

22. The developer shall have the ability to alter the connection to Cooper Lake Road via new inter-parcel access with the previously approved Jolley development to the north. Any new or altered connections will need to be approved by the City Engineer.

Mr. Miller stated the City's recommendation in this case is for approval of an R-12 Conditional zoning for the same site plan. Council Member Scoggins asked Mr. Wood if it is correct that the rezoning under consideration is for construction of 45 single-family residences, and Mr. Wood answered in the affirmative. Council Member Scoggins asked Mr. Wood how much the proposed houses will sell for, and Mr. Wood stated it is his understanding that the new houses will have selling prices of over \$400,000 each. Council Member McNabb asked Mr. Shaw if part of stipulation 20 concerning a gated community could be omitted. Mr. Shaw stated he would like to have the option of making this development a gated community. Council Member Pritchett commented favorably about gated communities.

2. Public Hearing - Annexation Request (60% of owners requesting annexation) – 14.73 Acre Tract Land Lot 331, 332, 389 and 390 – Southeast Fontaine, LLC; Fontaine Lakes, LLC; Whistlestop Properties, LLC

Mr. Wright stated the legal description of the subject property was reviewed by the city engineer and found to be in order. Mr. Wright stated the application for this annexation request was validated at the April 3, 2006 council meeting.

Mayor Bacon stated this is a public hearing and asked for public comment. There was none.

MOTION: Council Member Wood made a motion to approve the annexation request for a 14.73 acre tract in Land Lots 331, 332, 389 and 390 for Southeast Fontaine, LLC; Fontaine Lakes, LLC; and Whistlestop Properties, LLC to become a part of Ward 7 with an effective date of June 1, 2006. The motion was seconded by Council Member Newcomb. Motion was approved 6 – 0, with Council Member Smith abstaining.

3. Final Vote - Rezoning Request Z06-009 – LI and R-15 to RAD Conditional – 16.18 Acre Tract - Land Lots 331, 332, 389 and 390 – Southeast Fontaine, LLC; Fontaine Lakes, LLC

MOTION: Council Member Wood made a motion to approve Rezoning Request Z06-009 from LI and R-15 to R-12 Conditional for a 16.18 acre tract in Land Lots 331, 332, 389 and 390 for Southeast Fontaine, LLC and Fontaine Lakes, LLC. The motion was seconded by Council Member Newcomb. Council Member McNabb stated he is not in support of gated communities in the City. Motion was approved 5 – 1, with Council Member McNabb in opposition and Council Member Smith abstaining.

- (C) Rezoning and Annexation – 3.16 acre tract – Hawthorne Avenue – DGD Holdings, Inc.

Mr. Wright stated rezoning of the subject property has been requested for construction of 28 townhouses at a density of 8.86 units per acre. Mr. Wright stated PZB and staff recommend approval of this rezoning request subject to a number of conditions.

1. Public Hearing - Rezoning Request Z06-022 – R-15, FC, GC and LC to RAD Conditional – 3.16 acre tract – Hawthorne Avenue – DGD Holdings, Inc.

Mayor Bacon stated this is a public hearing and asked for public comment, and the oath was

administered to a number of persons by Mr. Cochran.

Council Member Scoggins asked Mr. Miller if the construction style of the proposed townhouses is different and must be adhered to. Mr. Miller stated the layout of the townhouses will be along Hawthorne Avenue as specified in the *Livable Centers Initiative* (LCI) plan. At Mayor Bacon's request, Mr. Dudek showed graphic representations of the proposed structures to the present officials. Mr. Dudek stated he has met with the members of the Williams Park Neighborhood Association to discuss his plans with them. Council Member Pritchett asked Mr. Dudek what the selling prices of the planned dwellings will be, and Mr. Dudek stated they will have selling prices of over \$400,000 each.

Mayor Bacon recognized Ms. Casey Clavin, residing on Roswell Street, and Ms. Clavin commended Mr. Dudek for making an effort to meet with the members of her community to discuss his plans for the proposed development. Ms. Clavin commented favorably about the plans for the subject property. Ms. Clavin stated Mr. Dudek agreed to plant oak trees along Hawthorne Street. Ms. Clavin stated it should be noted that the side elevations, when at a driveway or street, will be fully developed with windows and/or balconies or other design elements.

Mayor Bacon recognized Mr. Bud McCullough (phonetic), and Mr. McCullough asked about setbacks for the development and whether or not a flat roof will be featured on the proposed buildings. Mr. Miller stated the front setback for the development will be 25.'

2. Annexation Request (100% of owners requesting Annexation) – .40 acre tract - Land Lot 562, Parcel 31 – 2540 St. Charles Drive – William Williams

Mr. Wright stated the city engineer has reviewed the legal description of the subject property and found it to be in order.

MOTION: Council Member Scoggins made a motion to approve the annexation request for a .40 acre tract in Land Lot 562, Parcel 31 at 2540 St. Charles Drive for William Williams. The motion was seconded by Council Member Wood. Motion was approved 7 – 0.

3. Final Vote - Rezoning Request Z06-022 – R-15, FC, GC and LC to RAD Conditional – 3.16 acre tract – Hawthorne Avenue – DGD Holdings, Inc.

At Mayor Bacon's request, Mr. Miller read the special stipulations of the rezoning into the record as follows:

Special Conditions

14. A 10' landscape buffer shall be provided along the northern development boundary.
15. The right-of-way along Saint Charles Avenue and Davis Drive shall be increased to 50' to match other residential road right-of-ways. Therefore a dedication of 5' is required.
16. The maximum distance between trees along Hawthorne Avenue, Davis Drive, and St Charles Avenue shall be 35'. Oak trees shall be provided along Hawthorne Avenue.
17. The association documents shall contain a restriction such that garages are to be used for vehicle parking only.

18. Driveways shall have a minimum length of 22' from building face to edge of common drive.
19. The development shall maintain the following setbacks from the existing right of ways:
 - Front - 25'
 - Rear - 25'
 - Major Side (Davis Drive & St Charles Avenue) - 15'
 - West Side - 10'
 - Building side to side - 35'
 - Building side to rear - 60'
20. All buildings will incorporate four-sided architecture.

Council Member Scoggins asked Mr. Dudek if the stipulations are acceptable, and Mr. Dudek answered in the affirmative.

MOTION: Council Member Scoggins made a motion to approve Rezoning Request Z06-022 from R-15, FC, GC and LC to RAD Conditional for a 3.16 acre tract on Hawthorne Avenue for DGD Holdings, Inc. The motion was seconded by Council Member McNabb. Council Member Newcomb expressed the view that the proposed development conforms to the LCI plan and is compatible with the subject area. Council Member McNabb commended Mr. Dudek for meeting with the members of the nearby community to discuss his plans for the proposed development. Council Member Lnenicka stated he agrees with the views expressed by Council Members McNabb and Newcomb regarding this rezoning request. Motion was approved 7 - 0.

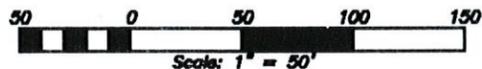
(D) Public Hearing - Rezoning Request Z06-010 - R-15 to RAD Conditional - 3.03 Acre Tract - Highland Avenue - DGD Holdings, Inc.

Mr. Wright stated the applicant is requesting annexation of the subject property to build 12 single-family residences at a density of 3.96 units per acre. Mr. Wright stated the PZB voted to deny this rezoning request. Mr. Wright stated staff recommends approval of the request subject to a number of conditions.

Mayor Bacon stated this is a public hearing and asked for public comment, and the oath was administered to numerous persons by Mr. Cochran.

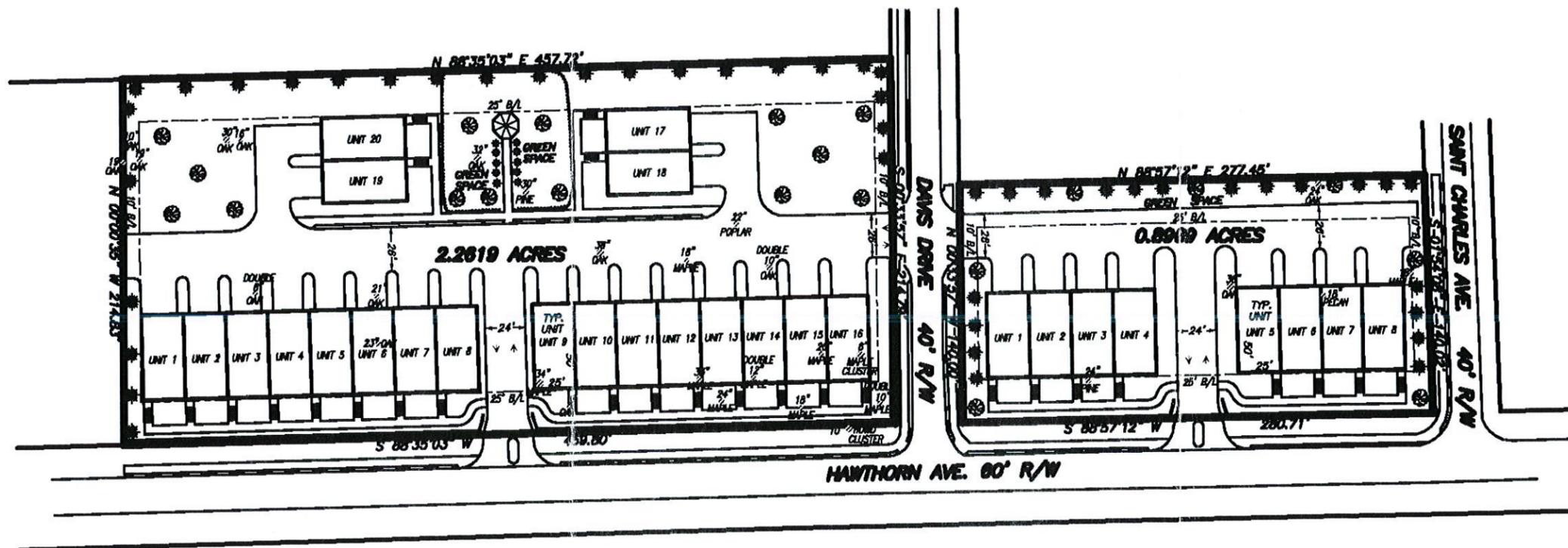
Council Member Scoggins recognized Mr. Dudek, and Mr. Dudek provided details to those present concerning his plans for the subject property. Mr. Dudek stated he has been discussing this proposal with residents near the subject area. Council Member Scoggins asked Mr. Dudek what the selling prices of the new dwellings would be, and Mr. Dudek stated the prices of the new houses would start at over \$500,000 each. Mayor Bacon expressed concerns about Marston Street becoming a through street and the placement of a water detention structure near Highland Avenue. Mr. Miller stated the detention structure can be built in such a way as to be inconspicuous. Council Member Scoggins summarized comments from the city engineer for those present in which concern was expressed about the drive on Highland Avenue. Mr. Dudek stated he can review his plans further in order to evaluate other options.

Mayor Bacon recognized Mr. Matt Duncan, residing in a nearby Hatcher Homes development, and Mr. Duncan expressed support for the proposed development. Mr. Duncan stated placement of stop signs at the streets in the subject area could help reduce vehicular speeding there.



AREA SUMMARY
 20 UNITS - 25,000 S.F.
 GREEN SPACE - 6,815 S.F.
 DRIVE/ACCESS - 24,952 S.F.
 OPEN AREA - 41,961 S.F.
 TOTAL COMMON AREA = 29,068 S.F.
 TOTAL SITE = 98,828 S.F.
 = 2.2619 ACRES
 = 8.8 UNITS / ACRE

AREA SUMMARY
 8 UNITS - 10,000 S.F.
 GREEN SPACE - 4,670 S.F.
 DRIVE/ACCESS - 12,780 S.F.
 OPEN AREA - 21,638 S.F.
 TOTAL COMMON AREA = 29,068 S.F.
 TOTAL SITE = 39,068 S.F.
 = 0.8919 ACRES
 = 8.9 UNITS / ACRE



FLOOD STATEMENT
 THIS PROPERTY IS NOT LOCATED IN A FLOOD HAZARD AREA ACCORDING TO
 F.I.R.M. PANEL #13067C0075 F LAST REVISED ON AUGUST 18, 1992.

SURVEYED _____
 CALCULATED IGM
 FILE HawthornAve
 DATE MARCH 8, 2006

GUDGER SURVEYING INC.
 LAND & ENGINEERING SURVEYS
 7000 PEACHTREE-DUNWOODY ROAD
 BUILDING 6, SUITE 250
 ATLANTA, GEORGIA 30328
 PH (770)892-9211 FAX (770)892-8173

CONCEPTUAL DRAWING FOR
HAWTHORN AVENUE
 LL 519, DISTRICT 17, SECTION 2
 COBB COUNTY, GEORGIA

6		
5		
4		
3		
2		
1		
NO. DATE		REVISION



© Copyright 2006, Garrell Associates, Inc.

© 2004 GARRELL ASSOCIATES, INC.
DESIGN

 COTTAGE
craft homes

HAWTHORNE GATE TOWNHOME COMMUNITY

GARRELL 
ASSOCIATES, INC.
Residential Design Consultants

ARTIST'S CONCEPTION MAY VARY FROM ACTUAL PLAN

© Copyright 2006, Garrell Associates, Inc.