

**AUGUST 21, 2012 ZONING HEARING
“OTHER BUSINESS”
COMMISSION DISTRICT 1**

ITEM # 2

PURPOSE

To consider amending the site plan and stipulations for Ray Diodati regarding rezoning application Z-17 (Ray L. Diodati) of 2011, for property located on the southeast side of Cobb Place Boulevard, southeast of Vaughn Road, in Land Lot 173 of the 20th District.

BACKGROUND

The subject property was rezoned on May 17, 2011 to allow the additional use of commercial indoor recreation on this property for a tennis facility. It was zoned subject to a site plan and architectural elevation. The tennis facility concept did not materialize and the owner/applicant is requesting the Board of Commissioners amend the approved site plan and building elevation to allow the applicant to build an office/warehouse on this property. It should be noted the proposed site plan and elevation were approved previously (in 2008), but was never constructed. If approved, all other stipulations would remain in effect.

FUNDING

N/A

RECOMMENDATION

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

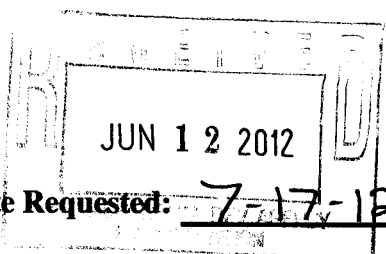
ATTACHMENTS

Other Business Application, proposed site plan, proposed building elevation and zoning stipulations.

Application for "Other Business" Cobb County, Georgia

(Cobb County Zoning Division - 770-528-2035)

BOC Hearing Date Requested: 7-17-12



Applicant: Ray Diodati Phone #: 770-426-0780
(applicant's name printed)

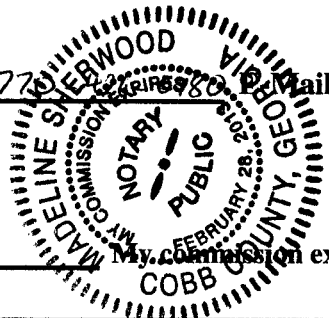
Address: P.O. Box 441286 Kennesaw, GA 30160 E-Mail: ray@randrdevelopers.com

Ray Diodati Address: P.O. Box 441286 Kennesaw, GA 30160
(representative's name, printed)

Ray Diodati Phone #: 770-426-0780 E-Mail: ray@randrdevelopers.com
(representative's signature)

Signed, sealed and delivered in presence of:

Madeline Sherwood My commission expires: 2/28/13
Notary Public



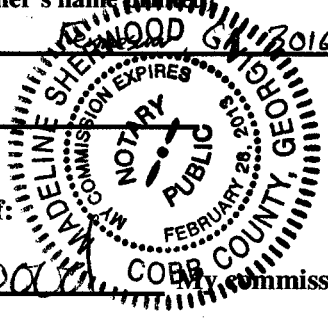
Titleholder(s): Diodati Acquisitions, LLC Phone #: 770-426-0780
(property owner's name printed)

Address: P.O. Box 441286 Kennesaw, GA 30160 E-Mail: ray@randrdevelopers.com

Ray Diodati
(Property owner's signature)

Signed, sealed and delivered in presence of:

Madeline Sherwood My commission expires: 2/28/13
Notary Public



Commission District: 1 Zoning Case: _____

Date of Zoning Decision: _____ Original Date of Hearing: 5-17-11

Location: Southeast side of Cobb Place Boulevard, Southeast of Vaughn Road
(street address, if applicable; nearest intersection, etc.)

Land Lot(s): 173 District(s): 20th

State specifically the need or reason(s) for Other Business: Request modification to Z-17 of 2011 to delete the commercial indoor recreation usage with outside tennis courts, corresponding with Town Center Design Guidelines, and allow for office and warehouse use, corresponding to LI Zoning District Guidelines.

(List or attach additional information if needed)

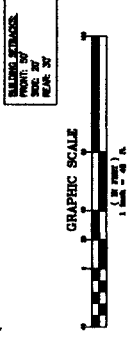
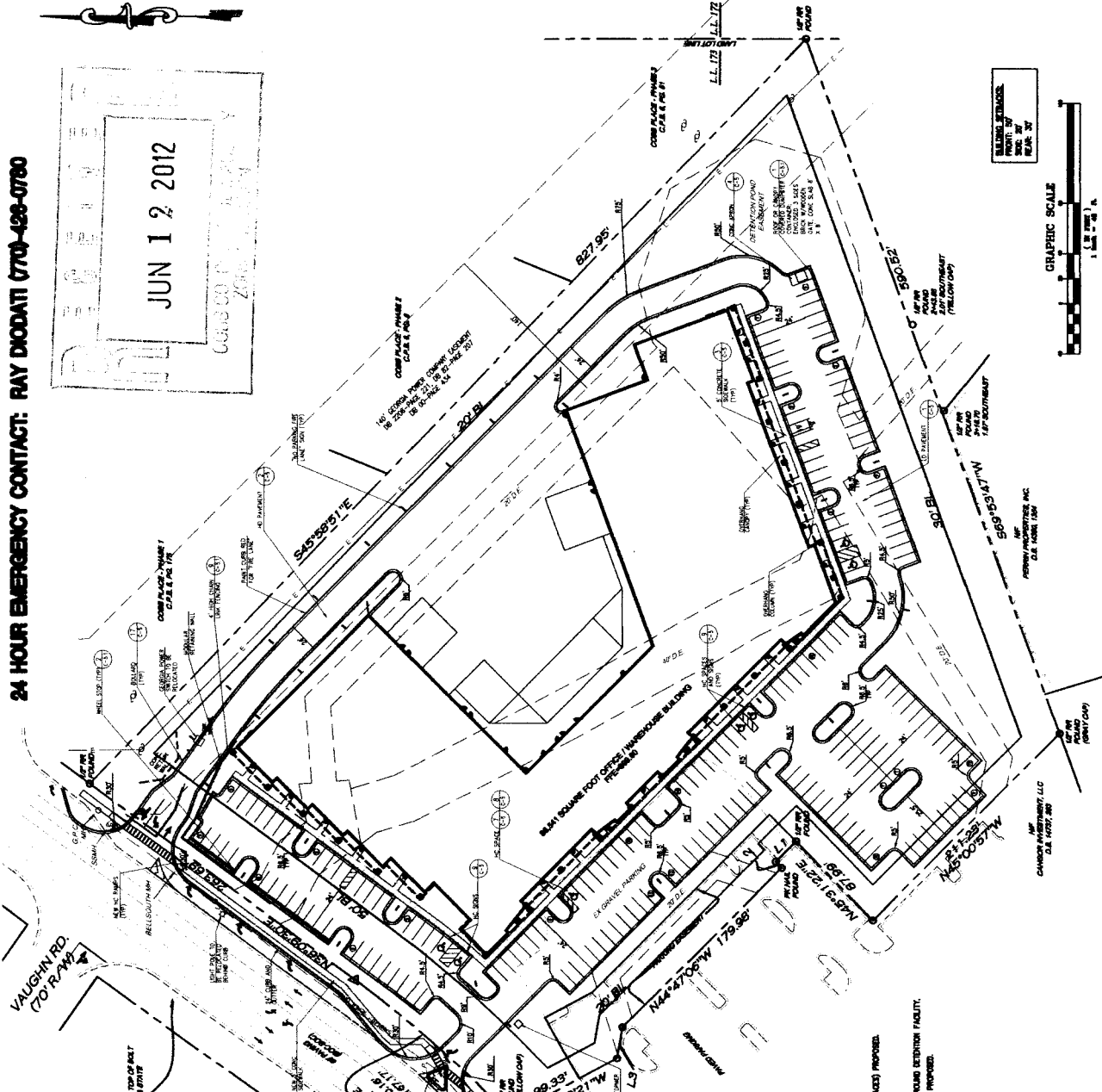
Proposed



DATE	12/14/11
SCALE	AS SHOWN
DRAWN	CHS
CHECKED	CHS
DESIGNED	CHS
APPROVED	CHS

24 HOUR EMERGENCY CONTACT: RAY DODDANI (770) 426-0700

JUN 12 2012
COURT HOUSE ZONING DEPARTMENT



Site Notes:

1. THE SITE CONTAINS 2.51 ACRES
2. SITE ADDRESS: COBB PLACE BLDG. CINCINNATI GA 30144
3. THE NORTH ARROW AND SCALE ARE SHOWN ON THIS PLAN
4. SANITARY INFORMATION TAKEN FROM SURVEYS PERFORMED BY THE CRIBELLE COMPANY, INC. DATED MAY 11, 2012
5. THIS PROPERTY IS NOT UNDER A DESIGNATED F.A.A. SPECIAL FLOOD HAZARD AREA AS PER THE FLOOD INSURANCE RATE MAP #200080006 & DATED DECEMBER 16, 2009
6. THERE ARE NO BUILDINGS OF THE CITY OF CINCINNATI (LAND OR STRUCTURE) WITHIN 500 FEET OF THE SITE
7. TO THE BEST OF OUR KNOWLEDGE, THERE ARE NO CULTURAL, ANTHROPOLOGICAL, OR ARCHAEOLOGICAL LANDMARKS EXIST ON OR NEAR THE PROPERTY AND NO OTHER FEATURES OF INTEREST. THE ENGINEER MUST BE CONSULTED IMMEDIATELY FOR REVIEW AND APPROVAL OF THE CONSTRUCTION PLAN
8. NO INFLUENCE EXIST WITHIN 500 FT. OF THE PROJECT SITE
9. THERE ARE NO BUFFER AREAS ASSOCIATED WITH THE PROPERTY
10. THE PROPOSED PARKING SPACES ARE SHOWN ON THIS PLAN. THERE ARE THE TOTAL PARKING SPACES (INCLUDING 7 HC SPACES) PROPOSED
11. ALL NEIGHBORLY UTILITY LINES FOR THE SANITARY ARE SHOWN ON THIS PLAN
12. THERE ARE TWO PROPOSED ACCESS POINTS FOR THE PROPERTY
13. THE EXISTING ESTIMATED EXTENSION AREA IS SHOWN ON THIS PLAN. THE EXISTING POND WILL BE MODIFIED TO AN UNDERGROUND EXTENSION FACILITY.
14. SANITARY SEWER SHALL BE PROVIDED THROUGH CONNECTION TO COBB COUNTY SEWER SYSTEM. NO ON-SITE SEPTIC SYSTEM IS PROVIDED.

GENERAL CALCULATIONS:

TOTAL BUILDING AREA = 84,241 SF
PROFESSIONAL OFFICE PARKING REQUIRED = 51,624 SF / 208 SF = 248 SPACES
WAREHOUSE PARKING REQUIRED = 34,177 SF / 2,000 SF = 17 SPACES
TOTAL REQUIRED = 248 + 17 = 265 SPACES
TOTAL PROVIDED = 265 SPACES (7 HC)



STATE OF GEORGIA
 PROFESSIONAL ENGINEERS
 BOARD OF REGISTRATION
 1000 MARKET STREET, N.W.
 ATLANTA, GEORGIA 30334
 (404) 527-2800

PROJECT NO. 0812
 CONTRACT NO. 111
 CONTRACT DATE: 11/11/11
 CONTRACT VALUE: \$1,000,000
 CONTRACT TYPE: LUMP SUM
 CONTRACTOR: [REDACTED]
 ARCHITECT: [REDACTED]
 DATE OF DRAWING: 11/11/11
 DRAWING NO. 0812

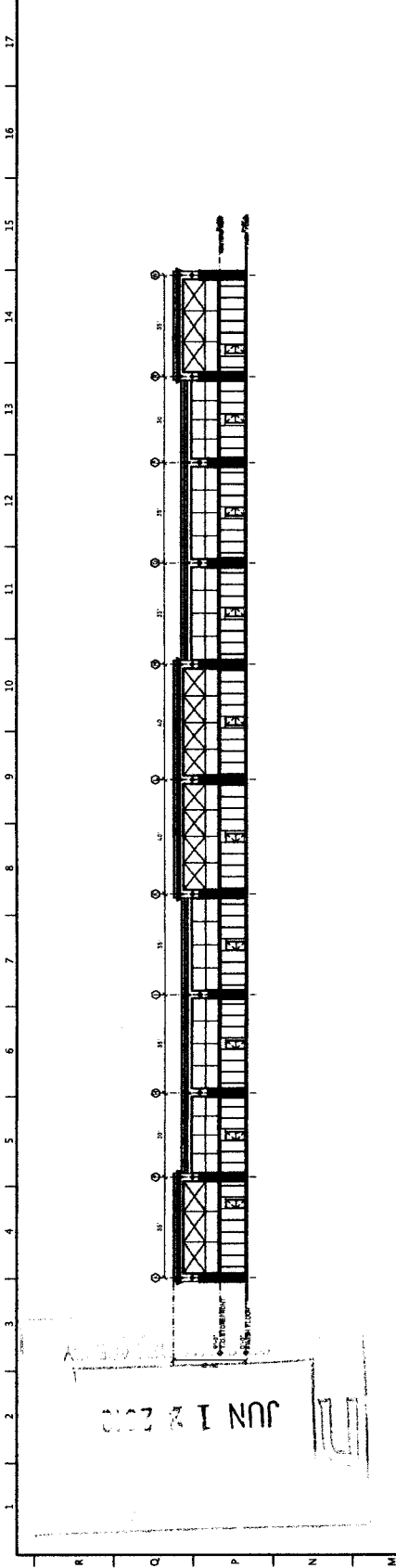
NEW OFFICE WAREHOUSE
 COBB PLACE, PHASE IV
 COBB COUNTY
 KENNESAW, GEORGIA

NO. 1	NO. 2	NO. 3	NO. 4	NO. 5	NO. 6	NO. 7	NO. 8	NO. 9	NO. 10	NO. 11	NO. 12	NO. 13	NO. 14	NO. 15	NO. 16	NO. 17	NO. 18	NO. 19	NO. 20	NO. 21	NO. 22	NO. 23	NO. 24	NO. 25	NO. 26	NO. 27	NO. 28	NO. 29	NO. 30	NO. 31	NO. 32	NO. 33	NO. 34	NO. 35	NO. 36	NO. 37	NO. 38	NO. 39	NO. 40	NO. 41	NO. 42	NO. 43	NO. 44	NO. 45	NO. 46	NO. 47	NO. 48	NO. 49	NO. 50	NO. 51	NO. 52	NO. 53	NO. 54	NO. 55	NO. 56	NO. 57	NO. 58	NO. 59	NO. 60	NO. 61	NO. 62	NO. 63	NO. 64	NO. 65	NO. 66	NO. 67	NO. 68	NO. 69	NO. 70	NO. 71	NO. 72	NO. 73	NO. 74	NO. 75	NO. 76	NO. 77	NO. 78	NO. 79	NO. 80	NO. 81	NO. 82	NO. 83	NO. 84	NO. 85	NO. 86	NO. 87	NO. 88	NO. 89	NO. 90	NO. 91	NO. 92	NO. 93	NO. 94	NO. 95	NO. 96	NO. 97	NO. 98	NO. 99	NO. 100
-------	-------	-------	-------	-------	-------	-------	-------	-------	--------	--------	--------	--------	--------	--------	--------	--------	--------	--------	--------	--------	--------	--------	--------	--------	--------	--------	--------	--------	--------	--------	--------	--------	--------	--------	--------	--------	--------	--------	--------	--------	--------	--------	--------	--------	--------	--------	--------	--------	--------	--------	--------	--------	--------	--------	--------	--------	--------	--------	--------	--------	--------	--------	--------	--------	--------	--------	--------	--------	--------	--------	--------	--------	--------	--------	--------	--------	--------	--------	--------	--------	--------	--------	--------	--------	--------	--------	--------	--------	--------	--------	--------	--------	--------	--------	--------	--------	--------	--------	---------

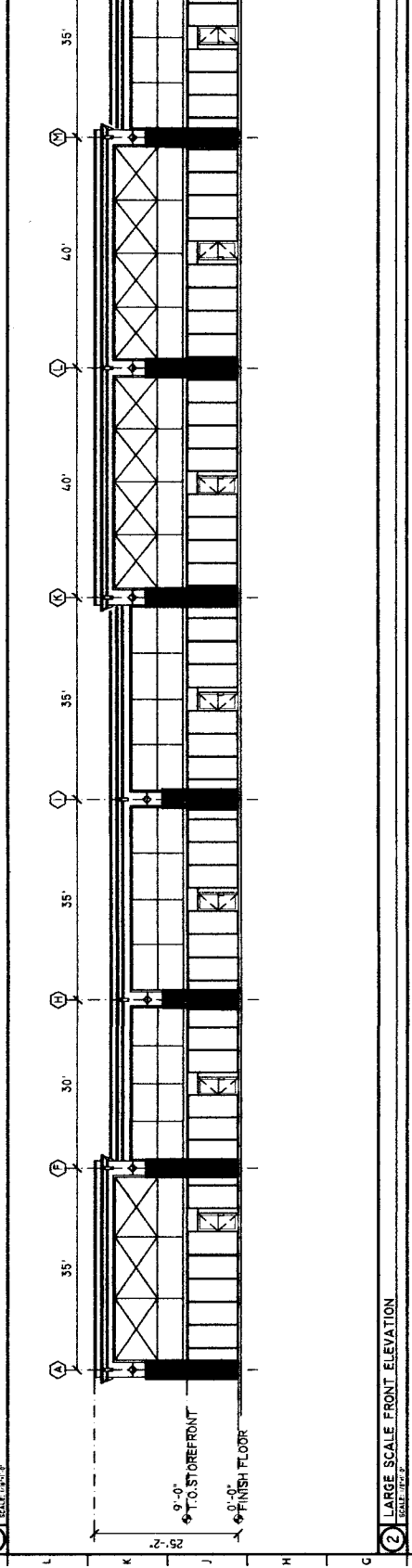
DRAWING NUMBER
A2.0
 OF

Proposed

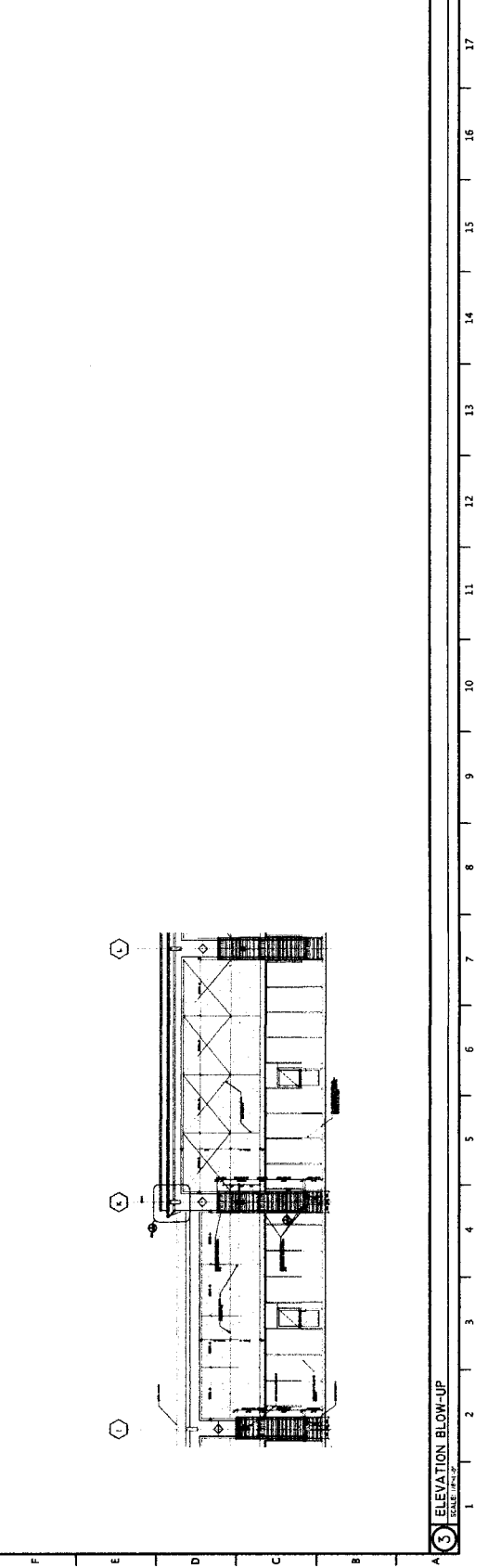
SHEET TITLE
 FRONT ELEVATION
 19 18 17 16 15 14 13 12 11 10 9 8 7 6 5 4 3 2 1



1 FRONT ELEVATION
 SCALE: 1/8" = 1'-0"



2 LARGE SCALE FRONT ELEVATION
 SCALE: 1/4" = 1'-0"



3 ELEVATION BLOW-UP
 SCALE: 1/4" = 1'-0"

R Q P A N M L K J I H G F E D C B A

ORIGINAL DATE OF APPLICATION: 05-17-11APPLICANTS NAME: RAY L. DIODATITHE FOLLOWING REPRESENTS THE FINAL DECISIONS OF THE COBB COUNTY BOARD OF COMMISSIONERS
JUN 12 2012**BOC DECISION OF 05-17-11 ZONING HEARING:**

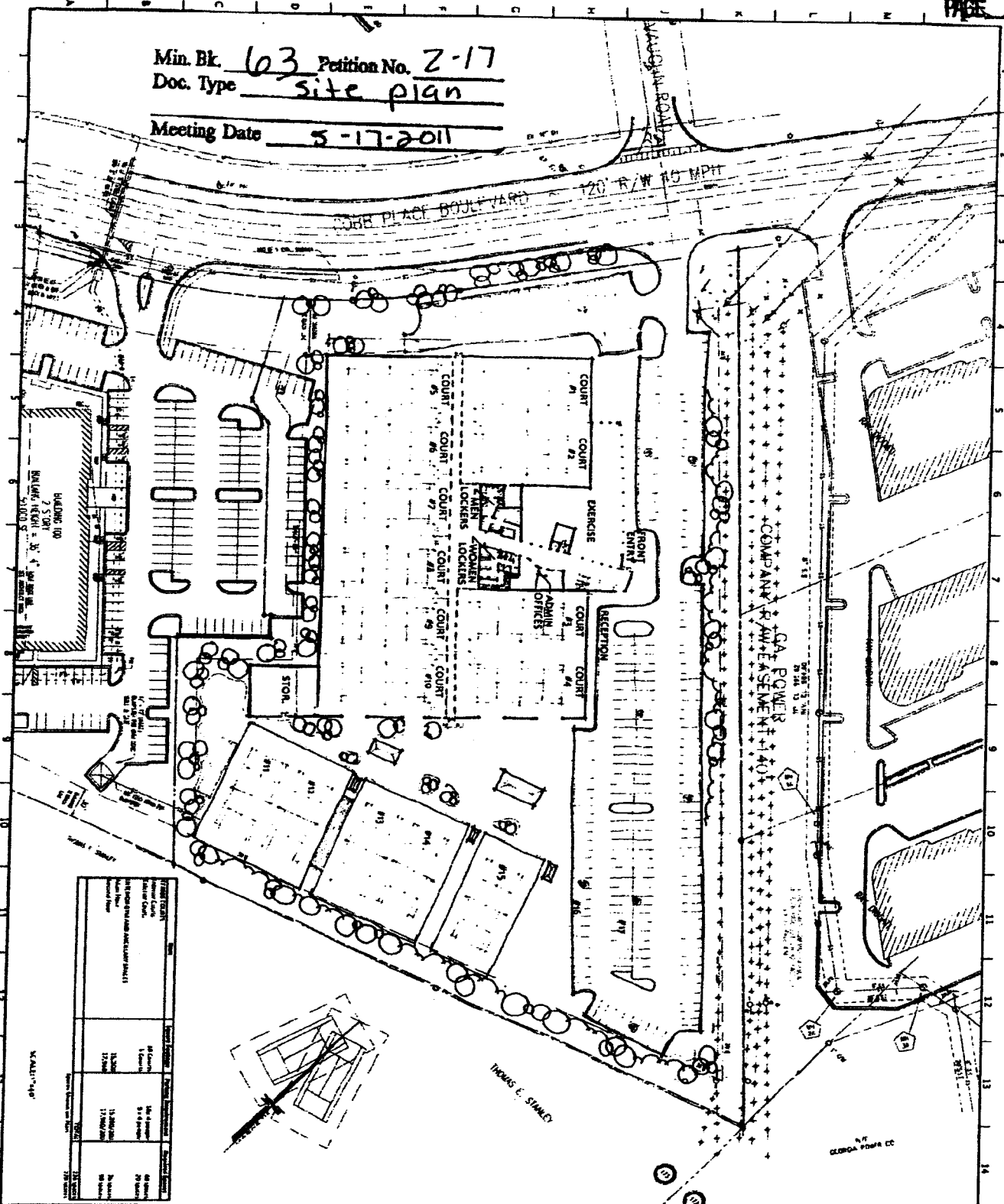
RAY L. DIODATI (Diodati Acquisitions, LLC, owner) requesting Rezoning from LI with Stipulations to GC for the purpose of Indoor Recreation in Land Lot 173 of the 20th District. Located on the southeast side of Cobb Place Boulevard, southeast of Vaughn Road.

MOTION: Motion by Goreham, second by Thompson, as part of the Consent Agenda, to delete Rezoning to the LI zoning district subject to:

- site plan received at the public hearing, with the District Commissioner approving minor modifications (attached and made a part of these minutes)
- appearance of building to be in keeping with the submitted elevations (attached and made a part of these minutes)
- allowance of commercial indoor recreation use, with outside tennis courts
- subject to Town Center Area design guidelines
- Applicant to obtain off-site cross parking agreement with property located to the southeast (Stanley property), or other adjoining property of equal size
- contemporaneous variance for reduced number of parking spaces
- no on-street parking
- District Commissioner to approve minor changes
- Water and Sewer Division comments and recommendations
- Stormwater Management Division comments and recommendations
- Cobb DOT comments and recommendations

VOTE: **ADOPTED** unanimously

Min. Bk. 63 Petition No. 2-17
 Doc. Type site plan
 Meeting Date 5-17-2011



ITEM	DESCRIPTION	DATE	BY
1	PRELIMINARY	11/11/10	AS
2	REVISION	12/15/10	AS
3	REVISION	1/11/11	AS
4	REVISION	1/11/11	AS
5	REVISION	1/11/11	AS
6	REVISION	1/11/11	AS
7	REVISION	1/11/11	AS
8	REVISION	1/11/11	AS
9	REVISION	1/11/11	AS
10	REVISION	1/11/11	AS
11	REVISION	1/11/11	AS
12	REVISION	1/11/11	AS
13	REVISION	1/11/11	AS
14	REVISION	1/11/11	AS
15	REVISION	1/11/11	AS
16	REVISION	1/11/11	AS
17	REVISION	1/11/11	AS
18	REVISION	1/11/11	AS
19	REVISION	1/11/11	AS
20	REVISION	1/11/11	AS
21	REVISION	1/11/11	AS
22	REVISION	1/11/11	AS
23	REVISION	1/11/11	AS
24	REVISION	1/11/11	AS
25	REVISION	1/11/11	AS
26	REVISION	1/11/11	AS
27	REVISION	1/11/11	AS
28	REVISION	1/11/11	AS
29	REVISION	1/11/11	AS
30	REVISION	1/11/11	AS

FILED WITH COUNTY CLERK THIS 3rd DAY
 OF may 20 11 BY G. Diopati
 RE 2-17
Karen S. King
 COUNTY CLERK/ASST. COUNTY CLERK/DEPUTY COUNTY CLERK
 COBB COUNTY, GEORGIA

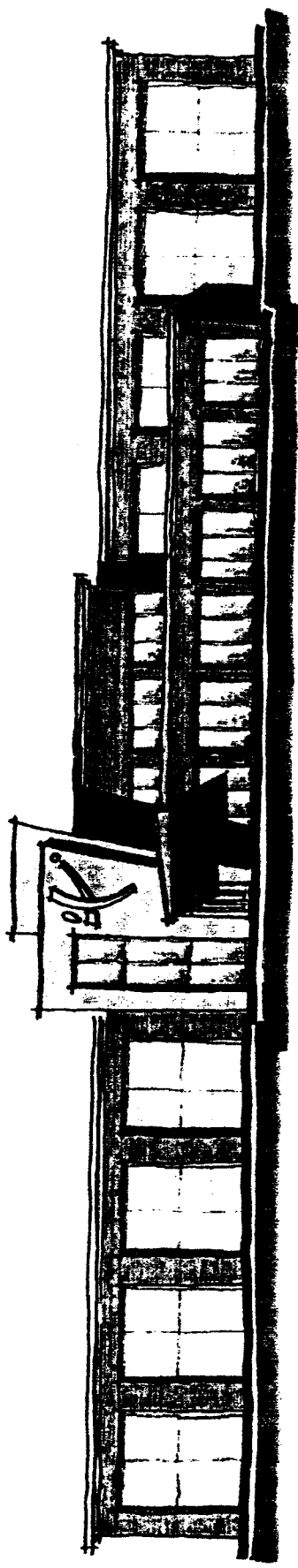
new project for
COBB PLACE aaron
 COBB PLACE



NOT FOR CONSTRUCTION

1 2 3 4 5 6 7 8 9 10 11 12 13 14 15 16

Min. Blk. 63 Petition No. 2-17
Doc. Type Elevation
Meeting Date May 17, 2011



NEW FRONT ELEVATION

01:31:11

N M L K J I H G F E D C B A

APPLICANT Ray L. Diodati

PETITION NO. Z-017

PRESENT ZONING LI w/stips

PETITION FOR GC

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): *10" DI NW side of Cobb Place Blvd*

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: *At site in Cobb Place Blvd*

Estimated Waste Generation (in G.P.D.): **A D F** 10/capita **Peak=** 25/capita

Treatment Plant: **Noondav**

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: Ray L. Diodati

PETITION NO.: Z-17

PRESENT ZONING: LI w/ stips

PETITION FOR: GC

DRAINAGE COMMENTS

FLOOD HAZARD: YES NO POSSIBLY, NOT VERIFIED

DRAINAGE BASIN: Noonday Creek 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 (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 system.

APPLICANT: Ray L. Diodati

PETITION NO.: Z-17

PRESENT ZONING: LI w/ stips

PETITION FOR: GC

DRAINAGE 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. The site is encumbered by an existing detention pond as well as previously recorded multiple drainage easements. The current above-ground pond will be replaced by an underground facility. The new detention facility must account for the existing development on Tract 1, the proposed tennis center development on Tract 2 as well provide conveyance capacity for the upstream runoff through the site.
2. Any changes to the existing drainage easements must be reflected on a re-recorded plat.

APPLICANT: Ray Diodati

PETITION NO.: Z-17

PRESENT ZONING: LI with Stipulations

PETITION FOR: GC

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
Cobb Place Blvd	7300	Major Collector	40 mph	Cobb County	80'

Based on 2009 traffic counting data taken by Cobb County DOT (Cobb Place Boulevard)

COMMENTS AND OBSERVATIONS

Cobb Place Boulevard 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 installing sidewalk along the road frontage.

Recommend applicant relocate the proposed driveway and coordinate with Cobb County DOT on the location at the time of plan review.

Recommend deceleration lane on Cobb Place Boulevard for proposed access.

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