

Rezone Z22010024

Staff Analysis

Commission District: **2- Banks**

Planning Commission Hearing Date: **03-03-2022**

Board of Commissioners Hearing Date: **04-05-2022**

Parcel ID: Map C0080010

Acreage: Appx. 125.51 acres

Applicant:
David Pearson Communities
2000 First Drive, Suite 400
Marietta, Georgia 30062

Owner:
James Matthew Mazzawi &
John Mark Mazzawi As Trustees of
the Will of Hugh Mazzawi
P.O. Box 365
Snellville, Georgia 30078

Property Location: Georgia Highway 20 & Pointer Road

Current Character Area: Suburban

Current Zoning: A1

Request: Rezone 125.51 acres from A1 to R1OSC to create a residential subdivision with a private sewer package plant with 172 lots.

Staff Comments/Concerns: Particular attention should be given to comments from the Water Department & Public Works.

Site Analysis: The 125.51 acre tract is located on Georgia Highway 20 & Pointer Road. The surrounding properties are zoned A1 and R1, with a maximum density of 1 dwelling per 1 acre..

Zoning History:

Character Area: The character area for this property is Suburban.

Comments and Recommendations from various Agencies:

Public Works: Public Works recommends to install a Center turn lane along with proper De-cell/A-cell lanes at the Ingress/Egress portion of Pointer Road due to Traffic and Safety Concerns.

Sheriffs' Department: The current population of Walton County is approximately 94594. Walton County has about 33350 households with an average of 2.8 persons per residence. The Walton County Sheriff's Office answered 49336 calls for service in 2021. This is an average of 1.5 calls for service per household. The addition of 172 new homes will increase calls for service on average of 258 per year.

Water Authority: E-mail from Morris Jordan:

Ref: Z22010024 -- David Pearson Communities

Our previously stated concerns remain concerning the rezone request Z22010024.

The first is the package plant. The developer is proposing a package plant to allow more density to allow them to sell more lots/ build more homes. However their goal would be to sell out the development and move on leaving the HOA or some other group responsible for operation and maintenance of the package plant. They would also have liability if something went wrong at the plant. At some point there could be pressure by the home owners or even a requirement by the State that the County take over the plant and assume all the costs and liability of operating the system. Based upon the concern with the future liability of the package plant and private sewer system for the County the Water Department would be against allowing this type system in the development.

The second concern is water pressure. Waverly S/D is adjacent to this property and we already have complaints about pressure being as low as 40 psi at times in parts of that S/D. We would not want a S/D to be built next door that could impact pressure that would lead to increased complaints in Waverly and also lead to complaints in the new S/D.

E-mail from Rob Goss: This area is served by an existing water mains along Highway 20 and Pointer Rd, (static pressure: 55 psi, Estimated fire flow available: 900 gpm @ 20 psi). A new water main will be required to distribute water within the development. Please coordinate with WCWD.

2/24/2022 E-mail from Morris Jordan with Walton County Water Authority:
Ref: Z22010024 -- David Pearson Communities -- R1 OSC

The first concern with this development is the proposed package plant. The developer is proposing a package plant to increase density. However the developer is not expected to be around long term leaving the HOA or some other group responsible for continued regulatory compliance, operation and maintenance of the package plant. They would also have liability if something went wrong at the plant. At some point there could be pressure by the homeowners or even a requirement by the State that the County take over the plant and assume all the costs and liability of operating the system. Based upon the concern with the future liability of the private sewer system for the County the Water Department would be against allowing this type system in the development. The Comprehensive Land Development Ordinance does not specifically allow a private sewer system. EPD does allow private sewer systems.

The second concern is water pressure and volume. Waverly S/D is adjacent to this property on Pointer Road and we already have complaints about pressure being as low as 40 psi at times in parts of that S/D. While 40 psi is adequate pressure from a regulator standpoint it is not sufficient to properly run many sprinkler systems and provides low flow in elevated areas such as a second floor bathroom. We would not want a S/D to be built next door that could impact pressure that would lead to increased complaints in Waverly and also lead to complaints in the new S/D. Also fire flow is 900 gpm which based upon the density shown on the plat would not be sufficient to meet the needed fire flow if houses are built with only 10 foot setbacks which is the minimum OSC requirement on the lots. We would recommend that the developer do an engineering study to determine what improvements would need to be made to the water system to improve pressure and fire flow for the subdivision. Any studies and upgrades would be at the expense of the developer.

Fire Department: Any new residential construction will have a direct effect on the number of emergency calls handled by the Walton County Fire Department.

An increase in the population that comes from residential development also increases the need for emergency services.

Fire Code Specialist: 1) Fire Department access roads shall have a minimum unobstructed width of 26'; 2) Cul-De-Sacs shall be a minimum of 96' diameter; 3) Fire Hydrants shall be spaced no further than 500' driving distance 4) Fire hydrants shall have a clear width of 36" from obstructions; 5) Development shall meet International Fire Code(2018), Life Safety Code(2018) and the Georgia Accessibility Code; 6) The Code compliance shall be subject to a plan review

Board of Education: This will have an effect on the Walton County School District creating a need for more classrooms, teachers, etc.

Development Inspector: No comment received.

DOT Comments: Will require GDOT coordination.

Archaeological Information: No comment received.

PC ACTION 3/3/2022

- 1. Rezone – Z22010024 – Rezone 125.51 acres from A1 to R1OSC for a residential subdivision– Applicant: David Pearson Communities/Owner: James Matthew Mazzawi & John Mark Mazzawi as Trustees for Hugh Mazzawi – Property located on Georgia Hwy 20 & Pointer Rd - Map/Parcel C0080010 – District 2.**

Presentation: Melody Glouton, Attorney at Law, with Anderson, Tate represented the Applicant in this case. They would like to rezone 125 acres from A1 to R1 OSC. The existing structures will be removed. They would like to put in a very distinctive and attractive subdivision with 172 homes and preserve the natural surroundings. The subdivision is an L shape and is surrounded on all sides by residential. The character area is Suburban which allows for residential development for new growth. OSC is encouraged for the green space and rural nature. Applicant's overall

master plan community is 1.37 units per acre. This is a 2nd submittal and shows a reduction of 68 lots and increased lot width of 65 to 100 ft. The site is in complete compliance with the requirements for Walton County. There will be 2 entrances (one on Georgia Highway 20 and one on Pointer Road). The amenities consists of 37 acres as open space and 27% is preserved natural. The homes will be compatible to the area and will be in the high 3 to 4 hundred thousand. David Pearson is invested in this property. He has revised the site plan. He has heard from the community and he knows there is a critical need for housing. He knows the concern about a sewer plant and water pressure; and they do have an engineer here to address any questions about the sewer.

Andy Lovejoy who is the Engineer for the Development says that they have done significant investigations on hydrants for required fire flow. There is a 200 gal per minute safety measure. They created a hydraulic water monitor that shoots 1,000 psi a minute and 2,000 gallon would meet the safety factor and would also help other flow in the area. They are doing improvements from 8" pipes to 12" and this will also increase pressure for this development and he feels water pressure is not an issue. For sewer – the water reclamation plan that they have designed and developed will be privately owned and operated. There is one in Forsyth County that has been there for 30 years and is doing quite well. There is one in Dawson County that has been there since 1980 and there is also one in Peachtree City (Griffin). They use the water to irrigate the golf courses. The owners will hire a licensed person to monitor the development. EPD also comes out at a certain time and they do a monthly reporting. Brad Bettis asked about drip and Mr. Lovejoy stated that the treatment plant leaves reduces about 98% of pollutants and the water can be used for landscape areas.

Brad Bettis wanted to know the requirement for bonding. Mr. Patten stated they have a Trust Indenture with a 3rd party. He stated EPD would prefer municipality own and maintain however they are allowed to have a legitimate 3rd party trustee if an initial owner goes away.

Josh Ferguson asked has a report or design been sent to the Water Authority.

Doug Patton stated that he has a copy of the report but hasn't sent it to the Water Authority. They do plan to own and maintain sewer and can be

bonded. He does recommend improving the 8" line to 12" line. He stated that he could apply to bond it if needed.

Speaking: Robin Dill is a resident for 18 years of Waverly Subdivision and her property abuts this community. She asked for all the people to stand if they were there in opposition. Ms. Dill also stated that many folks were not able to be here. She stated she has concerns about the sewer system. The sewer system is in a flood zone and the amount of rain that they have had over the years is a concern. The 125 acres has previously been conservation and she has talked to the Mazzawi's and others about a wildlife sanctuary. She also stated that she proposes the board of commissioners impose a 3 year moratorium on home building. She also stated that the Fire Department has raised concerns as well as the School System. She stated that on Pointer Road there is lots of traffic and there are 2 farms there where the livestock keep escaping.

Tony Elrod is a resident of Waverly Subdivision. The concern he has is traffic and everyone trying to get out on Highway 20 is a nightmare. He stated "Do we need more housing" – No. Do we want to put in another subdivision" – No." We know this is going to be approved and pushed through and it is sad.

Clay Doss stated that he lives in the Creekwood Subdivision – Someone told people that this would be 1 acre lots so they didn't come. The detention pond is right beside his house and he is worried about mosquitoes. He has lived there 34 years. He feels that the sewer system will fall back on the county and the citizens.

Jennifer Elrod who lives in Waverly Subdivision knows that there is going to be growth but to compare this to what is in the area is ridiculous. Most have $\frac{3}{4}$ to 1 acre lots. There are no other neighbors with their own sewer. She stated that she has lived in Waverly Subdivision for 20 years. There is no other neighborhood that has their own sewer system – they all have septic. This does not fit in with the area.

Rebuttal: Melody Glouton, Attorney at Law, came back for rebuttal. The engineers have addressed sewer and water concerns. As far as traffic the developer is willing to install traffic calming measures and whatever DOT

requires. An R1 OSC with 1.37 units per acre is on point with the comprehensive plan/provisional plan and the county saw fit in the comp plan for future development. This development provides more than the required Open Space and they have already deleted 68 lots. As far as livestock they can put in a condition noted on the site plan that this is in an area where there may be livestock.

Recommendation: Pete Myers made a motion to recommend approval with the below conditions with a second by Timothy Kemp. The motion carried unanimously.

Conditions:

1. The property shall be limited to single-family detached dwellings and accessory uses and structures not to exceed 125 lots with one dwelling per one acre density using septic systems. This will conform to all other residential developments that have been approved in Walton County.
2. The minimum heated floor area per dwelling unit shall be 2,000 square feet for single-story homes and 2,200 square feet for two-story homes.
3. Homes shall be constructed primarily of brick or stacked stone on the front façade. The balance of the home may be the same or of fiber-cement siding, shake or board and batten, with a minimum three-foot high brick or stacked stone water table.
4. A maximum of 5 percent of the homes may be leased or rented.
5. A 100-foot wide Non-disturbed buffer shall be provided along the frontage of Georgia Highway 20 and Pointer Road, as well as a 50' transitional buffer along the perimeters not abutting a residential subdivision.
6. Natural vegetation shall remain on the property until the issuance of a Development Permit.

Rezone Application # 222010024
Application to Amend the Official Zoning Map of Walton County, Georgia

Planning Comm. Meeting Date 3-3-2022 at 6:00PM held at WC Board of Comm. Meeting Room

Board of Comm Meeting Date 4-5-2022 at 6:00PM held at WC Historical Court House

You or your agent must be present at both meetings

Map/Parcel C0080010 - Highway 20 & Pointer Rd.

Applicant Name/Address/Phone #

Property Owner Name/Address/Phone

DAVID PEARSON COMMUNITIES
2000 FIRST DR., STE 400
MARIETTA, GA. 30067
 E-mail address: DOUG@DAVIDPEARSON
COMMUNITIES.COM

MAZZAWI, JAMES MATTHEW
AND JOHN MARK AS TRUSTEES
WILL OF HUGH MAZZAWI + ETAL
P.O. BOX 365
SNELLVILLE, GA. 30078
 (If more than one owner, attach Exhibit "A")

Phone # 770-321-5032
GA. HWY 20 SOUTHSIDE

Phone # 770-605-2520

Location: EAST OF POINTER RD requested Zoning R-1, OSC Acreage 125.515

Existing Use of Property: UNDEVELOPED LAND

Existing Structures: OLD BLDGS TO BE REMOVED

The purpose of this rezone is DEVELOPE A MASTER PLANNED
OPEN SPACE COMMUNITY

Property is serviced by the following:

Public Water: YES Provider: WALTON CO. Well: _____

Public Sewer: NO Provider: SELF CONTAINED SYSTEM Septic Tank: _____

The above statements and accompanying materials are complete and accurate. Applicant hereby grants permission for planning and zoning personnel to enter upon and inspect the property for all purposes allowed and required by the Comprehensive Land Development Ordinance.

Signature [Signature] Date 01-26-22 Fee Paid \$ /

Public Notice sign will be placed and removed by P&D Office

Signs will not be removed until after Board of Commissioners meeting

Office Use Only:

Existing Zoning A1 Surrounding Zoning: North A1 R1 South R1 A1
 East A1 West R1

Comprehensive Land Use: Suburban **DRI Required?** Y N

Commission District: 2-Banks Watershed: Big Hamm TMP

W-91

I hereby withdraw the above application _____ Date _____

**AUTHORIZATION
BY PROPERTY OWNER**

I swear that I am the property owner of the property which is the subject matter of the attached Petition for Rezoning/Conditional Use Application, as is shown in the records of Walton County, Georgia.

I authorize the named below to act as Applicant in the pursuit of a Petition for Rezoning/Conditional Use Application.

Name of Applicant: DAVID PEARSON COMMUNITIES, INC.

Address: 2000 FIRST DR, STE 400, MARIETTA, GA 30062

Telephone: 770-321-5032

Location of Property: GA. HWY 20, POINTER RD.

Map/Parcel Number: C0080010

Current Zoning: A-1 Requested Zoning: R-1, OSC

[Signature] TRUSTEE [Signature]
Property Owner Signature Property Owner Signature

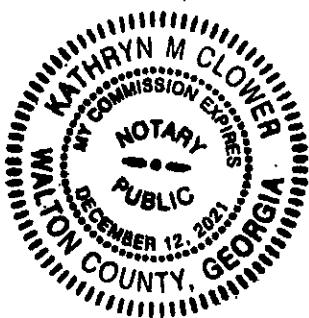
Print Name: JAMES M. MAZZAWI Print Name: JOHN MARK MAZZAWI

Address: 374 PINE TREE DR NE Address: 1281 Helton Church Rd.
ATLANTA, GA 30305 Statham, GA 30666

Phone #: (404) 375-6904 Phone #: (770) 605-2520

Personally appeared before me and who swears that the information contained in this authorization is true and correct to the best of his/her knowledge.

Kathryn M Clower 11/2/21
Notary Public Date



Article 4, Part 4, Section 160 Standard Review Questions:

Provide written documentation addressing each of the standards listed below:

1. Existing uses and zoning of nearby property;

NORTH - ZONED A-1 - RESIDENTIAL

EAST - ZONED R-1 - RESIDENTIAL

WEST - ZONED A-1 & B-2, RESIDENTIAL & COMMERCIAL

SOUTH - ZONED R-1, RESIDENTIAL

2. The extent to which property values are diminished by the particular zoning restrictions;

IMPROVEMENT OF THE PROPERTY WILL ALLOW
FOR A BETTER ECONOMIC USE OF THE LAND.

CURRENT SITE CONDITIONS ARE RESTRICTIVE
IN ITS CURRENT ZONING.

3. The extent to which the destruction of property values of the plaintiffs promotes the health, safety, morals or general welfare of the public;

PROPERTY VALUES SHOULD INCREASE
WITH THIS EFFORT WITHIN OUR
MASTER PLANNED COMMUNITY.

4. The relative gain to the public, as compared to the hardship imposed upon the individual property owner;

INCREASED TAX BASE WITH REDUCED
PARTICIPATION BY THE COUNTY AS THIS
PROJECT BRINGS IT'S OWN UTILITIES.

THIS IS A UNIQUE OFFER TO THE COUNTY
BY THIS DEVELOPER.

5. The suitability of the subject property for the zoned purposes; and

CREATIVE DESIGN WHILE PRESERVING
THE NATURAL ENVIRONMENTAL FEATURES
OF THIS SITE MAKE THE PROPERTY
IDEAL FOR THIS MASTER PLANNED COMMUNITY.

6. The length of time the property has been vacant as zoned, considered in the context of land development in the area in the vicinity of the property

THIS PROPERTY HAS BEEN VACANT AND
UNDEVELOPED AS FAR BACK AS
RECORDS HAVE BEEN KEPT. THE PROPERTY
SURROUNDING THIS TRACT HAS BEEN
DEVELOPED INTO SINGLE FAMILY
RESIDENTIAL SUBDIVISIONS.

DAVID PEARSON COMMUNITIES, INC.
2000 FIRST DRIVE, SUITE 400, MARIETTA, GEORGIA 30062

Jan. 26, 2022

VIA E-MAIL DELIVERY

Charna Parker
Walton County Planning and Development Department
Planning and Development Director
303 South Hammond Dr. Suite 330
Monroe, Ga.

RE: Ga. Hwy 20 – Tranquility - Rezoning Application
LETTER OF INTENT

To whom it may concern;

Respectfully, we submit this application to the county for a reconsideration of the property of land referenced above for rezoning approximately 125.515 acres (see attached survey) to allow for 172 quality professional and family targeted single family detached homes. We feel that the proposed community is ideally located in a readily accessible proximity of Monroe with Walton Co., Ga.

We initially had a Planning Commission hearing that was attended by several citizens of Walton Co. They expressed some concerns for the site development, as we presented that evening. We also heard the comments as expressed by the board members that were present. We didn't just hear them, we listened to the concerns. We chose to go back to the drawing board and revisit our design. We are now submitting a plan that has greatly reduced the site density. We have removed 68 lots from our design. We have increased our requested minimum lot width from 65 feet to 100 feet, as required within the Development Ordinance. We have removed the need for any setback reductions. ***In summary, we have removed the need for any variances within our design. We meet the requirements set forth within the Walton County Development Ordinance for OSC development.***

We are now proposing that residential homes at a density of 1.37 units per acre. The homes will be built with quality materials with alternating architectural elevations. All homes will come with a front entry two car garage.

The proposed zoning and site plan is complimentary to the community, as it brings forth a new Master Planned Style Development with heavy commitment and obligations by the Developer to provide enhanced amenities and an individually owned and privately maintained Sanitary Sewer plant situated uniquely on the site. This project has been redesigned to address the concerns of the community we heard, while achieving the development goals of this tract. It

BUILDING COMMUNITIES OF LASTING VALUE

DAVID PEARSON COMMUNITIES, INC.
2000 FIRST DRIVE, SUITE 400, MARIETTA, GEORGIA 30062

will still bring forth current design trends and patterns to meet the needs of the Walton County emerging housing market as mentioned during our initial meeting by the Planning Commission Chairman. Expansive Amenities and Open Space along with Quality single family homes will attract a variety of homeowners to the community that will help raise property values, support the schools, and supply the homes needed for the future buyer's within Walton County, while helping local retail and commercial development thrive.

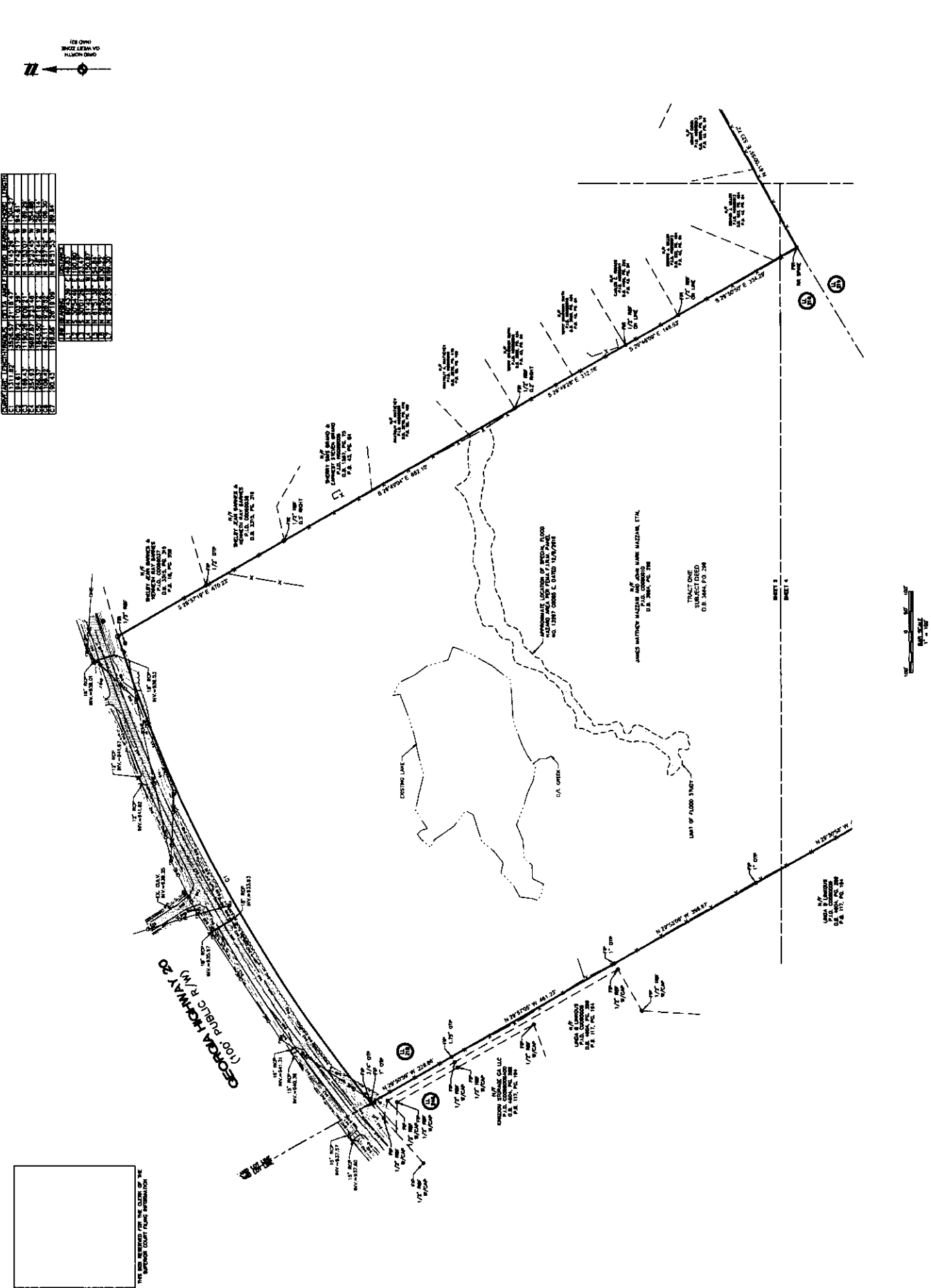
We respectfully request your approval of this request for Rezoning from A1 to R1-OSC to permit this proposed residential community.

Respectfully submitted,

Doug Patten

A handwritten signature in black ink, appearing to read "Doug Patten", with a horizontal line extending to the right.

Doug Patten, CPESC,
Director of Land for
David Pearson Communities, Inc.



NO.	DESCRIPTION	AREA (SQ. FT.)	AREA (AC.)
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THE DATA REFERRED TO IN THE CAPTION OF THIS
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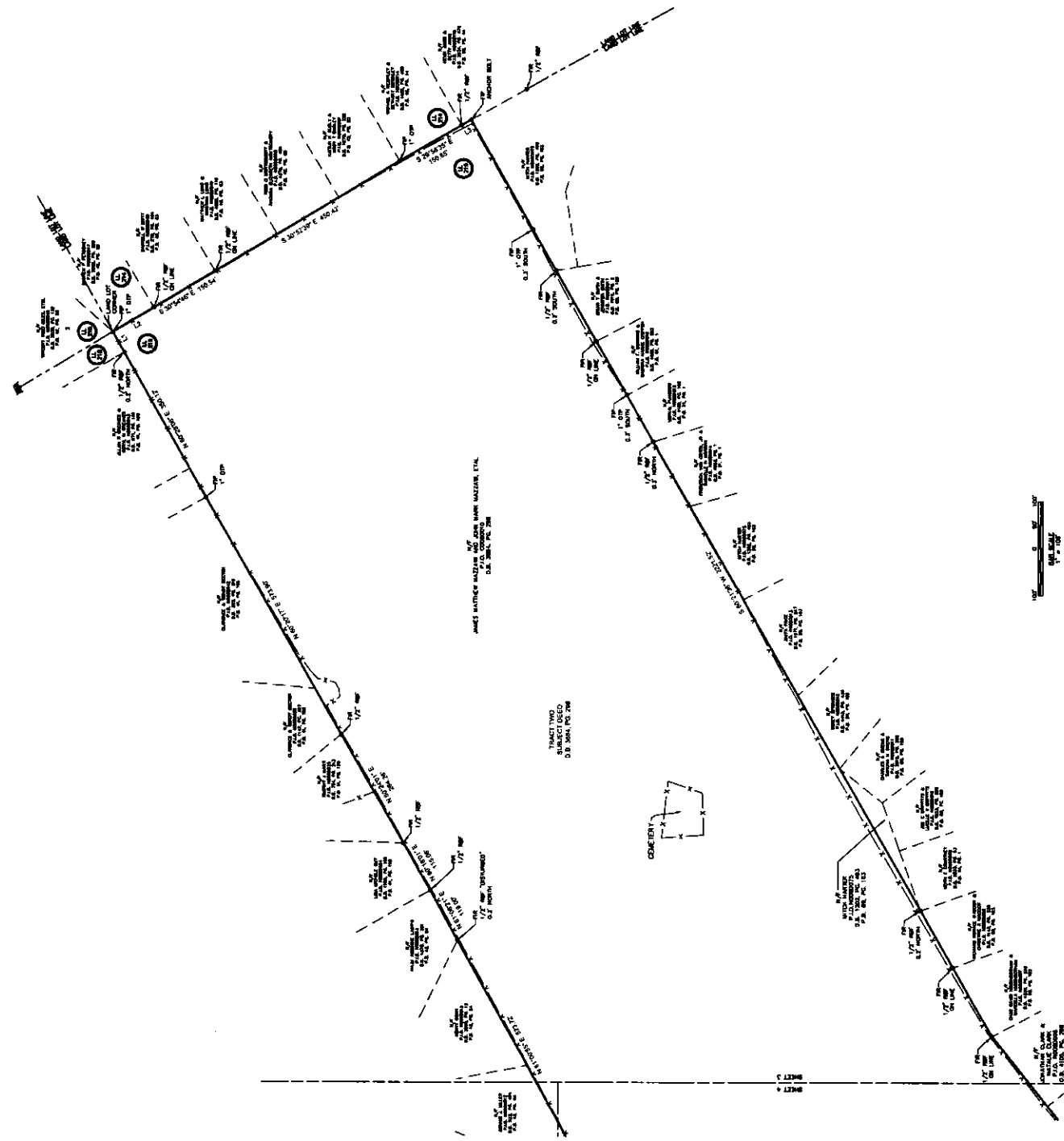


181
 ATWELL
 1230 Lakeside Drive
 Marietta, GA 30067
 770-421-8000
 FAX 770-421-8001
 www.atwell.com

LOCATED IN
 WALTON COUNTY, GEORGIA
 4TH DISTRICT
 LAND LOTS 218, 219 & 244

LOCANVILLE, GEORGIA
 GA HIGHWAY 20 &
 POINTER ROAD
 DAVID PEARSON COMMUNITIES, INC.
 11/02/2021

DATE	BY	CHKD.	APP.
11/02/2021	J. K. WOODRUFF		
PROJECT NO. 21001544			
SHEET 3 OF 4			



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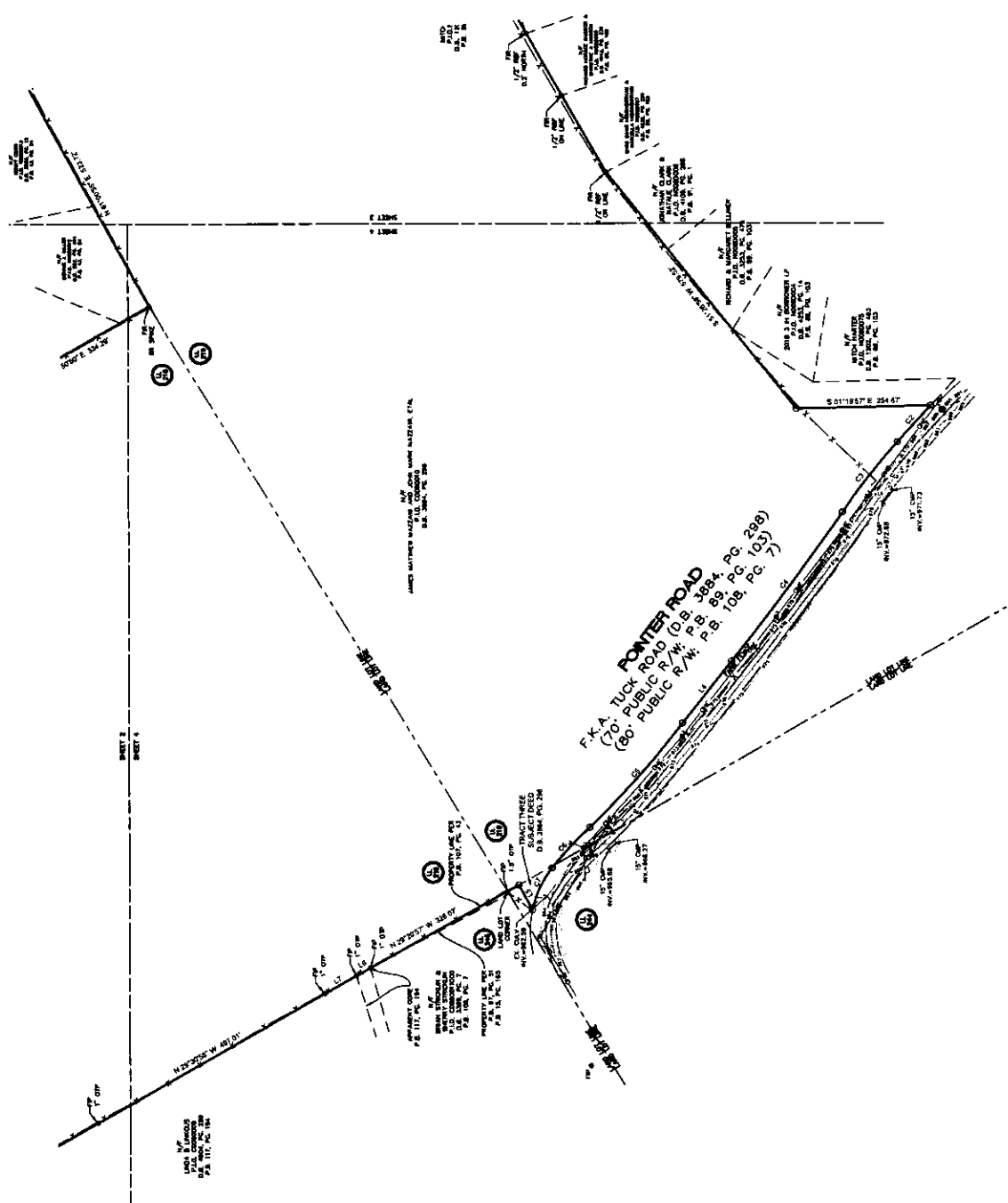
ATWELL
 1200 W. 10th Street
 Oklahoma City, Oklahoma 73106
 Phone: (405) 963-1100
 Fax: (405) 963-1101
 www.atwell.com

DAVID PEARSON COMPANY, INC.
 11/02/2002

LOGANVILLE, GEORGIA
 GA HIGHWAY 20 &
 POINTER ROAD
 WALTON COUNTY, GEORGIA
 4TH DISTRICT
 LAND LOTS 218, 219 & 244
 LOCATED IN

11/02/2002
 11/02/2002

DATE	BY	CHK	APP
11/02/2002	DAVID PEARSON	DAVID PEARSON	DAVID PEARSON
PROJECT NO. 21021344			
SHEET NO. 4 OF 4			



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*Changed from
Cane break
Point to:*

EAST HAMPTON

A MASTER-PLANNED COMMUNITY
BY DAVID PEARSON COMMUNITIES, INC.



SITE NOTES

PROPOSED USE: SINGLE FAMILY RESIDENTIAL

CURRENT ZONING: R1 OSC

PROPOSED ZONING: R1 OSC

TOTAL TRACT AREA: 125.515 AC

TOTAL TRACT AREA: 310.0 AC (23.02%)

REQUIRED OPEN SPACE: 34.28 (27.3%)

PROPOSED OPEN SPACE: 34.28 (27.3%)

TOTAL LOTS: 219

MINIMUM LOT WIDTH: 30 FT

MINIMUM LOT DEPTH: 100 FT

MINIMUM LOT AREA: 3,000 SQ FT

SETBACKS

FRONT: 10'

REAR: 25'

REAR EXTENSION: 40'

EXTENSION: 50'



NOT FOR FINAL RECORDING

DAVID PEARSON COMMUNITIES, INC.			
CONCEPTUAL PLAN FOR			
EAST HAMPTON			
POINTNER RD - PID# CONCORDIO			
PROPERTY IS LOCATED IN LAND LOTS			
219, 218 & 244, 4TH DISTRICT			
LOGANVILLE, GEORGIA 30095			
WALTON COUNTY, GA			
2009 STREET NAME, SITE AND METRIC DATA, PHONE: 770-321-5822			
DATE	BY	REVISION	DESCRIPTION
04/21/21	DP		CONCEPT
	DP		CONCEPT
	DP		CONCEPT



Z22010024 – Highway 20 & Pointer Rd

Z22010024 – Highway 20 & Pointer Rd



