

HANES GIBSON & ASSOCIATES
CONSULTING ENGINEERS
CIVIL & STRUCTURAL SERVICES
100 NORTH MOORE ROAD, SUITE 100
LAWRENCEVILLE, GEORGIA 30045
PHONE: (770) 962-7900
FAX: (770) 962-7900



PROJECT DEVELOPMENT

Z-53
(2017)

SANDY PLAINS ROAD

NO.	BY	DATE	DESCRIPTION

SHEET NUMBER
SP-19



LOCATION MAP

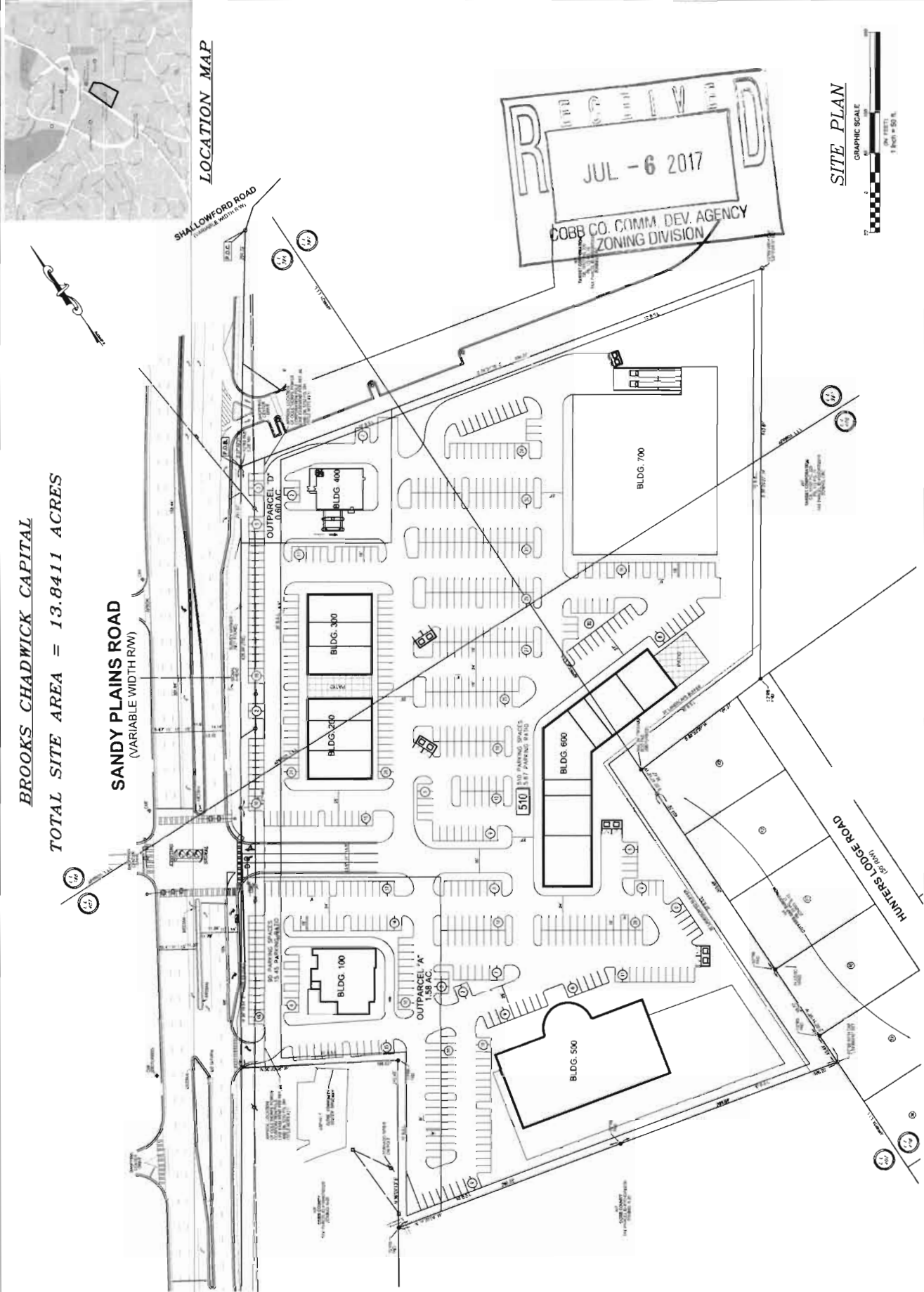
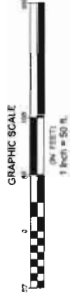
BROOKS CHADWICK CAPITAL
TOTAL SITE AREA = 13.8411 ACRES

SANDY PLAINS ROAD
(VARIABLE WIDTH R/W)

SHALLOWFORD ROAD
(VARIABLE WIDTH R/W)



SITE PLAN



APPLICANT: Brooks Chadwick Capital, LLC
PHONE #: (404) 281-4554 **EMAIL:** todd@brookschadwick.com
REPRESENTATIVE: John H. Moore
PHONE #: (770) 429-1499 **EMAIL:** jmoore@mijs.com
TITLEHOLDER: Cobb County Board of Education

PROPERTY LOCATION: East side of Sandy Plains Road, south of
Shallowford Road, and at the northern terminus of Hunters Lodge Road

ACCESS TO PROPERTY: Sandy Plains Road

PHYSICAL CHARACTERISTICS TO SITE: Mountain View
Elementary School

CONTIGUOUS ZONING/DEVELOPMENT

NORTH: CRC/ O'Charley's, Rite-Aid
SOUTH: R-20/ Mountain View Community Center, The Art Center
EAST: CRC/ Target; R-15/ Cutters Gap Subdivision
WEST: CRC/ Kroger Shopping Center

PETITION NO: Z-53
HEARING DATE (PC): 09-07-17
HEARING DATE (BOC): 09-19-17
PRESENT ZONING: R-20
PROPOSED ZONING: CRC
PROPOSED USE: Retail, Restaurants, Bank,
Grocery
SIZE OF TRACT: 13.8411 acres
DISTRICT: 16
LAND LOT(S): 386,387,406,407
PARCEL(S): 3
TAXES: PAID X **DUE** _____
COMMISSION DISTRICT: 3

Adjacent Future Land Use:

Northeast: Community Activity Center (CAC)
Southeast: Community Activity Center (CAC) and Low Density Residential (LDR)
Southwest: Public Institutional (PI)
Northwest: Community Activity Center (CAC)

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

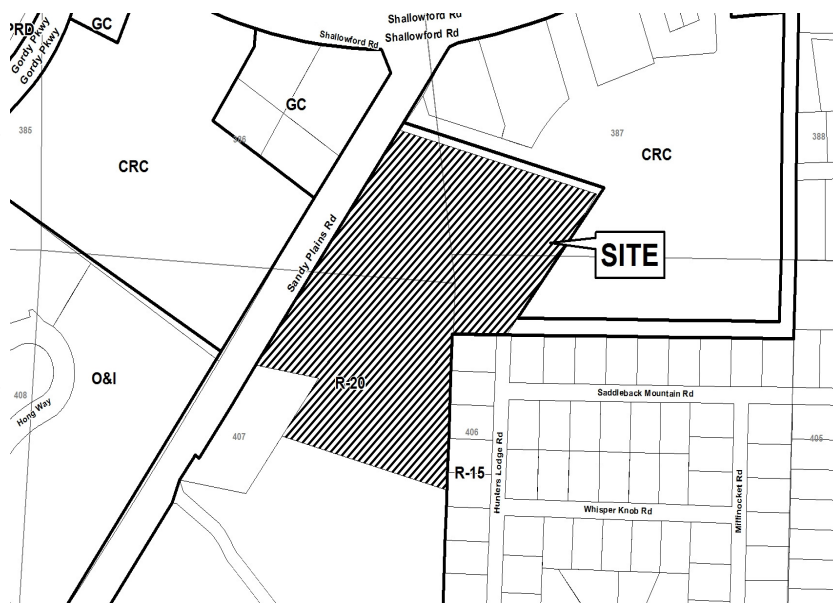
PLANNING COMMISSION RECOMMENDATION

APPROVED _____ **MOTION BY** _____
REJECTED _____ **SECONDED** _____
HELD _____ **VOTE** _____

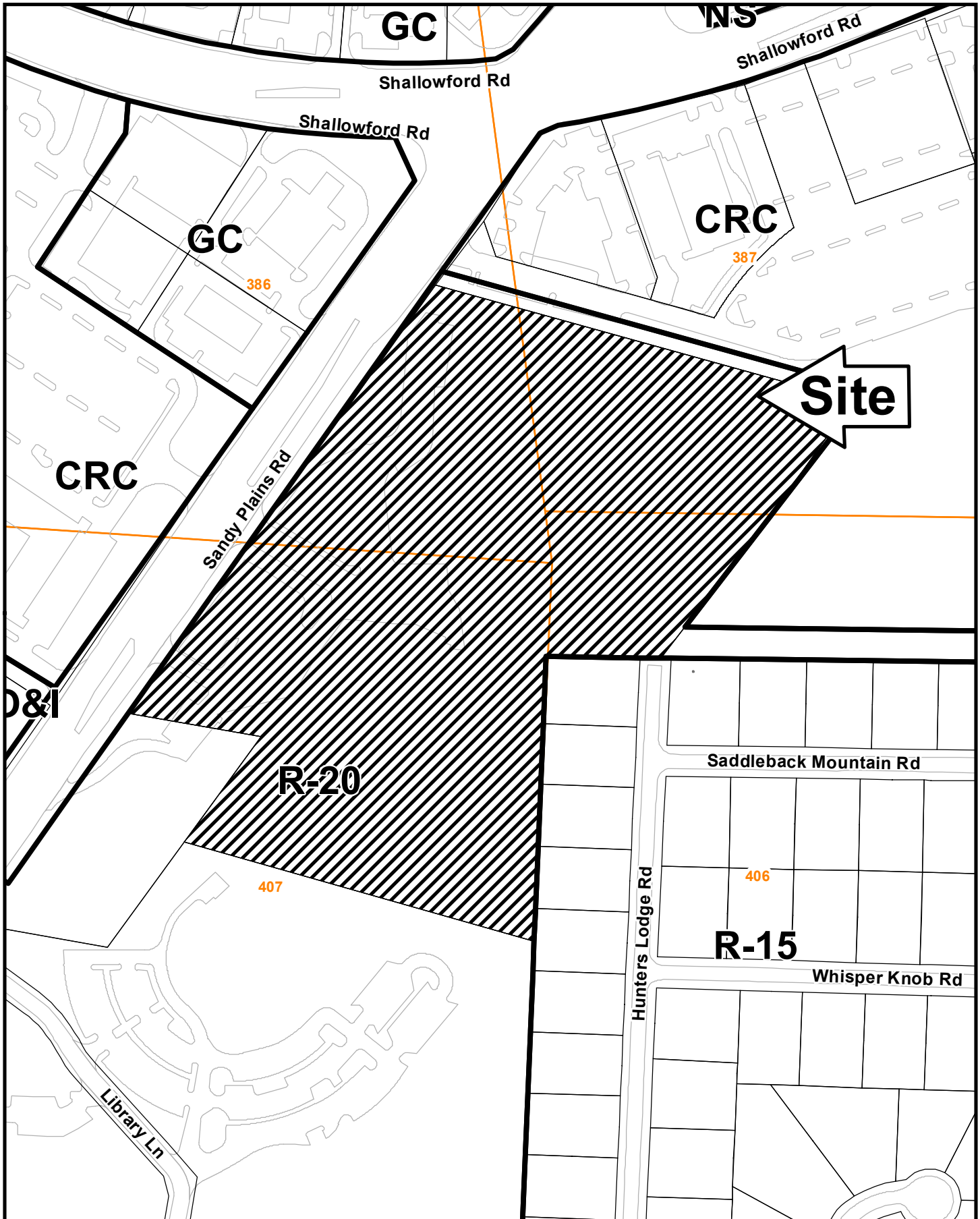
BOARD OF COMMISSIONERS DECISION

APPROVED _____ **MOTION BY** _____
REJECTED _____ **SECONDED** _____
HELD _____ **VOTE** _____

STIPULATIONS:



Z-53 2017-GIS



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: Brooks Chadwick Capital, LLC

PETITION NO.: Z-53

PRESENT ZONING: R-20

PETITION FOR: CRC

ZONING COMMENTS:

Staff Member Responsible: Terry Martin, MPA

Land Use Plan Recommendation: Public Institutional (PI)

Proposed Number of Buildings: 7 **Total Square Footage of Development:** 103,000 sq. ft.

F.A.R.: 0.17 **Square Footage/Acre:** 7,442 sq. ft.

Parking Spaces Required: approx. 582 **Parking Spaces Provided:** 600

The applicant is requesting a rezoning of the subject site from its current R-20 single-family residential district zoning to the CRC community retail commercial district in order to redevelop for a retail shopping center. Though currently zoned R-20, the site is owned by the Cobb County Board of Education and built as Mountain View Elementary School. The rezoning will allow for the sale of the property and redevelopment for a mixture of retail, restaurant, grocery, bank, and other permitted retail uses.

The applicant proposes to develop the retail center with an architecture of modern and traditional with finishes in stone, glass, brick, stucco, and combinations thereof. Proposed hours for the uses will be restaurants – 6a.m. to 2a.m., seven days a week, grocery – 7a.m. to 12 a.m., seven days a week, and retail 7a.m. to 10p.m., seven days a week.

If approved as presented, the proposal will require the following variances:

1. Waive the rear setback from the required 30 feet to 10 feet adjacent to the neighboring CRC property to the east (Target); and
2. Waive the required 35 foot landscaped buffer adjacent to residentially zoned property along the southern property line adjacent to County owned property.

Cemetery Preservation: There is no 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: Brooks Chadwick Capital, LLC

PETITION NO.: Z-53

PRESENT ZONING: R-20

PETITION FOR: CRC

SCHOOL COMMENTS:

		Capacity	Number of
Name of School	Enrollment	Status	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.

APPLICANT: Brooks Chadwick Capital, LLC

PETITION NO.: Z-53

PRESENT ZONING: R-20

PETITION FOR: CRC

FIRE COMMENTS:

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

Modifications may be required to incorporate the following 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: Brooks Chadwick Capital, LLC
PRESENT ZONING: R-20

PETITION NO.: Z-53
PETITION FOR: CRC

PLANNING COMMENTS:

The applicant is requesting a rezoning from R-20 to CRC for the purpose of retail, restaurant, bank Grocery Store. The 13.841 acre site is located on the east side of Sandy Plains Road, south of Shallowford Road and at the northern terminus of Hunters Lodge Road.

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 Public Institutional (PI) future land use category, with R-20 zoning designation. The purpose of the Public/Institutional (PI) category is to provide for certain state, federal or local government uses and institutional land uses such as government building complexes, police and fire stations, colleges, churches, hospitals, etc.

Specific Area Policy Guidelines:

There are no specific policy guidelines for this area in the Comprehensive Plan.

Adjacent Future Land Use:

Northeast: Community Activity Center (CAC)
Southeast: Community Activity Center (CAC) and Low Density Residential (LDR)
Southwest: Public Institutional (PI)
Northwest: 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
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.

APPLICANT: Brooks Chadwick Capital, LLC

PRESENT ZONING: R-20

PETITION NO.: Z-53

PETITION FOR: CRC

PLANNING COMMENTS:

CONT.

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: Brooks Chadwick Capital, LLC

PRESENT ZONING: R-20

PETITION NO.: Z-53

PETITION FOR: CRC

PLANNING COMMENTS:

CONT.

Is the property eligible for incentives through the Commercial and Industrial Property Rehabilitation Program? ☐ Yes ☒ No

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☐ 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 Brooks Chadwick Capital, LLC

PETITION NO. Z-053

PRESENT ZONING R-20

PETITION FOR CRC

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): 8" DI / E side of Sandy Plains Rd

Additional Comments: Sweat Mtn High Service Area (no special fee)

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: On site

Estimated Waste Generation (in G.P.D.): A D F= TBD Peak= TBD

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

Dry Sewers Required: ☐ Yes ☒ No

Off-site Easements Required: ☐ Yes* ☒ No *If off-site easements are required, Developer must submit easements to CCWS for review/approval as to form and stipulations prior to the execution of easements by the property owners. All easement acquisitions are the responsibility of the Developer

Flow Test Required: ☐ Yes ☒ No

Letter of Allocation issued: ☐ Yes ☒ No

Septic Tank Recommended by this Department: ☐ Yes ☒ No

Subject to Health Department Approval: ☐ Yes ☒ No

Additional
Comments:

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: Brooks Chadwick Capital, LLC

PETITION NO.: Z-53

PRESENT ZONING: R-20

PETITION FOR: CRC

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 on the east side of Sandy Plains Road, just south of its intersection with Shallowford Road and is the location of the old Mountain View Elementary School. The entire site drains to the west across Sandy Plains Road into and through the Kroger Shopping Center.
2. Stormwater management for the site will be provided by underground detention located beneath the parking lot.
3. The impervious coverage for the existing school site is approximately 39%. The proposed CRC retail/commercial development will be limited to 70%.

APPLICANT: Brooks Chadwick Capital, LLC

PETITION NO.: Z-53

PRESENT ZONING: R-20

PETITION FOR: CRC

TRANSPORTATION COMMENTS:

REVISED 8-21-17

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

ROADWAY	LOCATION	AVERAGE DAILY TRIPS	LEVEL OF SERVICE
Sandy Plains Road	South of Davis Road	25,600	D

Based on 2015AADT counting data taken by GDOT, as published on their website, for Sandy Plains 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

Sandy Plains 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.

This development proposes to cut off inter-parcel access with Mountain View Community Center. This will leave one point of ingress & egress from Sandy Plains Road that is substandard in width.

RECOMMENDATIONS

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

Recommend a deceleration lane for each entrance on Sandy Plains Road.

Recommend installing a flashing yellow arrow for left turn movements at the existing signal. Recommend developer contribute 100% of the cost for traffic signal modifications.

Recommend keeping inter-parcel access between the development and Mountain View Community Center.

STAFF RECOMMENDATIONS

Z-53 BROOKS CHADWICK CAPITAL, 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. The corner of Sandy Plains and Shallowford Roads is a major commercial node with a wide range of retail and restaurant uses similar to those being proposed by the applicant's current proposal.
- 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. As a continuation of those commercial uses along Sandy Plains Road, the applicant's proposal will not affect those nearby properties. Also, though zoned residentially, the County-owned parks properties such as the Art Center and Mountain View Community Center should not be negatively impacted by the proposed retail development. Though Cutters Gap Subdivision lies directly to the east of the subject property, the applicant does propose the Code-required 35 landscaped buffer adjacent to these residential properties.
- 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 may not be in conformity with the policy and intent of the *Cobb County Comprehensive Plan* which delineates the property to be within the PI Public Institutional Future Land Use Category. Due to its existing use as a public school (Mountain View Elementary), the future land use reflects its institutional land use. It should be noted that the Board of Commissioners, in making land use decisions, use the future land use map as a guide in the decision making process, but there are circumstances when decisions will be made that are contrary to this document based upon a change in market conditions, information unbeknownst to staff/community in the preparation of this document, or some other condition.
- 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 request to redevelop the existing Mountain View Elementary School site for a shopping center containing a mix of retail, restaurant, grocery, bank, and other permitted uses is compatible with the area. The Corners of Sandy Plains Road and Shallowford Road is an established commercial center. Though the current future land use of PI reflects the existing school use, redevelopment for retail and other commercial uses consistent with the surrounding CAC designated areas can be supported by staff. Those immediately adjoining residential neighbors to the east will be protected by the applicant's inclusion of the Code-required buffering adjacent to these properties.

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

1. Site plan received by the Zoning Division on July 6, 2017, with the District Commissioner approving minor modifications;
2. Fire Department comments and recommendations;
3. Stormwater Management Division comments and recommendations;
4. Water and Sewer Division comments and recommendations;
5. Department of Transportation comments and recommendations;

Z-53 BROOKS CHADWICK CAPITAL, LLC (Continued)

6. No outdoor storage or outdoor display of merchandise;
7. District Commissioner to approve building architecture for each building;
8. Developer to install 35 foot landscape buffer adjacent to single-family uses;
9. District Commissioner to approve lighting plan that directs light away from the single-family uses; and
10. Buffer planting plan adjacent to single-family houses be reviewed by the County Arborist and approved by the District Commissioner.

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.

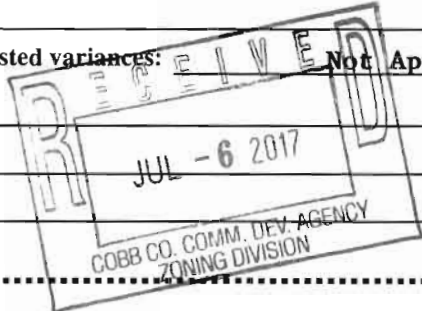
Application No. 53
(2017)

Hearing Dates: PC - 09/07/2017
BOC - 09/19/2017

*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: Not Applicable
c) List all requested variances: Not Applicable



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

- a) Proposed use(s): Retail, Restaurant, Grocery, Bank, and other possible permitted retail uses
b) Proposed building architecture: Modern, Traditional, Stone, Glass, Brick, Stucco, and combinations thereof
c) Proposed hours/days of operation: Restaurants-6 a.m.-2 a.m.; 7 days/week; Grocery-7 a.m.-12 a.m./7 days/week; Retail-7 a.m.-10 p.m.; 7 days/week
d) List all requested variances: Variance to vary buffer adjacent to Cobb County property

.....
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.

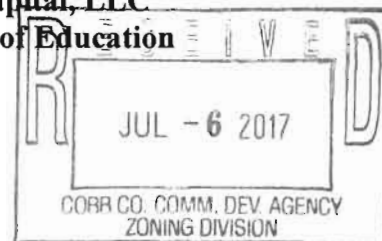
.....
*Applicant specifically reserves the right to amend any information set forth in the Summary of Intent for Rezoning, or any other portion of the Application for Rezoning, at any time during the rezoning process.

ATTACHMENT TO APPLICATION FOR REZONING

IMPACT ANALYSIS STATEMENT

Application No.: Z-53 (2017)
Hearing Dates: September 7, 2017 and
September 19, 2017

Applicant: Brooks Chadwick Capital, LLC
Titleholder: Cobb County Board of Education



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

- (a) The Application for Rezoning requests rezoning of an approximately 13.8411 acre tract from the existing zoning category of R-20 to the proposed zoning category of Community Retail Commercial (“CRC”) for the purpose of a retail center. The requested category of CRC will permit a use that is more suitable in view of the use and development of adjacent and nearby properties. The property is located on the southeasterly side of Sandy Plains Road, southwesterly of Shallowford Road, being currently the location of Mountain View Elementary School at 3448 Sandy Plains Road (hereinafter the “Property” or the “Subject Property”). The Property is southeasterly of a major intersection—Shallowford Road and Sandy Plains Road; as well as in the immediate vicinity of three major retail developments, two of which are zoned to the CRC zoning category and one being zoned to the General Commercial (“GC”) zoning category. Additionally, and also at the intersection, there is a smaller retail development zoned to the Neighborhood Shopping (“NS”) zoning classification. Properties providing services to the community are also located immediately adjacent to the Subject Property. The Property lies within a Public/Institutional Future Land Use category, and is located immediately adjacent to a Community Activity Center (“CAC”) Future Land Use designation. This type of land use designation allows development of retail centers of the type and nature being proposed by Applicant. To utilize the Property to its highest and best potential, rezoning to the CRC zoning classification is required.
- (b) This zoning proposal will have no adverse effect on the existing use or usability of adjacent or nearby properties. The proposed retail uses will have a minimal, if any, impact on surrounding properties. The rezoning should have a positive effect to allow for additional uses in the area which would offer a selection of services and providers; and enhance the services offered at surrounding retail centers. 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.

- (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.
- (f) Improvements to the area roadways have been made to ease traffic flow in order to accommodate growth. The Property has been used by the Cobb County Board of Education as an elementary school since the 1960s. Through the years, the entire area has changed dramatically since the development of the Subject Property. The Property is now located on a major corridor and is adjacent on two sides and across Sandy Plains Road with major commercial development. Additionally, the Property is also adjacent to recreational and cultural properties which provide services to residents within the community. These conditions, in addition to the economic climate, make the zoning proposal consistent with current conditions affecting the Subject Property.

