

**BOARD OF COMMISSIONERS**

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Bill Byrne
CHAIRMAN

August 1, 1997

Ms. Beverly Rhea, Review Coordinator
Atlanta Regional Commission
200 Northcreek, Suite 300
3715 Northside Parkway
Atlanta, Georgia 30327-2809

**SUBJECT: Development of Regional Impact (DRI) - Pulte Kennesaw Subdivision
City of Kennesaw, Cobb County, Georgia**

Dear Ms. Rhea:

Thank you for the opportunity to comment on the Pulte Kennesaw Subdivision DRI. After carefully reviewing the City of Kennesaw's Request for Review and a copy of the Atlanta Regional Commission's (ARC) preliminary report, we offer the following comments for your consideration:

Planning and Zoning

- The subject property is presently zoned Planned Residential Development (PRD) and R-20 (Cobb County) and designated for low density residential use (1-2.5 DUA) on the County's Future Land Use Map (FLUM). Based on the current future land use designation, we estimate that the development of this property could result in the construction of approximately 174 to 434 dwelling units if the maximum allowable densities were achieved. This estimate is based on the County's current policy of excluding wetlands and flood plain areas from residential density calculations. The total number of dwelling units proposed represents a 51 percent increase or approximately 222 more units than what would be permitted if the property was being developed in accordance with County guidelines.

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According to the information reviewed the gross density of the proposed project would be 3.5 DUA. However, when you apply the County's policy of excluding flood plain and wetland areas (approximately 13.3 acres) from the residential density calculations the density increases to 3.77. We feel the County's policy of excluding flood plain and wetlands from residential density calculations is an important factor in preserving environmentally sensitive areas but also is a means for controlling residential growth. This is of particular concern in the North Planning Area of Cobb County where recent annexations and rezonings have been somewhat inconsistent with the County's adopted Future Land Use Map. These inconsistencies have had a significant impact on the County's ability to properly plan for the infrastructure needs (i.e., water and sewer) of this area. In fact, the County has stated on Page 147 of its Comprehensive Plan that within the next 5 years, it will be very important to prepare land development guidelines and boundaries, which all parties can implement. We believe this type of arrangement with our municipal neighbors is precisely what is called for in House Bill 489 on Local Government Service Delivery Strategy and we are looking forward to beginning these discussions. The significance of these issues has also been communicated in previous correspondence to the City of Kennesaw in a letter dated November 13, 1996 involving comments on their draft comprehensive plan (Attachment A).

- The City states on its DRI Request for Review that the proposed development is consistent with its comprehensive plan. The County would ask what criteria is being used to determine this consistency? This property would not be subject to any future land use classifications imposed by the City until such time as the proposed annexation becomes effective and the City properly amends its Future Land Use Map to include the recently annexed property. Furthermore, we understand that the final draft comprehensive plan recently submitted by the City of Kennesaw to ARC still does not meet minimum standards. In light of these issues, we feel it would be premature to conclude that this project is consistent with the City's comprehensive plan.
- According to the information reviewed by our staff the applicant is proposing residential lots that would range from 4,000 to 7,700 square feet in size with some being larger. The County's Planned Residential Development zoning classification requires a minimum lot size of 8,400 square feet. In addition, the County's PRD zoning requirements also mandate a minimum open space requirement of 1,000 square feet per lot. The proposed reviewed by our staff indicates that only 550 square feet will be provided per lot.

Community Facilities/Infrastructure

- We anticipate that sewer flows generated from this property would flow to the Proctor Creek Interceptor and then to the Northwest Water Reclamation Facility (NWWRF). At

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buildout we would anticipate a flow of approximately 0.26 MGD. The Cobb County Water System (CCWS) is presently upgrading the capacity of the NWWRF.

There is an existing 6-inch water main on Old 41 Highway. We would have some serious concerns regarding the existing water main's ability to supply adequate domestic and fire protection flows. The developer should be advised that they may have to upgrade this water main in order to meet the water distribution requirements created by this proposal.

- Strict adherence to the Georgia Erosion and Sedimentation Control Act is vital to stop sediment damage to Proctor Creek which flows into Lake Acworth. The appropriate buffers adjacent to the waterways should be determined with extreme care. Compliance with the minimum buffer standards may not be sufficient to protect what have been and will continue to be highly valued natural resources (i.e., Proctor Creek and Lake Acworth).
- The Cobb County Department of Transportation has reviewed this development proposal. Their comments and recommendations are provided in Attachment B.
- Cobb County Public Schools has also reviewed the proposed development. A summary of their comments are provided in Attachment C.

General Comments - Points of Clarification

- There are numerous references throughout the information reviewed by our staff which indicate that the subject property is "partly" in the City of Kennesaw. Our records show that no portion of the subject property is located within the City of Kennesaw at this time. In fact, it would appear the project site is entirely within unincorporated Cobb County.
- Point of Clarification - The impact statement makes reference to the subject parcel being located in a fast growing area with overlapping jurisdictions of Cobb County, City of Kennesaw, and City of Acworth. We would simply question the accurateness of this statement when the City of Acworth presently has no control or interests in the future use of this property at this time.
- Point of Clarification - The impact statement also implies that the recreational amenities which are to be a part of the development proposal will be available to the general public

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and would relieve the City from having to build similar amenities in the future. As best, this would be a very unusual arrangement since these amenities would be paid for with private dollars and at its worst, this statement would be somewhat misleading. Furthermore, it is unlikely that the future homeowners in this subdivision would want to share their recreation amenities with the general public without them having to share in the liability insurance and operation/maintenance costs. We know of no examples here in Cobb County where this type of arrangement has been proposed and successfully implemented.

- Package of information reviewed by our staff did not include a preliminary site plan. Therefore, some of our comments and recommendations will be very general in nature.
- As of the writing of this letter, the County has not been notified of the proposed annexation. According to state law we must be given written notice of a pending annexation within five business days of accepting an application for annexation (O.C.G.A. Chapter 36-36-6.). This notice must be sent by certified mail with a return receipt requested (O.C.G.A. 36-36-9.).

We appreciate this opportunity to provide you with these comments during your DRI review process. Please contact Mr. Michael Hughes at (770) 528-2199 or Mr. Rob Hosack at (770) 528-2191 if you have any additional questions or comments.

Sincerely,



William J. Byrne, Chairman
Cobb County Board of Commissioners

Attachments

cc: Commission William Cooper
David Hankerson, County Manager
Roswell Story, Assistant County Manager
Sam Young, Assistant County Manager
Robert Harrison, Community Development Director
Rob Hosack, Planning Division Manager
Dan Dobry, Deputy Director DOT
Steve McCullers, Director of Engineering CCWS
Michael Hughes, Intergovernmental Coordinator



TO: 4043642599
**Cobb County
Board of Commissioners**

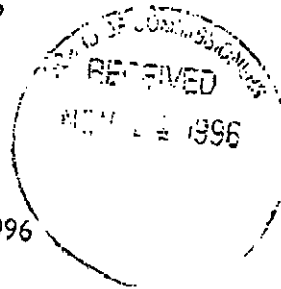
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AUG 1, 1997 10:03AM #539 P.06

Chairman
Bill Byrne

William A. Cooper
C. Freeman Poole
Joe L. Thompson
Gordon J. Wysong

County Clerk
Carol G. Myers



November 13, 1996

Beverly Rhea
Review Coordinator
Atlanta Regional Commission
3715 Northside Parkway
200 Northcreek, Suite 300
Atlanta, Georgia 30327

Dear Ms. Rhea:

Thank you for the opportunity to comment on the Kennesaw Comprehensive Plan Update.
On behalf of Cobb County, I present the following:

Economic Development

- * Point of Clarification - Census tract 302.05 does not contain the City of Kennesaw.

Land Use - Specific

- * Point of Clarification - West Cobb is not being developed at higher densities than East Cobb. Statements such as "West Cobb is being developed at higher densities than East Cobb and in many instances is being developed at the same density as infill development in East Cobb" (page 7 of draft land use element submitted) are inaccurate.
- * Point of Clarification - The text makes several references to Regional Activity Centers; however, there are none shown (including legend of map) on the Future Land Use Map.
- * Page 4 of the draft land use element submitted states that "As the physical boundaries of Kennesaw grow, the north will have high density residential and activity centers, to the west and northwest will be medium and low density residential and to the south, industrial compatible and regional and community activity centers will predominate." This seems to contradict an assessment made on page 2 of the draft land use element which states, "Little land zoned for light industry will remain undeveloped once the current wave of construction is complete, but the lack of land will not harm the city in the short term. Kennesaw can gain additional land through annexation or rezoning

if the need arises. Much of the land to the north of the city has been designated as Industrial Compatible by Cobb County, for instance." Cobb County has, in its own plan update, identified that there could be a shortage of industrial land by 2015. The county would be very concerned if this land were converted to high density residential via annexation. The preceding paragraph also indicates another potential land use conflict. Adjoining county property to the west and northwest of the city is recommended via the county's adopted future land use map as low density residential. The city has indicated the potential for medium density residential.

* The county's updated plan identified a potential land use conflict in and around the Legacy Park subdivision which is referenced in the land use element of this draft. This draft does not appear to contain any actions on the city's behalf to mitigate the conflict. As stated in the county's plan, prior to annexation, this property and all surrounding property was zoned and recommended via the future land use map for industrial and commercial uses. This scenario may also apply to the conflict between the private school and the concrete mixing plant referenced on page 6 of the land use element.

* The draft Future Land Use Map did not indicate land uses for a recently annexed parcel rezoned for multifamily use (referenced on page 13 of land use element - 43 acre tract in land lot 206).

Land Use - General

* We feel the city has done an excellent job in preparing their future land use map with respect to compatibility with adjacent county property. The county does have a concern, however, with future land use for annexed properties. There are several references in the draft that "the city intends to aggressively annex properties." In some instances that appears to be how the city will deal with any shortages or problems, etc.

Cobb County is not opposed to municipal annexation. Cobb County is concerned about adequate infrastructure and future service provisions as it relates to annexation. Page 8 of the draft land use element states, "Some areas are growing so fast it may take several years to provide adequate service, but that is frequently beyond Kennesaw's control. For example, most road funding comes from federal and state sources and the fastest growing parts of the city are outside Kennesaw's water boundary, as mentioned in the Community Facilities Element." This statement mirrors the county's concerns which were outlined in our comprehensive update. Via our approved short term work program, we will attempt to:

- 1) Execute intergovernmental agreements with all municipalities which establish development guidelines and boundaries with respect to sewer service capacity.
- 2) Prepare a buildout scenario (including projects approved/permitted but not yet built) for the Northwest Plant basin to determine capacity and make land use amendments as necessary.

- 3) Execute intergovernmental agreements with all the municipalities which coordinate any annexation with adequate public safety delivery.
- 4) Execute intergovernmental agreements with all Cobb County municipalities to facilitate the sharing of municipal annexation and land development data with Cobb County Public Schools for school planning purposes.

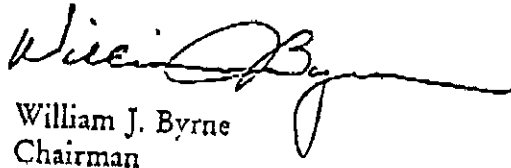
We would request that the city include these 4 tasks in their short term work program. (Possibly in conjunction with work program tasks - Ongoing & 1997 - dealing with long term annexation.)

Policies and Actions

- * Cobb County is not pursuing the implementation of a Geographic Information System at this time.
- * We would request involvement in any project or action that concerns or involves the Cobb County Airport.

Thanks again for this opportunity to comment. If there are any questions or issues which we can assist the city, please feel free to have them contact Rob Hosack (528-2191) or Michael Hughes (528-2199) with our Planning Division.

Sincerely,


William J. Byrne
Chairman

WJB:RLH:rm

cc: Commissioner Bill Cooper
David Hankerson
Rob Hosack
Michael Hughes

K:\USERS\PLANNING\KENNESAW

TRANSPORTATION COMMENTS**PETITION NO. E-27-24.97**

The following comments and recommendations are based on field investigation and office review of the subject rezoning case:

ROADWAY	AVERAGE DAILY TRIPS	CLASSIFICATION	MIN. R.O.W. REQUIREMENTS
Old 41 Hwy	8540	Arterial	100'

COMMENTS:

Old 41 Hwy is classified as an Arterial. According to the available information, the existing right-of-way does not meet the minimum requirements for this classification.

Due to the number of lots proposed (656), two access locations should be provided to allow dispersal of traffic movements into and out of the proposed subdivision and to provide alternate access for emergency vehicles.

The applicant will have to verify that minimum intersection sight distance is available. If it is not, the applicant will have to implement remedial measures, subject to approval by the Department, to achieve the minimum requirements of 475' for each proposed access at its intersection with the Arterial.

As necessitated by this development for ingress/egress to the Arterial a minimum 150' acceleration and 150' deceleration lane will be required at each access location.

A dedicated left turn lane should be provided at each access location for enhanced traffic safety and operations due to mix of industrial and residential traffic on Old 41 Hwy.

Cobb DOT's Pathway project specifically identified Proctor Creek as a corridor. The Pathway project has been initiated in an effort to provide non-vehicular access to various activity centers across Cobb County, encouraging pedestrian and alternative forms of transportation and reducing the need for vehicular travel. Consider conveying flood plain as public right of way.

RECOMMENDATIONS:

Recommend applicant consider entering into a Development Agreement pursuant to O.C.G.A. §36-71-13 for dedication of the following system improvements to mitigate traffic concerns: a) donation of right-of-way on the north side of Old 41 Hwy a minimum of 50' from the roadway centerline b) conveyance of flood plain along Proctor Creek

Applicant verify that minimum intersection sight distance is available and if it is not, implement remedial measures, subject to the Department's approval, to achieve the minimum requirements of 475'.

Recommend 150' Deceleration and 150' Acceleration lane for ingress/egress from the Arterial at each access location.

Recommend dedicated left turn lane be provided at each access location.

Recommend applicant be required to meet all Cobb County Development Standards and Ordinances related to the project improvements along Old 41 Hwy.

ATTACHMENT C

RESIDENTIAL LAND REZONING IMPACT ANALYSIS
COBB COUNTY SCHOOL DISTRICT
EDUCATIONAL LEADERSHIP DIVISION / PLANNING

JULY 24, 1997

REFERENCE NUMBER: ARC DEI REVIEW PLANNING COMMISSION HEARING:
JURISDICTION: CITY OF KENNESAW BD OF COMMISSIONERS HEARING:
APPLICANT NAME: PULTE HOME CORPORATION
REPRESENTATIVE: DOUG PULTE
PRESENT ZONING: (P1, COBB CO.) PROPOSED ZONING: KENNESAW PUD-R
HOUSING UNITS: 656 HOUSING TYPE: SFD ACRES: 187.03
LAND DISTRICT: 20 LAND LOT(S): 89,103,126
PROPERTY ACCESS: OLD HIGHWAY 42

1997-98 PROJECTED ENROLLMENTS AND CAPACITIES FOR SCHOOLS SERVING DEVELOPMENT:

NAME OF SCHOOL	INSTRUCTIONAL UNITS CLASSROOMS / PCUs	ASSIGNED TEACHERS	ENROLLMENT (FTE)	CAPACITY (FTE)
ELEMENTARY				
KENNESAW E.S. ***	45 2	54	652	762
MIDDLE				
AWTREY M.S. ***	63 1	86.1	1374	1262
HIGH				
NORTH COBB H.S. ***	88 11	124.5	2175	1980

FUTURE CLASSROOM CONSTRUCTION TO BE COMPLETED WITH 1995 BOND REFERENDUM FUNDS:

KENNESAW E.S.

CLASSROOM ADDITION TO INCREASE CAPACITY TO 1062 BY AUG 98.

AWTREY M.S.

NONE

NORTH COBB H.S.

CLASSROOM ADDITION TO INCREASE CAPACITY TO 2249 BY AUG 98.

NOTES:

1. "***" INDICATES SCHOOL OPERATING ABOVE CAPACITY AND USING PCUs.
2. "PCUs" DENOTES PORTABLE CLASSROOM UNITS.
3. "FTE" DENOTES GA/DOE ENROLLMENT UNITS OF FULL-TIME (STUDENT) EQUIVALENTS.