

(Stipulation Amendment)

Application for "Other Business"

Cobb County, Georgia

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

OB Application No.: OB- 042 -2017

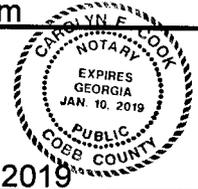
BOC Hearing Date Requested: September 19, 2017

Applicant: Walton Riverbend, LLC Phone #: (678) 303-4100
(applicant's name printed)

Address: 2181 Newmarket Parkway, Marietta, GA 30067 E-Mail: mteague@waltoncommunities.com
MOORE INGRAM JOHNSON & STEELE, LLP

John H. Moore Address: Emerson Overlook, Suite 100, 326 Roswell Street
(representative's name, printed) Marietta, GA 30060

BY [Signature] Phone #: (770) 429-1499 E-Mail: jmoore@mijs.com
(representative's signature) Georgia Bar No. 519800



Signed, sealed and delivered in presence of:
Carolyn E. Cook My commission expires: January 10, 2019
Notary Public

Titleholder(s) : Walton Riverbend, LLC Phone #: (678) 303-4100
(property owner's name printed)

Address: 2181 Newmarket Parkway, Marietta, GA 30067 E-Mail: mteague@waltoncommunities.com

See Attached Exhibit "A"
(Property owner's signature)

Signed, sealed and delivered in presence of:

Notary Public My commission expires: _____

Commission District: 2 (Ott) **Zoning Case:** Z-8 (1999)

Size of property in acres: 46.425 +/- **Original Date of Hearing:** 02/16/1999
(overall) OB Hearing Dates: 03/15/2016; 03/21/2017

Location: Southeasterly of Powers Ferry Road, and southeasterly of the intersection of Powers Ferry Road and
(street address, if applicable; nearest intersection, etc.) Riverbend Club Drive

Land Lot(s): 1057, 1058 **District(s):** 17th

State specifically the need or reason(s) for Other Business: _____
See Exhibit "B" attached hereto and incorporated herein by reference.

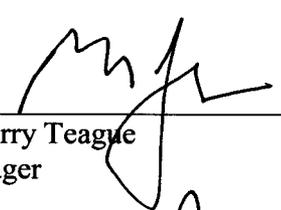
(List or attach additional information if needed)

EXHIBIT "A" - ATTACHMENT TO APPLICATION FOR "OTHER BUSINESS"
(Stipulation Amendment)

Application No.: Z-8 (1999)
Original Hearing Date: February 16, 1999
Date of Zoning Decision: February 16, 1999
Date of OB Zoning Decisions: March 15, 2016
March 21, 2017
Current Hearing Date: September 19, 2017

Applicant/Titleholder: **Walton Riverbend, LLC**

WALTON RIVERBEND, LLC

BY: 
L. Barry Teague
Manager

Date Executed: August 11, 2017

Address: 2181 Newmarket Parkway
Marietta, Georgia 30067

Telephone No.: (678) 303-4100

Signed, sealed, and delivered in the presence of:

Megan Collins
Notary Public
Commission Expires: April 25, 2021

[Notary Seal]



EXHIBIT "B" - ATTACHMENT TO APPLICATION FOR "OTHER BUSINESS"
(Stipulation Amendment)

Application No.:	Z-8 (1999)
Original Hearing Date:	February 16, 1999
Date of Zoning Decision:	February 16, 1999
Date of OB Zoning Decisions:	March 15, 2016 March 21, 2017
Current Hearing Date:	September 19, 2017

Applicant/Titleholder: Walton Riverbend, LLC

The property which is the subject of this Application for "Other Business" is contained within the multi-family, apartment community now known as "Walton on the Chattahoochee," and formerly referred to as "Riverbend." The overall apartment community contains approximately 46.425 acres and was rezoned to the RM-12 zoning classification, with stipulations, by the Cobb County Board of Commissioners on February 16, 1999, in Application Z-8 (1999). On March 15, 2016, the Cobb County Board of Commissioners approved an "Other Business" amendment to the previously approved Site Plan and As-Built Survey which would allow for the removal of the existing tennis courts and surrounding landscaped and parking areas located at the terminus of Riverbend Club Drive, Land Lots 1057 and 1058, 17th District, 2nd Section, Cobb County, Georgia (hereinafter "Property" or "Subject Property"). Subsequently, on March 21, 2017, the Cobb County Board of Commissioners approved a revised Site Plan and stipulations which were specific to the redevelopment of the Property.

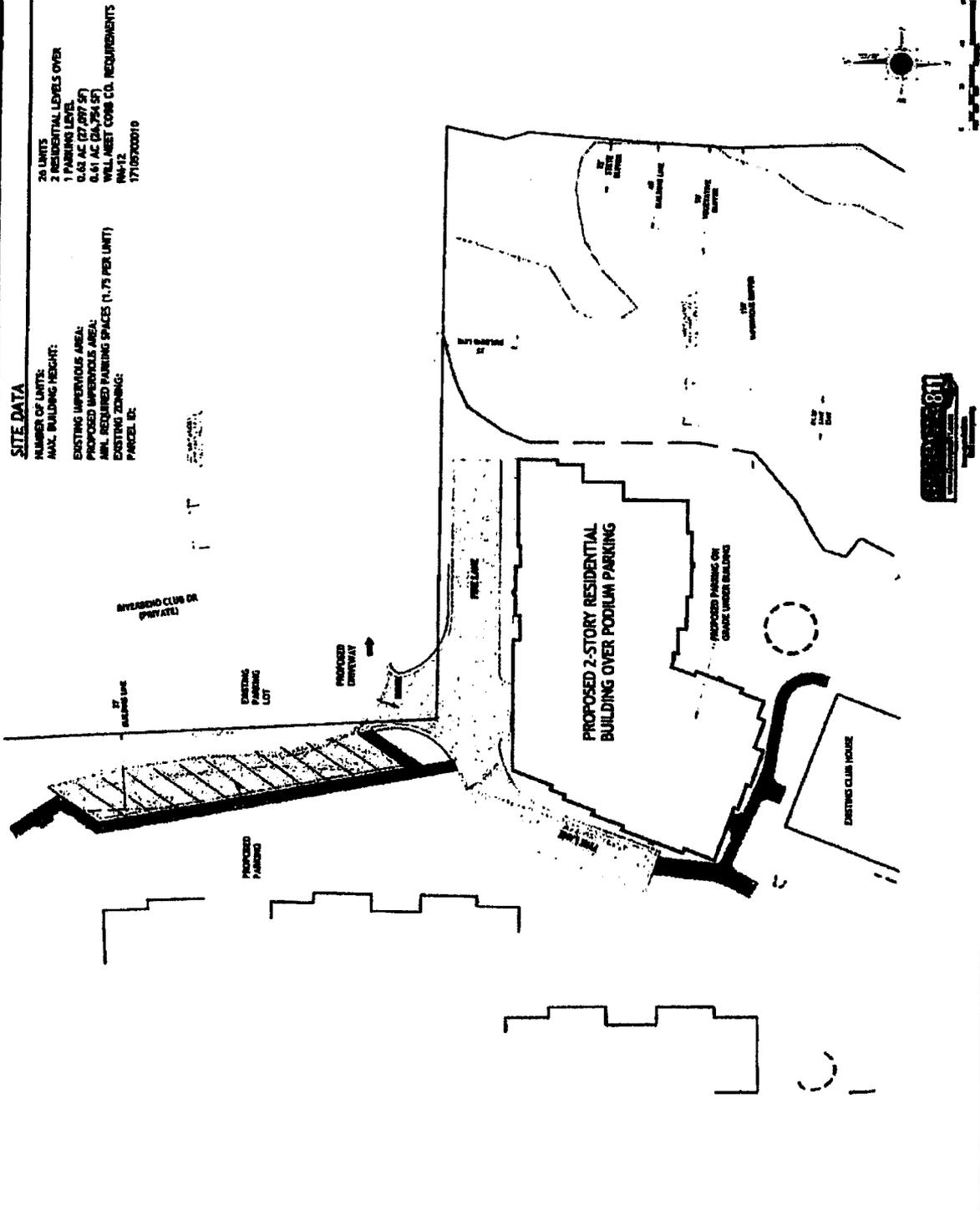
Walton Riverbend, LLC, as Applicant and Titleholder/Owner (hereinafter collectively referred to as "Applicant") in the current Application for "Other Business," seeks the amendment of one stipulation approved by the Cobb County Board of Commissioners on March 21, 2017, as follows:

- (1) Applicant proposes the deletion of stipulation 5, enumerated in the Board of Commission Zoning Minutes dated March 21, 2017, and the insertion in lieu thereof, the following:
 5. If Applicant intends to utilize 12 parking spaces in the "oval" portion of the private road, then prior to issuance of the land disturbance permit, Applicant shall provide to the County Attorney the necessary documents to demonstrate the parking requirements have been met, and that Applicant is entitled to utilize said spaces.

As with the prior two amendments, Applicant is not proposing any increase in the overall number of units previously approved by the Board of Commissioners in the original rezoning of Z-8 (1999) or in the "Other Business" amendments in 2016 and 2017; nor is Applicant proposing to increase the impervious surface area of the overall development, and is, in fact, reducing the impervious surface area by one percent. If the requested stipulation amendment is approved, as submitted in this Application for "Other Business," same shall become an additional part of the final rezoning and shall be binding upon the Subject Property.

The balance and remainder of the stipulations and conditions specifically enumerated in the final, official minutes, and attachments thereto, of the Board of Commissioners Zoning Hearing held on February 16, 1999; as well as, the final, official minutes, and referenced attachments, of the Board of Commissioners Zoning Hearing held on March 15, 2016, and March 21, 2017, and any subsequent amendments or District Commissioner approvals applicable to the overall development, are unaltered by this request for Stipulation Amendment and shall remain in full force and effect.

**REVISED SITE PLAN APPROVED BY
BOARD OF COMMISSIONERS PURSUANT
TO APPLICATION FOR “OTHER BUSINESS”
– MARCH 21, 2017**



SITE DATA

NUMBER OF UNITS: 26 UNITS
 MAX. BUILDING HEIGHT: 2 RESIDENTIAL LEVELS OVER 1 PARKING LEVEL
 EXISTING IMPERVIOUS AREA: 0.52 AC (27,897 SF)
 PROPOSED IMPERVIOUS AREA: 0.61 AC (26,794 SF)
 MIN. REQUIRED PARKING SPACES (1.75 PER UNIT): 45-46 SPACES
 EXISTING ZONING: RM-12
 PARCEL ID: 1710200010

Min. Bk. 31 Petition No. O.B.11
 Doc. Type Site Plan

EXHIBIT "1" Meeting Date 3-21-17

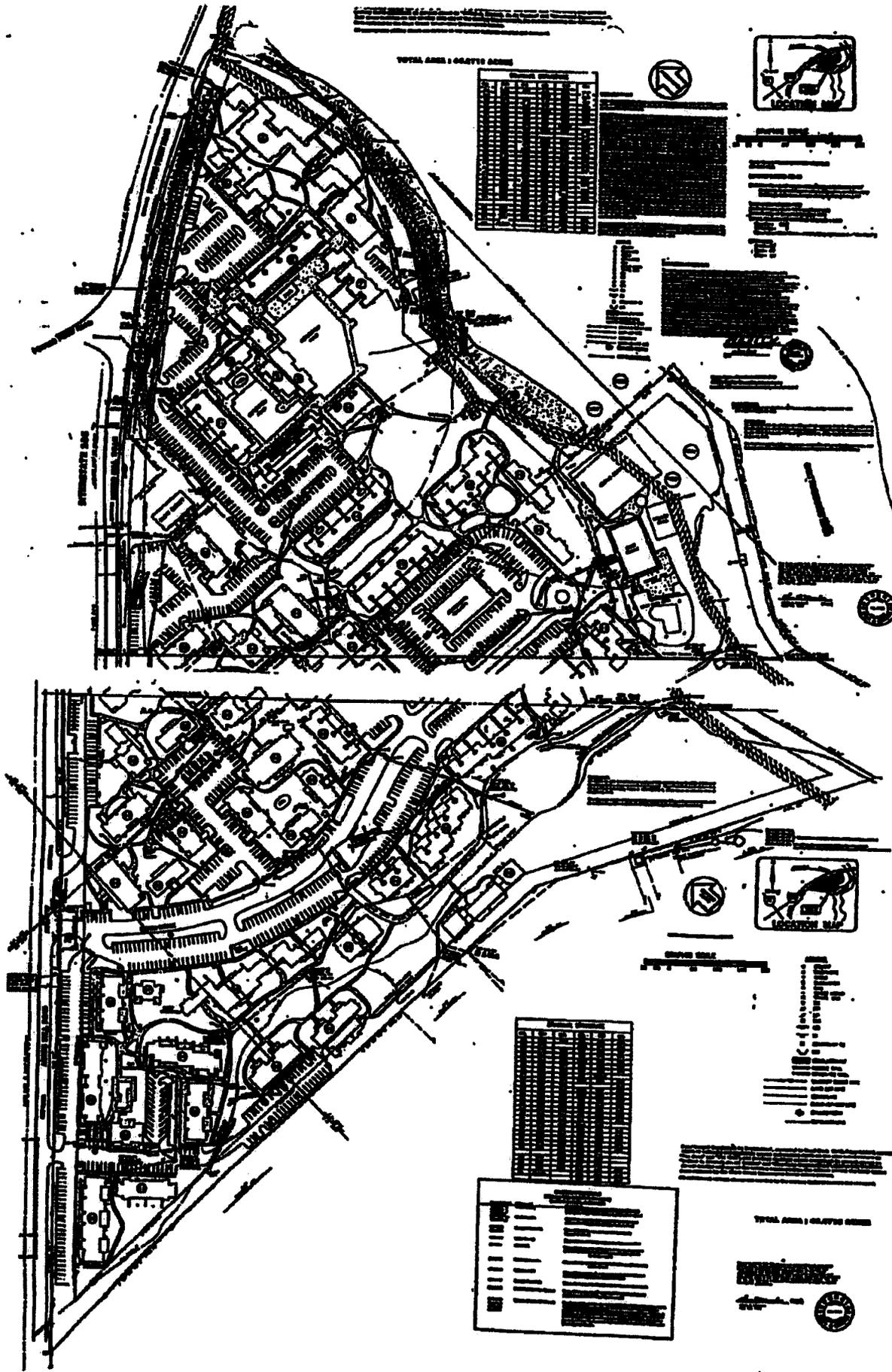
**REVISED SITE PLAN APPROVED BY
BOARD OF COMMISSIONERS PURSUANT
TO APPLICATION FOR “OTHER BUSINESS”
– MARCH 15, 2016**

**SITE PLAN APPROVED BY BOARD OF
COMMISSIONERS PURSUANT TO
APPLICATION FOR REZONING
NO. Z-8 (1999) – FEBRUARY 16, 1999**

**OFFICIAL MINUTES OF COBB COUNTY
BOARD OF COMMISSIONERS ZONING
HEARING AS TO APPLICATION FOR
REZONING NO. Z-8 (1999)
– FEBRUARY 16, 1999**

Minutes of the meeting of the Cobb County Board of Commissioners' Zoning Hearing held on **February 16, 1999** in the Second Floor Commissioners' Meeting Room, Cobb County Building, 100 Cherokee Street, Marietta, Georgia.

Z-8 **JULIAN LECRAW AND CO.** (Riverbend Apartments, LLC, Seymour Lazar, A.J. Lazar and Julian LeCraw, owners) for Rezoning from **RM-12** to **RM-12 with stipulations** for the purpose of Multi-family Residential in Land Lots 1031, 1032, 1057, 1058, 1066 and 1067 of the 17th District. 46.6713 acres. Located on the southeast side of Akers Mill Road, south of the Chattahoochee River. The Board of Commissioners, as part of the Consent Agenda, **approved** Rezoning to the **RM-12 zoning district subject to: 1) revised site plan submitted, with a maximum of 612 units (reduced copy of plan attached and made a part hereof); 2) project subject to Stormwater Management Division comments and recommendations; 3) project subject to Cobb DOT comments and recommendations.** Motion by Byrne, second by Olens, carried 5-0.



Large site plan on file in zoning file.

Z-8 Revised site plan as referenced in 2/16/99 zoning minutes M. Bradley

**OFFICIAL MINUTES OF COBB COUNTY
BOARD OF COMMISSIONERS ZONING
HEARING AS TO APPLICATION FOR
“OTHER BUSINESS” FOR Z-8 (1999)
– MARCH 15, 2016**

**MINUTES OF ZONING HEARING
COBB COUNTY BOARD OF COMMISSIONERS
MARCH 15, 2016**

OTHER BUSINESS

O.B. 50^{'15} To consider amending the site plan and stipulations for Walton Riverbend, LLC regarding rezoning application Z-8 (Julian LeCraw and Co.) of 1999, for property located on the southeast side of Akers Mill Road and Powers Ferry Road, west of Riverbend Club Drive in Land Lots 1031, 1032, 1057, 1058, 1066 and 1067 of the 17th District. *(Previously continued by Staff from the November 17, 2015, December 15, 2015 and the February 16, 2016 Board of Commissioners' hearings)*

Mr. Pederson provided information regarding a stipulation and site plan amendment to rebuild 26 units due to fire. The public hearing was opened and Mr. John Moore, Ms. Kate Stewart, Mr. Gil Weiner, Ms. Beverly Green, and Mr. Barry Teague addressed the Board. Following presentation and discussion, the following motion was made:

MOTION: Motion by Ott, second by Weatherford, to **approve** O.B. 50^{'15} for stipulation and site plan amendments regarding application Z-8 (Julian LeCraw and Co.) of 1999, for property located on the southeast side of Akers Mill Road and Powers Ferry Road, west of Riverbend Club Drive in Land Lots 1031, 1032, 1057, 1058, 1066 and 1067 of the 17th District, subject to:

1. **Proposed site plan received by the Zoning Division on October 13, 2015, with the District Commissioner approving minor modifications (attached and made a part of these minutes)**
2. **Letter of agreeable conditions from Mr. John Moore dated March 4, 2016 (attached and made a part of these minutes)**
3. **Construction hours will be 8:00 a.m. to 5:00 p.m. Monday through Friday; 9:00 a.m. until 5:00 p.m. on Saturday; and no work on Sunday**
4. **Department of Transportation to work with Walton Communities to follow a three step proposal to determine if a traffic signal is necessary: Step 1) clear out vegetation to achieve sight distance required by the County, with DOT monitoring; Step 2) installation of blinking light and mirrors that indicate on-coming traffic; Step 3) installation of a traffic signal**
5. **Funding for signal shall be returned to the Applicant at a time determined by County Attorney, DOT, and the Developer**
6. **Fire Department comments and recommendations (attached and made a part of these minutes)**
7. **Water and Sewer Division: 10' setback required from the edge of sewer easement to nearest part of the proposed building. Also, a Hold Harmless will be required for a specialty surface (pervious parking area) within sewer easement.**
8. **Stormwater Management Division: Subject to Metropolitan River Protection Act review. Review runoff to ensure catch basins are positioned correctly.**

**MINUTES OF ZONING HEARING
COBB COUNTY BOARD OF COMMISSIONERS
MARCH 15, 2016**

OTHER BUSINESS (CONT.)

O.B. 50¹⁵ (CONT.)

- 9. Department of Transportation: *Recommend Applicant verify that minimum intersection sight distance is available for Riverbend Club Drive and if it is not, implement remedial measures, subject to the Department's approval to achieve the minimum requirement of 390'.***
- 10. All previous stipulations and conditions, *not otherwise in conflict*, to remain in effect**

VOTE: ADOPTED 4-0, Birrell absent

MOORE INGRAM JOHNSON & STEELE

A LIMITED LIABILITY PARTNERSHIP
WWW.MIJS.COM

JOHN H. MOORE
STEPHEN C. STEELE
WILLIAM B. JOHNSON
ROBERT D. INGRAM
J. BRIAN O'NEAL
G. PHILLIP BRIDGES
ELDON L. BARNAN
MATTHEW J. HOWARD
JERE C. SMITH
CLAYTON G. GARMACK
KEVIN S. CARLOCK
ALEXANDER T. BALLOWAY III
J. KEVIN MOORE
ROBERT R. MCDOLLOCH
RODNEY S. STUMBT
BRIAN B. SMITH
MURRY R. TEAR III
W. TROY HART
JEFFREY A. BAZE
KEVIN A. PEPER
VICTOR R. WILLIAMS
ANGELA H. SMITH
CHRISTOPHER G. MINKLEDOFF
ANGELA B. TURLINE

PHILIP G. THOMPSON
JOYCE W. HARPER
CAREY S. OLSON
CHARLES E. FRENCH
WELSA R. EISEN
GREGORY H. FULLER
TODD L. MERO
ALEXANDER E. MORRISON
NICHOLAS W. SUTLER, JR.
CARLA C. WESTER
AMY L. JETT
RYAN M. INGRAM
SHAWN G. SWANSON
D. AUSTIN GILLIS
KRISTEN G. STEVENSON
SARAH H. BOBT
RICH C. BERRIS
JULIE G. FULLER
JOHN S. LOONEY
TAMM L. BROWN
DAVID A. MURRADO
J. MURRHALL WEHANT
JONATHAN J. SMITH
WILLIAM B. BARNHART

MARIETTA, GEORGIA
EMERSON OVERLOOK
226 ROWELL ST
MARIETTA, GEORGIA 30060
TELEPHONE (770) 426-1488
KNOXVILLE, TENNESSEE
406 N. CEDAR BLUFF RD - STE 200
KNOXVILLE, TENNESSEE 37923
TELEPHONE (865) 622-0039
JACKSONVILLE, FLORIDA
10121 OBERWOOD PARK BLVD - BLDG 200, STE 200
JACKSONVILLE, FLORIDA 32216
TELEPHONE (904) 426-1488
BENTWOOD, TENNESSEE
8200 MARYLAND HWY - STE 201
BENTWOOD, TENNESSEE 37027
TELEPHONE (615) 426-7247
LEXINGTON, KENTUCKY
2230 ALEXANDRIA DRIVE
LEXINGTON, KENTUCKY 40504
TELEPHONE (606) 416-0821
CHARLESTON, SOUTH CAROLINA
505 ISLAND PARK DR - STE B
CHARLESTON, SOUTH CAROLINA 29402
TELEPHONE (843) 552-0822
ORLANDO, FLORIDA
7300 W. SAND LAKE RD - STE 200
ORLANDO, FLORIDA 32819
TELEPHONE (407) 367-4223

COLLEEN K. MOFF
DAVID J. OTTEN
JONATHAN S. FUTRELL
NORBERT D. HAGGEL, IV
DAVID R. COHLEY
MARIANNA L. JABLONSKI
LOURDES M. BANGEMAN
LEAH C. FOX
J. DANIEL COLE
RYAN S. ROBINSON
JOSEPH D. SHELLEY
LESLIE S. SMITH
CHRISTIAN M. LAYCOCK
LIZA D. HARNELL
JENNICA A. KING
JOHN A. EARLY
CHRISTOPHER W. SHERMAN
JESS E. MAPLES
FREDERICK F. FISHER
KENNETH D. HALL
RAHUL SMITH
GRANT S. TALL
KIMBERLY K. THOMPSON
BRENT R. LAMAR

CHRISTOPHER R. BROOKS
ADAM S. BRIDGES
CHRISTOPHER G. MOUTRIAN
ALLISON M. WELLS
BERNARD T. BROOKS
MICHAEL R. BEARD
M. CRAIG HOLLOWAY
MICHAEL E. PETERSON
MATTHEW L. JONES
NELOFAR ACHARYAN
OF COUNSEL:
JOHN L. SHELTON, JR.
1 ALSO ADMITTED IN TX
2 ALSO ADMITTED IN FL
3 ALSO ADMITTED IN GA
4 ALSO ADMITTED IN TN
5 ALSO ADMITTED IN AL
6 ALSO ADMITTED IN KY
7 ALSO ADMITTED IN SC
8 ALSO ADMITTED IN MS
9 ADMITTED ONLY IN GA
10 ADMITTED ONLY IN TN
11 ADMITTED ONLY IN FL
12 ADMITTED ONLY IN DC
13 ADMITTED ONLY IN NY

Min. Bk. 78 Petition No. 0.B.50(2015)
Doc. Type Letter

March 4, 2016

Meeting Date 3-15-16

Hand Delivered

MAR - 4 2016

Mr. John P. Pederson, AICP
Zoning Division Manager
Zoning Division
Cobb County Community Development Agency
Suite 400
1150 Powder Springs Road
Marietta, Georgia 30064

RE: Application for "Other Business" - OB-050-2015
Applicant/Property Owner: Walton Riverbend, LLC
Property: Property located southeasterly of Powers Ferry Road and southeasterly of the intersection of Powers Ferry Road and Riverbend Club Drive, Land Lots 1057 and 1058, 17th District, 2nd Section, Cobb County, Georgia

Dear John:

As set forth in the Application for "Other Business, Applicant and Property Owner, Walton Riverbend, LLC (hereinafter collectively referred to as "Applicant"), requests the approval of an amendment to a portion of the Master Plan of the development known as "Walton on the Chattahoochee." The amendment would apply only to the portion of the existing community which is shown and reflected on the enlargement of the overall Master Plan and would entail the removal of the area currently noted as "tennis courts" located at the terminus of Riverbend Club

MOORE INGRAM JOHNSON & STEELE

Mr. John P. Pederson, AICP
Zoning Division Manager
Zoning Division
Cobb County Community Development Agency
Page 2 of 4
March 4, 2016

Petition No. 0.B.50 (2015)
Meeting Date 3-5-16
Continued

Drive, said area to include the tennis courts and related parking facilities. Applicant is proposing the construction of an apartment home building which shall replace a building previously destroyed by fire within the overall community. As part of the approval, Applicant submits the following revised stipulations and conditions which shall become part of the approval for the proposed amendments. This revised letter of agreeable stipulations and conditions shall supersede and replace in full any and all previous stipulation letters. The revised stipulations are as follows:

- (1) Applicant has engaged the services of Mr. Dan Dobry, a Traffic Engineer with Croy Engineering, LLC, to assess the safety aspects of the intersection of Riverbend Club Drive, a private road, with Powers Ferry Road. Applicant agrees to work with the existing condominium communities consisting of Chattahoochee Chase and Chattahoochee Trail to implement the recommendations of the traffic safety analysis performed by Mr. Dobry.
- (2) Applicant agrees to pay all costs associated with the design and installation of a traffic signal at the intersection of Powers Ferry Road and River Bend Club Drive. This agreement is subject to approval of the Cobb County Board of Commissioners.
- (3) Applicant agrees to install trees and other screening vegetation to enhance the area located northeasterly of the proposed apartment building with the closest adjacent condominiums of Chattahoochee Trail.
- (4) Applicant will repair any portion of Riverbend Club Drive which may be damaged during the construction of the proposed apartment building.
- (5) There are twenty-four (24) parking spaces located along Riverbend Club Drive in proximity to Applicant's real property and the real property of Chattahoochee Trail Condominiums. Applicant agrees that these parking spaces will be allocated between Applicant and Chattahoochee Trail Condominiums with Applicant receiving use of twelve (12) spaces and Chattahoochee Trail Condominiums receiving the use of twelve (12) spaces.
- (6) Applicant agrees not to install any dumpster or trash compactor on the exterior of the proposed apartment building.

MOORE INGRAM JOHNSON & STEELE

Mr. John P. Pederson, AICP
Zoning Division Manager
Zoning Division
Cobb County Community Development Agency
Page 3 of 4
March 4, 2016

Petition No. 0-8-16 (2015)
Meeting Date 3-15-16
Continued

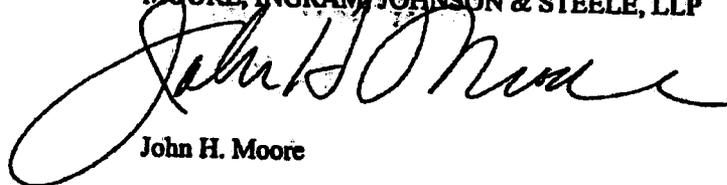
- (7) The balance and remainder of the stipulations and conditions applicable to the overall, existing residential community are unchanged by the approvals requested by Applicant in its Application for "Other Business."

We believe these requested approvals, as presented in the Application for "Other Business," together with the revised stipulations set forth above, are an appropriate modification for the Subject Property, and further, we believe this project will be an enhancement to the existing community. The proposed addition to the existing residential community of Walton on the Chattahoochee shall be of the highest quality, shall be compatible with surrounding neighborhoods, and shall be an enhancement to the Subject Property and the community as a whole. 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

c: Cobb County Board of Commissioners:
Timothy D. Lee, Chairman
JoAnn Birrell
Lisa N. Cupid
Robert J. Ott
Bob Weatherford

Jason A. Campbell
Planner III
Zoning Division
Cobb County Community Development Agency

MOORE INGRAM JOHNSON & STEELE

Mr. John P. Pederson, AICP
Zoning Division Manager
Zoning Division
Cobb County Community Development Agency
Page 4 of 4
March 4, 2016

Petition No. 0.8.00 (201)
Meeting Date 3/5/16
Continued

c: Beverly Green
Rebecca Weiner
Chris O'Cleary
Ryan O'Meara
Chattahoochee Chase Residents

Kate Stice Stewart
Area Resident

Walton Riverbend, LLC

Cobb County Fire and Emergency Services

Fire Marshal Comments

Applicant Name: Walton Riverbend
Petition Number: OB-050 (2015)
Date: 2/19/2016

Min. Bk. 78 Petition No. OB-050(2015)
Doc. Type Fire Dept. Comments
End. re. Comments 2/19/16
Meeting Date 2-15-16

ACCESS: Fire apparatus access roads shall extend to within 150 feet of all portions of the facility or any portion of the exterior wall of the first floor (State Modifications IFC 503.1 2006 Edition).

All access roads shall meet the American Association of State and Highway Transportation Officials (AASHTO) design manual live load standard HS20 (75,000 lbs.) with an unobstructed width of not less than 20 feet, 25 foot inside radius, 50 foot outside turning radius and unobstructed vertical clearance of not less than 13 feet 6 inches.

Maximum slope of the access road in reference to the apparatus is 10% Front to Back and 5% Side to Side. Maximum grade of roadways leading to Fire Access roads refer to the Cobb County Development Standard Section 400: 14% for Non-Residential. Maximum angle of departure is 8.5%.

Dead-end access roads in excess of 150 feet shall be provided with a turn-around (IFC 503.2.5 2006 Edition). Cul-de-sac with or without an island: minimum 60-foot radius to outside curb, measured to inside of curb and a minimum lane width = 24 feet (Cobb County Development Standard 401.09). Single-Family cul-de-sac without island: 38-foot outside radius with island reverts to commercial dimensions. Hammerhead turn-around: total of 110 feet needed (45 feet + 20 feet wide roadway + 45 feet).

Aerial apparatus access shall be required for all structures over 30 feet in height measured from the lowest level of fire department access to the ceiling height of the highest occupied floor level. Aerial fire apparatus access roads shall be a minimum width of 24 feet maximum of 40 feet from the structure and be positioned parallel to one entire side of the building. No overhead utility and power lines shall be located within the aerial fire apparatus access. (Cobb County Development Standards 401.08.02.1)

HYDRANT: Show fire hydrants arranged to have a hydrant available for the distribution of hose to any portion of any building on premises at distances not exceeding 500 feet (driving distance). Hydrants shall be at least 40 feet from the building (steamer connection facing street) (NFPA 24-7.2.3). Fire hydrants shall be spaced not more than 500 feet apart. Hydrants shall not be connected to water lines on the positive side (discharge side) of a fire pump. Minimum 8" supply lines to all hydrants.

**OFFICIAL MINUTES OF COBB COUNTY
BOARD OF COMMISSIONERS ZONING
HEARING AS TO APPLICATION FOR
“OTHER BUSINESS” FOR Z-8 (1999)
– MARCH 21, 2017**

**MINUTES OF ZONING HEARING
COBB COUNTY BOARD OF COMMISSIONERS
MARCH 21, 2017
9:00 A.M.**

The Board of Commissioners Zoning Hearing was held on Tuesday, March 21, 2017 at 9:00 a.m. in the second floor public meeting room of the Cobb County Building A, Marietta, Georgia. Present and comprising a quorum of the Board were:

Chairman Mike Boyce
Commissioner JoAnn Birrell
Commissioner Bob Ott
Commissioner Bob Weatherford

Commissioner Cupid - absent

O.B. 11 To consider a site plan and stipulation amendment for Walton Riverbend, LLC regarding rezoning application Z-8 (Julian LeCraw and Co.) of 1999. The property is located on the southeast side of Akers Mill Road and Powers Ferry Road, west of Riverbend Club Drive, in Land Lots 1031, 1032, 1057, 1058, 1066 and 1067 of the 17th District.

Mr. Pederson presented Applicant's request for stipulation and site plan amendments to rebuild 26 units and add 45 parking spaces. The public hearing was opened and Mr. John Moore, Mr. Ted Smith, Mr. Greg Freemyer, Ms. Kristen Smith, and Mr. James Martin addressed the Board. Following presentation and discussion, the following motion was made:

MOTION: Motion by Ott, second by Birrell, to **approve** O.B. 11 for Z-8 (Julian LeCraw and Co.) of 1999. The property is located on the southeast side of Akers Mill Road and Powers Ferry Road, west of Riverbend Club Drive, in Land Lots 1031, 1032, 1057, 1058, 1066 and 1067 of the 17th District, subject to:

1. Site plan dated January 18, 2017, with the District Commissioner approving minor modifications (attached and made a part of these minutes)
2. *Exhibit B* as contained in the Other Business packet (attached and made a part of these minutes)
3. Applicant will consider comments from adjacent condominium owners regarding the landscaping and trees located between the two properties, with final approval by the County Arborist
4. Applicant agrees to maintain landscaping at the main entrance on Powers Ferry Road
5. If Applicant intends to utilize 12 parking spaces, then prior to issuance of the land disturbance permit, the Applicant shall provide to the County Attorney the necessary documents to demonstrate that the parking requirements have been met by having an approved parking/sharing plan; if Applicant decides not to utilize said parking spaces, then a parking plan showing that the required parking has been met to be presented to the District Commissioner
6. Water and Sewer Division comments and recommendations
7. Stormwater Management Division comments and recommendations
8. Department of Transportation comments and recommendations
9. All previous stipulations and conditions, *not otherwise in conflict*, to remain in effect

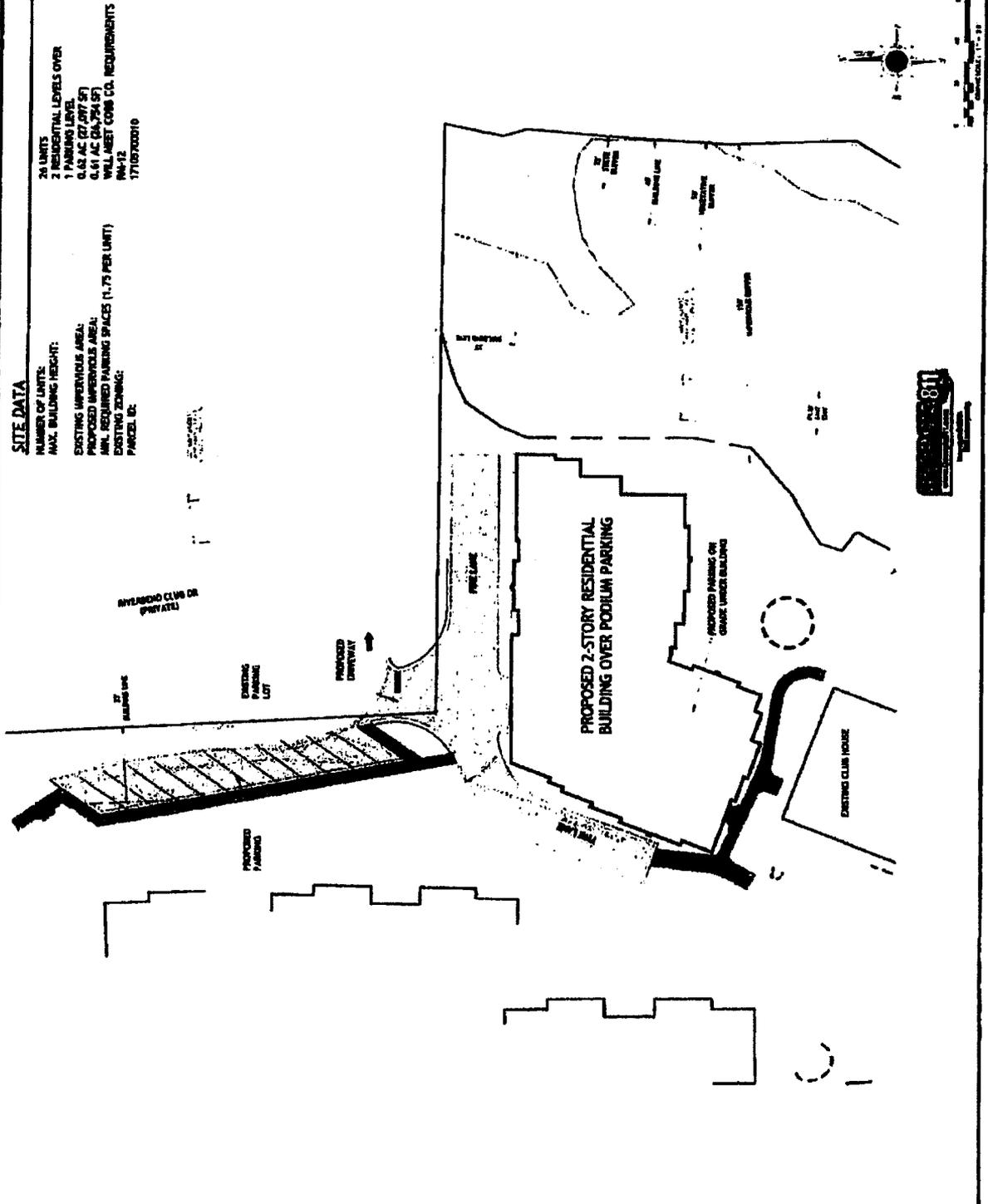
VOTE: ADOPTED 4-0, Cupid absent



Site Plan
 Douglas Consulting Engineers, Inc.
 1000 Peachtree Street, N.E., Atlanta, Georgia 30309
 Phone: 404-525-1111

Walton Communities
 2101 Peachtree Parkway, Marietta, GA 30067
 404-575-1111

Project: **Walton on the Chattahoochee**
 Location: **1000 N. 10th St. N.W. Atlanta, GA 30309**
 Date: **01-18-17**
 Scale: **1" = 20'**
 Sheet: **1 OF 1**



SITE DATA

NUMBER OF UNITS: 24 UNITS
 NUMBER OF BUILDING HEIGHTS: 2 RESIDENTIAL LEVELS OVER 1 PARKING LEVEL
 EXISTING UNDEVELOPED AREA: 0.82 AC (27,077 SF)
 PROPOSED IMPROVABLE AREA: 0.61 AC (26,294 SF)
 MIN. REQUIRED PARKING SPACES (1.75 PER UNIT): 42 SPACES
 EXISTING ZONING: RM-12
 PARCEL ID: 17102700010

Min. Bk. 31 Petition No. O.B.11
 Doc. Type Site Plan

EXHIBIT "1" Meeting Date 3-21-17

Min. Bk. 91 Petition No. O.B. 11
Doc. Type Exhibit B

Meeting Date 3-21-17

OB-11

EXHIBIT "B" - ATTACHMENT TO APPLICATION FOR "OTHER BUSINESS"
(Site Plan Amendment)

Application No.: Z-8 (1999)
Original Hearing Date: February 16, 1999
Date of Zoning Decision: February 16, 1999
Date of OB Zoning Decision: March 15, 2016
Current Hearing Date: March 21, 2017

Applicant/Titleholder: Walton Riverbend, LLC

The property which is the subject of this Application for "Other Business" is contained within the multi-family, apartment community now known as "Walton on the Chattahoochee," and formerly referred to as "Riverbend." The overall apartment community contains approximately 46.425 acres and was rezoned to the RM-12 zoning classification, with stipulations, by the Cobb County Board of Commissioners on February 16, 1999, in Application Z-8 (1999). On March 15, 2016, the Cobb County Board of Commissioners approved an "Other Business" amendment to the previously approved Site Plan and As-Built Survey which would allow for the removal of the existing tennis courts and surrounding landscaped and parking areas located at the terminus of Riverbend Club Drive, Land Lots 1057 and 1058, 17th District, 2nd Section, Cobb County, Georgia (hereinafter "Property" or "Subject Property").

Walton Riverbend, LLC, as Applicant and Titleholder/Owner (hereinafter collectively referred to as "Applicant"), seeks approval of a revised Site Plan from the Site Plan and As-Built Survey previously approved by the Cobb County Board of Commissioners on March 15, 2016, as follows:

- (1) Applicant proposes the approval of the revised Site Plan prepared by Doulgerakis Consulting Engineers, Inc. dated January 18, 2017, a reduced copy of which is attached as Exhibit "1" and incorporated herein by reference.
- (2) The proposed structure to be constructed will be a maximum of three (3) stories in height; which shall be two (2) stories containing a maximum of twenty-six (26) residential units over one (1) story of podium parking. A copy of the rendering of the proposed structure is attached as Exhibit "2" and incorporated herein by reference. Therefore, there shall be no increase in residential units than previously approved for the Subject Property and overall development.
- (3) Parking for the proposed structure shall be provided at 1.75 spaces per unit as required by Cobb County Code. Such parking shall be contained on the first level of the proposed building and surface spaces shown as "Proposed Parking" on the referenced Site Plan.

(4) The proposed additions meet the impervious limitations set by the Metropolitan River Protection Act, as follows

- | | |
|--|-----------------------------------|
| (a) Existing impervious surface area:
(existing tennis courts and surrounding area) | 27,097 square feet
(0.62 ac.); |
| (b) Total proposed impervious surface area: | 26,754 square feet
(0.61 ac.). |

Applicant is not proposing any increase in the overall number of units previously approved by the Board of Commissioners in the original rezoning of Z-8 (1999) or in the "Other Business" amendment in 2016; nor is Applicant proposing to increase the impervious surface area of the overall development, and is, in fact, reducing the impervious surface area by one percent. Applicant simply desires to restore a portion of the units previously lost due to the fire and seeks to amend the Site Plan previously approved to allow this restoration. If the amendment to the Site Plan is approved, as submitted in this Application for "Other Business," same shall become an additional part of the final rezoning and shall be binding upon the Subject Property.

The balance and remainder of the stipulations and conditions specifically enumerated in the final, official minutes, and attachments thereto, of the Board of Commissioners Zoning Hearing held on February 16, 1999; as well as, the final, official minutes, and referenced attachments, of the Board of Commissioners Zoning Hearing held on March 15, 2016, and any subsequent amendments or District Commissioner approvals applicable to the overall development, are unaltered by this request for Site Plan Amendment and shall remain in full force and effect.

**2016 PAID AD VALOREM PROPERTY TAX
RECIPT FOR SUBJECT PROPERTY
(TAX PARCEL NO. 17105700010)**



CARLA JACKSON TAX COMMISSIONER
CHELLY MCDUFFIE CHIEF DEPUTY
 Phone: 770-528-8600
 Fax: 770-528-8679

Printed: 8/15/2017

Cobb County Online Tax Receipt

Thank you for your payment!

Payer:
 NATIONAL TAX SEARCH LLC

WALTON RIVERBEND LLC

Payment Date: 10/12/2016

Tax Year	Parcel ID	Due Date	Appeal Amount		Taxes Due
2016	17105700010	10/17/2016	Pay:	N/A or	\$0.00
Interest	Penalty	Fees	Total Due	Amount Paid	Balance
\$0.00	\$0.00	\$0.00	\$0.00	\$553,750.07	\$0.00



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