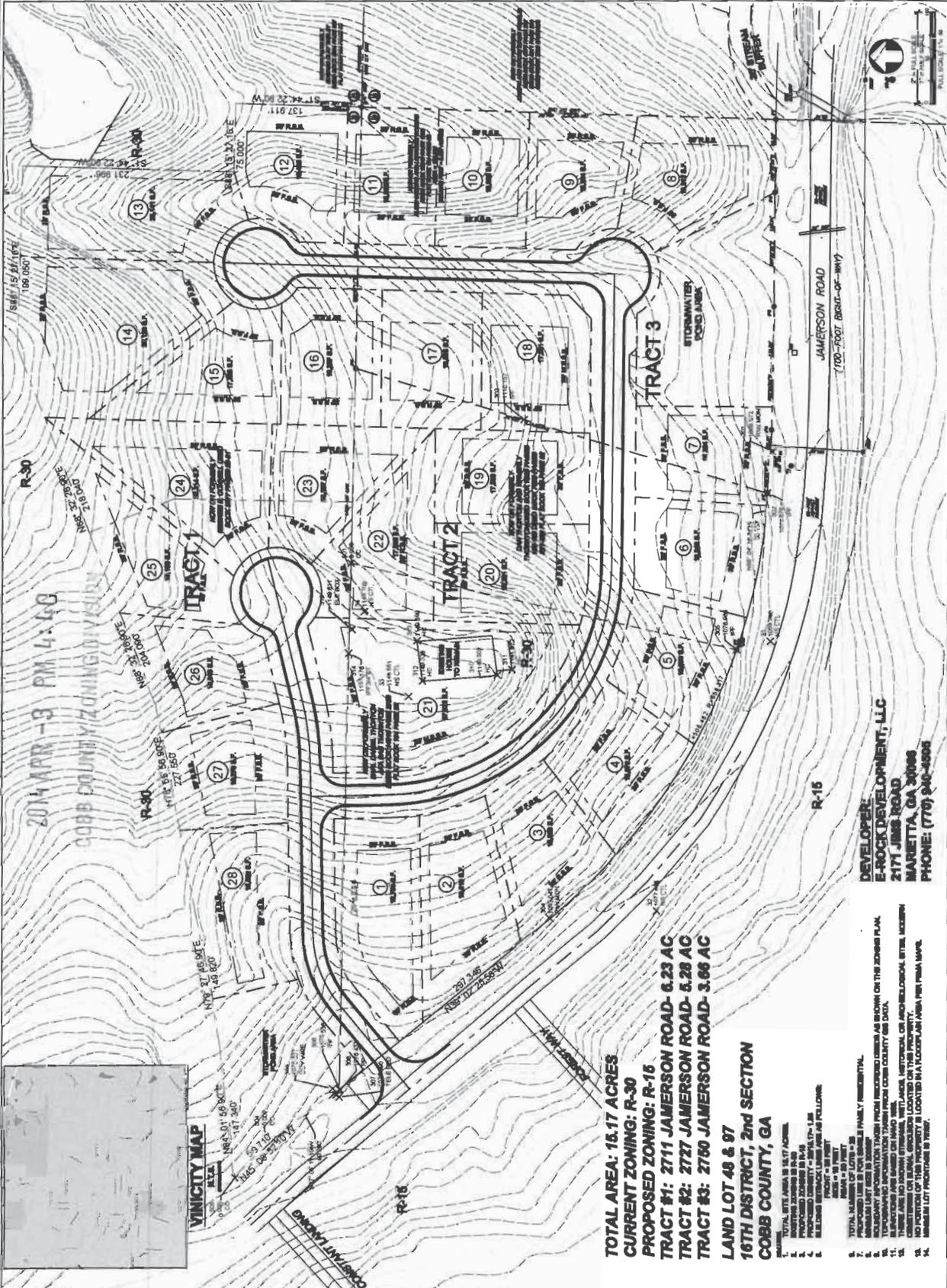


Z-35
(2014)

| | | | |
|---|--|---|--|
| <p>DUCKSON ENGINEERING 2018 PINEHURST DRIVE ALPHARETTA, GA 30009 770.940.8888 WWW.DUCKSON.COM</p> | | PROJECT NAME: JAMERSON ROAD SUBDIVISION DRAWING TITLE: ZONING PLAN | DRG NO.: Z01 DATE: 04/03/14 DRAWN BY: [Name] CHECKED BY: [Name] |
| | | REVISION RECORD | PROJECT NO.: 2014004100.AT WID PREP. NO.: |

PRELIMINARY PLANS



COBB COUNTY GEORGIA
FILED IN OFFICE
2014 APR -3 PM 4:40
COBB COUNTY ZONING DIVISION



TOTAL AREA: 15.17 ACRES
CURRENT ZONING: R-30
PROPOSED ZONING: R-15
TRACT #1: 2711 JAMERSON ROAD- 0.23 AC
TRACT #2: 2727 JAMERSON ROAD- 5.28 AC
TRACT #3: 2750 JAMERSON ROAD- 3.66 AC
LAND LOT 48 & 97
16TH DISTRICT, 2nd SECTION
COBB COUNTY, GA

DEVELOPER:
E-ROCK DEVELOPMENT, LLC
 2171 JAMES ROAD
 MARIETTA, GA 30066
 PHONE: (770) 940-8995

1. TOTAL AREA OF TRACT IS 15.17 ACRES.
2. PROPOSED ZONING IS R-15.
3. ALL ZONING RESTRICTIONS ARE AS FOLLOWS:
4. MAXIMUM LOT AREA IS 10 ACRES.
5. MINIMUM LOT AREA IS 0.2 ACRES.
6. MINIMUM LOT FRONT SETBACK IS 10 FEET.
7. MINIMUM LOT DEPTH SETBACK IS 10 FEET.
8. MINIMUM LOT WIDTH SETBACK IS 10 FEET.
9. MINIMUM LOT AREA IS 0.2 ACRES.
10. MINIMUM LOT FRONT SETBACK IS 10 FEET.
11. MINIMUM LOT DEPTH SETBACK IS 10 FEET.
12. MINIMUM LOT WIDTH SETBACK IS 10 FEET.
13. THERE ARE NO SHADOWS, ELEVATIONS, METERS, OR ANY-RELATIONAL METERS SHOWN ON THIS MAP.
14. NO CONTROL OF THE LAND IS SHOWN ON THIS MAP.
15. THE LOCATION OF THE LAND IS SHOWN ON THIS MAP.
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APPLICANT: O'Dwyer Properties, LLC

(770) 887-2177

REPRESENTATIVE: John H. Moore (770) 429-1499

Moore Ingram Johnson & Steele, LLC

TITLEHOLDER: Killarney Investments, LLC, W.A. Jett, Steven

Galper, Waverly Thornton, and Earl D. Thornton

PROPERTY LOCATION: Northeast side of Jamerson Road, west of

Wigley Road

(2711, 2727 and 2750 Jamerson Road).

ACCESS TO PROPERTY: Jamerson Road

PHYSICAL CHARACTERISTICS TO SITE: Single-family houses

on acreage

PETITION NO: Z-35

HEARING DATE (PC): 06-03-14

HEARING DATE (BOC): 06-17-14

PRESENT ZONING: R-30

PROPOSED ZONING: R-15

PROPOSED USE: Single-Family Residential

SIZE OF TRACT: 15.17 acres

DISTRICT: 16

LAND LOT(S): 48, 97

PARCEL(S): 28, 45, 46

TAXES: PAID X **DUE** _____

COMMISSION DISTRICT: 3

CONTIGUOUS ZONING/DEVELOPMENT

NORTH: R-30/Single-family house

SOUTH: R-15/Forest Chase Subdivision

EAST: R-30/Single-family houses

WEST: R-15/Jamestown Estates and Forest Chase Subdivisions

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

PLANNING COMMISSION RECOMMENDATION

APPROVED _____ **MOTION BY** _____

REJECTED _____ **SECONDED** _____

HELD _____ **CARRIED** _____

BOARD OF COMMISSIONERS DECISION

APPROVED _____ **MOTION BY** _____

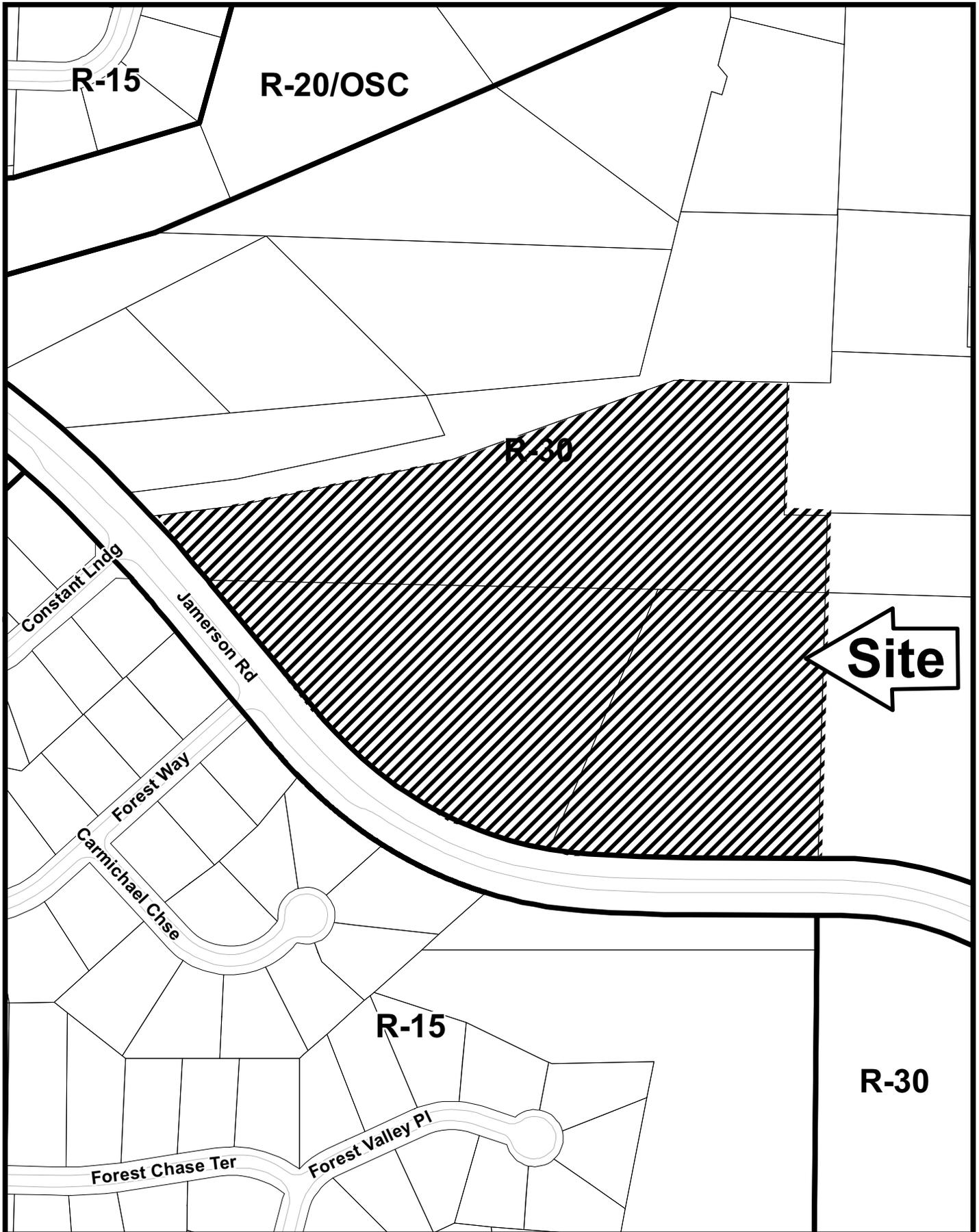
REJECTED _____ **SECONDED** _____

HELD _____ **CARRIED** _____

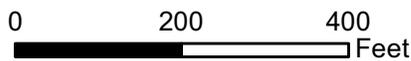
STIPULATIONS:



Z-35



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



-  City Boundary
-  Zoning Boundary

APPLICANT: O'Dwyer Properties, LLC

PETITION NO.: Z-35

PRESENT ZONING: R-30

PETITION FOR: R-15

ZONING COMMENTS:

Staff Member Responsible: Jason A. Campbell

Land Use Plan Recommendation: Low Density Residential (1-2.5 units per acre)

Proposed Number of Units: 28 **Overall Density:** 1.85 **Units/Acre**

Staff estimate for allowable # of units: 16 **Units*** **Increase of:** 12 **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.

Applicant is requesting the R-15 category for the purpose of developing a single-family detached subdivision. The architecture of the houses will be traditional, craftsman, with prices ranging from \$600,000 to \$700,000.

Cemetery Preservation: No comment.

APPLICANT: O'Dwyer Properties, LLC

PETITION NO.: Z-35

PRESENT ZONING: R-30

PETITION FOR: R-15

SCHOOL COMMENTS:

| <u>Name of School</u> | <u>Enrollment</u> | <u>Capacity Status</u> | <u>Number of Portable Classrooms</u> |
|-----------------------|-------------------|------------------------|--------------------------------------|
| <u>Davis</u> | <u>553</u> | <u>636</u> | <u>Under</u> |
| Elementary | | | |
| <u>Mabry</u> | <u>889</u> | <u>1,023</u> | <u>Under</u> |
| Middle | | | |
| <u>Lassiter</u> | <u>2,035</u> | <u>2,137</u> | <u>Under</u> |

High

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

Additional Comments:

FIRE COMMENTS:

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: O'Dwyer Properties, LLC

PETITION NO.: Z-35

PRESENT ZONING: R-30

PETITION FOR: R-15

PLANNING COMMENTS:

The applicant is requesting a rezoning from R-30 to R-15 for single family residential. The 15.17 acre site is located on the Northeast side of Jamerson Road, west of Wigley Road.

Comprehensive Plan

The parcel is within the Low Density Residential (LDR) area future land use category, with R-30 zoning designation. The purpose of the Low Density Residential (LDR) category is to provide for areas that are suitable for low density housing between one (1) and two and one-half (2.5) dwelling units per acre. This category presents a range of densities.

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 O'Dwyer Properties

PETITION NO. Z-035

PRESENT ZONING R-30

PETITION FOR R-15

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(HS) / W side of Wigley Road

Additional Comments: Sweat Mountain High Service Area

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: 210' SW in Forest Way ROW

Estimated Waste Generation (in G.P.D.): A D F= 4480 Peak= 11200

Treatment Plant: Noontday

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 Sewer connection (w/easement) 250' S may be required based on final elevations.
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: O'Dwyer Properties, LLC

PETITION NO.: Z-35

PRESENT ZONING: R-30

PETITION FOR: R-15

STORMWATER MANAGEMENT COMMENTS

FLOOD HAZARD: YES NO POSSIBLY, NOT VERIFIED

DRAINAGE BASIN: Trib to Trickum Creek FLOOD HAZARD INFO: Zone X

- FEMA Designated 100 year Floodplain Flood.
- Flood Damage Prevention Ordinance DESIGNATED FLOOD HAZARD.
- Project subject to the Cobb County Flood Damage Prevention Ordinance Requirements.
- Dam Breach zone from (upstream) (onsite) lake - need to keep residential buildings out of hazard.

WETLANDS: YES NO POSSIBLY, NOT VERIFIED

Location: _____

- The Owner/Developer is responsible for obtaining any required wetland permits from the U.S. Army Corps of Engineer.

STREAMBANK BUFFER ZONE: YES NO POSSIBLY, NOT VERIFIED

- Metropolitan River Protection Area (within 2000' of Chattahoochee River) ARC (review 35' undisturbed buffer each side of waterway).
- Chattahoochee River Corridor Tributary Area - County review (_____ undisturbed buffer each side).
- Georgia Erosion-Sediment Control Law and County Ordinance - County Review/State Review.
- Georgia DNR Variance may be required to work in 25 foot streambank buffers.
- County Buffer Ordinance: 50', 75', 100' or 200' each side of creek channel.

DOWNSTREAM CONDITION

- Potential or Known drainage problems exist for developments downstream from this site.
- Stormwater discharges must be controlled not to exceed the capacity available in the downstream storm drainage system.
- Minimize runoff into public roads.
- Minimize the effect of concentrated stormwater discharges onto adjacent properties.
- Developer must secure any R.O.W required to receive concentrated discharges where none exist naturally
- Existing Lake Downstream _____.
Additional BMP's for erosion sediment controls will be required.
- Lake Study needed to document sediment levels.
- Stormwater discharges through an established residential neighborhood downstream.
- Project engineer must evaluate the impact of increased volume of runoff generated by the proposed project on downstream receiving system. Limited channel conveyance through Forest Chase S/D must be evaluated and may impact allowable discharge capacity of westernmost detention pond.

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 subject parcel is located to the north of Jamerson Road just west of its intersection with Wigley Road. Slopes on the site are moderate to steep with average slopes ranging from 20 to 30%. While the entire parcel drains to the south to Jamerson Road, the site is divided by a ridge that splits the site with approximately three-quarters flowing to the southeast corner and the remaining quarter to the southwest corner. Both discharge points drain to existing culverts under Jamerson Road. Detention ponds will be required at both locations to control stormwater runoff from the site.

APPLICANT: O'Dwyer Properties, LLC

PETITION NO.: Z-35

PRESENT ZONING: R-30

PETITION FOR: R-15

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 |
|---------------|---------------------|------------------------|-------------|------------------------|--------------------------|
| Jamerson Road | 8800 | Arterial | 45 mph | Cobb County | 100' |
| | | | | | |

Based on 2005 traffic counting data taken by Cobb County DOT (Jamerson Road)

COMMENTS AND OBSERVATIONS (REVISED 5/12/14)

Jamerson Road is classified as an arterial and according to the available information the existing right-of-way does meet the minimum requirements for this classification.

RECOMMENDATIONS

Recommend applicant coordinate with Cobb County DOT prior to development plan approval to ensure compatibility with SPLOST Project D4120/D6120, Jamerson Road and Wigley Road Safety and Operational Improvements Project.

Recommend a deceleration lane.

Recommend private streets be constructed to the Cobb County Standard Specifications.

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

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STAFF RECOMMENDATIONS

Z-35 O'DWYER PROPERTIES, LLC

- A. It is Staff's opinion that the applicant's rezoning proposal will permit a use that is suitable in view of the use and development of adjacent and nearby properties. Applicant's proposal is similar to other single-family subdivisions in the area.
- 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. Other properties along this portion of Jamerson Road are similarly zoned with similar densities.
- 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 in conformity with the policy and intent of the *Cobb County Comprehensive Plan*, which delineates this property as Low Density Residential (LDR), having densities ranging from 1-2.5 units per acre. Applicant's proposed site plan indicates a density of 1.85 units per acre. The range of densities for other developments in this area include: The Summit at Sweat Mountain (zoned R-30 at 0.72 units per acre); Forest Chase Unit -2 (zoned R-15 at 2.06 units per acre); Falcon Crest Subdivision (zoned R-15, with an average density of 2.185 units per acre for Units 1 and 2); and Jamestown Estates (zoned R-15 at 2.52 units per acre).
- 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 deleting the applicant's rezoning proposal. While the current proposal meets the R-15 and LDR requirements, Staff feels that the topography of the property may present difficulties in the development process. Staff believes that by applying the density average of 1.75 units per acre from the Zoning Ordinance for the R-20 category, applicant can possibly achieve 26 lots, decreasing the proposed R-15 development by two lots.

Based on the above analysis, Staff recommends DELETING the request to the R-20 zoning category subject to the following conditions:

- Site plan meeting R-20 requirements, with the District Commissioner approving minor modifications;
- Water and Sewer Division comments and recommendations;
- Stormwater Management Division comments and recommendations; and
- 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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COBB COUNTY GEORGIA
FILED IN OFFICE
2014 APR -3 PM 4:39
COBB COUNTY ZONING DIVISION



Application #: Z-35 (2014)
PC Hearing Date: 06/03/2014
BOC Hearing Date: 06/17/2014

Summary of Intent for Rezoning

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

- a) Proposed unit square-footage(s): 2,500 - 4,000 square feet
- b) Proposed building architecture: Traditional; Craftsman
- c) Proposed selling prices(s): \$600,000-\$700,000
- d) List all requested variances: None known at this time

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

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

Part 3. Other Pertinent Information (List or attach additional information if needed)

None at this time.

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). None known at this time.

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: April 3, 2014

John H. Moore; Georgia Bar No. 519800

Applicant name (printed): Attorneys for Applicant and Property Owners

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