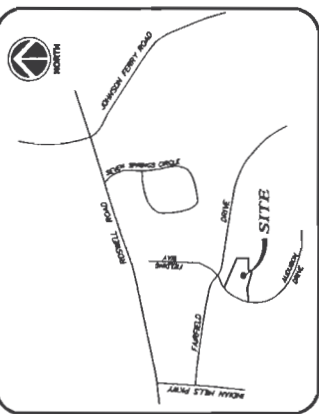


Z-27
(2014)



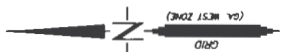
VICINITY MAP

THIS PROPERTY IS NOT LOCATED WITHIN A FEMA 100 YEAR FLOOD ZONE ACCORDING TO COBB COUNTY F.I.R.M. PANEL 0131G, COMMUNITY #130052, DATED: DEC. 16, 2008

CURRENT OWNER:
TENNIS ACADEMY OF GEORGIA, INC.
DB: 14107, PC: 3608

PROPERTY ADDRESS:
500 AUDUBON DRIVE
MARIETTA, GEORGIA 30068

TRAVERSE CLOSURE - 1:150,836
ANGULAR ERROR - 0.5 SEC'S/STA
ADJUSTMENT - COMPASS RULE
EQUIPMENT - TOPCON 303 TOTAL STATION
PLAT CLOSURE - 1:610,009



COBB COUNTY GEORGIA
FILED IN OFFICE
2014 MAR -6 PM 4:11
COBB COUNTY ZONING DIVISION
R=338.90'
L=113.04'
CH=112.52'
BRG=N53°25'05"E

AUDUBON DRIVE
(Right-of-Way Variet)

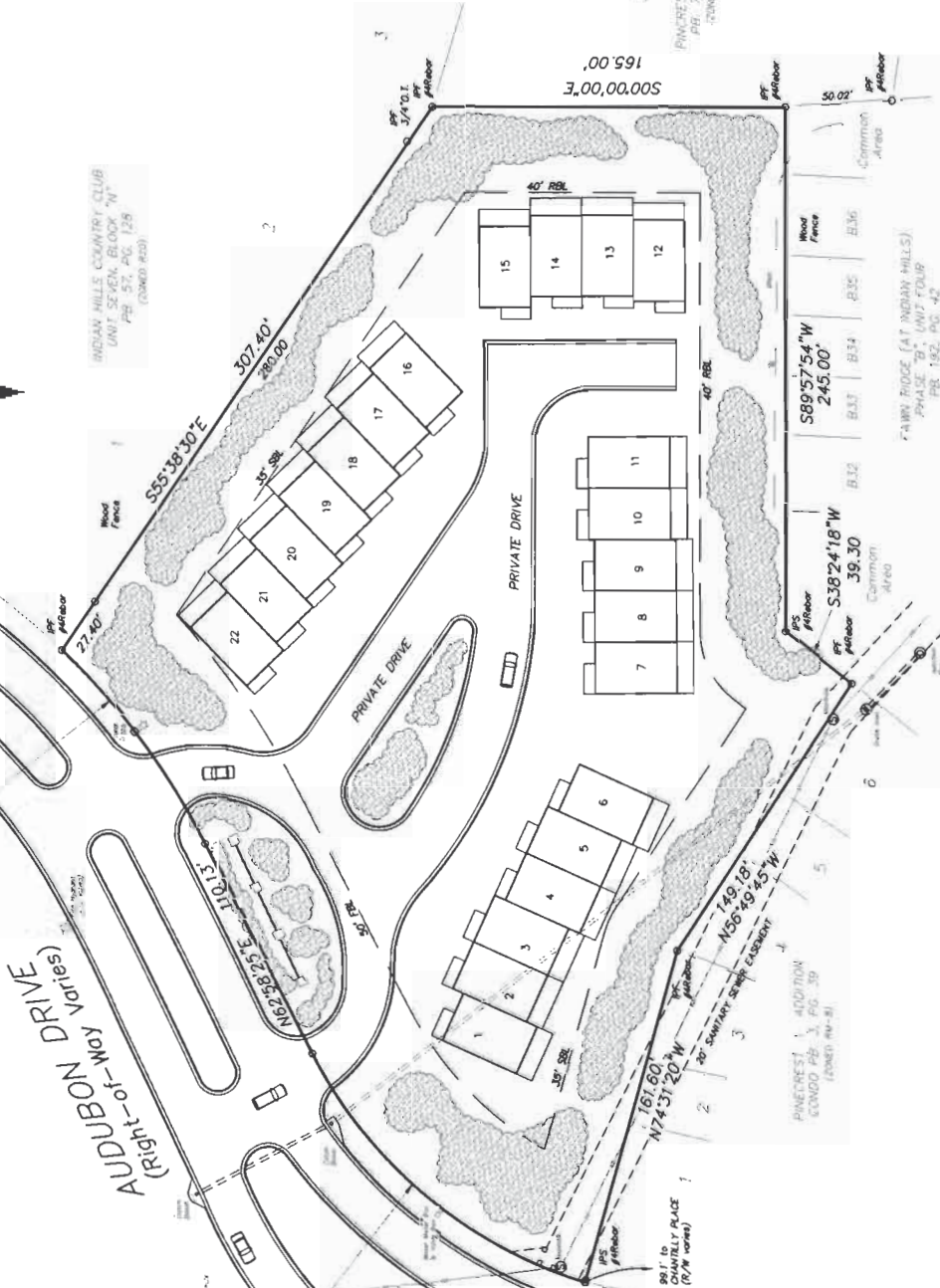
APPLICANT/DEVELOPER/OWNER
BROOKS CHADWICK, L.L.C.
255 VILLAGE PARKWAY, SUITE 230
MARIETTA, GEORGIA 30067

24 HOUR CONTACT:
TODD THRASHER
404-281-4554

SITE NOTES:
PROPOSED USE: SINGLE FAMILY RESIDENTIAL
CURRENT ZONING - R1
PROPOSED ZONING - R1-8
TOTAL AREA - 2.662 ACRES
TOTAL LOTS - 22
LOT DENSITY - 7.85 UNITS PER ACRE

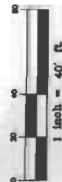
BUILDING SETBACK REQUIREMENTS:
FRONT - 50'
REAR - 40'
SIDE - 35'

R=215.70'
L=171.51'
CH=167.03'
BRG=N40°11'42"E



ZONING PLAN EOR:

BROOKS CHADWICK, LLC
PROPERTY IS LOCATED IN LAND LOT 976
IN THE 16TH DISTRICT 2ND SECTION
COBB COUNTY, GEORGIA
SCALE: 1" = 40' DATE OF PLAT: FEBRUARY 25, 2014



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THIS SURVEY WAS PREPARED IN CONFORMITY WITH THE TECHNICAL STANDARDS OF THE SURVEYING BOARD OF GEORGIA.
DATE OF FIELD WORK: FEBRUARY 14, 2014



No.	REVISIONS	Date

Centerline Surveying Systems, Inc.
1301 SHILOH ROAD, SUITE 1210, KENNESAW, GA. 30144
PHONE: (770) 424-0028 FAX: (770) 424-2399

APPLICANT: Brooks Chadwick, LLC
(404) 281-4554

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

TITLEHOLDER: Tennis Academy of Georgia, Inc.

PROPERTY LOCATION: Southeast side of Audubon Drive,
south of Fairfield Drive.
(900 Audubon Drive)

ACCESS TO PROPERTY: Audubon Drive

PHYSICAL CHARACTERISTICS TO SITE: Existing tennis
facility

PETITION NO: Z-27

HEARING DATE (PC): 05-06-14

HEARING DATE (BOC): 05-20-14

PRESENT ZONING: RR

PROPOSED ZONING: RM-8

PROPOSED USE: Single-Family Attached
Residential Units

SIZE OF TRACT: 2.802 acres

DISTRICT: 16

LAND LOT(S): 976

PARCEL(S): 7

TAXES: PAID X **DUE** _____

COMMISSION DISTRICT: 2

CONTIGUOUS ZONING/DEVELOPMENT

- NORTH:** R-20/ Indian Hills
- SOUTH:** RM-8/ Pinecrest Townhomes, Fawn Ridge Townhomes
- EAST:** RM-8/ Pinecrest (unit 1)
- WEST:** RM-8/ Fawn Ridge at Indian Hills (unit 1)

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

PLANNING COMMISSION RECOMMENDATION

APPROVED _____ **MOTION BY** _____

REJECTED _____ **SECONDED** _____

HELD _____ **CARRIED** _____

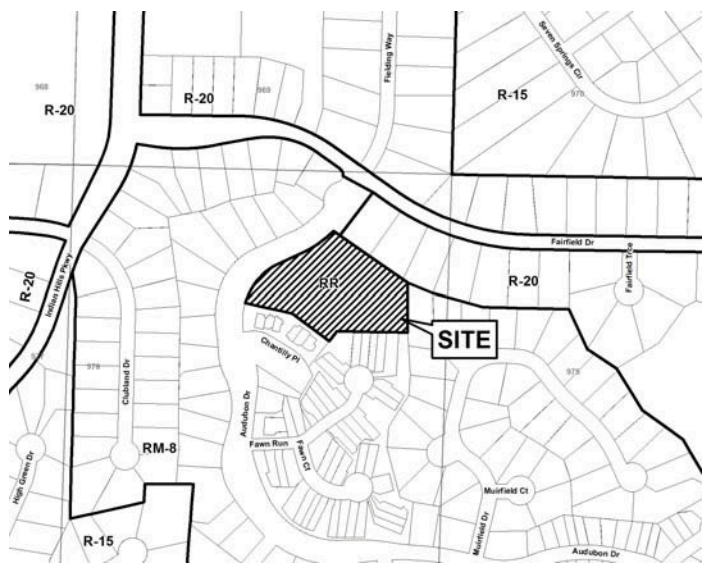
BOARD OF COMMISSIONERS DECISION

APPROVED _____ **MOTION BY** _____

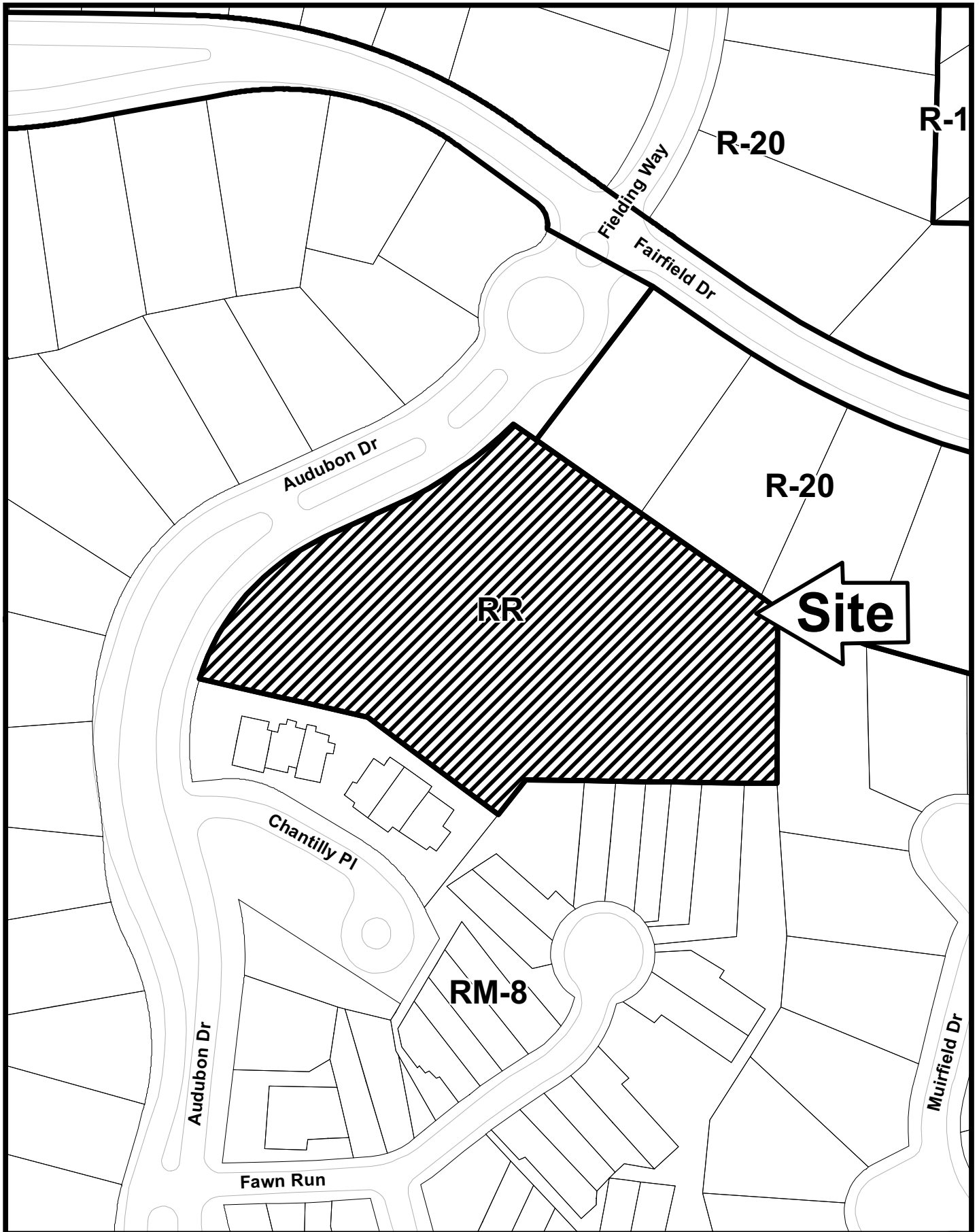
REJECTED _____ **SECONDED** _____

HELD _____ **CARRIED** _____

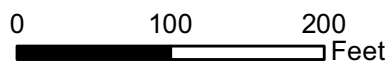
STIPULATIONS:





Z-27



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



-  City Boundary
-  Zoning Boundary

APPLICANT: Brooks Chadwick, LLC

PETITION NO.: Z-27

PRESENT ZONING: RR

PETITION FOR: RM-8

ZONING COMMENTS:

Staff Member Responsible: John P. Pederson

Land Use Plan Recommendation: Park/Recreation/Conservation (PRC)

Proposed Number of Units: 22 **Overall Density:** 7.85 **Units/Acre**

Staff estimate for allowable # of units: 0 **Units*** **Increase of:** 22 **Units/Lots**

*Estimate could be higher or lower based on engineered plans taking into account topography, shape of property, utilities, roadways, natural features such as creeks, wetlands, etc., and other unforeseen circumstances.

The applicant is requesting the RM-8 zoning district to develop townhouse style condominiums. The tennis facility will be demolished in order to develop the proposal. The units would be traditional in styling with a mixture of exteriors materials, such as brick, stone, shake and hardi-plank. The units will range in size from 2,000 square feet to 3,500 square-feet. The units will sell for \$300,000 to \$400,000. Each unit will have an attached two-car garage.

There is a required 25-foot landscape buffer required along the north property that is not shown.

Cemetery Preservation: No comment.

APPLICANT: Brooks Chadwick, LLC

PETITION NO.: Z-27

PRESENT ZONING: RR

PETITION FOR: RM-8

SCHOOL COMMENTS:

<u>Name of School</u>	<u>Enrollment</u>	<u>Capacity Status</u>	<u>Number of Portable Classrooms</u>
<u>East Side Elementary</u>	<u>1264</u>	<u>Over</u>	<u> </u>
Elementary			
<u>Dickerson Middle</u>	<u>1238</u>	<u>Over</u>	<u> </u>
Middle			
<u>Walton High</u>	<u>2732</u>	<u>Over</u>	<u> </u>
High			

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

Additional Comments:

Approval of this petition could seriously and adversely affect the enrollment at Walton High School, which is severely over capacity at this time, and it could adversely affect the enrollment at East Side Elementary and Dodgen Middle Schools, which are also over capacity at this time.

FIRE COMMENTS:

GUEST PARKING: When projects contemplate less than 20 foot separation between units, guest parking shall be provided or the streets shall be labeled as a fire lane.

APPLICANT: Brooks Chadwick, LLC

PETITION NO.: Z-27

PRESENT ZONING: RR

PETITION FOR: RM-8

PLANNING COMMENTS:

The applicant is requesting a rezoning from RR to RM-8 for single-family attached residential units. The 2.802 acre site is located on the southeast side of Audubon Drive, south of Fairfield Drive.

Comprehensive Plan

The parcel is within the Park/Recreation/Conservation (PRC) area future land use category, with RR zoning designation. The purpose of the Park/Recreation/Conservation (PRC) category is to provide for land dedicated to active or passive recreational uses, either publicly or privately owned including playgrounds, public parks, nature preserves, wildlife management areas, national forests, golf courses, recreation centers, etc.

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?

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.

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.

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

APPLICANT Brooks Chadwick, LLC

PETITION NO. Z-027

PRESENT ZONING RR

PETITION FOR RM-8

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 / N side of Audubon Drive

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: on site

Estimated Waste Generation (in G.P.D.): A D F= +3360 Peak= +8400

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 Redevelopment. Existing building connected to sewer 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, LLC

PETITION NO.: Z-27

PRESENT ZONING: RR

PETITION FOR: RM-8

STORMWATER MANAGEMENT COMMENTS

FLOOD HAZARD: YES NO POSSIBLY, NOT VERIFIED

DRAINAGE BASIN: Bishop 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 systems..

APPLICANT: Brooks Chadwick, LLC

PETITION NO.: Z-27

PRESENT ZONING: RR

PETITION FOR: RM-8

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.

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 currently developed as a swim/tennis center with an existing impervious coverage of approximately 55%. The site is surrounded by existing single-family and townhome residences. The site is relatively flat and drains via several flow paths including an existing pipe system and several small swales through the adjacent developments.
2. The proposed RM-8 development will reduce the impervious coverage by approximately 15%. Water quality will be provided by a series of raingarden/infiltration areas. No detention is proposed due to the proposed reduction of runoff, however, this must be approved by the Stormwater Division Manager.

APPLICANT: Brooks Chadwick, LLC

PETITION NO.: Z-27

PRESENT ZONING: RR

PETITION FOR: RM-8

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
Audubon Drive	N/A	Local	25 mph	Cobb County	50'

COMMENTS AND OBSERVATIONS

Audubon Drive 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 curb and gutter along both sides and sidewalk along one side of proposed development roadway.

Recommend sidewalk along the Audubon Drive frontage.

Recommend applicant verify that minimum intersection sight distance is available for ingress and egress maneuvers for the site if it is not, implement remedial measures, subject to the Department's approval, to achieve the minimum requirement of 280'.

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

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STAFF RECOMMENDATIONS

Z-27 BROOKS CHADWICK, LLC

- A. It is Staff's opinion that the applicant's rezoning proposal will not permit a use that is suitable in view of the use and development of adjacent and nearby properties. The applicant proposal would be much more dense than adjacent residential developments. There are two townhouse developments that have lower densities; Pinecrest townhomes has a density of 4.95 units per acre, while Fawn Ridge townhomes has a density of 6.26 units per acre. There are three single family detached housing developments that are Indian Hills (1.75 units per acre), Fawn Hills at Indian Hills unit 1 (2.79 units per acre, and Pinecrest unit 1 (2.64 units per acre).
- 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. However, staff is concerned that the proposal's density would be out of character with the developed density around the proposal.
- 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 not in conformity with the policy and intent of the *Cobb County Comprehensive Plan*, which delineates this property to be within a Park/Recreation/Conservation (PRC) Land Use Designation. Outside of the PRC designation the balance of the property is surrounded by Low Density Residential
- 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, but at a lower density. There is other attached housing on adjacent property to the south, but the density is lower as stated in paragraph A of this recommendation. The proposal has single family houses on the north, east and west property lines with density ranging from 1.75 units per acre to 2.79 units per acre. Staff would recommend that density be reduced to 5 units per acre, which would yield 14 lots. This density would be in the approximate middle of the densities that currently exists and would fit the character of the area better.

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

- Maximum of 5 units per acre, which yields 14 lots;
- 25 foot landscape buffer be installed along the north property line adjacent to the R-20 zoned properties;
- Final site plan be approved by the District Commissioner;
- Fire Department comments and recommendations;
- Water and Sewer Division comments and recommendations;
- Stormwater Management Division comments and recommendations;
- Department of Transportation 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.

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Application #: Z-27 (2014)

PC Hearing Date: 05/06/2014

BOC Hearing Date 05/20/2014

COBB COUNTY GEORGIA
FILED IN OFFICE
2014 MAR -6 PM 4: 10
COBB COUNTY ZONING DIVISION

Summary of Intent for Rezoning*

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

- a) Proposed unit square-footage(s): 2,000 - 3,500 square feet
- b) Proposed building architecture: Mixture of brick, hardi-plank, stone, shake, etc.
- c) Proposed selling prices(s): \$300's - \$400's
- d) List all requested variances: Waiver of required 30 feet between structures to 20 feet.

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

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

.....
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). No.

.....
Part 5. Is this application a result of a Code Enforcement action? No ; Yes (If yes, attach a copy of the Notice of Violation and/or tickets to this form).

MOORE INGRAM JOHNSON & STEELE, LLP

Applicant signature: BY: [Signature] Date: March 6, 2014

Applicant name (printed): John H. Moore; Georgia Bar No. 519800
Attorneys for Applicant and Property Owner

*Applicant specifically reserves the right to amend any information set forth in the Summary of Intent for Rezoning, or any other part of the Application for Rezoning, at any time during the rezoning process. Revised August 21, 2013