

NOVEMBER 19, 2024 ZONING HEARING

"OTHER BUSINESS"

COMMISSION DISTRICT 2

ITEM OB-74-2024

To consider a stipulation and site plan amendment for Riverview Associates, Ltd. regarding cases Z-49 of 2008 and Z-102 of 2016. The property is located at the northwesterly intersection of Cobb Parkway and Paces Mill Road in Land Lots 976, 977, 1016 and 1017 of the 17th District (3300 Cobb Parkway).

BACKGROUND

The subject property was rezoned to Regional Retail Commercial (RRC) in 2008 and 2016 for a mid-rise and high-rise mixed-use development consisting of office, retail, and residential. The applicant would like to revise the mixture of uses and residential unit size (average 1,100 square-feet) to suit the current real estate market. Staff believe it is important to review the previous zoning history to understand the current request:

1. Z-49-2008 initially submitted with **569,000** square feet (sf) of mixed used development comprising of 200,000 sf of office, 264,000 sf of residential (240 units at 1,100 sf per unit), and 105,000 sf of retail.
2. Z-49-2008 was approved by the Board of Commissioners (BOC) on February 17, 2009 with **342,600** sf comprising of 105,000 sf of retail & office, and 237,600 sf of residential (216 units at 1,100 sf per unit).
3. Z-49 -2008 was appealed and was settled (OB-2, October 2010) with **542,600** sf comprising of 200,000 sf of office, 237,600 sf of residential (216 units at 1,100 sf per unit), and 105,000 sf of retail.
4. Z-49-2008 was amended by OB-3 (December 2012) with **522,600** sf comprising of 180,000 sf of office, 237,600 sf of residential (216 units at 1,100 sf per unit), and 105,000 sf of retail.
5. Z-102-2016 was approved November 2016 with **497,600** sf comprising of 180,000 sf of office, 237,600 sf of residential (216 units at 1,100 sf per unit), and 80,000 sf of retail.

The applicant desires to amend the site plan and stipulations to have 490,000 sf of mixed use comprising of 110,000 sf of retail, 290,000 sf of residential (290 units at 1,000 sf per unit), and 90,000 sf of hotel (130 keys). The project was originally a Development of Regional Impact (DRI) in 2008, however the DRI thresholds have been raised and the current request does not qualify for a DRI. If the amendments are approved, all previous stipulations not in conflict would remain in effect.

STAFF COMMENTS

Site Plan Review: No comments.

Water & Sewer Comments: Fire flow will now be required; plant capacity now available for more than 15 years.

Stormwater Management:

1. This site is currently developed and is proposed to be redeveloped per the submitted site plan.
2. The site is within the ARC/MRPA Corridor and will need to be reviewed to ensure the proposed site plan is consistent with the Chattahoochee River Corridor Plan.
3. Stormwater Management requirements for Runoff Reduction/Water Quality, Channel Protection, and detention to control post-development flowrates must be provided for the proposed development.
4. The proposed development should remain clear of the stream buffers and floodplain associated with Camp Bert Adams Creek along the southwest property boundary line of the site.

Fire Department: See attached.

Cobb DOT: See attached.

STAFF RECOMMENDATION

The Board of Commissioners conduct a Public Hearing and consider the proposed site plan amendment and stipulation amendment.

ATTACHMENTS

Other Business application and stipulations.

FIRE COMMENTS:

The owner/tenant maintain the sole responsibility for the design and correcting all errors, omissions, problems, and code (if any) exposed during construction AFTER authorization by Cobb County.

COMMERCIAL / INDUSTRIAL ACCESS:

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 2012 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, 35 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. (IFC D103.2)

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 highest roof surface. (IFC: D105.1)

Aerial fire apparatus access roads shall be a minimum width of 26 feet and between 15' and 30' from the structure and be positioned parallel to one of the entire long 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)

FIRE HYDRANTS:

Hydrant location must be within 500 feet of the most remote portion of each structure.* (Additional hydrant may need to be installed.)

The road at the fire hydrant must have a minimum width of 26 feet and a minimum length of 40 feet, centered on the hydrant. (IFC D103.1)

Fire Flow Test from closest existing hydrant shall be provided meeting the minimum. (Required Flow: 1,500 gpm @ 20 psi)

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.

C/O:

Plans must be submitted to the Cobb County Fire Marshal's Office to initiate the Certificate of Occupancy process. Contact the Cobb County Fire Marshal's Office to initiate the Certificate of Occupancy process.

The above is not an all-inclusive list, all applicable fire and life safety provisions must be met.

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Roadway	Roadway classification	Speed limit (mph)	Jurisdictional control	Min. R.O.W. requirements
Cobb Parkway (US 41)	Arterial	45	GDOT	100'
Paces Mill Road	Major Collector	35	Cobb County	80'

Roadway	Location	Average daily trips (vpd)	Level of service
Cobb Parkway (US 41)	North of Cumberland Blvd	17,300	C
Paces Mill Road	West of Paces Ferry Road	20,100	C

*Based on 2023 GDOT counting data for Cobb Parkway and Paces Mill 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 arterial roads and collector roads from this data source.
 LOS C or D is acceptable based on GDOT Design Policy Manual criteria.*

ITE Land Use	Description	Expected Size	AM			PM			Daily (vpd)
			In (vph)	Out (vph)	Total (vph)	In (vph)	Out (vph)	Total (vph)	
221	Multifamily Housing (Mid Rise) (4-10 floors)	290 DU	25	83	107	69	44	113	1,317
310	Hotel (General Urban/Suburban)	130 rooms	33	26	60	26	39	77	1,039
821	Shopping Plaza with Supermarket (40K-150K)	110 KSF	144	89	388	286	310	993	10,394
TOTAL			203	197	555	394	392	1,183	12,749

vph = vehicles per hour, vpd = vehicles per day, DU = dwelling units, KSF= 1,000 square feet
 Development gross trip generation based on available development size and rates from the Institute of Transportation Engineers (ITE) Trip Generation, 11th edition.

Comments and Observations

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.

Paces Mill Road 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.

In accordance with Cobb County Code 134-121 and based on site plan received October 15, 2024, this development does require a traffic study submittal. Cobb DOT reviewed a traffic study for a more intense proposed use of this site (OB-15-2024) as described below. Therefore, the traffic study requirement for this development can be considered complete.

Cobb DOT received a traffic Submittal 2 (dated February 14, 2024; received February 15, 2024) with an included site plan. The traffic impact study and site plan retained a right-in right-out driveway at the existing Driveway 3 location. A meeting was held between Cobb County and the developer team on March 4th to discuss the overall parcel history, including its previous zoning stipulations. The consensus of that meeting was that the Driveway 3 location would be allowed to remain as a right-in right-out only driveway in its existing location. With Driveway 3 remaining in place, the February 14th Submittal 2 was accepted, reviewed, and approved by Cobb DOT.

Recommendations:

1. Recommend a traffic study pursuant to Code Section 134-121(b)(8). However, the traffic study requirement for this development can be considered complete based on the acceptance of the approved traffic study from previous zoning case OB-15-2024.
2. Recommend constructing curb, gutter, and sidewalk along the Paces Mill Road frontage. This recommendation is pursuant to Cobb County Development Standard 401.15, Curbs and Gutters (including subsections), Cobb County Development Standard 404 Sidewalks and Pathways, Cobb County Development Standard 405 Accessibility Requirements, and Cobb County Development Standard Detail 106, Concrete Curbs, Medians.
3. Recommend Paces Mill Road access points include deceleration lane, taper and/or improved curve radius to address safety because Paces Mill Road is a major collector roadway. This recommendation is pursuant to Cobb County Development Standard 402.9, Deceleration Lanes/Roadway Improvements Along Existing Streets, and Cobb County Development Standard Detail 401A, Deceleration Lanes. Recommend location and design be determined during plan review, subject to CCDOT approval.
4. Recommend a minimum of 50 feet straight-line distance from the edge of the right-of-way line on Paces Mill Road to the first internal parking space or drive aisle to allow for vehicle stacking. This recommendation is pursuant to Cobb County Development Standard 402.8, Non-Residential Driveways and Cobb County Development Standard Detail 116. To comply with this requirement, recommend closing or relocating the immediate access from the easternmost driveway on Paces Mill Road to the parking lot or limit that internal opening to egress only onto the driveway.

5. Recommend constructing a raised concrete island in lieu of the existing painted island at the easternmost driveway on Paces Mill Road to aid compliance with turn restrictions. The final design of this driveway, including any improved radius and/or taper in lieu of a right turn lane due to geometric constraints, will be addressed through Plan Review.
6. Recommend Paces Mill Road westernmost access include left turn lane to address safety because Paces Mill Road is a major collector roadway. This recommendation is pursuant to Cobb County Development Standard 402.10, Left Turn Lane Design Guidelines, and Cobb County Development Standard Detail 401F, Left Turn Lane. Cobb DOT also follows Table 9-24 and Figure 9-35 recommendations published in the American Association of State Highway and Transportation Officials (AASHTO) *A Policy on Geometric Design of Highways and Streets* (Green Book), 7th Edition.
 - a. Due to extenuating circumstances of the site and location, a left turn waiver request (Submittal 4) may be submitted by the developer team during the Plan Review process.
 - b. The waiver should be submitted in a memorandum and outline the reasons behind the left turn lane variance including but not limited to: the design and construction feasibility, any possible hardships, as well as all constraints of the site and adjacent road network.
 - c. As part of the waiver review during the Plan Review process Cobb DOT will retain the right to prohibit left-in movements at the development driveway if a needed left turn lane cannot be installed.
 - d. Recommendation 6 will be considered satisfied if a Submittal 4 left turn waiver request at the Paces Mill Road westernmost access driveway is approved by Cobb DOT during the Plan Review process.
7. Recommend Georgia Department of Transportation (GDOT) permits for any work that encroaches upon State right-of-way.
8. Recommend applicant be required to meet all Cobb County Development Standards and Ordinances related to project improvements.