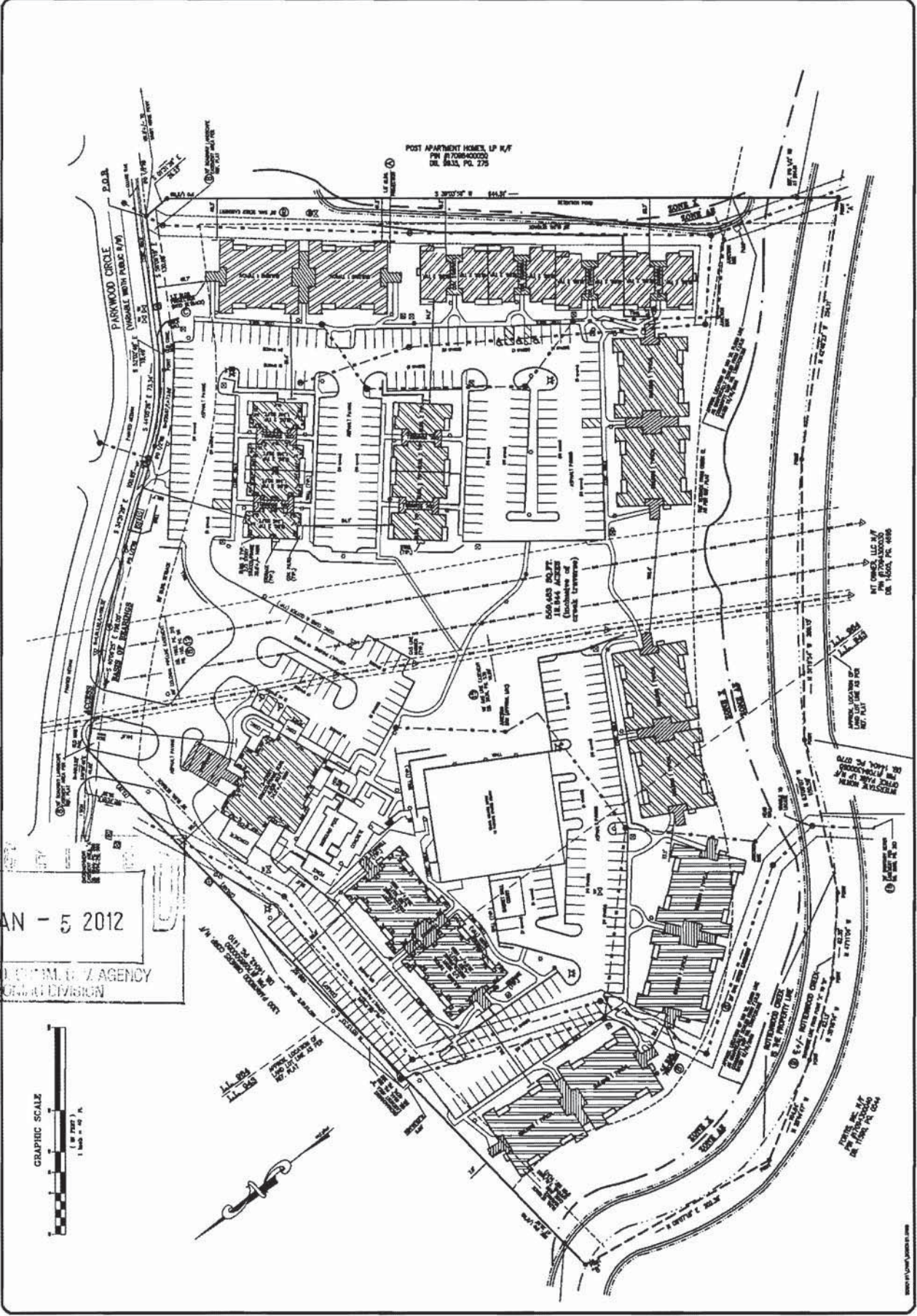


Z-12
(2012)

NO. DATE		SHEET TITLE		PROJECT		SHEET NUMBER	
1		HAYTHORNE SUITES		17330 Preston Road, Suite 150A		3 of 3	
2				17330 Preston Road, Suite 150A		PROJECT NUMBER	
3				Dallas, Texas 75252		DR090431	
4				P:(469) 737-7000 F:(469) 737-			
5				ATLANTA, GEORGIA			
DRAWN BY: [REDACTED]		CHECKED BY: [REDACTED]		COPYRIGHT © 2012 OLD REPUBLIC SITE MANAGEMENT SERVICES, A.L.S.			



JAN - 5 2012

COMMUNITY DEVELOPMENT AGENCY
ZONING DIVISION



APPLICANT: Highland Place Properties, LLC
(770) 933-0043

REPRESENTATIVE: John H. Moore (770) 429-1499
Moore Ingram Johnson & Steele, LLP

TITLEHOLDER: Northwest Atlanta Hotel Partners, L.P., by
HAWATL Associates, LLC, as Receiver

PROPERTY LOCATION: On the southwest side of Parkwood Circle,
west of Windy Ridge Parkway
(1500 Parkwood Circle).

ACCESS TO PROPERTY: Parkwood Circle

PHYSICAL CHARACTERISTICS TO SITE: Existing apartment
development

PETITION NO: Z-12

HEARING DATE (PC): 03-06-12

HEARING DATE (BOC): 03-20-12

PRESENT ZONING: O&I

PROPOSED ZONING: UC

PROPOSED USE: Urban Condominiums

SIZE OF TRACT: 12.844 acres

DISTRICT: 17

LAND LOT(S): 943, 984

PARCEL(S): 4

TAXES: PAID X **DUE** _____

COMMISSION DISTRICT: 2

CONTIGUOUS ZONING/DEVELOPMENT

- NORTH:** O&I/Developed office building
- SOUTH:** O&I/Developed office buiding
- EAST:** RM-16/Stormwater Management pond
- WEST:** OHR/Developed office building

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

PLANNING COMMISSION RECOMMENDATION

APPROVED _____ **MOTION BY** _____

REJECTED _____ **SECONDED** _____

HELD _____ **CARRIED** _____

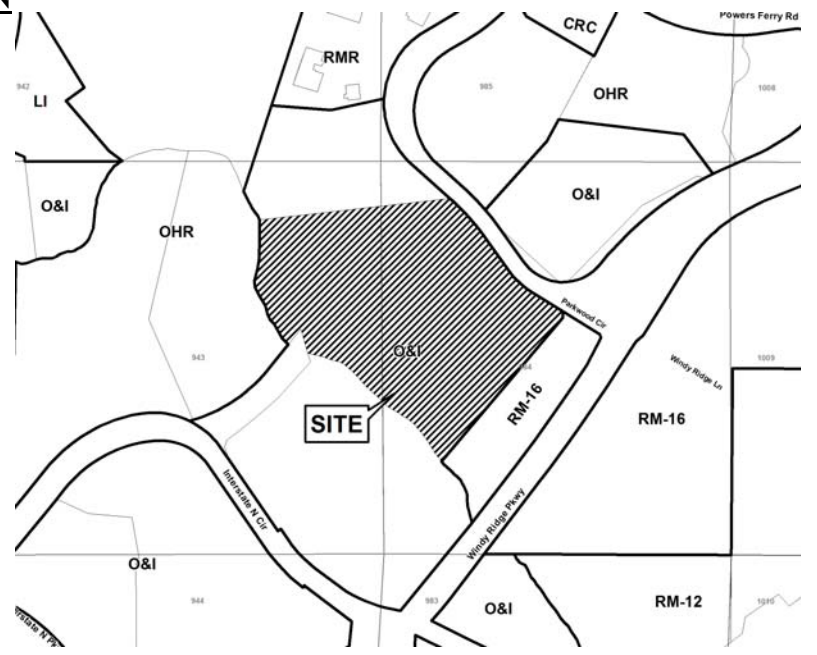
BOARD OF COMMISSIONERS DECISION

APPROVED _____ **MOTION BY** _____

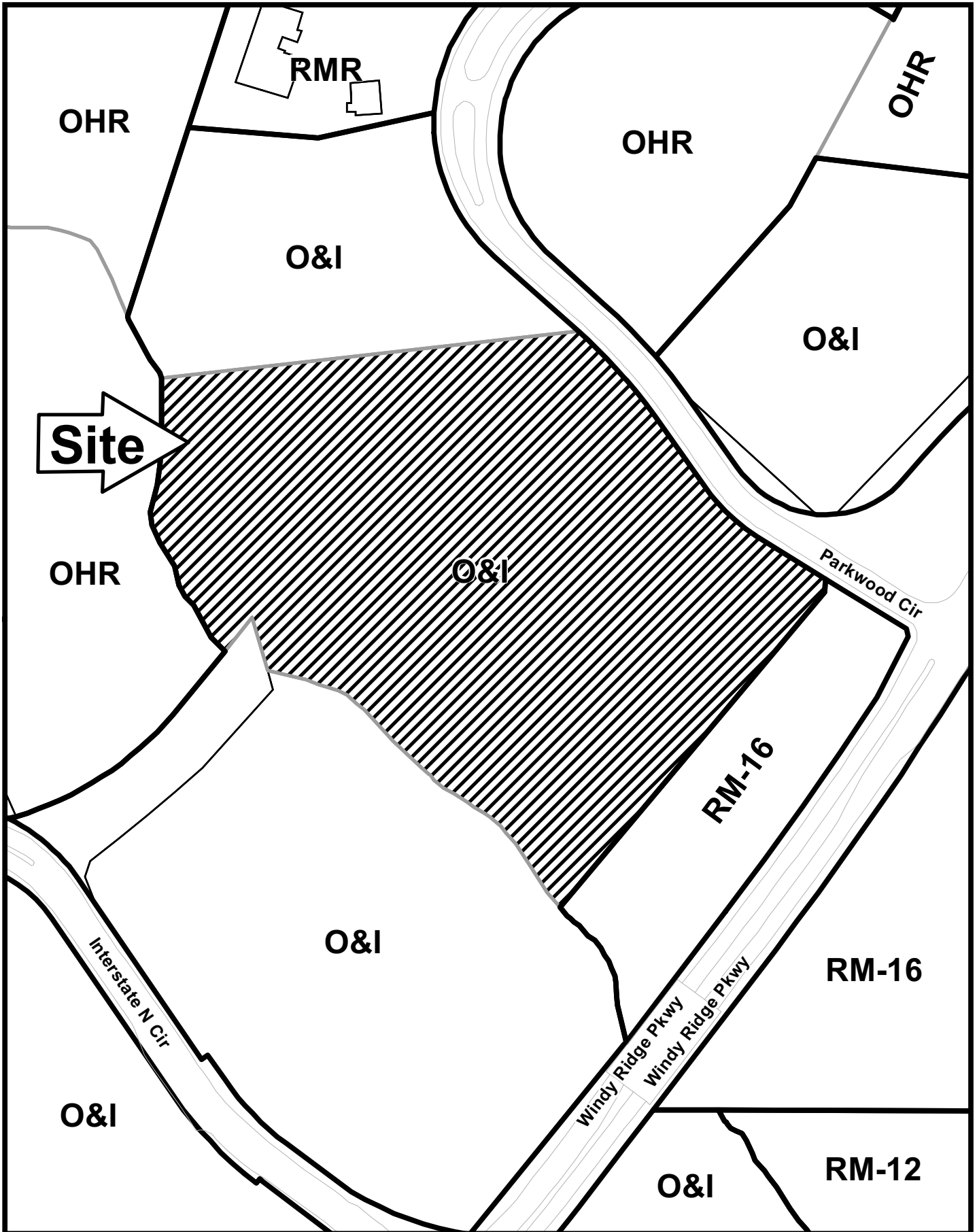
REJECTED _____ **SECONDED** _____

HELD _____ **CARRIED** _____

STIPULATIONS:



Z-12



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

200 0 200 Feet



City Boundary
Zoning Boundary

APPLICANT: Highland Place Properties, LLC

PETITION NO.: Z-12

PRESENT ZONING: O&I with Stipulations

PETITION FOR: UC

ZONING COMMENTS:

Staff Member Responsible: Jason A. Campbell

Land Use Plan Recommendation: Regional Activity Center

Proposed Number of Units: 200 **Overall Density:** 15.57 **Units/Acre**

Present Zoning Would Allow: 288 **Units** **Decrease of:** 88 **Units/Lots**

Applicant is requesting the Urban Condominiums zoning category in order to convert the existing apartment complex to condominiums. The existing complex was developed years ago as a training center with overnight accommodations for a corporation’s training/retreat center. The property has been used as an apartment complex since the training/retreat center moved out. The applicant will do some interior and exterior work with the units ranging in size from 700 to 1,000 square feet and greater. The units will be traditional, two to three stories and will range in price from \$120,000 to \$190,000, and greater. After the renovations, the number of units will decrease from the existing 288 to 200.

Cemetery Preservation: No comment.

APPLICANT: Highland Place Properties, LLC

PETITION NO.: Z-12

PRESENT ZONING: O&I with Stipulations

PETITION FOR: UC

PLANNING COMMENTS:

Comprehensive Plan

The parcel is within a Regional Activity Center (RAC) future land use category, with a NS and O&I zoning designation. The purpose of the RAC category is for areas that can support high intensity of development which serves a regional market. Typical uses include high-rise office buildings, malls and varying densities of residential development. Allowable Zoning: RM-8, RM-12, RM-16, FST, RSL, UC, LRO, OI, OHR, OMR, OS, CRC, GC, LRC, NRC, PSC, RRC, TS, PVC, UVC, RRC.

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?

Yes No Not applicable

APPLICANT: Highland Place Properties, LLC

PETITION NO.: Z-12

PRESENT ZONING: O&I with Stipulations

PETITION FOR: UC

SCHOOL COMMENTS:

<u>Name of School</u>	<u>Enrollment</u>	<u>Capacity Status</u>	<u>Number of Portable Classrooms</u>
<u>Brumby</u>	<u>1,003</u>	<u>Over</u>	<u> </u>
Elementary			
<u>East Cobb</u>	<u>1,299</u>	<u>Over</u>	<u> </u>
Middle			
<u>Wheeler</u>	<u>2,079</u>	<u>Over</u>	<u> </u>

High

- School attendance zones are subject to revision at any time.

Additional Comments:

Approval of this petition could adversely impact the enrollment at Brumby Elementary School, East Cobb Middle School, and Wheeler High School, all of which are over enrollment at this time.

FIRE COMMENTS:

After analyzing the information presented for a Preliminary Review, the Cobb County Fire Marshal's Office is confident that all other items can be addressed during the Plan Review Stage.

APPLICANT Highland Place Properties, LLC

PETITION NO. Z-012

PRESENT ZONING O&I

PETITION FOR UC

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 / S side of Parkwood Circle

Additional Comments: Records show property connected and active

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: At site

Estimated Waste Generation (in G.P.D.): **A D F= +0** **Peak= +0**

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

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: Current sewer customer. No added flow anticipated by requested zoning change.

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: Highland Place Properties, LLC

PETITION NO.: Z-12

PRESENT ZONING: O&I

PETITION FOR: UC

STORMWATER MANAGEMENT COMMENTS

FLOOD HAZARD: YES NO POSSIBLY, NOT VERIFIED

DRAINAGE BASIN: **Rottenwood Creek** FLOOD HAZARD INFO: Zone AE

- 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: **Within or adjacent to floodplain.**

- 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 (review 35’ undisturbed buffer each side of waterway).
- 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 downstream **receiving stream.**

APPLICANT: Highland Place Properties, LLC

PETITION NO.: Z-12

PRESENT ZONING: O&I

PETITION FOR: UC

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. Other than remodeling, no site improvements are proposed at this time. There are several existing buildings that have minor encroachments into the current 100-foot stream buffer. However, since this site was developed prior to the County’s current Stream Buffer Ordinance these encroachments are grandfathered. A building setback variance was approved in July, 1983 (V-169).
2. Any future site changes will be required to verify that the existing stormwater management facility is adequate to accommodate those changes or additional stormwater measures will be required.

APPLICANT: Highland Place Properties, LLC

PETITION NO.: Z-12

PRESENT ZONING: O & I

PETITION FOR: UC

COBB COUNTY DEPARTMENT OF TRANSPORTATION RECOMMENDATIONS

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
Parkwood Circle	4700	Local	25 mph	Cobb County	50'

Based on 2009 traffic counting data taken by Cobb County DOT (Parkwood Circle)

COMMENTS AND OBSERVATIONS

Parkwood Circle is classified as a local and according to the available information the existing right-of-way does meet the minimum requirements for this classification.

RECOMMENDATIONS

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

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STAFF RECOMMENDATIONS

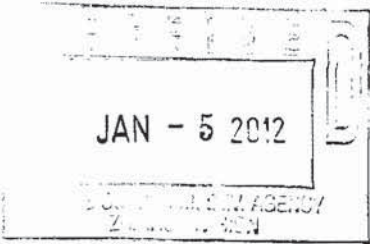
Z-12 HIGHLAND PLACE PROPERTIES, LLC

- 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. Nearby properties are also zoned and developed for multi-family uses and office buildings. The proposal is just to convert the existing apartments into 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 subject property has been used as apartments for a number of years and during this time nearby properties have also been used for multi-family developments. The current proposal is to convert the existing apartments into condominiums.
- 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. While the proposal is in compliance with the *Cobb County Comprehensive Plan*, staff feels that the request should be deleted to RM-16 for this area.
- 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 deleting the applicant's rezoning proposal. The applicant will continue the current use, with the exception of proposed renovations to make the development a condominium complex instead of apartments. As a result of the renovations, the number of units will decrease from the existing 288 units to 200 units. Given the resulting density, staff feels it is appropriate to delete the request to the RM-16 category. The existing multi-family use has been on the property for years and the requested change in zoning will not have an adverse affect on adjacent and nearby properties.

Based on the above analysis, Staff recommends DELETING the request to the RM-16 category subject to the following conditions:

- Site plan received by the Zoning Division on January 5, 2012, with the District Commissioner approving minor modifications;
- Water and Sewer comments and recommendations;
- Stormwater Management Division comments and recommendations; and
- DOT 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 No. z-12
March⁽²⁰¹²⁾

Summary of Intent for Rezoning*

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

- a) Proposed unit square-footage(s): 700 - 1,000 square feet, and greater
b) Proposed building architecture: Traditional
c) Proposed selling prices(s): \$120,000 - \$190,000, and greater
d) List all requested variances: _____

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

- a) Proposed use(s): Not Applicable
b) Proposed building architecture: _____
c) Proposed hours/days of operation: _____
d) List all requested variances: _____

.....
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

***Applicant specifically reserves the right to amend any information set forth herein at any time during the rezoning process.**