

Z-73  
(2013)

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**TV HOLDINGS, LLC**  
 A MIXED USE MASTER DEVELOPMENT  
 4800 LOWER ROSWELL ROAD  
 SUITE 165, NO. 524  
 MARIETTA, GEORGIA 30068  
 PHONE: 404-313-4583

**REVISION**

NO.	DATE	BY	DESCRIPTION
1	10/1/13	DES	ISSUE FOR PERMITS
2	10/1/13	DES	REVISED PER COMMENTS
3	10/1/13	DES	REVISED PER COMMENTS
4	10/1/13	DES	REVISED PER COMMENTS
5	10/1/13	DES	REVISED PER COMMENTS
6	10/1/13	DES	REVISED PER COMMENTS
7	10/1/13	DES	REVISED PER COMMENTS
8	10/1/13	DES	REVISED PER COMMENTS
9	10/1/13	DES	REVISED PER COMMENTS
10	10/1/13	DES	REVISED PER COMMENTS

**MASTER SITE PLAN**

SCALE: 1" = 100'  
 DATE: October 1, 2013  
 PROJECT: 06143.00C

**10/3/2013**

**S**

**SITE DATA**

OVERALL SITE AREA: 51.97 ACRES  
 PAVED PARKING: 1.14 ACRES  
 NET SITE AREA: 50.83 ACRES

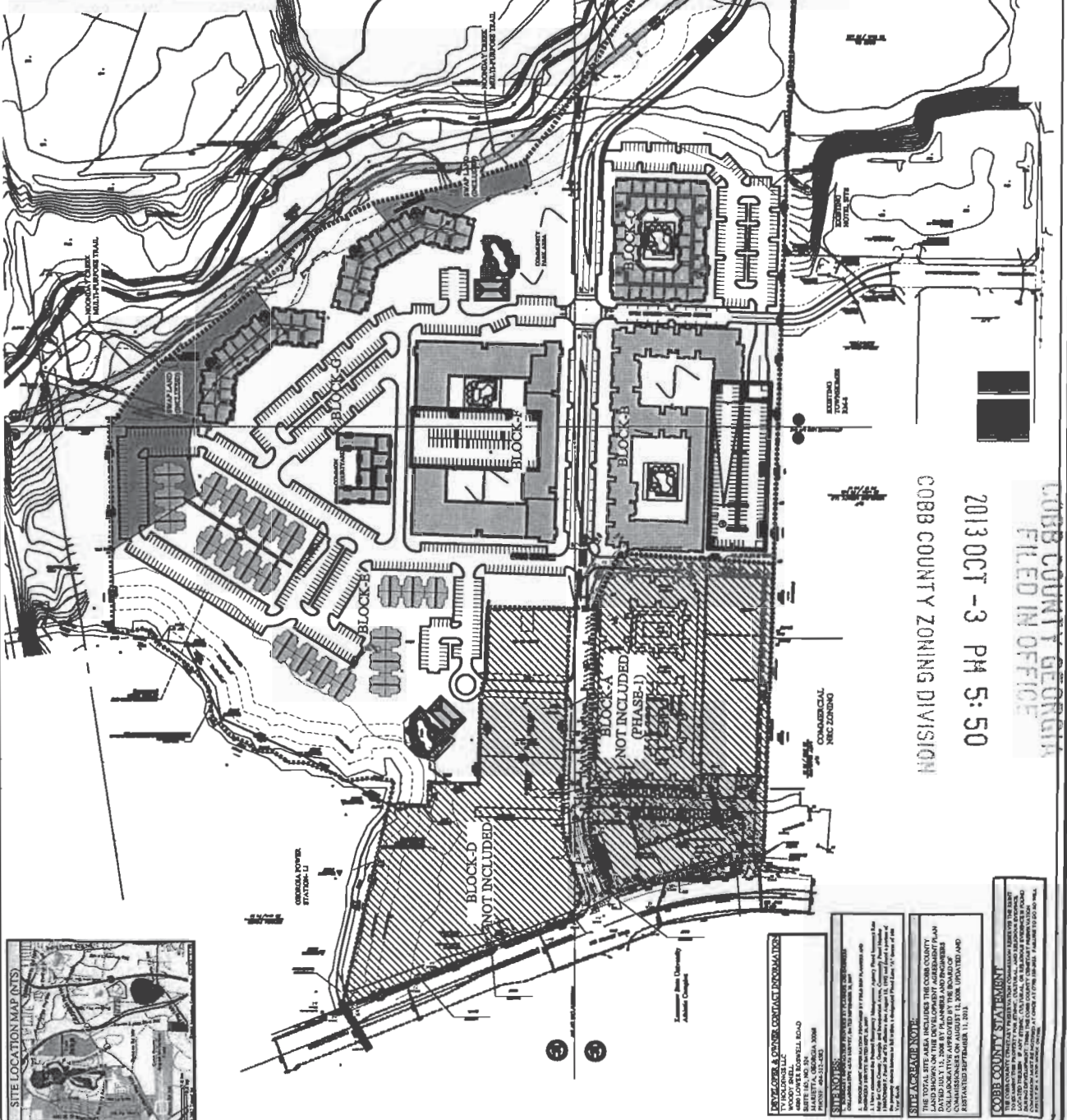
ZONING: COBB COUNTY ZONING DIVISION  
 ZONING SUBDIVISION: COBB COUNTY

**DATA SUMMARY TOTAL SITE AREA:**

RESIDENTIAL	14,400 SF
COMMERCIAL	11,300 SF
INDUSTRIAL	1,000 SF
OFFICE	1,000 SF
RETAIL	1,000 SF
OTHER	1,000 SF
<b>TOTAL</b>	<b>29,700 SF</b>

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COBB COUNTY GEORGIA  
 FILED IN OFFICE  
 2013 OCT -3 PM 5:50  
 COBB COUNTY ZONING DIVISION

**NOTICE TO THE PUBLIC**

THIS IS A PRELIMINARY SITE PLAN FOR THE PROPOSED DEVELOPMENT OF THE PROJECT. THE PLAN IS SUBJECT TO THE APPROVAL OF THE COBB COUNTY ZONING DIVISION. THE PLAN IS NOT TO BE USED FOR ANY OTHER PURPOSES WITHOUT THE WRITTEN CONSENT OF THE ARCHITECT/ENGINEER. THE ARCHITECT/ENGINEER IS NOT RESPONSIBLE FOR ANY ERRORS OR OMISSIONS IN THIS PLAN. THE ARCHITECT/ENGINEER IS NOT RESPONSIBLE FOR ANY CONSEQUENCES ARISING FROM THE USE OF THIS PLAN. THE ARCHITECT/ENGINEER IS NOT RESPONSIBLE FOR ANY CONSEQUENCES ARISING FROM THE USE OF THIS PLAN.

**ARCHITECT/ENGINEER**  
 PLANNERS AND ENGINEERS COLLABORATIVE  
 285 BISHOP COURT, NORCROSS, GEORGIA 30062  
 PHONE: 770-451-9444  
 FAX: 770-451-9443  
 WWW.PECCAT.COM

**APPLICANT:** TV Holdings, LLC

**PETITION NO:** Z-73

**REPRESENTATIVE:** J. Kevin Moore 770-429-1499

**HEARING DATE (PC):** 12-03-13

Moore Ingram Johnson & Steele, LLP

**HEARING DATE (BOC):** 12-17-13

**TITLEHOLDER:** TV Holdings, LLC

**PRESENT ZONING:** R-20

**PROPOSED ZONING:** PVC

**PROPERTY LOCATION:** South side of Big Shanty Road, the east side of George Busbee Parkway, and the south and east sides of Hidden Forest Court.

**PROPOSED USE:** Residential Units and Site Plan Amendment

**ACCESS TO PROPERTY:** Big Shanty Road

**SIZE OF TRACT:** 50.237 acres

**DISTRICT:** 16

**PHYSICAL CHARACTERISTICS TO SITE:** Wooded acreage

**LAND LOT(S):** 501, 508

**PARCEL(S):** 8

**TAXES: PAID** X **DUE** \_\_\_\_\_

**COMMISSION DISTRICT:** 3

**CONTIGUOUS ZONING/DEVELOPMENT**

- NORTH:** PVC/Town Village
- SOUTH:** GC/Movie Theater & R-20/Undeveloped remnant
- EAST:** R-20/Power Sub-station and undeveloped
- WEST:** PVC/Town Village

**OPPOSITION:** NO. OPPOSED **PETITION NO:** \_\_\_\_\_ **SPOKESMAN** \_\_\_\_\_

**PLANNING COMMISSION RECOMMENDATION**

**APPROVED** \_\_\_\_\_ **MOTION BY** \_\_\_\_\_

**REJECTED** \_\_\_\_\_ **SECONDED** \_\_\_\_\_

**HELD** \_\_\_\_\_ **CARRIED** \_\_\_\_\_

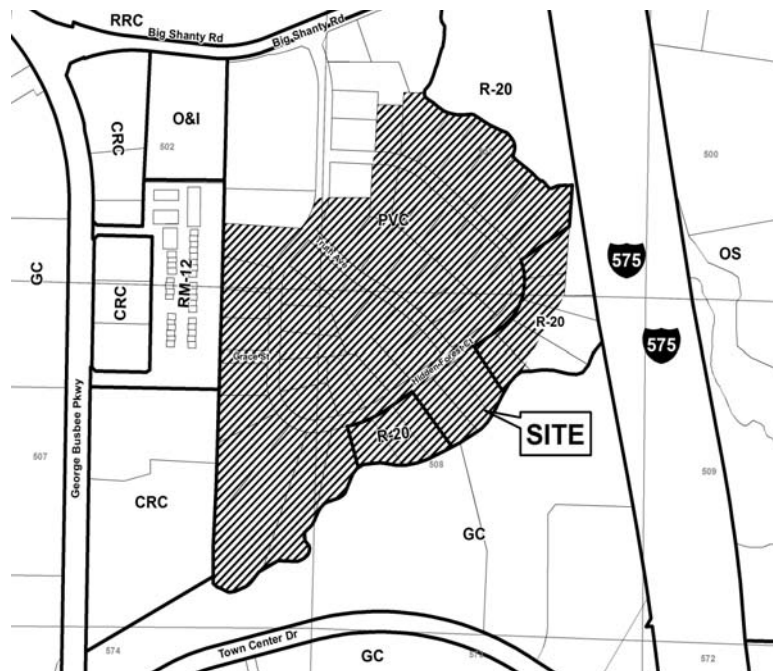
**BOARD OF COMMISSIONERS DECISION**

**APPROVED** \_\_\_\_\_ **MOTION BY** \_\_\_\_\_

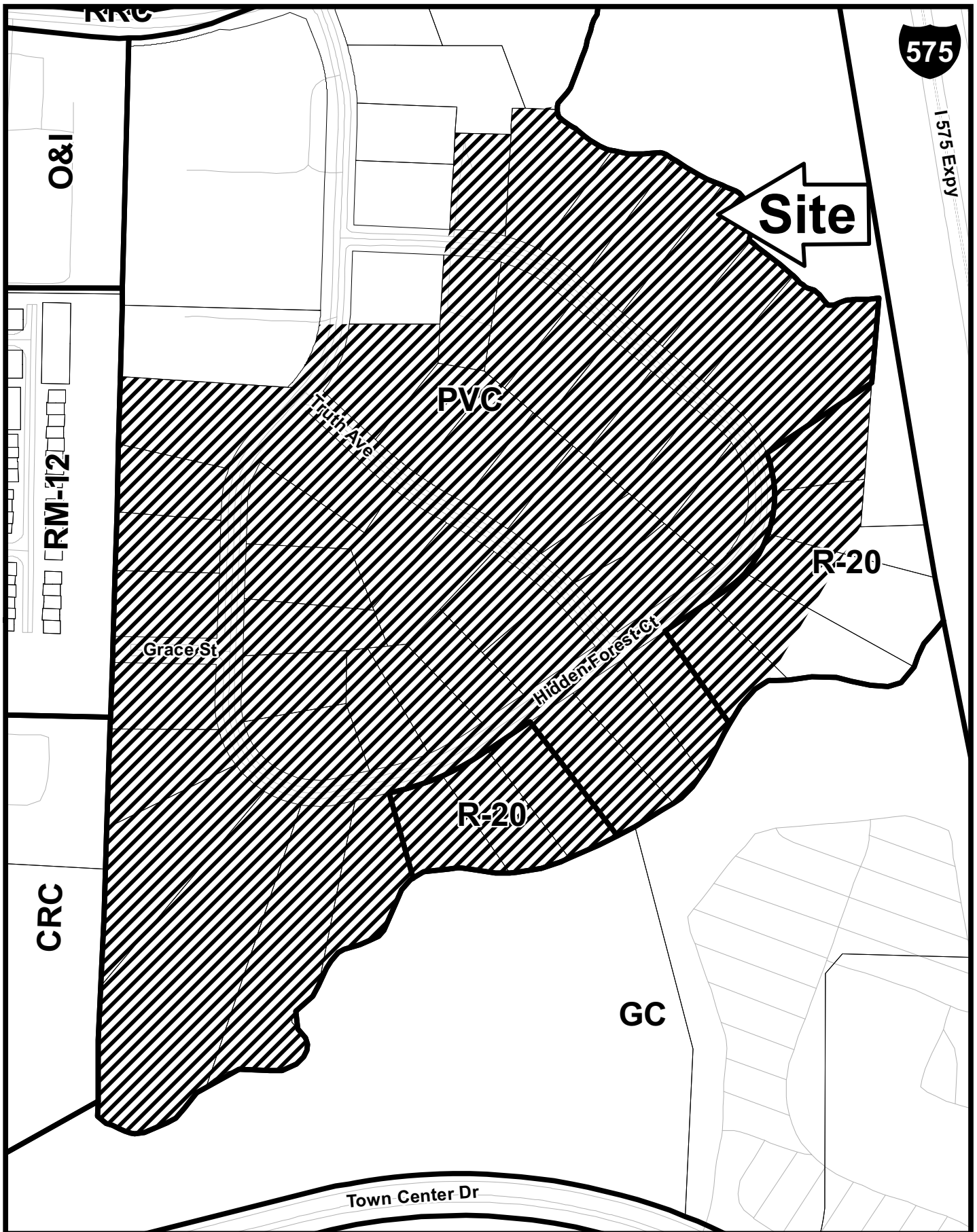
**REJECTED** \_\_\_\_\_ **SECONDED** \_\_\_\_\_

**HELD** \_\_\_\_\_ **CARRIED** \_\_\_\_\_

**STIPULATIONS:**



# Z-73



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

0 200 400 Feet



City Boundary  
Zoning Boundary

APPLICANT: TV Holdings, LLC

PETITION NO.: Z-73

PRESENT ZONING: R-20

PETITION FOR: PVC

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**ZONING COMMENTS:**

**Staff Member Responsible:** Jason A. Campbell

**Land Use Plan Recommendation:** Regional Activity Center

**Proposed Number of Units:** 1600 (Overall)      **Overall Density:** 43      **Units/Acre**

**Staff estimate for allowable # of units:** 1710      **Units\*** (Overall – Previously approved under Z-26 of 2007)

**Decrease of:** 110      **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 Planned Village Commercial (PVC) zoning category in order to combine the approximately 2.202 acres deeded from Cobb County to the applicant to be included in the overall Town Village development area (making a total of 50.237 acres). With this smaller addition, the applicant is also requesting a site plan amendment from the previously approved plan in order to rearrange the shaded areas indicated on the current site plan.

**Cemetery Preservation:** No comment.

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**FIRE COMMENTS:**

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).

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 occupied floor level. Aerial fire apparatus access roads shall be a minimum width of 24 feet maximum of 40 feet from the structure and be positioned parallel to one entire side of the building. No overhead utility and power lines shall be located within the aerial fire apparatus access. (Cobb County Development Standards 401.08.02.1)

APPLICANT: TV Holdings, LLC

PETITION NO.: Z-73

PRESENT ZONING: R-20

PETITION FOR: PVC

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**PLANNING COMMENTS:**

The applicant is requesting a rezoning from R-20 to PVC for purpose of residential units and site plan amendment. The 2.202 acre site is located on the south side of Big Shanty Road and east side of George Busbee Parkway.

**Comprehensive Plan**

The parcel is within a Regional Activity Center (RAC) future land use category with R-20 zoning designation. 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?

**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 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 design guidelines, please contact the Community Development Planning Division at 770.528.2015.

For more information on incentives, please call the Office of Economic Development at 770.528.2607 or find information online at <http://economic.cobbcountyga.gov>.

APPLICANT TV Holdings, LLC

PETITION NO. Z-073

PRESENT ZONING R-20

PETITION FOR PVC

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**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 / E side of George Busbee Pkwy

Additional Comments: Master meter with private sub-meters.

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.

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**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: On site

Estimated Waste Generation (in G.P.D.): **A D F** 47136 **Peak=** 117840

Treatment Plant: **Noonday**

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 estimated for total 50.237 acre development. Sewer in private streets to be private.

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: TV Holdings, LLC**

**PETITION NO.: Z-73**

**PRESENT ZONING: R-20**

**PETITION FOR: PVC**

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**STORMWATER MANAGEMENT COMMENTS**

All Stormwater Comments and Recommendations from previous Zoning Case (Z-26, 2007) to apply to newly included parcels. All stormwater infrastructure will be designated private and be privately maintained in perpetuity.

**APPLICANT: TV Holdings, LLC**

**PETITION NO.: Z-73**

**PRESENT ZONING: R-20**

**PETITION FOR: PVC**

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**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
Town Center Drive	4700	Major Collector	35 mph	Cobb County	80'

*Based on 2009 traffic counting data taken by Cobb County DOT (Town Center Drive)*

**COMMENTS AND OBSERVATIONS**

Town Center Drive is classified as a major collector and according to the available information the existing right-of-way does meet the minimum requirements for this classification.

**RECOMMENDATIONS**

Recommend no monument signs on the right-of-way unless approved by Cobb County DOT.

Recommend if streets are private then be constructed to the Cobb County Standard Specifications or equal.

Recommend coordinating with Cobb County DOT regarding the Noonday Creek Trail Phase 2C SPLOST project.

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



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## STAFF RECOMMENDATIONS

### **Z-73 TV HOLDINGS, 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. Most of the property surrounding these parcels was previously rezoned to PVC as part of the Town Village development (Z-26 of 2007).
- 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. On their own, these parcels will not have public road frontage and are being added to the overall development of Town Village and will serve as room to rearrange the shaded areas on the proposed site plan.
- 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 area to be within the Regional Activity Center (RAC) land use category. The property is being added to a much larger tract in order to be included in the PVC development approved in 2007 (Z-26). The total acreage will now be 50.237 acres and will decrease the number of units last approved as part of Z-26 of 2007.
- 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 rezoning of the 2.202 acres to be included with the larger PVC tract will allow use of the property and allow flexibility with the previously approved site plan in arranging development as shown on the eastern and southern (middle) sections of the proposed site plan.

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

- Site plan received by the Zoning Division on October 3, 2013, with the District Commissioner approving minor modifications;
- Fire Department comments and recommendations;
- Water and Sewer 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.**