

**OCTOBER 15, 2013 ZONING HEARING
“OTHER BUSINESS”
COMMISSION DISTRICT 1**

ITEM # 2

PURPOSE

To consider a stipulation clarification and amendment regarding a detention facility for rezoning application Z-107 of 2006 (Palladian, Inc.), for property located on the south side of Stilesboro Road at Johnston Trail in Land Lot 216 of the 20th District.

BACKGROUND

The subject property was rezoned to residential Senior Living (RSL) in 2006 to build a senior condominium community on this property. There was an amendment to the stipulations in 2007 to allow the private roads to become public roads. During the 2007 stipulation amendment, the Cobb County Stormwater Management Division made comments that are exactly like the stormwater management comments below. Cobb County Stormwater Management believes the detention pond is private and should be maintained by the condominium association. The developer, Palladian Inc. believes the detention pond belongs to Cobb County, and Cobb County should maintain the pond. This other business item is to clarify the Board of Commissioners intent regarding the ownership of the detention pond. If approved, all previous zoning stipulations would remain in effect.

FUNDING

N/A

STAFF COMMENTS

Stormwater Management: Because this project was submitted, reviewed and permitted as an RSL development many stormwater design considerations were approved with the understanding that all the stormwater infrastructure as well as the detention pond would be maintained by the development HOA. The severely reduced setbacks allowed for this development and tight site design would make stormwater maintenance difficult for the County. The Stormwater Management Division is not in favor of converting this detention pond from private to public.

RECOMMENDATION

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

ATTACHMENTS

Other Business application and stipulations.

Reference No. 13761
Sealed Date: _____

Application for "Other Business" Cobb County, Georgia

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

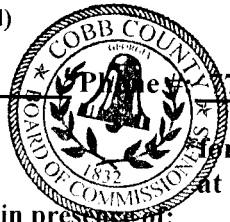
BOC Hearing Date Requested: October 15, 2013

Applicant: Cobb County Board of Commissioners Phone #: 770-528-3300*
(applicant's name printed)

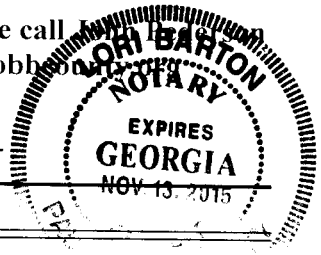
Address: 100 Cherokee Street, Marietta GA 30060 E-Mail: see below*

Tim Lee* Address: 100 Cherokee Street, Marietta GA 30060
(representative's name, printed)

[Signature] Phone #: 770-528-3300 E-Mail: see below*
(representative's signature)



For information concerning this request, please call John Pederson at 770-528-2024 or email at john.pederson@cobbcountyga.com



Signed, sealed and delivered in presence of:

[Signature] My commission expires: 11/13/15
Notary Public

Titleholder(s) : _____ Phone #: _____
(property owner's name printed)

Address: _____ E-Mail: _____

(Property owner's signature)

Signed, sealed and delivered in presence of:

Notary Public My commission expires: _____

Commission District: 1 Zoning Case: Z-107 of 2006

Date of Zoning Decision: 08-15-06 Original Date of Hearing: 08-15-06

Location: Southside of Stilesboro Road at Johnstons Trail
(street address, if applicable; nearest intersection, etc.)

Land Lot(s): 216 District(s): 20

State specifically the need or reason(s) for Other Business: Clarify and amend the zoning stipulations regarding the detention pond.

APPROVED
PER MINUTES OF
COBB COUNTY
BOARD OF COMMISSIONERS
8/13/13

ORIGINAL DATE OF APPLICATION: 08-15-06APPLICANTS NAME: PALLADIAN, INC.THE FOLLOWING REPRESENTS THE FINAL DECISIONS OF THE
COBB COUNTY BOARD OF COMMISSIONERS**BOC DECISION OF 08-15-06 ZONING HEARING:**

PALLADIAN, INC. (Palladian, Inc. and Robert E. and Deborah A. Adams Lanier, owners) requesting Rezoning from **R-20** to **RSL** for the purpose of Senior Condominiums in Land Lot 216 of the 20th District. Located on the south side of Stilesboro Road at Johnston Trail.

The public hearing was opened and Mr. John Moore and Ms. Keli Gambrell addressed the Board. Following presentations and discussion, the following motion was made:

MOTION: Motion by Goreham, second by Olens, to **approve** rezoning to the **RSL unsupported** zoning district **subject to:**

- **letter of agreeable stipulations from Mr. John Moore dated August 9, 2006, with the following changes: (copy attached and made a part of these minutes)**
 - **Item No. 2 – Delete: “. . . site plan specific to that certain Zoning Plan” (comma) Add: “The site plan” prepared for the Applicant by Braswell Engineering dated May 30, 2006, last revised August 4, 2006, shall be used “for reference only, subject to staff recommendations with District Commissioner to approve final site plan.”**
 - **Item No. 16 – Add: “Fencing will be optional if a park is constructed along the road.”**
 - **Item No. 22 – Add: Applicant agrees to “provide a tree save plan approved by the County Arborist and to heavily landscape above mentioned buffers in compliance with the Landscape Plan which will be approved by the County Arborist and the District Commissioner.”**
 - **Item No. 28 – Add (f) to read: “The construction of a left turn lane, in compliance with transportation engineering standards, will be a part of this plan by the Applicant; location will be determined by staff, with approval by the District Commissioner.”**
 - **Item No. 28 – Add (g) to read: “The final location of the driveway into this project to be in compliance with transportation engineering standards, with District Commissioner to have final approval.”**
- **sidewalks along Stilesboro Road to extend to property lines along each end of property**
- **District Commissioner to approve minor modifications**
- **Fire Department comments and recommendations**
- **Stormwater Management Division comments and recommendations, *not otherwise in conflict***
- **Water and Sewer Division comments and recommendations, *not otherwise in conflict***
- **Cobb DOT comments and recommendations, *not otherwise in conflict***
- **owner/developer to enter into a Development Agreement pursuant to O.C.G.A. §36-71-13 for dedication of system improvements to mitigate traffic concerns**

VOTE: **ADOPTED** unanimously

MOORE INGRAM JOHNSON & STEELE

A LIMITED LIABILITY PARTNERSHIP

WWW.MIJS.COM

192 ANDERSON STREET
MARIETTA, GEORGIA 30060

TELEPHONE (770) 429-1499
TELECOPIER (770) 429-8631

BILLING ADDRESS
P.O. BOX 3305 • MARIETTA, GEORGIA 30061

TENNESSEE OFFICE
CEDAR RIDGE OFFICE PARK, SUITE 463
408 N. CEDAR BLUFF ROAD • KNOXVILLE, TENNESSEE 37923

TELEPHONE (865) 692-9039
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JOHN H. MOORE
STEPHEN C. STEELE
WILLIAM R. JOHNSON†
ROBERT D. INGRAM†
J. BRIAN O'NEIL
G. PHILLIP BEGGS
ELDON L. BASHAM
MATTHEW J. HOWARD
JERE C. SMITH
CLAYTON O. CARMACK
KEVIN B. CARLOCK†
ALEXANDER T. GALLOWAY III†
J. KEVIN MOORE
RODNEY R. MCCOLLOCH
SUSAN S. STUART
DANIEL A. LANDIS***

BRIAN D. SMITH
HARRY R. TEAR III
W. TROY HART†
JEFFREY A. DAXE
MELISSA W. GILBERT
JOYCE W. HARPER
AMY K. WEBER
COURTNEY H. MOORE
KIM A. ROPER
TARA C. RIDDLE
KELLI L. WOLK
TANYA L. CROSSE*
ROBERT W. BROWN II
VICTOR P. VALMUS
JEFFERY L. DICKERSON
T. SHANE MAYES

ANGELA H. SMITH
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JEFFREY K. STINSON
JAMES D. WALKER III
CHRISTOPHER D. GUNNELS*
CHRISTOPHER L. MOORE
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RICARDO J. DAMEDEIROS
BRETT A. MILLER
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CHRISTOPHER C. MINGLEDORFF
MORGAN E. FOSTER
KATHERINE G. CRONE
RYAN E. JARRARD*
ANN A. HAMMENECKER*
JAMES D. BUSCH*
ESTHER VAYMAN
COLE B. STINSON†**

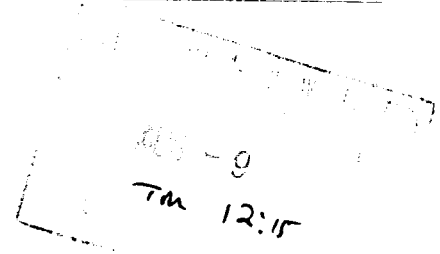
OF COUNSEL:
JOHN L. SKELTON, JR.†

† ALSO ADMITTED IN TN
* ALSO ADMITTED IN FL
** ALSO ADMITTED IN NM
*** ALSO ADMITTED IN NC
♦ ADMITTED ONLY IN TN

Min. Bk. 44 Petition No. Z-107
Doc. Type Stipulation
letter
Meeting Date August 15, 2006

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Hand Delivered



Mr. John P. Pederson
Planner III
Zoning Division
Cobb County Community Development Agency
Suite 300
191 Lawrence Street
Marietta, Georgia 30060-1661

RE: Application for Rezoning
Application No.: Z-107 (2006)
Applicant: Palladian, Inc.
Property Owners: Palladian, Inc.; Robert E.
Lanier; Deborah A. Adams-Lanier
Property: 14.47 acres located on the
southerly side of Stilesboro
Road (2711, 2773, 2775
Stilesboro Road), Land Lot 216,
16th District, 2nd Section,
Cobb County, Georgia

Dear John:

As you know, the undersigned and this firm represent Palladian, Inc., the Applicant and one of the Property Owners (hereinafter referred to as "Applicant"), and Robert E. Lanier and Deborah A. Adams-Lanier, the remaining Property Owners (hereinafter, together with Applicant, collectively referred to as "Owners"), in their Application for Rezoning with regard to a total tract of 14.47 acres located on the southerly side of Stilesboro Road (2711, 2773, 2775 Stilesboro Road), Land Lot 216, 16th District, 2nd Section, Cobb County, Georgia (hereinafter the "Property" or, alternatively, the "Subject Property"). After further meetings

MOORE INGRAM JOHNSON & STEELE

Mr. John P. Pederson
Planner III
Zoning Division
Cobb County Community Development Agency
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and discussions with planning and zoning staff, area residents and area homeowner associations, reviewing the staff comments and recommendations, and reviewing the uses of surrounding properties, we have been authorized by the Applicant and Owners to submit this revised letter of agreeable stipulations and conditions, which, if the Application for Rezoning is approved, as submitted, shall become a part of the grant of the requested zoning and shall be binding upon the Subject Property. This letter shall supersede and replace in full that certain letter of agreeable stipulations and conditions dated and filed July 26, 2006. The revised stipulations are as follows:

- (1) The stipulations and conditions set forth herein shall replace and supersede in full any and all prior stipulations and conditions, in whatsoever form, which are currently in place on the Subject Property.
- (2) Rezoning of the Subject Property shall be from the existing R-20 zoning category to the proposed Residential Senior Living ("RSL") zoning category, site plan specific to that certain Zoning Plan prepared for Applicant by Braswell Engineering, Inc. dated May 30, 2006, last revised August 4, 2006.
- (3) By this revised letter of agreeable stipulations and conditions, Applicant amends its Application for Rezoning to include the revised Zoning Plan hereinabove set forth, same being prepared by Braswell Engineering, Inc. dated May 30, 2006, last revised August 4, 2006, submitted contemporaneously.
- (4) The Subject Property consists of 14.47 acres of total site area and shall contain a maximum of forty-four (44) single-family residences for a maximum net density of 3.04 homes per acre.
- (5) Applicant agrees to create and install a linear park along the frontage of the Subject Property with Stilesboro Road which will connect to interior green

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Planner III
Zoning Division
Cobb County Community Development Agency
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space as shown and reflected on the referenced zoning Plan. The park will contain the following features:

- (a) The park will be a width of ninety-two (92) feet from the back of curb into the existing development;
 - (b) The park will connect to green space within the proposed development down to and including a pavilion to be constructed for use by the residents;
 - (c) The park will contain a serpentine sidewalk running between the entrance and the cul-de-sac; and
 - (d) The park will be landscaped along its entirety. Applicant agrees to work with the Cobb County Arborist staff to provide an attractive park area.
- (6) The proposed residential community shall be in a quadruplex arrangement and shall have a minimum of 1,800 square feet, ranging upwards to 2,000 square feet, and greater.
 - (7) The proposed residences shall be single-story and shall be traditional in style and architecture. Except that, in order to work with the natural terrain and minimize clearing and grading, some units on the downhill slope may contain a basement. Each unit shall have an attached two-car garage.
 - (8) The exteriors of the residences on all four sides shall be all brick with accents. Additionally, the residences shall have architectural shingles and low maintenance trim and windows and shall be very energy efficient. The homes shall be substantially similar to the elevations and renderings to be presented to

MOORE INGRAM JOHNSON & STEELE

Mr. John P. Pederson
Planner III
Zoning Division
Cobb County Community Development Agency
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the Planning Commission and Board of Commissioners at the respective zoning hearings.

- (9) Applicant agrees to the recording and enforcement of a Declaration of Condominium which will contain covenants, rules, and regulations applicable to the proposed residential community.
- (10) Additionally, and in conjunction with the Declaration of Condominium, Applicant agrees to the creation of a mandatory condominium association which shall be responsible for the upkeep and maintenance of the exteriors, entrance area, signage, all common areas, all yard areas, landscaping around detention area, landscape buffer, linear park, and the private streets contained within the proposed residential community.
- (11) The proposed residential community shall be in compliance with the Georgia Condominium Act.
- (12) Units within the proposed residential community shall be "for sale" units only.
- (13) Applicant agrees that as part of the Declaration of Condominium there shall be a covenant which restricts the number of homes within the proposed community which may be leased to a maximum of ten (10) percent.
- (14) Sales of residences within the proposed residential community shall be limited to purchasers, one of whom, must be 55 years of age or older, except in compliance with the Federal Fair Housing Act, as amended.
- (15) The yard area around each unit shall be fully sodded and maintained by the mandatory association to be created through the Declaration of Condominium applicable to the residential community.

MOORE INGRAM JOHNSON & STEELE

Mr. John P. Pederson
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Zoning Division
Cobb County Community Development Agency
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- (16) The entrance area to the proposed community shall contain ground based, monument-style signage. The entrance landscaping shall be professionally designed, landscaped, and maintained.
- (17) A community pavilion shall be constructed for the use and enjoyment of the residents of the proposed community.
- (18) The setbacks for the proposed residential community shall be as follows:
 - (a) Front setback - Twenty (20) feet;
 - (b) Rear setback - Thirty (30) feet; and
 - (c) Side setback - Thirty (30) feet (fifteen (15) feet between structures).
- (19) Internal sidewalks shall be constructed providing connectivity to public sidewalks.
- (20) Applicant agrees to the following "Easy Living" standards which shall be verified prior to the issuance of a certificate of occupancy:
 - (a) At least one no-step entry into the home that is sheltered from the weather;
 - (b) No-step pathways from the no-step entry to the main rooms of the home, including a bathroom, via doorways and hallways that meet a minimum accessible width;
 - (c) The main floor shall include eating area, bathroom, and bedroom located on one level;
 - (d) Bathrooms with floor space sufficient for a walker or wheelchair;

MOORE INGRAM JOHNSON & STEELE

Mr. John P. Pederson
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Zoning Division
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- (e) Reinforcements in the bathroom walls around the tub, shower, and toilet that allow grab bars to be installed;
 - (f) Non-slip surfaces in tubs and showers;
 - (g) Lever-style door handles;
 - (h) Light switches located thirty-six (36) inches to forty-two (42) inches from the floor, within easy reach of the entrance to the rooms; and
 - (i) Electrical outlets located fifteen (15) inches or higher from the floor.
- (21) All utilities for the proposed residential community shall be located underground.
- (22) There shall be established a minimum twenty (20) foot landscaped buffer along the southerly, and southeasterly boundaries of the Subject Property, as well as a minimum fifty (50) foot landscape buffer along the western boundary, as more particularly shown and reflected on the referenced on the Zoning Plan. Applicant agrees to save specimen trees where possible and to otherwise heavily landscape such buffers in compliance with the landscape plan to be approved by the Cobb County Arborist.
- (23) The detention area shall be fenced and landscaped for purposes of visual screening. The Declaration of Condominium shall require the mandatory association to maintain the landscaping.
- (24) All streets within the proposed residential community shall be private with the construction complying in all respects as to materials, base, and other requirements to the Cobb County Code.

MOORE INGRAM JOHNSON & STEELE

Mr. John P. Pederson
Planner III
Zoning Division
Cobb County Community Development Agency
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- (25) All buffer areas may be penetrated for purposes of access, utilities, and stormwater management, including, but not limited to, drainage facilities, and any and all slopes or other required engineering features of the foregoing.
- (26) Applicant agrees to comply with all Cobb County development standards and ordinances relating to project improvements, except as approved by the Board of Commissioners or by the Department of Transportation or Community Development Agency, as their authority may allow.
- (27) Minor modifications to the referenced Zoning Plan, including, but not limited to, the layout of buildings and stormwater control measures may be approved by the District Commissioner, as needed or necessary.
- (28) Applicant agrees to the following system improvements to mitigate traffic concerns:
- (a) Construction of a deceleration lane along the southwesterly side of Stileboro Road
 - (b) Donation of right-of-way a maximum of fifty (50) feet in width from the existing roadway centerline of Stileboro Road;
 - (c) Installation of sidewalk, curb, and gutter along the frontage of the Subject Property on Stilesboro Road;
 - (d) Verification of minimum sight distance of five hundred (500) feet, and if deficient, implementation of remedial measures to correct same; and

MOORE INGRAM JOHNSON & STEELE

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- (e) Access to the proposed development shall be as shown and reflected on the referenced revised Zoning Plan.

We believe the requested zoning, pursuant to the revised Zoning Plan and the revised stipulations set forth above, is an appropriate use of the Subject Property while taking into consideration the existing conditions of the Property and the area surrounding the proposed development. The proposed community shall be a high-quality development, providing a much-needed and highly sought after type of community within the Cobb County area. Additionally, the proposed community shall be compatible in scale, material, and style with surrounding developments and be an enhancement to the Subject Property. Thank you for your consideration in this request.

With kindest regards, I remain

Very truly yours,

MOORE INGRAM JOHNSON & STEELE, LLP



John H. Moore

JHM:cc

Enclosures

cc: Cobb County Board of Commissioners:
Samuel S. Olens, Chairman
Helen C. Goreham
Annette Kesting
Joe L. Thompson
Tim Lee
(With Copy of Enclosure)

MOORE INGRAM JOHNSON & STEELE

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Planner III
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- c: Skip Champion
People Looking After Neighborhoods, Inc.
(With Copy of Enclosure)
- Keli Gambril
People Looking After Neighborhoods, Inc.
(With Copy of Enclosure)
- Palladian, Inc.
(With Copy of Enclosure)

ORIGINAL DATE OF APPLICATION: 08-15-06APPLICANTS NAME: PALLADIAN, INC.

THE FOLLOWING REPRESENTS THE FINAL DECISIONS OF THE
COBB COUNTY BOARD OF COMMISSIONERS

BOC DECISION OF 05-15-07 ZONING HEARING:

OTHER BUSINESS ITEM #6 – TO CONSIDER A STIPULATION AMENDMENT FOR PALLADIAN, INC. REGARDING APPLICATION Z-107 (PALLADIAN, INC.) OF AUGUST 15, 2006

To consider a stipulation amendment for Palladian, Inc. regarding application Z-107 (Palladian, Inc.) of August 15, 2006, for property located on the south side of Stilesboro Road at Johnston Trail in Land Lot 216 of the 20th District.

Mr. John Pederson, Planner III, and provided information regarding request to amend stipulations (allow public roads within the RSL community). The Board, by general consensus, found this to be a minor request. The public hearing was opened and Mr. Craig Wrigley addressed the Board. Following presentation and discussion, the following motion was made:

MOTION: Motion by Goreham, second by Olens, to **approve** Other Business Item #6 for stipulation amendment for Palladian, Inc. to allow public streets in the Arbor Green Community, regarding application Z-107 (Palladian, Inc.) of August 15, 2006, for property located on the south side of Stilesboro Road at Johnston Trail in Land Lot 216 of the 20th District, **subject to:**

- **Water and Sewer Department's final analysis and approval of alignment of water and sewer lines**
- **roadway and utility improvements to meet all county development standards and ordinances before acceptance by Cobb County**
- **final approval required by the Community Development Agency Director**
- **all other previous zoning stipulations and conditions to remain in effect**

VOTE: **ADOPTED** unanimously

**MAY 15, 2007 ZONING HEARING
"OTHER BUSINESS"
COMMISSION DISTRICT 1**

ITEM # 6

PURPOSE

To consider a stipulation amendment for Palladian, Inc. regarding application Z-107 (Palladian, Inc.) of August 15, 2006, for property located on the south side of Stilesboro Road at Johnston Trail in Land Lot 216 of the 20th District.

BACKGROUND

The subject property is zoned RSL with stipulations. The Board of Commissioners decision is attached (see Exhibit A). The letter of stipulations from Mr. John Moore, dated August 9, 2006 calls for the interior roads to be privately owned and maintained by the condominium association. The proposed site plan is attached (see Exhibit B). The developer has requested the stipulations be amended to allow public roads within the RSL community (see Exhibit C), which according to the developer, would be a benefit for condominium residents. The proposed roads would meet County standards. The request has been submitted to Staff for comments. Their comments are attached.

FUNDING

N/A

RECOMMENDATION

The Board of Commissioners consider the proposed stipulation amendment.

ATTACHMENTS

Zoning stipulations (Exhibit A)
Proposed Site Plan (Exhibit B)
Request Letter (Exhibit C)
Staff Comments (Exhibit D)

Mr. John P. Pederson
Planner III
Zoning Division
Cobb County Community Development Agency
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the Planning Commission and Board of Commissioners at the respective zoning hearings.

(9) Applicant agrees to the recording and enforcement of a Declaration of Condominium which will contain covenants, rules, and regulations applicable to the proposed residential community.

(10) Additionally, and in conjunction with the Declaration of Condominium, Applicant agrees to the creation of a mandatory condominium association which shall be responsible for the upkeep and maintenance of the exteriors, entrance area, signage, all common areas, all yard areas, landscaping around detention area, landscape buffer, linear park, and the private streets contained within the proposed residential community.

(11) The proposed residential community shall be in compliance with the Georgia Condominium Act.

(12) Units within the proposed residential community shall be "for sale" units only.

(13) Applicant agrees that as part of the Declaration of Condominium there shall be a covenant which restricts the number of homes within the proposed community which may be leased to a maximum of ten (10) percent.

(14) Sales of residences within the proposed residential community shall be limited to purchasers, one of whom, must be 55 years of age or older, except in compliance with the Federal Fair Housing Act, as amended.

(15) The yard area around each unit shall be fully sodded and maintained by the mandatory association to be created through the Declaration of Condominium applicable to the residential community.

Mr. John P. Pederson
Planner III
Zoning Division
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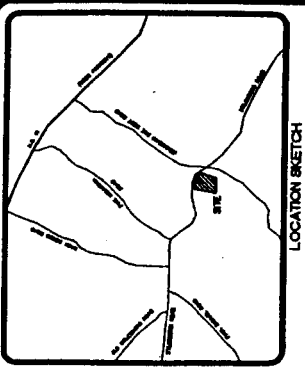
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- (e) Reinforcements in the bathroom walls around the tub, shower, and toilet that allow grab bars to be installed;
 - (f) Non-slip surfaces in tubs and showers;
 - (g) Lever-style door handles;
 - (h) Light switches located thirty-six (36) inches to forty-two (42) inches from the floor, within easy reach of the entrance to the rooms; and
 - (i) Electrical outlets located fifteen (15) inches or higher from the floor.
- (21) All utilities for the proposed residential community shall be located underground.
- (22) There shall be established a minimum twenty (20) foot landscaped buffer along the southerly, and southeasterly boundaries of the Subject Property, as well as a minimum fifty (50) foot landscape buffer along the western boundary, as more particularly shown and reflected on the referenced on the Zoning Plan. Applicant agrees to save specimen trees where possible and to otherwise heavily landscape such buffers in compliance with the landscape plan to be approved by the Cobb County Arborist.
- (23) The detention area shall be fenced and landscaped for purposes of visual screening. The Declaration of Condominium shall require the mandatory association to maintain the landscaping.
- (24) All streets within the proposed residential community shall be private with the construction complying in all respects as to materials, base, and other requirements to the Cobb County Code.

ARBOR
PRELIMINARY PLAT FOR
GREEN

LAND LOT 216
20TH DISTRICT
2ND SECTION
COBB COUNTY, GEORGIA

REVISIONS	DATE	BY



- NOTES**
- Total site area = 13.936 acres ±
 - Current zoning is OS.
 - Proposed density = 3.0 residential per acre
 - Minimum lot size = 1/4 Acre
 - Average lot size = 1/4 Acre
 - Building setbacks, see plat
 - Site = 50 feet / min. 10' between structures
 - Area = 30 feet / min. 10' between structures
 - Proposed use is for single-unit detached residential.
 - Existing transportation utility easements are shown by dashed lines.
 - Engineering, site, utility, and other data provided by owner.
 - No other information shown from Cobb County GIS.
 - No archaeological or ethnological landmarks evident on this site.
 - Plat is subject to all applicable laws, codes, and regulations.
 - District Commissioner to approve any minor modifications.

PRELIMINARY ENGINEERING CERTIFICATE
I hereby certify that this proposed Preliminary Plat complies with all applicable laws, codes, and regulations of property shown and described thereon.

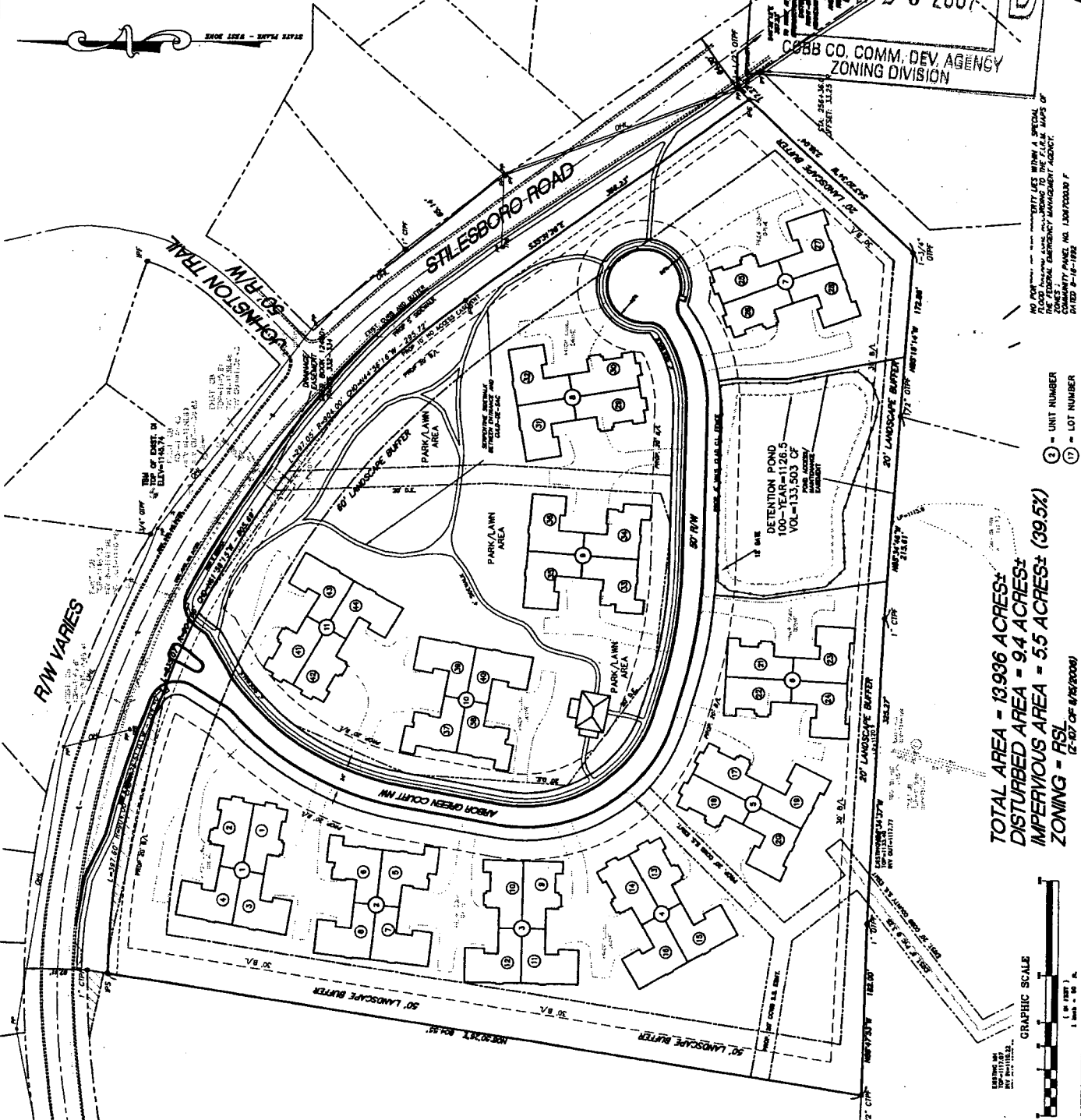
By Registered Georgia Engineer No. _____ Date _____
By Registered Georgia Landscape Architect No. _____ Date _____
By Registered Georgia Surveyor No. _____ Date _____

PRELIMINARY PLAT APPROVAL CERTIFICATE
I hereby certify that this proposed Preliminary Plat complies with all applicable laws, codes, and regulations of property shown and described thereon. This certificate shall be void if the plat is not approved by the District Commissioner.

RECEIVED
APR 26 2007
COBB CO. COMM. DEV. AGENCY
ZONING DIVISION

OWNER/DEVELOPER: 24-HOUR CONTACT
BALLADON, INC.
801 WOODLAWN ROAD
SUITE 330
MARIETTA, GEORGIA 30067
PH (770) 509-3300
FX (770) 509-3311
CONTACT: CRAIG WINGLET

NO PORTION OF THIS PLAT SHALL BE USED FOR A SPECIAL FLOOD HAZARD ZONING MAP. TO THE PLAT MAPS OF ZONING AND SPECIAL EMERGENCY MANAGEMENT AGENCY. COMMUNITY PANEL NO. 130700003 F DATED 8-16-1992



TOTAL AREA = 13.936 ACRES±
DISTURBED AREA = 9.4 ACRES±
IMPERVIOUS AREA = 5.5 ACRES± (39.5%)
ZONING - RSI (2-10' OF 4/15/2006)

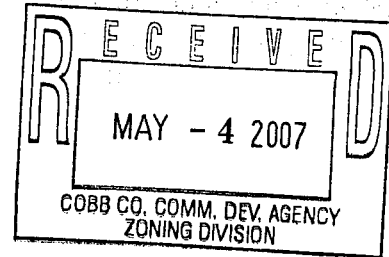
REVISED PRELIMINARY PLAT



PALLADIAN
Design • Construction • Development

April 30, 2007

Mr. Mark Danneman
Zoning Division
Cobb County Community Development
191 Lawrence Street
Marietta, GA 30060



Ref: Arbor Green

Dear Mr. Danneman:

We would like to request that the site plan and stipulation letter from zoning case Z-107 (2006) be amended to enable Arbor Green Community to conform to the requirements that would allow public streets in the proposed development, now or in the future. The stipulation letter, dated August 9, 2006, as prepared by Moore Ingram Johnson and Steele, addressed the road issue in item #24, wherein we said the street would be private. We are simply asking that we be able to remove this stipulation from our letter so that there would not be a self-imposed zoning stipulation precluding acceptance of the road by Cobb County.

The new site plan, dated 4/26/07, as submitted, is modified to clearly show a 50 foot right-of-way and to conform to the setback requirements for a public road. The amended site plan also shows a sewer easement extended to the adjoining Swanson property to the West, currently not served by sewer. Please present this request in this form during the next commission hearing under the other business agenda.

Thank you for your assistance in this matter.

Sincerely,

A handwritten signature in black ink that reads "Craig Wrigley".

Craig Wrigley
President

AG Zoning-Public Road

PALLADIAN, INC.
601 Woodlawn Drive, Suite 330, Marietta, GA 30067-3506
770.509.3390 ~ Fax 770.509.3511
email: PalladianInc@yahoo.com

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
Stilesboro Road	17000	Arterial	45 mph	Cobb County	100'

Based on 2004 traffic counting data taken by Cobb County DOT.

COMMENTS AND OBSERVATIONS

Proposed streets are stipulated as private roads.

RECOMMENDATIONS

Recommend maintaining the proposed street as private in perpetuity.

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

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STORMWATER MANAGEMENT COMMENTS

Because this project was submitted, reviewed and permitted as an RSL development many stormwater design considerations were approved with the understanding that all the stormwater infrastructure as well as the detention pond would be maintained by the development HOA. The severely reduced setbacks allowed for this development and tight site design would make stormwater maintenance difficult for the County. The Stormwater Management Division is not in favor of converting this development from private to public.

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WATER AND SEWER COMMENTS

The applicant has discussed with CCWS a utilities design for changing Arbor Green Ct from a private road to public. It would be workable for individual unit water meters to be clustered in a line four in front of each quadraplex at the road ROW. This would be in place of the currently approved master meter at the entrance.

There would have to be a separate and independent wastewater connection provided for each unit. To be workable, a public manhole would have to be set at the ROW in front of each quadraplex offset from the meters and driveways. Each manhole would receive a service lateral from each of the four units and would connect to the main sewer in the ROW with a single line. This would be in place of the currently approved private sewers on the entire site.