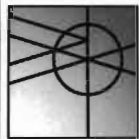


Z-36
(2017)



Williams & Associates
ENGINEERING SURVEYING
LANDSCAPE ARCHITECTURE
3475 Southside Tucker Road, Suite 101
Tucker, GA 30084
(770) 439-1111
www.gaplanning.com

**THE RETREAT AT
KENNESAW**
COBB COUNTY, GEORGIA
TAIN ROAD

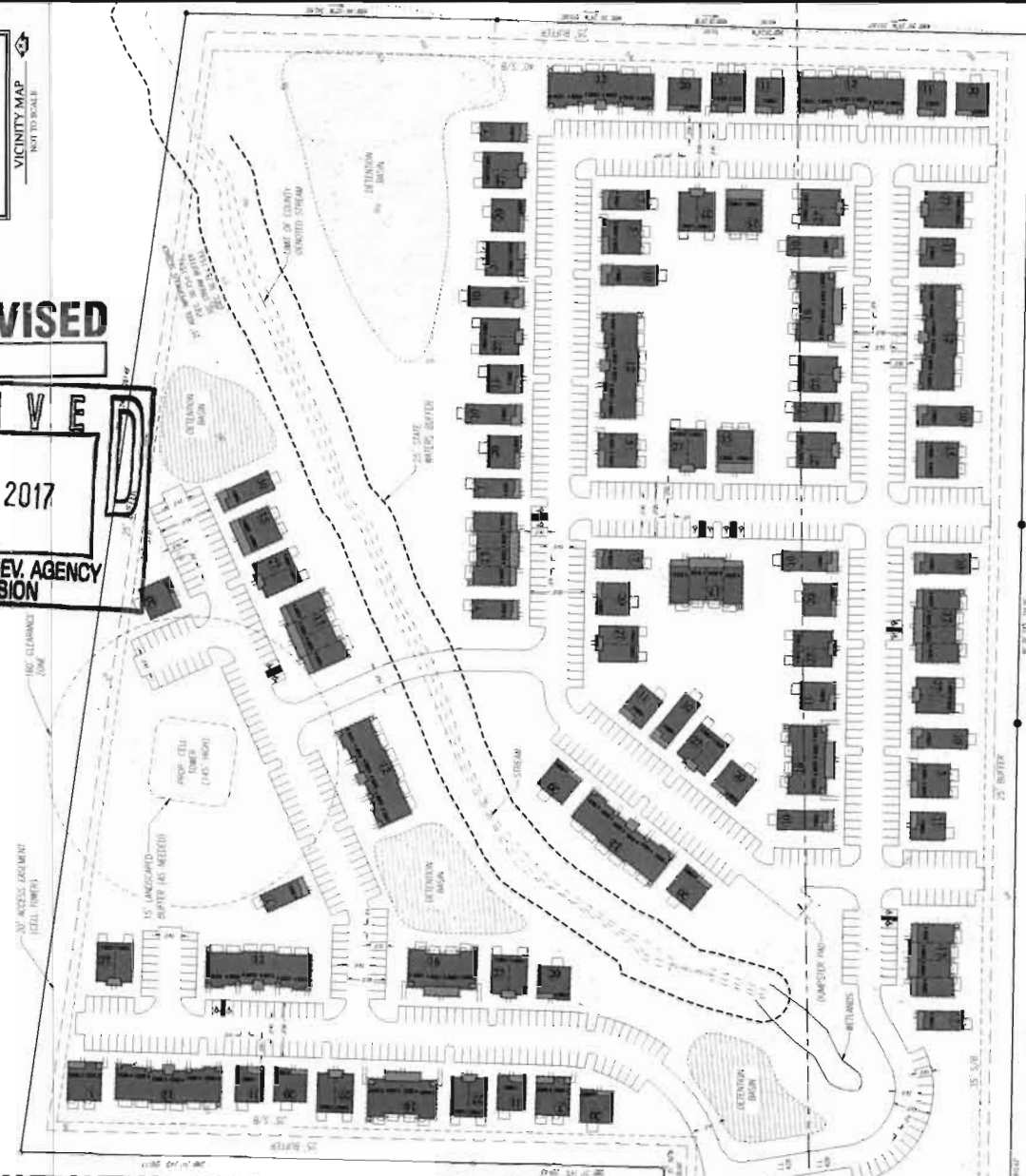
DATE: 05/04/2017
SCALE:
SHEET:



17088
REZONE PLAN



RECEIVED
JUN - 7 2017
COBB CO. COMM. DEV. AGENCY
ZONING DIVISION



PROJECT DATA

PROJECT NAME	THE RETREAT AT KENNESAW
PROJECT NUMBER	17088
DATE	05/04/2017
PROJECT LOCATION	3475 SOUTHSIDE TUCKER ROAD, SUITE 101, TUCKER, GA 30084
PROJECT OWNER	THE RETREAT AT KENNESAW LLC
PROJECT CONTACT	JOHN J. WILLIAMS, P.E.
PHONE	(770) 439-1111
CELL	(770) 439-1111
FAX	(770) 439-1111
EMAIL	jwilliams@williamsandassociates.com
WEBSITE	www.gaplanning.com

RECEIVED
JUN 7 2017
COBB CO. COMM. DEV. AGENCY
ZONING DIVISION

GRAPHIC SCALE

Scale	1" = 20'
1" = 40'	2" = 80'
3" = 120'	4" = 160'
5" = 200'	6" = 240'



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PROJECT NAME: THE RETREAT AT KENNESAW
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DATE: 05/04/2017
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PROJECT CONTACT: JOHN J. WILLIAMS, P.E.
PHONE: (770) 439-1111
CELL: (770) 439-1111
FAX: (770) 439-1111
EMAIL: jwilliams@williamsandassociates.com
WEBSITE: www.gaplanning.com

APPLICANT: LCD Acquisitions, LLC

PHONE #: (706) 543-1910 **EMAIL:** _____

REPRESENTATIVE: John H. Moore

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

TITLEHOLDER: McCamy Properties, LLC; McCamy

Investments, L.P.

PROPERTY LOCATION: South side of Chastain Road, east of

I-575 and west of Chastain Meadows Parkway

ACCESS TO PROPERTY: Chastain Road

PHYSICAL CHARACTERISTICS TO SITE: _____

CONTIGUOUS ZONING/DEVELOPMENT

- NORTH:** LRO/Professional Offices; GC/Former Convenience Store with Fuel Sales; NS/Undeveloped
- SOUTH:** OS/Undeveloped
- EAST:** O&I/Undeveloped; NS/Undeveloped
- WEST:** R-20/Wooded; I-575

PETITION NO: Z-36

HEARING DATE (PC): 07-06-17

HEARING DATE (BOC): 07-18-17

PRESENT ZONING: R-20, RA-4, O&I, NS

PROPOSED ZONING: RM-8

PROPOSED USE: Student Housing

SIZE OF TRACT: 33.06 acres

DISTRICT: 16

LAND LOT(S): 364,365,428,429

PARCEL(S): Multiple parcels in Zoning file

TAXES: PAID X **DUE** _____

COMMISSION DISTRICT: 3

Adjacent Future Land Use:

- North: Community Activity Center (CAC) and Neighborhood Activity Center (NAC)
- East: Community Activity Center (CAC)
- South Community Activity Center (CAC)
- West: Community Activity Center (CAC)

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

PLANNING COMMISSION RECOMMENDATION

APPROVED _____ **MOTION BY** _____

REJECTED _____ **SECONDED** _____

HELD _____ **CARRIED** _____

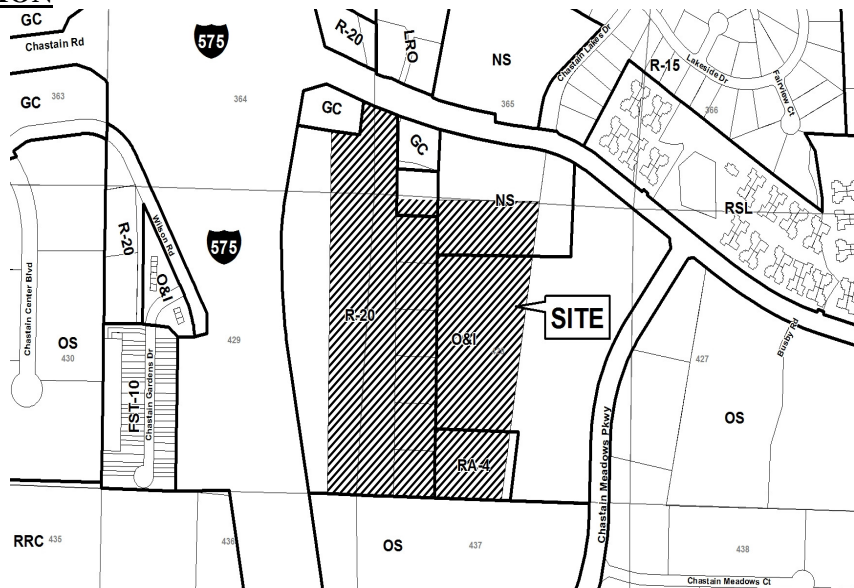
BOARD OF COMMISSIONERS DECISION

APPROVED _____ **MOTION BY** _____

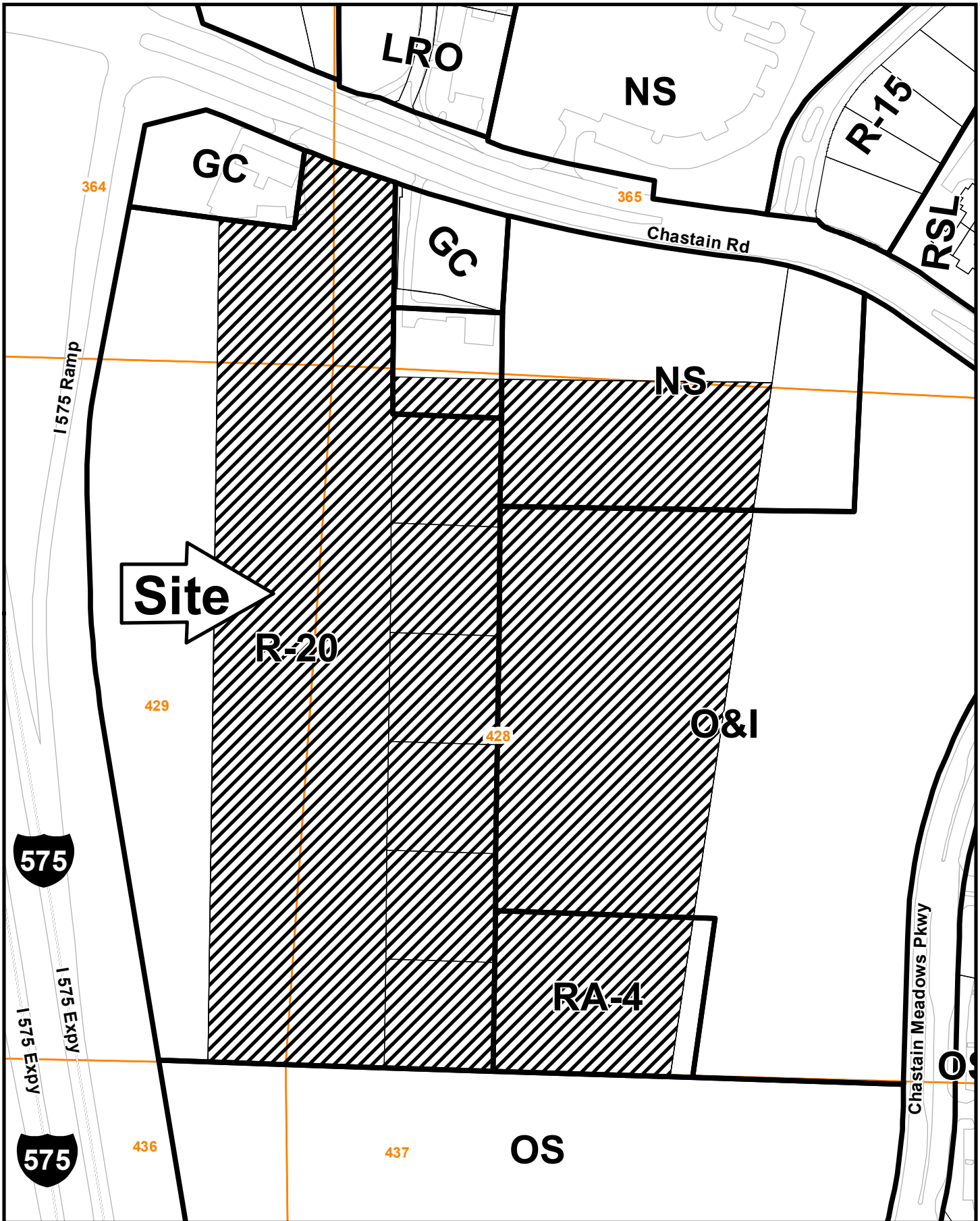
REJECTED _____ **SECONDED** _____

HELD _____ **CARRIED** _____

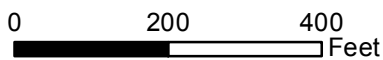
STIPULATIONS:





Z-36 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: LCD Acquisitions, LLC

PETITION NO.: Z-36

PRESENT ZONING: R-20, RA-4, O&I, NS

PETITION FOR: RM-8

ZONING COMMENTS:

Staff Member Responsible: Jason A. Campbell

Land Use Plan Recommendation: Community Activity Center (CAC)

Proposed Number of Units: 181 Overall Density: 5.47 Units/Acre

Staff estimate for allowable # of units: 45 Units* Increase of: 136 Units/Lots

Approximately 32 R-20 and approximately 13 RA-4

*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 district for the purpose of developing a 181-unit student housing subdivision. The buildings will be 1, 2, 4, and 6-unit buildings; two to three stories with cottage-style features as shown on the attached renderings. The 181 units will provide 775 bedrooms. There are 317 required parking spaces and the applicant is proposing 787 parking spaces.

The proposed plan will also require a contemporaneous variance to waive the parking space dimension to 18 feet, instead of 19 feet deep.

Cemetery Preservation: There is a 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.

APPLICANT: LCD Acquisitions, LLC

PETITION NO.: Z-36

PRESENT ZONING: R-20, RA-4, O&I, NS

PETITION FOR: RM-8

SCHOOL COMMENTS:

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

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

Additional Comments: Approval of this petition will not have an impact on the enrollment at Cobb County schools.

FIRE COMMENTS:

Modifications will be required to incorporate the Cobb County Fire Marshal's Office comments.

ACCESS: Fire apparatus access roads shall extend to within 150 feet of all portions of the facility or any portion of the exterior wall of the first floor (State Modifications IFC 503.1 2006 Edition).

All access roads shall meet the American Association of State and Highway Transportation Officials (AASHTO) design manual live load standard HS20 (75,000 lbs.) with an unobstructed width of not less than 20 feet, 25 foot inside radius, 50 foot outside turning radius and unobstructed vertical clearance of not less than 13 feet 6 inches.

Maximum slope of the access road in reference to the apparatus is 10% Front to Back and 5% Side to Side. Maximum grade of roadways leading to Fire Access roads refer to the Cobb County Development Standard Section 400: 14% for Non-Residential. Maximum angle of departure is 8.5%.

Dead-end access roads in excess of 150 feet shall be provided with a turn-around (IFC 503.2.5 2006 Edition). Cul-de-sac with or without an island: minimum 60-foot radius to outside curb, measured to inside of curb and a minimum lane width = 24 feet (Cobb County Development Standard 401.09). Single-Family cul-de-sac without island: 38-foot outside radius with island reverts to commercial dimensions. Hammerhead turn-around: total of 110 feet needed (45 feet + 20 feet wide roadway + 45 feet).

APPLICANT: LCD Acquisitions, LLC

PETITION NO.: Z-36

PRESENT ZONING: R-20, RA-4, O&I and NS

PETITION FOR: RM-8

PLANNING COMMENTS:

The applicant is requesting a rezoning from R-20, RA-4, O&I and NS to RM-8 for the purpose of student housing. The 33 06 acre site is located on the south side of Chastain Road, east of I-575 and west of Chastain Meadows Parkway.

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 Community Activity Center (CAC) future land use category, with R-20, RA-4, O&I and NS zoning designations. 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.

Specific Area Policy Guidelines:

In recognition of the existing zoning and future uses along Chastain meadows Parkway and in an effort to protect environmentally sensitive properties around Noonday Creek and the county’s proposed regional detention facility on Chastain meadows Parkway, the Board of Commissioners has established a CAC along Chastain meadows Parkway. This CAC is located in Land Lots 427, 428, 437, 438, 499, 500, 509, 510, 511, 570, 571, 572, 581, 582 and 583 of the 16th District. Because of the Community Activity Center’s proximity to Noonday Creek, a proposed county regional detention facility and established/newly developed residential communities along Bells Ferry Road and Chastain Road, the Board of Commissioners will only consider office and distribution type uses along Chastain meadows Parkway, north and east of the county’s proposed regional detention facility in Land Lots 437, 438, 499, 500, 509, 510, 511 and 570 of the 16th District. In land lots 427 and 428 of the 16th District, the Board of Commissioners will only consider office type uses.

Adjacent Future Land Use:

North: Community Activity Center (CAC) and Neighborhood Activity Center (NAC)
East: Community Activity Center (CAC)
South: Community Activity Center (CAC)
West: Community Activity Center (CAC)

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

APPLICANT: LCD Acquisitions, LLC

PETITION NO.: Z-36

PRESENT ZONING: R-20, RA-4, O&I and NS

PETITION FOR: RM-8

PLANNING COMMENTS:

CONT.

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 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?
- CZ (Clear Zone)
- APZ I (Accident Potential Zone I)
- APZ II (Accident Potential Zone II)
- Noise Zone
- Bird / Wildlife Air Strike Hazard (BASH) area

APPLICANT LCD Acquisitions, LLC
PRESENT ZONING R-20,RA-4,O&I,NS

PETITION NO. Z-036
PETITION FOR RM-8

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): 16" DI / S side of Chastain Road

Additional Comments: Master water meter and private sub-meters will be 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: 550' SE in Chastain Meadows Pkwy
- Estimated Waste Generation (in G.P.D.): A D F= 28,960 Peak= 72,400
- 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 Sewer flow test may be required of developer's design professional at Plan Review
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: LCD Acquisitions, LLC

PETITION NO.: Z-36

PRESENT ZONING: R-20, RA-4, O&I, NS

PETITION FOR: RM-8

STORMWATER MANAGEMENT COMMENTS

FLOOD HAZARD: YES NO POSSIBLY, NOT VERIFIED

DRAINAGE BASIN: Trib to Noonday Creek 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: Identified on site plan (no disturbance proposed).

- 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: **25'**, 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 easements 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 system.

APPLICANT: LCD Acquisitions, LLC

PETITION NO.: Z-36

PRESENT ZONING: R-20, RA-4, O&I, NS

PETITION FOR: RM-8

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 near the southeast corner of I-575 and Chastain Road. The parcel is undeveloped and wooded with the exception of a cell tower compound. Slopes on the site are moderate averaging from 3 to 15%.
2. The entire site drains to the southeast to an existing 72-inch BCCMP culvert located approximately 465 feet downstream. It appears that adequate area for detention is being provided with four pond locations.
3. Runoff from the upstream offsite areas at the northeast and northwest corners must be accommodated through the site.

APPLICANT: LCD Acquisitions, LLC

PETITION NO.: Z-36

PRESENT ZONING: R-20, RA-4, O&I, NS

PETITION FOR: RM-8

TRANSPORTATION COMMENTS:

ROADWAY	ROADWAY CLASSIFICATION	SPEED LIMIT	JURISDICTIONAL CONTROL	MIN. R.O.W. REQUIREMENTS
Chastain Road	Arterial	45 mph	Cobb County	100'

ROADWAY	LOCATION	AVERAGE DAILY TRIPS	LEVEL OF SERVICE
Chastain Road	West of Chastain Meadows Parkway	19,700	C

*Based on 2015AADT counting data taken by GDOT, as published on their website, for Chastain Road.
 Planning Level of Service based on available Average Daily Trips using GRTA guideline thresholds. Classification thresholds for LOS A and LOS B are not available for local roads from this data source.
 LOS C or D is acceptable based on GDOT Design Policy Manual criteria.*

COMMENTS AND OBSERVATIONS

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

Recommend entrance on Chastain Road be restricted to right-in/right-out.

Recommend a deceleration lane for the entrance on Chastain Road.

STAFF RECOMMENDATIONS

Z-36 LCD ACQUISITIONS, LLC

- A. It is Staff's opinion that the applicant's rezoning proposal may not permit a use that is suitable in view of the use and development of adjacent and nearby properties. Abutting properties are zoned for office services, institutional and retail.
- B. It is Staff's opinion that the applicant's rezoning proposal may have an adverse effect on the usability of adjacent or nearby property. Abutting properties are zoned for retail, office and office/warehouse type uses. Staff is concerned that this land use would cause conflicts with other zoned properties that adjoin this property.
- C. It is Staff's opinion that the applicant's rezoning proposal may 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. Staff is concerned that this many units and parking spaces only has access to a right-in and right-out. This condition will cause a great number of u-turns east on Chastain Road.
- 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) land use category, which is designed to provide 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 Planning Division has also indicated that there is a *Specific Area Policy Guideline* in this area that particularly indicates that the Board of Commissioners will only consider office type uses in Land Lots 427 and 428 of the 16th District. The requested RM-8 zoning district is designed for properties being delineated as Medium Density Residential (MDR), High Density Residential (HDR) and Regional Activity Center (RAC). The RM-8 zoning district is not compatible with CAC.
- 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 denying the applicant's rezoning proposal. Adjoining properties are zoned as O&I, NS, GC, OS, and R-20. The area contains a mix of retail, office, institutional, office service and residential uses, but there are many non-residential uses adjoining this property. Staff is concerned with the effect all the motor vehicles will have traffic on Chastain Road, since the only access is a right-in /right-out. The requested RM-8 zoning district is not compatible with the *Cobb County Comprehensive Plan*.

Based on the above analysis, Staff recommends DENIAL.

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.

Summary of Intent for Rezoning*

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

- a) Proposed unit square-footage(s): See Attached
 - b) Proposed building architecture: 1, 2, 4, 6 - Unit Buildings;
2 - 3 stories; Cottage-style features
 - c) List all requested variances: None known at this time
- _____

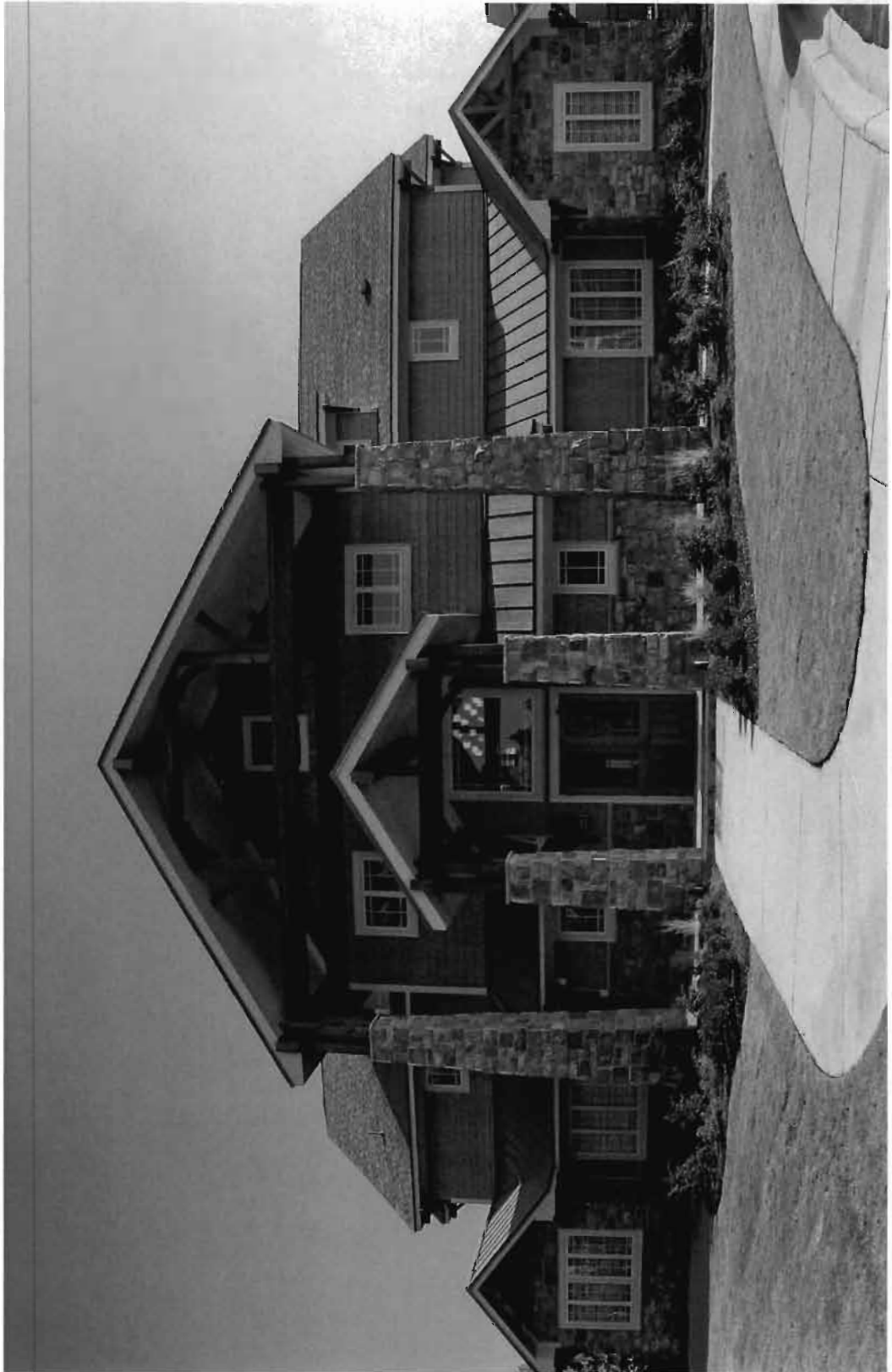
.....
Part 2. Non-residential Rezoning Information (attach additional information if needed)

- 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 known at this time.
- _____

*Applicant specifically reserves the right to amend any information set forth in the Summary of Intent for Rezoning, or any other portion of the Application for Rezoning, at any time during the rezoning process.



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