

APPLICANT: Cousins Properties Incorporated

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REPRESENTATIVE: John H. Moore

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TITLEHOLDER: Cousins Properties Incorporated

PROPERTY LOCATION: Southeast side of Wildwood Parkway,
east of Windy Hill Road.

ACCESS TO PROPERTY: Wildwood Parkway

PHYSICAL CHARACTERISTICS TO SITE: Undeveloped acreage

CONTIGUOUS ZONING/DEVELOPMENT

NORTH: RA-5/Undeveloped

SOUTH: R-80/Chattahoochee Park

EAST: R-80/Chattahoochee Park; O&I/Undeveloped

WEST: O&I/Office Complex

PETITION NO: Z-85

HEARING DATE (PC): 11-04-14

HEARING DATE (BOC): 11-18-14

PRESENT ZONING: UC

PROPOSED ZONING: OMR

PROPOSED USE: Offices

SIZE OF TRACT: 6.63 acres

DISTRICT: 17

LAND LOT(S): 987, 1005, 1006

PARCEL(S): 1

TAXES: PAID X **DUE** _____

COMMISSION DISTRICT: 2

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

PLANNING COMMISSION RECOMMENDATION

APPROVED _____ **MOTION BY** _____

REJECTED _____ **SECONDED** _____

HELD _____ **CARRIED** _____

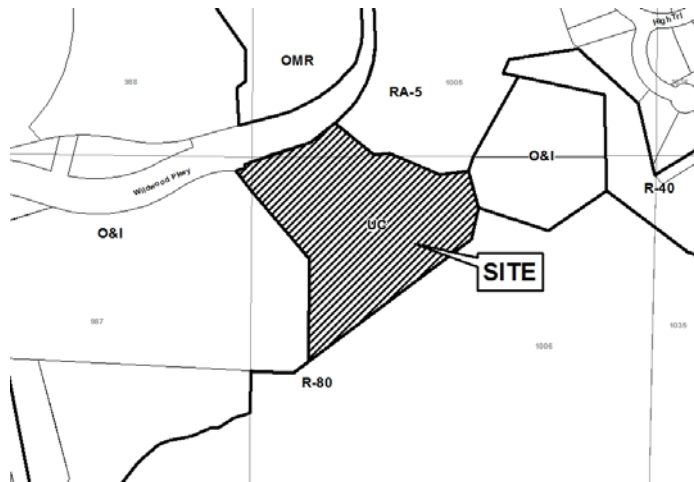
BOARD OF COMMISSIONERS DECISION

APPROVED _____ **MOTION BY** _____

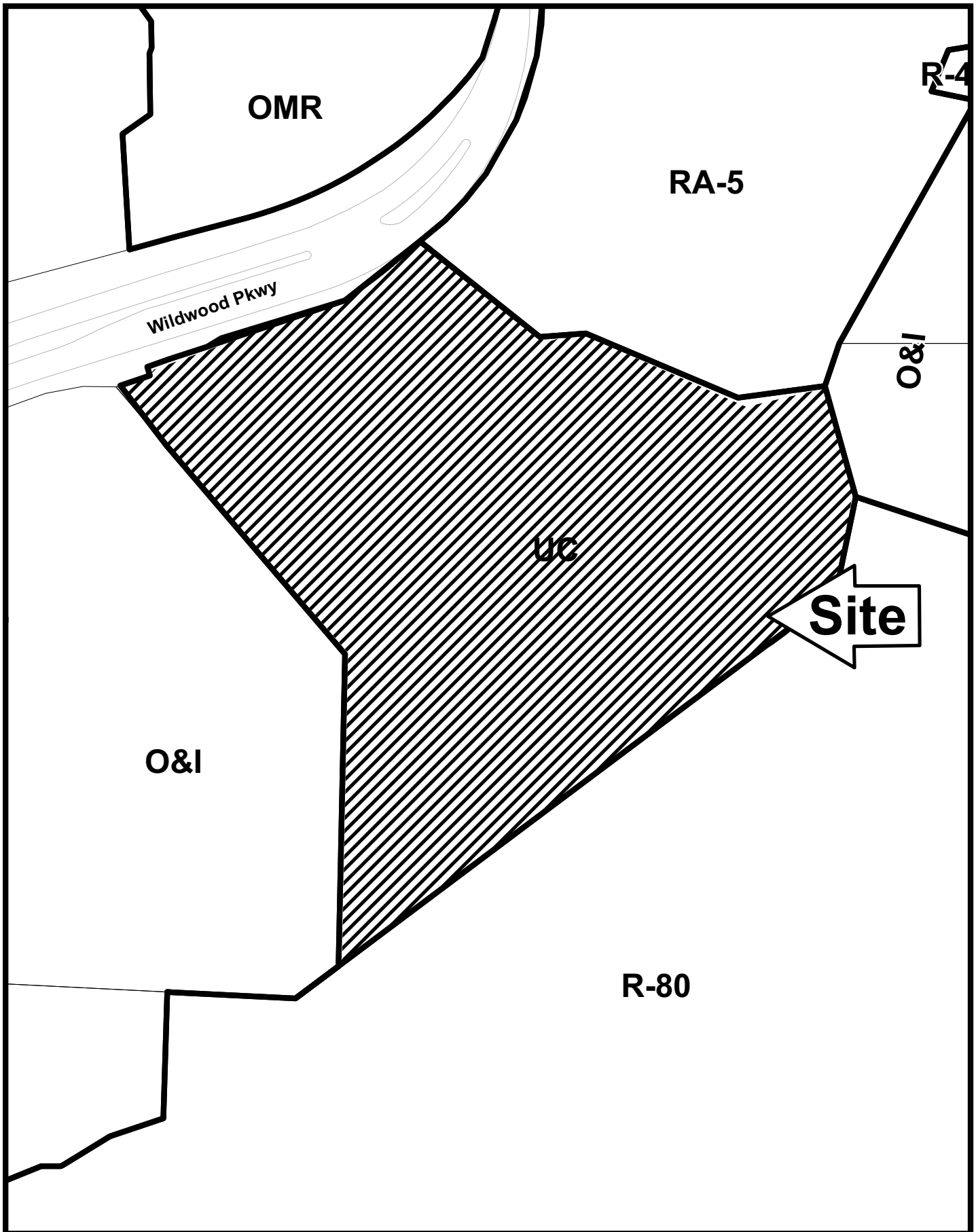
REJECTED _____ **SECONDED** _____

HELD _____ **CARRIED** _____

STIPULATIONS:



Z-85



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

0 100 200 Feet



City Boundary
Zoning Boundary

APPLICANT: Cousins Properties Incorporated

PETITION NO.: Z-85

PRESENT ZONING: UC

PETITION FOR: OMR

ZONING COMMENTS:

Staff Member Responsible: Jason A. Campbell

Land Use Plan Recommendation: Regional Activity Center (RAC)

Proposed Number of Buildings: 1 & Parking Deck **Total Square Footage of Development:** 305,600

F.A.R.: 1.057 **Square Footage/Acre:** 46,093.51

Parking Spaces Required: 701 **Parking Spaces Provided:** 500

Applicant is requesting the Office Mid Rise (OMR) zoning category for the purpose of developing a six-story office building (200,000 square feet) and a four-story parking deck. The property was previously rezoned to the Urban Condominium category (Z-139 of 2006) for two 18-story towers for a total of 342 units. The proposed office building will be traditional in architecture and the hours of operation will be Monday through Sunday from 6 a.m. until 12 a.m.

The following contemporaneous variances will be needed:

1. Waive the maximum Floor Area Ratio (FAR) from 0.75 to 1.057;
2. Waive the 35-foot landscape buffer on the northeast side property line and the rear property line;
3. Waive the side setbacks from the required 35 feet to five feet;
4. Waive the number of required parking spaces from 701 to 500 (site plan indicates parking below building, but does not give number of spaces); and
5. Allow the accessory parking deck to the front of the proposed office building.

Cemetery Preservation: No comment.

APPLICANT: Cousins Properties Incorporated

PETITION NO.: Z-85

PRESENT ZONING: UC

PETITION FOR: OMR

FIRE 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).

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: Cousins Properties Incorporated

PETITION NO.: Z-85

PRESENT ZONING: UC

PETITION FOR: OMR

PLANNING COMMENTS:

The applicant is requesting a rezoning from UC to OMR for offices. The 6.63 acre site is located on the southeast side of Wildwood Parkway, east of Windy Hill Road.

Comprehensive Plan

The parcel is within a Regional Activity Center (RAC) future land use category, with UC 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 land uses in these areas include high-rise office buildings, regional 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.

APPLICANT: Cousins Properties Incorporated

PETITION NO.: Z-85

PRESENT ZONING: UC

PETITION FOR: OMR

PLANNING COMMENTS: (Continued)

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

APPLICANT Cousins Properties, Inc

PETITION NO. Z-085

PRESENT ZONING UC

PETITION FOR OMR

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 / N side of Wildwood Pkwy

Additional Comments:

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: 65' S w/easement

Estimated Waste Generation (in G.P.D.): A D F= 8,000 Peak= 20,000

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

Drw 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:

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: Cousins Properties, Incorporated

PETITION NO.: Z-85

PRESENT ZONING: UC

PETITION FOR: OMR

STORMWATER MANAGEMENT COMMENTS

FLOOD HAZARD: ☐ YES ☒ NO ☐ POSSIBLY, NOT VERIFIED

DRAINAGE BASIN: 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) ARC
☐ 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 existing receiving system of adjacent parcel.

APPLICANT: Cousins Properties, Incorporated

PETITION NO.: Z-85

PRESENT ZONING: UC

PETITION FOR: OMR

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.

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. This parcel is located on Wildwood Parkway and is surrounded by the Genuine Parts Company office complex to the west, the National Park Service to the south and the pending Z-84 Zoning Case parcel to the north. Slopes on the site are steep and approach 35 percent. Due to the close proximity of this project to the Chattahoochee River National Park elevated erosion and sediment control measures are recommended. If possible a temporary mulch berm should be installed at the limit of disturbance as an additional control measure until the site is completely stabilized. Grading near the southern property line should be limited as much as possible and utilize retaining walls to minimize impacts.

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PRESENT ZONING: UC

PETITION FOR: OMR

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
Wildwood Parkway	6900	Minor Collector	30 mph	Cobb County	60'

Based on 2011 traffic counting data taken by Cobb County DOT (Wildwood Parkway)

COMMENTS AND OBSERVATIONS

Wildwood Parkway 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 a traffic study.

Recommend left turn lanes for both driveways on Wildwood Parkway.

Recommend a FAA Study.

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

STAFF RECOMMENDATIONS

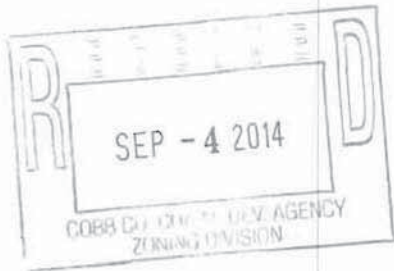
Z-85 COUSINS PROPERTIES INCORPORATED

- 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. Properties in the area include a mixture of offices, single-family residential and attached townhomes and condominiums.
- 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 proposed project is less intensive than the previously approved two 18-story condominium towers that were approved in 2006 as Z-139. The property to the north is currently in for rezoning to RM-8 on the current zoning calendar as Z-84.
- 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 the Regional Activity Center (RAC) land use category, containing mixed use, single-family residential and office developments. The 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. The property was previously rezoned to UC for the development of 342 condominiums in two, 18-story towers. The current proposal for offices will be less intense than the condominium project approved as part of Z-139 of 2006.

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

- Site plan to be approved by the Board of Commissioners, 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.



Application #: Z- 85 (2014)
PC Hearing Date: 11/04/2014
BOC Hearing Date: 11/18/2014

Summary of Intent for Rezoning*

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

- a) Proposed unit square-footage(s): Not Applicable.
b) Proposed building architecture: _____
c) Proposed selling prices(s): _____
d) List all requested variances: _____

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

- a) Proposed use(s): Office
b) Proposed building architecture: Traditional
c) Proposed hours/days of operation: Monday - Sunday
6:00 a.m. - 12:00 a.m.
d) List all requested variances: None known at this time.

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

None known at this time.

.....
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.

.....
Part 5. Is this application a result of a Code Enforcement action? No X; Yes ____ (If yes, attach a copy of the Notice of Violation and/or tickets to this form).

MOORE INGRAM JOHNSON & STEELE, LLP

Applicant signature BY: [Signature] Date: September 4, 2014

John H. Moore; Georgia Bar No. 519800

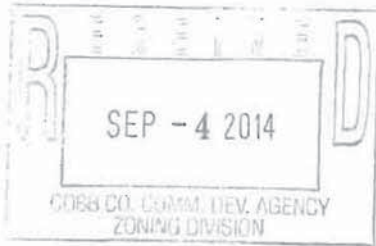
Applicant name (printed): Attorneys for Applicant and Property Owner

*Applicant and Property Owner specifically reserve the right to amend any information set forth in the Summary of Intent for Rezoning, or any other part of the Application for Rezoning, at any time during the rezoning process.

Revised August 21, 2013

ATTACHMENT TO APPLICATION FOR REZONING

IMPACT ANALYSIS STATEMENT



Application No.:
Hearing Dates:

Z- 85 (2014)
November 4, 2014
November 18, 2014

Applicant/Property Owner: **Cousins Properties Incorporated**

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

- (a) Cousins Properties Incorporated, as Applicant and Property Owner (hereinafter collectively referred to as "Applicant") is seeking the rezoning of a 6.63 acre tract within the Wildwood Master Planned Community from the existing Urban Condominium ("UC") zoning category to the proposed Office-Mid Rise ("OMR") zoning category. The property is located on the southeasterly side of Wildwood Parkway, easterly of the intersection of Windy Hill Road, in Land Lots 987, 1005, and 1006, 17th District, 2nd Section, Cobb County, Georgia (hereinafter the "Property" or the "Subject Property"). Rezoning of the Property to the OMR zoning classification will allow for the construction of an office building, a maximum of six (6) stories in height, over a proposed four-level parking deck. The rezoning of the Subject Property to the OMR zoning classification for the proposed office building will permit a more suitable use which is compatible with adjacent and nearby properties.
- (b) This zoning proposal will have no adverse effect on the existing use or usability of adjacent or nearby properties. The intended use is allowable under the proposed OMR zoning classification, and as such, the proposed rezoning should have a minimal, if any, impact on surrounding properties, which are zoned to the OMR and Office Institutional ("OI") zoning categories to the north and west, as well as a small parcel to the east. The rezoning should have a positive effect to allow for a more suitable use of the Subject Property which is consistent with Cobb County's Future Land Use Map and Comprehensive Plan. If approved and used according to the request, the adjacent and nearby property owners should benefit in higher land values. The county will benefit in increased revenue.
- (c) The property as zoned does not have a reasonable economic use. Approval of the requested rezoning will allow for a more reasonable, economic use of the Subject Property.
- (d) This zoning proposal will not cause excessive or burdensome use of existing streets, transportation facilities, utilities, or schools.

- (e) The zoning proposal is in conformity with the Land Use Map of Cobb County, Georgia, as well as the policy and intent of the Land Use Plan as evidenced by the zoning of surrounding properties to the OMR and OI zoning categories.
- (f) The Subject Property is a small tract within the Wildwood Master Planned Community. Through development within the Wildwood Master Planned Community and in the area outside of Wildwood, the entire area of the county has seen dramatic growth and development; as well as, roadway improvements in recent years, and will continue to see the same in the next several years to come. Allowing a mid-rise office building would transition from the adjacent OI zoned properties on the north and west and the residential properties to the north and northeast; as well as with the Chattahoochee National Park area to the southeast. The demand for quality office space within the area has increased, and this site would continue to offer the “live where you work” concept to the professionals whose businesses may occupy the proposed building. Thus, the rezoning proposed in the pending Application for Rezoning would allow for a more suitable and economic use without detrimental impact upon the surrounding area.