

APPLICANT: Pope & Land Enterprises, Inc.
770-980-0808

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

TITLEHOLDER: CBL Investors, LLC, City View Holdings, L.P.

PROPERTY LOCATION: Southwest intersection of Cumberland
Boulevard and Cobb Parkway A/K/A Highway 41

ACCESS TO PROPERTY: Cumberland Boulevard

PHYSICAL CHARACTERISTICS TO SITE: Undeveloped acreage

PETITION NO: Z-64

HEARING DATE (PC): 11-05-13

HEARING DATE (BOC): 11-19-13

PRESENT ZONING: O&I, RSL

PROPOSED ZONING: UVC

PROPOSED USE: Mixed-Use Community

SIZE OF TRACT: 5.843 acres

DISTRICT: 17

LAND LOT(S): 977, 1015, 1016

PARCEL(S): 4, 5, 8

TAXES: PAID X DUE _____

COMMISSION DISTRICT: 2

CONTIGUOUS ZONING/DEVELOPMENT

- NORTH:** UC/Undeveloped
- SOUTH:** RRC/Retail and OHR/Office Development
- EAST:** NRC/Retail and Undeveloped
- WEST:** OMR/Office Development

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

PLANNING COMMISSION RECOMMENDATION

APPROVED ___ MOTION BY _____

REJECTED ___ SECONDED _____

HELD ___ CARRIED _____

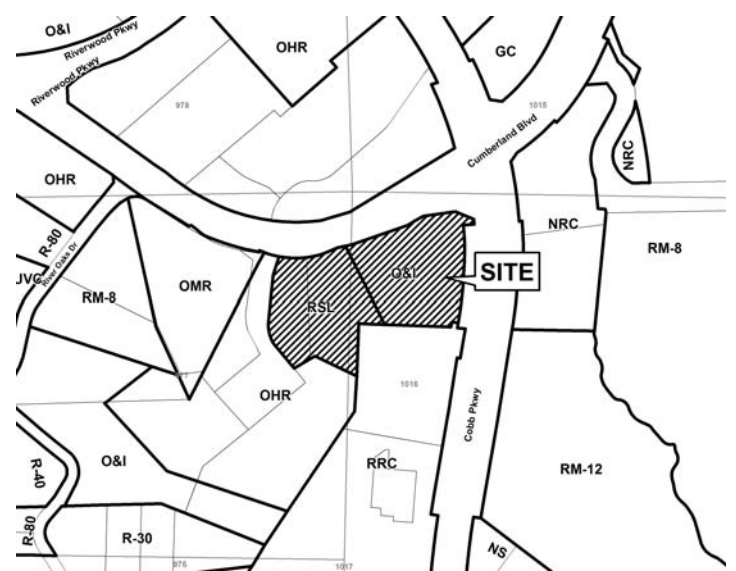
BOARD OF COMMISSIONERS DECISION

APPROVED ___ MOTION BY _____

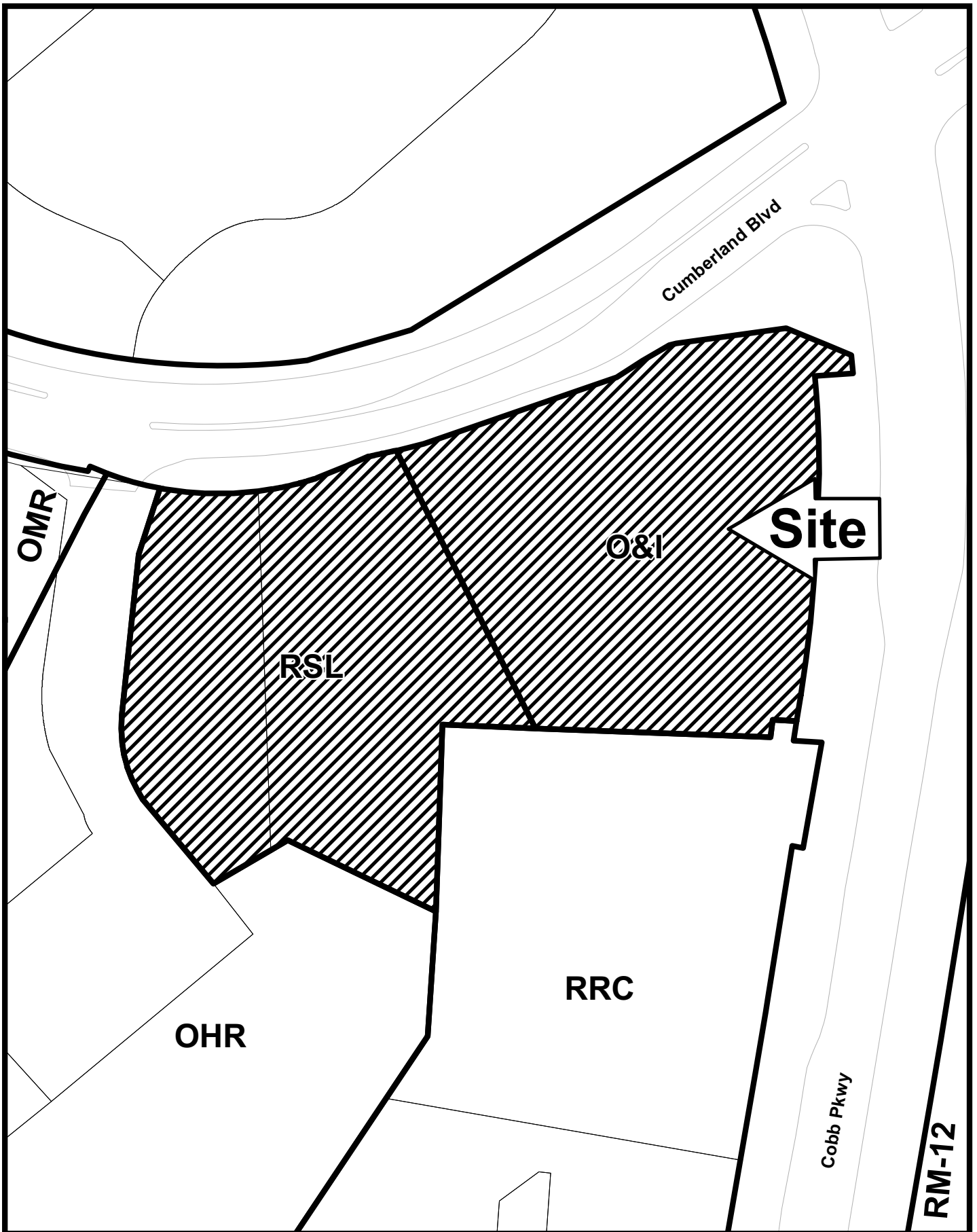
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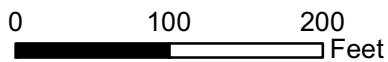
STIPULATIONS:





Z-64



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



-  City Boundary
-  Zoning Boundary

APPLICANT: Pope & Land Enterprises, Inc.

PETITION NO.: Z-64

PRESENT ZONING: O&I, RSL

PETITION FOR: UVC

ZONING COMMENTS:

Staff Member Responsible: Jason A. Campbell

Land Use Plan Recommendation: Regional Activity Center (RAC)

Proposed Number of Buildings: 7 **Total Square Footage of Development:** 375,000

F.A.R.: 1.47 **Square Footage/Acre:** 6,417

Parking Spaces Required: 542 **Parking Spaces Provided:** 450

Applicant is requesting the Urban Village Commercial (UVC) zoning category in order to develop a mixed use development having office, retail, residential and a parking deck. The proposed architecture will be brick and hardi-plank type siding on the residential portion with a minimum of 625 heated square feet, ranging up to 1,100 square feet and greater. The proposed nonresidential portion will be up to 3,500 square feet of retail/office and 6,500 square feet of clubhouse/amenity space. The residential units will be rental condominiums, with a maximum of 300 units. The buildings will be a maximum of six – seven stories.

Applicant is requesting the following simultaneous variances:

1. Waive the 10-foot setback from Cumberland Boulevard;
2. Parking reduction to 450 spaces per 300 units and 3,500 square feet of retail/office; and
3. Waive the minimum floor area for the proposed residential dwelling units from the required 1,000 square feet to 625 square feet.

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: Pope & Land Enterprises, Inc.

PETITION NO.: Z-64

PRESENT ZONING: O&I, RSL

PETITION FOR: UVC

PLANNING COMMENTS:

The applicant is requesting a rezoning from O&I and RSL to UVC for purpose of mixed-use community. The 5.843 acre site is located at the southeast intersection of Cumberland Boulevard and Cobb Parkway.

Comprehensive Plan

The parcel is within a Regional Activity Center (RAC) future land use category with a sub-category of Office. The property is zoned O&I and RSL. 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 uses include high-rise office buildings, 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?

APPLICANT Pope & Land Enterprises, Inc.

PETITION NO. Z-064

PRESENT ZONING O&I, RSL

PETITION FOR UVC

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 Cumberland Blvd**

Additional Comments: Master water meter to be set at public ROW

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: **At site in south ROW Cumberland Blvd**

Estimated Waste Generation (in G.P.D.): **A D F 48140 Peak= 120350**

Treatment Plant: **Sutton**

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: Sewer flow study may be required at Plan Review

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: Pope & Land Enterprises, Inc.

PETITION NO.: Z-64

PRESENT ZONING: O&I, RSL

PETITION FOR: UVC

STORMWATER MANAGEMENT COMMENTS

REVISED 10/21/13

FLOOD HAZARD: YES NO POSSIBLY, NOT VERIFIED

DRAINAGE BASIN: Unnamed Trib to Chattahoochee River 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)
- 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 downstream receiving system.

APPLICANT: Pope & Land Enterprises, Inc.

PETITION NO.: Z-64

PRESENT ZONING: O&I, RSL

PETITION FOR: UVC

STORMWATER MANAGEMENT COMMENTS – Continued

REVISED 10/21/13

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. Detention and water quality are proposed to be provided in an underground stormwater management facility. Unless easement agreements are obtained from the downstream property owners, the facility must discharge to the existing stormwater system in the Cumberland Boulevard right-of-way. Design peak discharges may be limited by the existing system capacity. These issues must be addressed in Plan Review.
2. The southeast portion of this site is located within the Chattahoochee River Corridor and will be subject to the requirements of the Metropolitan River Protection Act.

APPLICANT: Pope & Land Enterprises, Inc.

PETITION NO.: Z-64

PRESENT ZONING: O&I, RSL

PETITION FOR: UVC

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
Cumberland Blvd	10,700	Arterial	35 mph	Cobb County	100'
Cobb Parkway	28,600	Arterial	45 mph	Georgia DOT	100'

*Based on 2007 traffic counting data taken by Cobb DOT (Cumberland Boulevard)
Based on 2005 traffic counting data taken by Cobb DOT (Cobb Parkway)*

COMMENTS AND OBSERVATIONS

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

Cobb 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 Georgia DOT permits for all work that encroaches upon State right-of-way.

Recommend curb, gutter, and sidewalk along Cobb Parkway frontage.

Recommend Developer coordinate with Georgia DOT regarding Cobb Parkway widening project.

Recommend FAA study.

Recommend no access to Cumberland Boulevard.

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

STAFF RECOMMENDATIONS

Z-64 POPE & LAND ENTERPRISES, INC.

- 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. Adjacent and nearby properties are also zoned for office, multi-family and retail uses.
- 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. The property was previously approved for residential senior condominiums and office and institutional uses.
- 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 Regional Activity Center (RAC) land use category, containing mixed use, retail and office developments. Applicant's proposal is compatible with the *Cobb County Comprehensive Plan*.
- 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. Other developments in the area are zoned for similar uses and the subject parcels were previously zoned for higher density residential senior condominiums and an office development.

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

- Site plan to be approved by the Board of Commissioners;
- Water and Sewer Division 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.

2013 SEP -5 PM 4: 03

COBB COUNTY ZONING DIVISION

Summary of Intent for Rezoning*

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

- a) Proposed unit square-footage(s): Minimum 625 heated sq.ft., ranging up to 1,100 sq.ft. and greater
- b) Proposed building architecture: Brick and hardi-plank type siding
- c) Proposed selling prices(s): Not Applicable
- d) List all requested variances: (1) 10 foot setback from Cumberland Boulevard right-of-way; (2) Parking reduction request 450 spaces per 300 units and 3,500 sq.ft. of retail/office

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

- a) Proposed use(s): Up to 3,500 sq.ft. of retail/office and 6,500 sq.ft. of clubhouse/amenity space
- b) Proposed building architecture: Brick and hardi-plank type siding
- c) Proposed hours/days of operation: Not Applicable
- d) List all requested variances: (1) 10 foot setback from Cumberland Boulevard right-of-way; (2) Parking reduction request 450 spaces per 300 units and 3,500 sq.ft. of retail/office

.....
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 informatin set forth in the Summary of Intent to Rezone, or any other part of the Application for Rezoning, at any time during the rezoning process.

PAGE 2 OF 7

APPLICATION NO. Z-6

ORIGINAL DATE OF APPLICATION: 02-17-09

APPLICANTS NAME: CITY VIEW HOLDINGS, L.P.

THE FOLLOWING REPRESENTS THE FINAL DECISIONS OF THE
COBB COUNTY BOARD OF COMMISSIONERS

BOC DECISION OF 02-17-09 ZONING HEARING:

CITY VIEW HOLDINGS, L.P. (owner) requesting Rezoning from UC to UC With **Stipulations** for the purpose of a Senior Living Facility in Land Lots 977 and 1016 of the 17th District. Located on the south side of Cumberland Boulevard, west of U.S. Highway 41.

The public hearing was opened and Mr. Bob Tritt and Mr. Ron Sifen addressed the Board. Following presentation and discussion, the following motion was made:

MOTION: Motion by Ott, second by Olens, to **delete** Rezoning to the **RSL (supportive)** zoning district **subject to:**

- site plan received by the Zoning Division December 5, 2008, *as needed, including waivers allowing 33 stories above grade, FAR, setbacks, buffers, etc., with the District Commissioner approving minor modifications (attached and made a part of these minutes)*
- letter of agreeable conditions from Mr. Larry Kelly dated February 2, 2009 with the following changes (attached and made a part of these minutes):
- Each reference in letter of agreeable conditions to OI "Office Institutional" is changed to RSL- supportive
 - Item No. 6 – Replace paragraph with: *"An administrative reversion to the exact zoning that existed before this rezoning case will be available to the property owner for five (5) years from the date of the adoption of the February 17, 2009 zoning minutes. An application to request the reversion by Board of Commissioners is required by the property owner after expiration of the five (5) year limit."*
- Fire Department comments and recommendations, *with the Fire Marshall and the developer's representatives to begin discussions now regarding fire protection of the proposed 33 story structure*
- Water and Sewer Division comments and recommendations
- Stormwater Management Division comments and recommendations
- Cobb DOT comments and recommendations

VOTE: **ADOPTED** unanimously



POPE & LAND
ENTERPRISES, INC.

Min. Bk. 57 Petition No. Z-6
Doc. Type letter of agreeable
conditions
Meeting Date 2-17-2009

Z-64 (2013)
Previous Minutes

February 2, 2009

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VIA HAND DELIVERY

Mr. Murray Homan
191 Lawrence Street
Marietta, Georgia 30060-1689

Dear Mr. Homan:

The agenda for Tuesday includes zoning filing Z-6, which is the request of City View Holdings, L.P. to rezone the property at intersection of Cobb Parkway and Cumberland Boulevard to permit a high rise senior living facility.

The present zoning permits a high rise 32 story condominium tower. Our zoning application seeks, in effect, to redirect the internal purpose of the presently zoned building. We asked for a change in zoning from UC to UC Conditional, with the conditions essentially permitting use of "home purchase like" independent living units and assisted living units for this project within the UC zoning category.

We have heard both from the County Planning Staff and from the Vinings neighborhood.

The County staff stated in its report that the proposed use is "suitable in view of the use and development of adjacent and nearby properties" and that the "proposal meets the intent of the Cobb County Comprehensive Plan." However, the staff's recommendation was adverse to our request within the UC zoning because the units would not be owner-occupied condominium units.

Similarly, the neighborhood has expressed similar view. Ron Sifen writing on behalf of the Vinings Homeowners Association states that the intended projects is "an appropriate use" and "an appropriate development" that the neighborhood "would support in either RSL Supportive or O&I."

At the encouragement of both the Planning Staff and the Vinings Homeowners Association, we have considered the zoning waivers or stipulations that would be needed so that O&I would fit our proposed project. This will all be discussed more fully on Tuesday, but I am attaching these alternative stipulations now so that you will have an opportunity to review them before the meeting.

Petition No. 2-6
Meeting Date 2-17-09
Continued

Mr. Murray Homan
February 2, 2009
Page Two

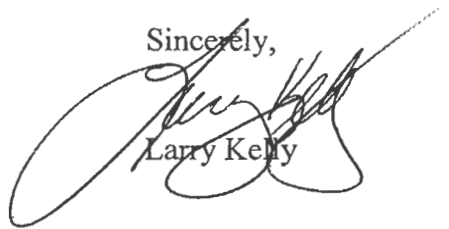
PAGE 5 OF

Our objective is obtain zoning for a project that will both serve Cobb's senior citizens and provide taxes and other benefits to Cobb County. We have sought a set of site specific conditions that would allow the project to go forward in UC, but if Cobb County prefers we are also willing to proceed in O&I with the attached set of site specific conditions.

Finally, as noted in the alternative stipulations, if a decision is later made to build a high rise condominium tower instead of a senior living facility, we have requested the flexibility of reverting back to the present UC zoning.

Thank you for your consideration, and I look forward to appearing before you on Tuesday.

Sincerely,



Larry Kelly

Enclosure

cc: John Kusmiersky
Robert Tritt

Additional Conditions

Z-64 (2013)
 Previous Minutes

The subject property is zoned O&I, subject to the following conditions:

1. The property may be developed as shown on the Zoning Plan for Park Vinings prepared by Long Engineering dated December 4, 2008, a copy of which is attached hereto, except that in lieu of the Development Summary contained thereon the following Development Summary shall apply:

Development Summary							
Total Area + 15.95 acres							
Site Plan ID	Proposed Zoning	Land Use	Levels	Size	Parking Ratio	Parking Spaces	Approx . Area
A	Office High Rise (OHR)	Office	12	300,000 s.f.	3,711,000 s.f.	1,110	13.12 acres
B	Office High Rise (OHR)	Office	18	450,000 s.f.	3,711,000 s.f.	1,685	OHR
C	Office & Institutional (O&I)	Senior Living	33 above grade + penthouse + 3 below grade	200 Independent Living Units & up to 54 assisted living units/ memory support units	1.5 / Independent Living Unit	300	2.83 acres O&I
Key:							
A – Office Building – Phase 1 (by Pope and Land)							
B – Office Building – Phase 1 (by Pope and Land)							
C – Senior Living							

2. All requirements of O&I or RSL zoning that are inconsistent with the Zoning Plan as amended hereby are waived or modified so that the property may be developed in accordance with the Zoning Plan as amended hereby. This includes without limitation requirements in O&I and RSL zoning as to height, FAR, setbacks, buffers, lot size, county imposed impervious surface limitations, and minimum parking. Landscaped buffer and screening is not required beyond the setbacks shown on the Zoning Plan, as amended hereby. Architectural style, roof pitch, parking plan and landscaping plan are not required to be approved by the Board of Commissioners, other than as set forth in the Zoning Plan, as amended hereby, or otherwise described in these conditions.

3. The number of floors above finished grade previously approved in the prior UC zoning (32 floors above grade consisting of 30 residential floors and two floors of ancillary/support services, plus the penthouse mechanical structure and roof treatment) may be increased to 33 levels above grade plus the mechanical penthouse structure and roof treatment. The specific allocation between residential floors and ancillary support services/accessory retail floors may vary so long as the total number of residential floors and ancillary support/accessory retail floors above finished grade does not exceed 33, plus the penthouse mechanical structure

and roof treatment. Within the above overall limitation, there is no separate limit as to the size of accessory retail. There will also be three levels for parking and additional resident amenities and ancillary/support that will be primarily below grade. However, due to the actual grade of the property portions of these three levels may be exposed.

4. Residents will be limited to a minimum of 55 years of age, except that in the case of married couples, only one of the spouses is required to be at least 55 years of age.

5. The facility may offer up to 200 units of independent living and up to 54 units of assisted living/memory care facilities. In addition to central kitchen facilities, each independent living unit may have a fully equipped kitchen, including built-in oven. Centralized areas for use by residents and their guests may include multiple dining venues, fitness and pool area, spa and beauty salon, performing arts center/movie theater, non-denominational worship area, educational classrooms, a health and wellness clinic offering physician and dental services, a convenience store/pharmacy as well as other accessory retail facilities.

6. If property owner elects not to develop the property as a senior living facility and instead wishes to construct high-rise residential condominiums, it may elect to revert to the UC zoning that was in effect immediately prior to the change in the zoning to O&I. The property owner may exercise such election by written request to the Cobb County zoning department, which shall confirm the reversion to such prior zoning by administrative action.

APPLICANT: City View Holdings, L.P.

PETITION NO.: _____

PRESENT ZONING: UC

PETITION FOR: U

PLANNING COMMENTS: **Staff Member Responsible:** John P. Pederson, AICP

Land Use Plan Recommendation: Regional Activity Center-Sub Area for Office

Proposed Number of Units: 254 **Overall Density:** 90 **Units/Acre**

Present Zoning Would Allow: 150 **Units** **Increase of:** 104 **Units/Lots**

The applicant is requesting the UC zoning district to develop a senior living facility. The building would be 33-stories in height, with units ranging in size from 942 square-feet to 1,276 square-feet. There would be 200-units of independent living which would occupy twenty-five floors of the building. There would be 54 units of assisted living and/or memory care which would occupy four floors of the building. Then there would be four floors of ancillary support services which would include dining facilities, a piano bar/pub, a fitness and pool area, beauty salon, movie theater, performing arts center, non-denominational worship area, a health clinic offering doctor and dental care, and a convenience grocery store. All the ancillary uses would be for the residents only. People living in the facility execute a service agreement in which much of the cost is paid upon entry into the facility, with monthly assessments following. The applicant has submitted a letter describing the proposal which is attached as Exhibit "A".

It should be noted, the property was approved in 1999 for a 32-story building with 150 units. The site layout is substantially similar to the 1999 approval.

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.

Cemetery Preservation: No comment.

STORMWATER MANAGEMENT COMMENTS

There does not appear to be any substantial footprint change from the previously approved site plan. However, consistency with the originally approved ARC MRPA plan must be verified prior to LDP approval.



APPLICANT: City View Holdings, L.P.

PETITION NO.: Z-

PRESENT ZONING: UC

PETITION FOR: UC

SCHOOL COMMENTS:

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

Additional Comments:

FIRE COMMENTS:

Fire Apparatus Access Road

All access roads shall have an all weather driving surface capable of supporting 75,000 pounds with an unobstructed width of not less than 20 feet, 25 feet inside turning radius, 50 foot outside turning radius and unobstructed vertical clearance of not less than 13 feet 6 inches.

Access road shall extend to within 150-feet of all portions of the facility or any portion of the exterior wall of the first floor.

Aerial apparatus access shall be required for all structures over 30 feet in height measured from the lowest level of fire department access to the ceiling height of the highest occupiable floor level. Aerial fire apparatus roads shall be a minimum width of 24 feet face of curb to face of curb maximum of 40 feet from the structure and be positioned parallel to the long side of the building for its entire length. No overhead utility and power lines shall be located within the aerial apparatus access.

Dead-end access roads in excess of 150-feet shall be provided with a turn-around by one of the following methods:

Commercial: Cul-de-sac without an island to have a 60 foot paved radius **or** Hammerhead turnaround – total of 110-foot needed (45 feet + 20 foot wide roadway + 45 feet).

Residential subdivision: Cul-de-sac with an island – minimum 60 foot radius to outside curb, measured to inside of curb, minimum lane width 24 feet **or** Cul-de-sac without an island – 38 foot outside radius **or** Hammerhead turnaround – total of 110 feet needed (45 feet + 20 foot wide roadway + 45 feet).

Gates securing fire apparatus access shall be a minimum 14 feet in clear width for a single lane and 20 feet for a double lane. Gate shall be swing or sliding type. Electric gates shall be equipped with a means of opening the gate by fire department personnel for emergency access. Emergency opening devices shall be approved by the Cobb County Fire Marshal's Office.

Fire Hydrant:

Commercial: Fire hydrant within 500 feet of most remote part of structure.

All fuel tanks must be submitted to Cobb County Fire Marshal's Office for approval call 770-528-8328.

APPLICANT City View Holdings, LP

PETITION NO.

PRESENT ZONING UC

PETITION FOR UC w/stips

NOTE: Comments reflect only what facilities appeared of record at the time of this review. Field verification required by developer.

WATER COMMENTS:

Available at Development? Yes No
 Fire Flow Test Required? Yes No

Size / Location of Existing Water Main(s) 12" DI / N side Cumberland Blvd

Additional Comments: Meter to be on Cumberland Rd ROW

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:

In Drainage Basin? Yes No
 At Development? Yes No

Approximate Distance to Nearest Sewer: At site in street ROW

Estimated Waste Generation (in G.P.D.): **A D F** 66,750 **Peak** 166,875

Treatment Plant: Sutton

Plant Capacity Available? Yes No

Line Capacity Available? Yes No

Projected Plant Availability: 0 - 5 year 5 - 10 years over 10 years

Dry Sewers Required? Yes No

Off-site Easements Required? Yes* No

Flow Test Required? Yes No

Septic Tank Recommended by this Department? Yes No

Subject to Health Department Approval? 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 easement(s) by the property owner(s). All easement acquisitions are the responsibility of the Developer.

Additional Comments:

Central kitchens require architectural plans approval and those near ground level require pre-installed exterior grease traps

Notes FYI: *GPD based on 1-2 bedroom independent living units*

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 off site easements, dedication of on and/or off site 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: City View Holdings, L.P.

PETITION NO.: Z-6

PRESENT ZONING: UC

PETITION FOR: UC with Sti

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
Cumberland Boulevard	10700	Arterial	35 mph	Cobb County	110'

Based on 2007 traffic counting data taken by Cobb County DOT.

COMMENTS AND OBSERVATIONS

Cumberland Boulevard 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.

ORIGINAL DATE OF APPLICATION: 12-87APPLICANTS NAME: PORTMAN-BARRY INVESTMENTSTHE FOLLOWING REPRESENTS THE FINAL DECISIONS OF THE
COBB COUNTY BOARD OF COMMISSIONERSBOARD OF COMMISSIONERS REGULAR MEETING OF 04-29-99:

SITE PLAN APPROVAL AND AMENDMENT FOR RIVERWOOD DEVELOPMENT RELATIVE TO ZONING APPLICATIONS #288 (PORTMAN-BARRY INVESTMENTS) OF DECEMBER 15, 1987 AND Z-181 (R&A LAND HOLDINGS) OF DECEMBER 15, 1998 FOR PROPERTY LOCATED ON THE WEST SIDE OF COBB PARKWAY, NORTH AND WEST OF RIVER OAKS DRIVE IN LAND LOTS 949, 950, 977, 978, 1015, AND 1016 OF THE 17TH DISTRICT – COMMUNITY DEVELOPMENT:

Mr. Mark Danneman, Zoning Division Manager, presented a request for site plan approval and amendment for Riverwood Development regarding Application #288 (Portman-Barry Investments) of December 15, 1987 and Z-181 (R&A Land Holdings) of December 15, 1988 for property located on the west side of Cobb Parkway, north and west of River Oaks Drive in Land Lots 949, 950, 977, 1015, and 1016 of the 17th District.

Following Mr. Danneman's presentation, the following motion was made:

MOTION: Motion by J. Thompson to approve the site plan and amendments to same as presented for Riverwood Development regarding Application #288 (Portman-Barry Investments) of December 15, 1987 and Z-181 (R&A Land Holdings) of December 15, 1998 for property located on the west side of Cobb Parkway, north and west of River Oaks Drive in Land Lots 949,950,977, 978, 1015, and 1016 of the 17th District, **subject** to the roadway actually being constructed and all other previously approved conditions/stipulations relative to #288 and Z-181 to remain in effect. **Reduced copy of the site plan attached and made a part of these minutes.** Large site plan **on file** in the office of the County Clerk.

VOTE: ADOPTED unanimously

APPLICATION FOR REZONING
TO THE
COBB COUNTY BOARD OF COMMISSIONERS OF ROADS AND
AND THE
COBB COUNTY PLANNING COMMISSION
(type or print clearly)

Z-64 (2013)
Previous Minutes

Application No. 288

Hearing Date 12-15-87

Applicant Portman-Barry Investments, Inc. Business Phone 688-5000 Home Phone _____
(business name) Inc. Suite 600/233 Peachtree Street, NE
Mr. Hal Barry Address Atlanta, GA 30303
(representative's name, printed)
X [Signature] Business Phone 688-5000 Home Phone _____
(representative's signature)

Titleholder Riverwood Partners, Ltd. Business Phone 951-2800 Home Phone _____
Riverwood Partners, Ltd.
Signature [Signature] Address 1600 Parkwood Circle/Suite 600
(attach additional signatures, if needed) Atlanta, GA 30339
BY: Authorized General Partner

Zoning Request From G-C, O-I & R-80 To OHR
(present zoning) (proposed zoning)

For the Purpose of Office & Hotel Development Size of Tract _____ acre(s)
(subdivision, restaurant, warehouse, apts., etc.)

Location US Highway 41 at proposed Cumberland Circle & proposed Riverwood Parkway
(street address, if applicable, nearest intersection, etc.)

Land Lot(s) 949, 950, 977, 978, 1015, 1016 District 174h

Recommendation of Planning Commission 12/15/87 - Planning Commission recommended
application be approved subject to revised Master Plan letter dated 12/7/87 from Mr. Hal Barry
marked Exhibit A on file in the Zoning Dept. and revised conditions also Dated December
7, 1987 marked Exhibit B. also on file in the Zoning Dept. and plans to be reviewed by
Plan Review Committee. Motion by Thompson, seconded by McAfee, carried 5-0.

[Signature] Chairman

Board of Commissioners' Decision 12/15/87 - Board of Commissioners approved application
as stated above. Motion by Powell, seconded by Smith, carried 4-1, Burton opposed.

Regular Meeting-May 9, 1989-Approval of amended site plan for portman Barry Investments, Inc. MOTION:
Motion to approve amended site plan for rezoning Application No. 288, December 1987 by Portman Barry
[Signature] Chairman

Continued on next page