

APPLICANT: Tanglewood Development, Inc.

(770) 321-5032

REPRESENTATIVE: J. Kevin Moore (770) 429-1499

Moore Ingram Johnson & Steele, LLC

TITLEHOLDER: David R. Pearson and Elizabeth D. Pearson

PROPERTY LOCATION: Northeast side of Jamerson Road, west

of Hawk Trail

(2555 and 2625 Jamerson Road).

ACCESS TO PROPERTY: Jamerson Road

PHYSICAL CHARACTERISTICS TO SITE: Existing single-family

houses and accessory building

CONTIGUOUS ZONING/DEVELOPMENT

NORTH: R-15/Falcon Crest Subdivision

SOUTH: R-15/Tanglewood Park Subdivision

EAST: R-15/Falcon Crest Subdivision

WEST: R-30/Single-family house

PETITION NO: Z-36

HEARING DATE (PC): 06-03-14

HEARING DATE (BOC): 06-17-14

PRESENT ZONING: R-15, R-30

PROPOSED ZONING: R-15

PROPOSED USE: Single-Family Residential

SIZE OF TRACT: 6.055 acres

DISTRICT: 16

LAND LOT(S): 24, 49

PARCEL(S): 1, 5

TAXES: PAID X **DUE** _____

COMMISSION DISTRICT: 3

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

PLANNING COMMISSION RECOMMENDATION

APPROVED _____ **MOTION BY** _____

REJECTED _____ **SECONDED** _____

HELD _____ **CARRIED** _____

BOARD OF COMMISSIONERS DECISION

APPROVED _____ **MOTION BY** _____

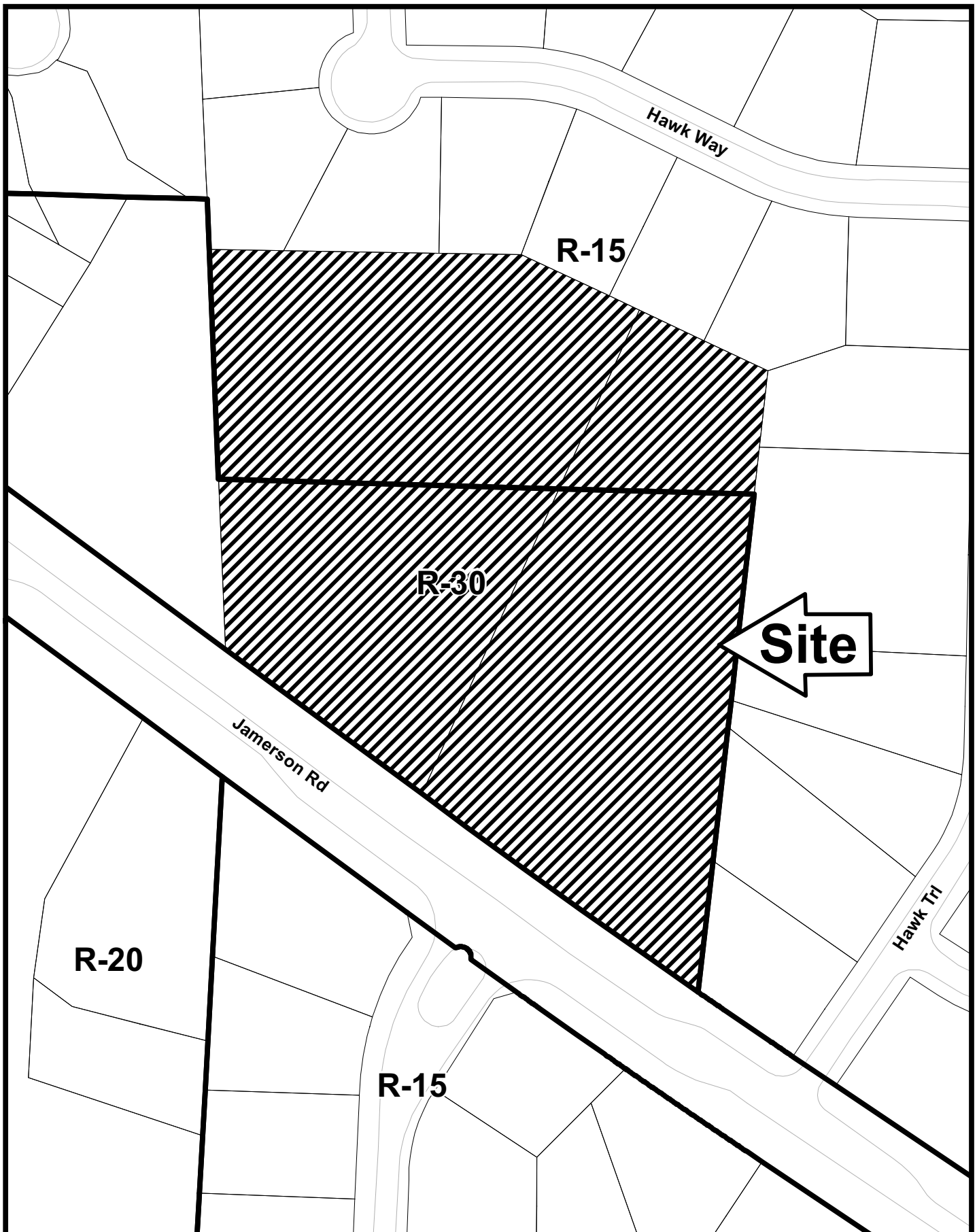
REJECTED _____ **SECONDED** _____

HELD _____ **CARRIED** _____

STIPULATIONS:



Z-36



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

0 100 200 Feet



City Boundary
Zoning Boundary

APPLICANT: Tanglewood Development, Inc.

PETITION NO.: Z-36

PRESENT ZONING: R-15, 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: 14 **Overall Density:** 2.31 **Units/Acre**

Staff estimate for allowable # of units: 9 **Units*** **Increase of:** 5 **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. Based on +/- 2.43 acres zoned R-15 (5 lots) and +/- 3.62 acres zoned R-30 (4 lots).

Applicant is requesting to rezone the subject property to the R-15 zoning category for the purpose of a 14-lot single-family residential subdivision. The houses will be traditional, ranging in size from 1,500 square feet and greater. The houses will consist of combinations of brick, stone, cedar shake and hardiplank.

The proposed site plan indicates a private road and the applicant requests that the setbacks be taken from that private road. The site plan indicates 25-foot front setbacks for the lots arranged on the private road.

Cemetery Preservation: No comment.

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SCHOOL COMMENTS:

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

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.

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PETITION FOR: R-15

PLANNING COMMENTS:

The applicant is requesting a rezoning from R-15 and R-20 to R-15 for single family residential. The 6.055 acre site is located on the Northeast side of Jamerson Road, west of Hawk Trail.

Comprehensive Plan

The parcel is within the Low Density Residential (**LDR**) area future land use category, with R-15 and R-30 zoning designations. 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 Tanglewood Development, Inc.

PETITION NO. Z-036

PRESENT ZONING R-15, 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" CI / S side of Jamerson Road

Additional Comments: Master meter to be set at entrance at ROW

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: In Jamerson Road ROW

Estimated Waste Generation (in G.P.D.): A D F= 2240 Peak= 5600

Treatment Plant: Noonday

Plant Capacity: ☒ Available ☐ Not Available

Line Capacity: ☒ Available ☐ Not Available

Projected Plant Availability: ☒ 0 - 5 years ☐ 5 - 10 years ☐ over 10 years

Drw 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 Private streets. Sewer to be private.
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.

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STORMWATER MANAGEMENT COMMENTS

FLOOD HAZARD: ☐ YES ☒ NO ☐ POSSIBLY, NOT VERIFIED

DRAINAGE BASIN: Little River 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/D.E. required to receive concentrated discharges where none exist naturally
- ☐ Existing Lake Downstream _____.
Additional BMP's for erosion sediment controls will be required.
- ☐ Lake Study needed to document sediment levels.
- ☒ Stormwater discharges through an established residential neighborhood downstream.
- ☒ Project engineer must evaluate the impact of increased volume of runoff generated by the proposed project on downstream receiving systems.

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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. This parcel is located immediately northeast of Jamerson Road and is bounded by a single residential lot to the west and Falcon Crest S/D to the north and east. Approximately half of the site discharges to the northwest corner through several adjacent residential lots and into the Tanglewood North S/D. The remaining half flows to the northeast into an existing drainage easement along the eastern property line within the Falcon Crest S/D.
2. A single stormwater management facility is proposed to be located at the northwest corner of the site. Since a significant portion of the site will need to be diverted to this pond and no drainage easement currently exists to receive a concentrated discharge, a drainage easement will need to be secured either through the rear of the adjacent corner parcel within Falcon Crest S/D or the rear of the adjacent lot directly to the west. Due to the increase in runoff volume to be conveyed through this area it is recommended that the pond outlet be tied directly to the existing headwall located at the rear of 214 Canopy Court.
3. Since private streets are proposed all stormwater management within the development including the detention pond will be privately maintained in perpetuity by the HOA.

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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-36 TANGLEWOOD DEVELOPMENT, INC.

- 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 2.31 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 approving the applicant's rezoning proposal, but at a lower density. 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, although it is not as rough as properties further east on Jamerson Road. Staff believes that by applying the density average of 2.1 units per acre from the Zoning Ordinance for the R-15 category, applicant can possibly achieve 13 lots, decreasing the proposed R-15 development by one lot.

Based on the above analysis, Staff recommends APPROVING the request to the R-15 zoning category subject to the following conditions:

- Maximum of 13 lots;
- District Commissioner to approve final site plan;
- 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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FILED IN OFFICE

2014 APR -3 PM 4: 54

COBB COUNTY ZONING DIVISION



Application #: Z-36 (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): Minimum 1,500 square feet, and greater
- b) Proposed building architecture: Traditional, combination of brick, stone, cedarshake,
and hardi-plank
- c) Proposed selling prices(s): To Be Provided
- d) List all requested variances: Rezone for 14 lots.

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).

TANGLEWOOD DEVELOPMENT, INC.

Applicant signature: David Pearson Date: 3/31/14

Applicant name (printed): David Pearson, President

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