

**JUNE 16, 2015 ZONING HEARING
“OTHER BUSINESS”
COMMISSION DISTRICT 4**

ITEM OB-025

PURPOSE

To consider amending the site plan and zoning stipulations for JW Homes, LLC regarding rezoning application Z-135 (John Wieland Homes and Neighborhoods, Inc.) of 2005, for property located at the northern terminus of Sunrise Boulevard and on the east side of Acacia Lane (private road) in Land Lots 289, 290, 695, 396 and 403 of the 18th District.

BACKGROUND

The subject property was rezoned to RM-8 for a 65-lot single-family subdivision in 2005. These 65-lots were an addition to the Providence mixed use development that the applicant is constructing. In 2008, the concept was taken back to the Board of Commissioners to amend the site plan to allow 85 attached units on this property. 18 of the attached units have been constructed since 2008. The applicant wishes to build out the rest of the property with 47 single-family houses. When the development is all complete, the property will have 65 attached and detached units, which is the same number of units from the 2005 rezoning action. If approved, all stipulations not in conflict will remain in effect.

RECOMMENDATION

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

ATTACHMENTS

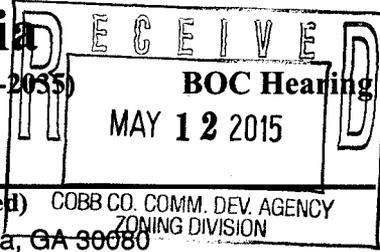
Other Business Application and zoning stipulations.

Application for "Other Business"

OB-025-2015

Cobb County, Georgia

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



BOC Hearing Date Requested: JW Homes, LLC

Applicant: JW Homes, LLC

(applicant's name printed)

Phone #: 770.703.1656 (Michael) & 770.703.1625 (Tim)

Address: 4125 Atlanta Road, SE | Smyrna, GA 30080

E-Mail: michael.meshkaty@jwhomes.com
tim.poff@jwhomes.com

Michael Meshkaty or Tim Poff

Address: 4125 Atlanta Road, SE | Smyrna, GA 30080

(representative's name, printed)

Michael Meshkaty

(representative's signature)

Phone #: 770.703.1656 (Michael) & 770.703.1625 (Tim)

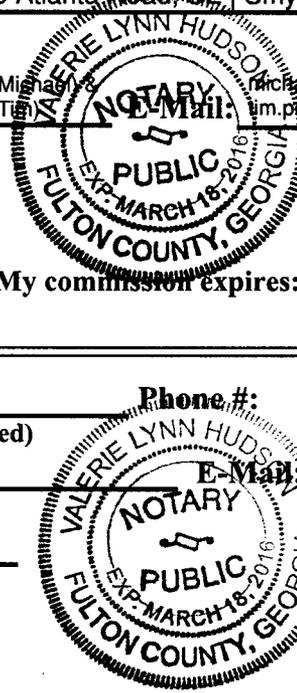
E-Mail: michael.meshkaty@jwhomes.com
tim.poff@jwhomes.com

Signed, sealed and delivered in presence of:

Valerie Lynn Hudson

Notary Public

My commission expires: March 18, 2016



Titleholder(s): JW Homes, LLC

(property owner's name printed)

Address: 4125 Atlanta Road, SE | Smyrna, GA 30080

Phone #: 770.703.1656 (Michael) & 770.703.1625 (Tim)

E-Mail: michael.meshkaty@jwhomes.com
tim.poff@jwhomes.com

Buyer's signature

(Property owner's signature)

Signed, sealed and delivered in presence of:

Valerie Lynn Hudson

Notary Public

My commission expires: March 18, 2016

Commission District: 4

Zoning Case: Z-111 ('01), Z-65 ('03), Z-135 ('05), Z-31 ('07)

Date of Zoning Decision: February 19, 2008

Original Date of Hearing: September 20, 2005 (Z-135)

Location: Southeast and southwest intersection of Veterans Memorial Hwy and Queens Mill Road and north terminus of Sunrise Boulevard and on the east side of Acacia Lane (private road)

(street address, if applicable; nearest intersection, etc.)

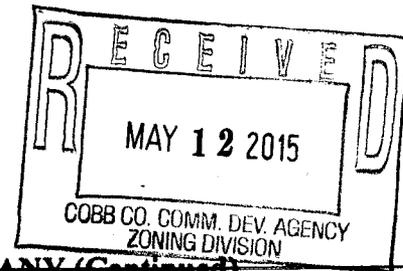
Land Lot(s): 166, 167, 179, 180, 181, 278-280, 289, 290, 395, 396, 403

District(s): 18th

State specifically the need or reason(s) for Other Business:

JW Homes, LLC is seeking to reduce the land use intensity from the previously approved site plan of 85 townhomes (2-19-2008) to 47 single family detached units in order to meet a shift in the market demands.

(List or attach additional information if needed)



~~Z-130 CORNERSTONE INVESTMENT COMPANY (Continued)~~

- Paragraph 11d. change to read: "The installation of a 150-foot deceleration lane and an appropriate taper on Burnt Hickory Road at the subdivision's entrance thereon, and installation of a left turn lane per Cobb DOT recommendations."
- construction to commence within twelve (12) months from the date of final approval of this rezoning request (completion of curb and gutter), or the property shall revert to the previous zoning district
- pre- and post-development hydrology studies on the down stream lake in compliance with Cobb County Code, if drainage is taken to the north
- minor modifications to be approved by the District Commissioner
- Fire Department comments, *not otherwise in conflict*
- Water and Sewer Division comments and recommendations, *not otherwise in conflict*
- Stormwater Management 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

Z-135

JOHN WIELAND HOMES AND NEIGHBORHOODS, INC. (owner) requesting Rezoning from LI to RM-8 for the purpose of an Addition of Property to a Previously Approved Subdivision in Land Lots 289, 290, 395, 396 and 403 of the 18th District. Located at the northern terminus of Sunrise Boulevard and on the east side of Acacia Lane (private road).

MOTION: Motion by Goreham, second by Thompson, as part of the Consent Agenda, to approve rezoning to the RM-8 zoning district subject to:

- Fire Department comments
- Water and Sewer Division comments and recommendations
- Stormwater Management Division comments and recommendations
- Cobb DOT comments and recommendations

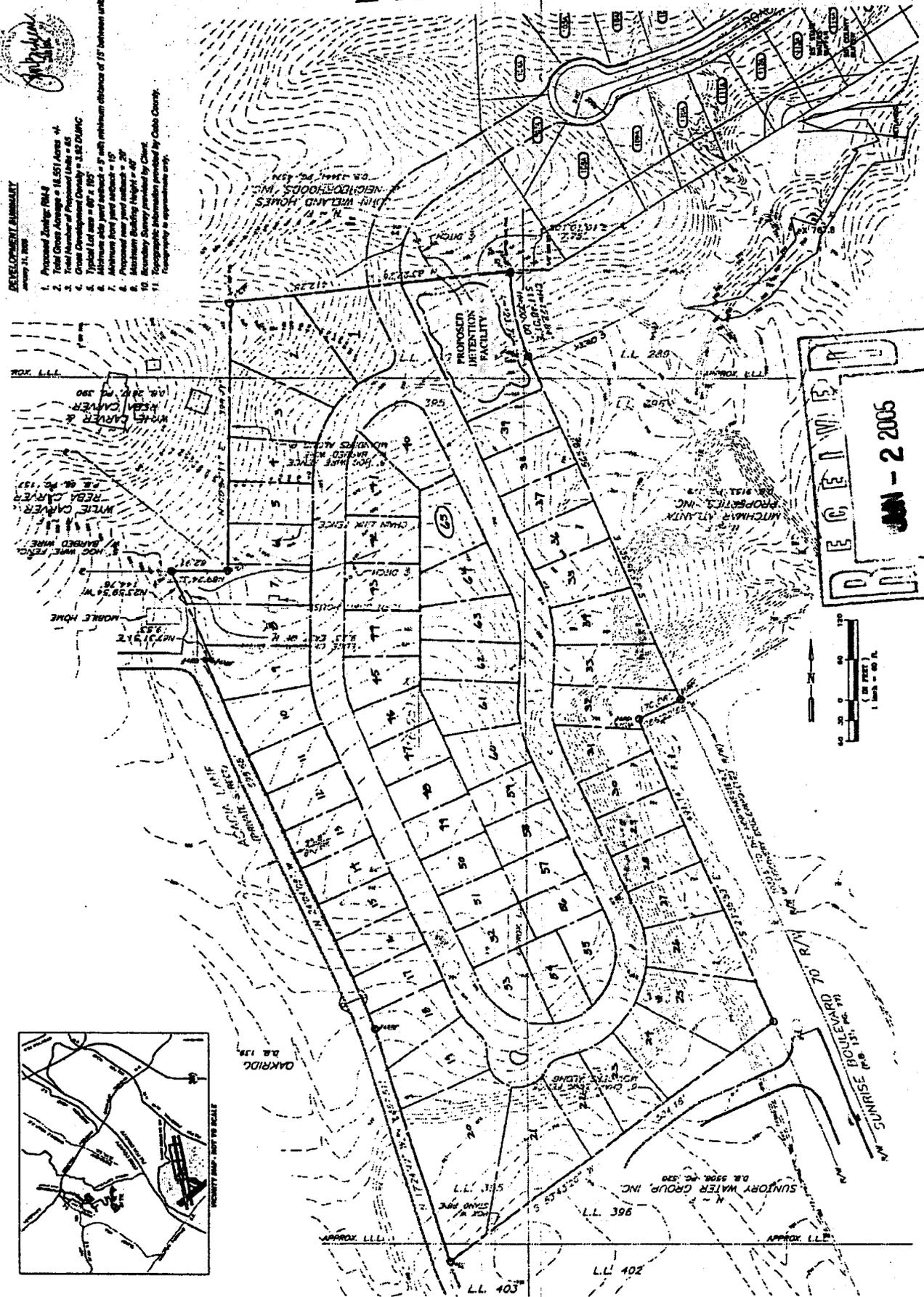
VOTE: ADOPTED unanimously

LAND DEVELOPMENT PLANS
PROVIDENCE 3
SHEET

JOHN WELAND HOMES AND NEIGHBORHOODS
2355 LOG CAYMAN DRIVE
SMYRNA, GEORGIA 30080
(770) 703-3100

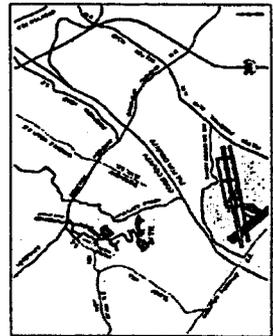


Z-135



- DEVELOPMENT SUMMARY**
January 21, 2005
1. Proposed Zoning (RM-F)
 2. Total Gross Acreage = 14,551 Acres +/-
 3. Total Number of Proposed Units = 65
 4. Gross Development Density = 1.82 DUMC
 5. Typical Lot Size = 80' x 105'
 6. Minimum side yard setback = 5' with minimum distance of 15' between units.
 7. Minimum front yard setback = 15'
 8. Proposed floor area per lot = 2,250 sq. ft.
 9. Proposed density (units per acre) = 20'
 10. Boundary Surveying Method per Client
 11. Topographic Information provided by Cobb County.
Topography is approximate only.

RECEIVED
JAN - 2 2005
Cobb County Planning Dept.



**MINUTES OF ZONING HEARING
COBB COUNTY BOARD OF COMMISSIONERS
FEBRUARY 19, 2008
PAGE 17**

OTHER BUSINESS:

ITEM #4

To consider amending the site plan and stipulations regarding Z-111, Z-65, Z-135 and Z-31 (JOHN WIELAND HOMES AND NEIGHBORHOODS, INC.) in Land Lots 166, 167,179, 180, 181, 278, 279, 280, 289, 290, 395, 396 and 403 of the 18th District at the southeast and southwest intersection of Veterans Memorial Highway and Queens Mill Road and at the northern terminus of Sunrise Boulevard and on the east side of Acacia Lane (private road).

Mr. Mark Danneman, Zoning Division Manager, provided information regarding site plan and stipulation amendments. The public hearing was opened and Mr. John Moore, Ms. Robin Meyer, Ms. Roberta Cook, Mr. Barry Brown and Mr. John Cissell addressed the Board. The Applicant's representative *amended* the request and withdrew from consideration site plan approval for Areas C1-1 and C1-2. Following presentations and discussions, the following motion was made:

MOTION: Motion by Kesting, second by Olens, to **approve amended** Other Business Item #4 for site plan and stipulation amendments *for Section A-9 of the Overall Master Plan* regarding Z-111, Z-65, Z-135 and Z-31 (JOHN WIELAND HOMES AND NEIGHBORHOODS, INC.) in Land Lots 166, 167,179, 180, 181, 278, 279, 280, 289, 290, 395, 396 and 403 of the 18th District at the southeast and southwest intersection of Veterans Memorial Highway and Queens Mill Road and at the northern terminus of Sunrise Boulevard and on the east side of Acacia Lane (private road), **subject to the following stipulations and directives:**

- **site plan for Section A-9 (attached and made a part of these minutes) is subject to requirements in Plan Review**
- **minimum square footage of 2,600 square feet for units in Section A-9, with construction and architecture to be in substantial conformity to the submitted renderings (attached and made a part of these minutes)**
- **in consideration of increasing the number of units in Section A-9 from 65 to 85, there is required a 20 unit reduction within the overall development**
- **removing the commercial component and increasing greenspace in Areas C1-1 and C1-2, with the site plan for Areas C1-1 and C1-2 of the Providence Subdivision to be approved by the Board of Commissioners**
- **all other previous zoning stipulations and conditions not in conflict to remain in effect**

VOTE: **ADOPTED** unanimously

Clerk's Note: The Applicant/Representative is to meet with the Historic Preservation Planner to review preservation of Civil War historical features prior to submitting site plan for Areas C1-1 and C1-2. Additionally, it was noted for the record that the previous stipulation for contribution of \$15,000 for historic preservation purposes has been paid.

