

IFC 510- EMERGENCY RESPONDER RADIO COVERAGE. New buildings are required to provide radio coverage for emergency responders per the International Fire Code. Testing is required by a third party and when deemed necessary amplification systems are required before the building will be issued a certificate of occupancy. This message is to serve as an early notification to owners and developers for budgeting purposes.

APPLICANT: Pollack Shores Real Estate Group, LLC.

PETITION NO.: Z-7

PRESENT ZONING: CRC

PETITION FOR: UC

PLANNING COMMENTS:

The applicant is requesting a rezoning from CRC to UC for the purpose of multi-family residential. The 21.935 acre site is located on the south side of Earnest Barrett Parkway, east and west sides of Barret Creak Boulevard; south side of Barrett Creak.

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 both a Community Activity Center (CAC) and a Neighborhood Activity Center (NAC) future land use category, with CRC zoning designation. The purpose of the Community Activity Center (CAC) is to provide for areas that can meet the immediate needs of several neighborhoods or communities. Typical land uses for these areas include low to mid-rise office buildings and department stores. 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:

North: Community Activity Center (CAC)
East: Neighborhood Activity Center (NAC) and Medium Density Residential (MDR)
South: Neighborhood Activity Center (NAC)
West: Community Activity Center (CAC) and Park / Recreation / Conservation (PRC)

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.

APPLICANT: Pollack Shores Real Estate Group, LLC.

PETITION NO.: Z-7

PRESENT ZONING: CRC

PETITION FOR: UC

PLANNING COMMENTS:

CONT.

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 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

Is the property within the Dobbins Airfield Safety Zone?

Yes No

If so, which particular safety zone is this property within?

CZ (Clear Zone) APZ I (Accident Potential Zone I)

APZ II (Accident Potential Zone II)

Bird / Wildlife Air Strike Hazard (BASH) area

APPLICANT Pollack Shores Real Estate Group, LLC

PETITION NO. Z-007

PRESENT ZONING CRC

PETITION FOR UC

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 Creek Blvd

Additional Comments: Leased units. Master water meter for property. Private sub-meters required

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: Ernest Barrett Pkwy ROW

Estimated Waste Generation (in G.P.D.): A D F= 35,520 Peak= 88,800

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

Dry 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: Also sewer to west crossing Barrett Creek Pkwy. Flow estimates based upon 296 three bedroom apartments

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: Pollack Shores Real Estate Group, LLC

PETITION NO.: Z-7

PRESENT ZONING: CRC

PETITION FOR: UC

STORMWATER MANAGEMENT COMMENTS

FLOOD HAZARD: YES NO POSSIBLY, NOT VERIFIED

DRAINAGE BASIN: Noonday Creek Trib #4 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 Tract 2 (undevelopable) portion of site

- 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 CONDITIONS

- 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 downstream receiving system.

APPLICANT: Pollack Shores Real Estate Group, LLC

PETITION NO.: Z-7

PRESENT ZONING: CRC

PETITION FOR: UC

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.

ADDITIONAL COMMENTS

1. This site is located south of Barrett Parkway at the intersection of Barrett Creek Parkway and Barrett Creek Boulevard. The site is currently partially graded, but undeveloped and drains to the west to the Noonday Creek Tributary #4 floodplain. Average slopes on the site range from relatively flat to over 50%.
2. There is an existing detention pond located at the southeast intersection of Barrett Creek Parkway and Barrett Creek Boulevard that provides stormwater management for the existing Barrett Creek Retail Center located to the north. The site plan will need to be modified to provide for expansion of this existing facility or relocation to provide stormwater management for the combined sites.
3. Although indicated on the plan, this site does NOT meet the drainage area threshold requirement to qualify for fee-in-lieu of detention.

APPLICANT: Pollack Shores Real Estate Group, LLC

PETITION NO.: Z-7

PRESENT ZONING: CRC

PETITION FOR: UC

TRANSPORTATION COMMENTS:

ROADWAY	AVERAGE DAILY TRIPS	ROADWAY CLASSIFICATION	SPEED LIMIT	JURISDICTIONAL CONTROL	MIN. R.O.W. REQUIREMENTS
Barrett Creek Boulevard	N/A	Local	25 mph	Cobb County	50'
Ernest Barrett Parkway	43,000	Arterial	35 mph	Cobb County	100'

Based on 2008 traffic counting data taken by Cobb County DOT for Ernest Barrett Parkway.

COMMENTS AND OBSERVATIONS

Barrett Creek Boulevard is classified as a local and according to the available information the existing right-of-way does meet the minimum requirements for this classification.

Ernest Barrett Parkway 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 private streets be constructed to the Cobb County Standard Specifications.

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STAFF RECOMMENDATIONS

Z-7 POLLACK SHORES REAL ESTATE GROUP, LLC

- A. It is Staff's opinion that the applicant's rezoning proposal may permit a use that is suitable in view of the use and development of adjacent and nearby properties. The proposed development is located in an area that contains a mixture of multifamily uses and commercial uses.
- B. It is Staff's opinion that the applicant's rezoning proposal may not have an adverse affect on the usability of adjacent or nearby property. Other properties in the area include retail, restaurants, carwash, convenience stores with fuel sales, townhomes, condominiums and single-family houses. The proposed use would be compatible with adjacent or nearby uses.
- C. It is Staff's opinion that the applicant's rezoning proposal may not result in a use which would cause an excessive or burdensome use of existing streets, transportation facilities, or utilities. This opinion can be supported by the departmental comments contained in this analysis. However, the school system is concerned the proposal could have a significant impact.
- 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 as being within the Community Activity Center (CAC) and Neighborhood Activity Center (NAC) land use designations. The requested UC zoning district is not supported by the CAC and NAC land use categories; it is only permitted in a Regional Activity Center. However, CACs and NACs do allow transitional land uses that include higher density residential uses. Staff would encourage considering deleting the property to RM-12.
- 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 deleting the applicant's rezoning proposal to the RM-12 zoning district. The requested UC zoning is not compatible with the CAC and NAC land use designations and there are a lot of variances to the UC zoning code. Staff would recommend deleting to RM-12, which is a zoning district that is directly adjoining this property.

Based on the above analysis, Staff recommends DELETING to RM-12 subject to the following conditions:

1. Final site plan to be approved by the District Commissioner;
2. Fire Department comment and recommendations;
3. Water and Sewer Division comments and recommendations;
4. Stormwater Management Division comments and recommendations;
5. Department of Transportation comments and recommendations; and
6. Maximum of 12 units per acre.

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.

PC Hearing: Feb. 7, 2017
BOC Hearing: Feb. 21, 2017

Summary of Intent for Rezoning*

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

- a) **Proposed unit square-footage(s):** 296 multifamily residential dwelling units (950 sq. ft. avg. unit size)
- b) **Proposed building architecture:** To be provided under separate cover.
- c) **Proposed selling prices(s):** Rental Units
- d) **List all requested variances:** As shown on the site plan.



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

- a) **Proposed use(s):** N/A
- 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)

The subject property is located within an area denominated as an Activity Center under the County's Future Land Use Map ("FLUM") which contemplates the type of use proposed by the Applicant.

.....
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 and/or revise any information set forth in this Summary of Intent for Rezoning or any portion of the Application for Rezoning at any time during the Rezoning process.