

June 9, 2021

**VIA EMAIL ONLY**

Mr. John P. Pederson, AICP, Manager  
Cobb County Community Development Agency  
Zoning Division  
1150 Powder Springs Road, Suite 400  
Marietta, GA 30064

Re: Application for Rezoning of Green Line Partners, (“Applicant”), Ivey Road at Queens Mill Road in Land Lots 182 and 277 of the 18<sup>th</sup> District, Cobb County, Georgia. Z-61 (RA-5 and R-20).

Dear John:

After receiving input and feedback from interested parties and again reviewing Staff’s recommendation of approval, we are incorporating an amended site plan (see attached) as well as a detailed landscape plan (see attached) to enhance our efforts to buffer adjacent property owners as part of this letter of agreeable stipulations/conditions to ensure quality which will become conditions and a part of the grant of the requested rezoning and run with the land. This letter supersedes any previous stipulation letter and, upon grant of the rezoning we agree **to the following positive variances** that provide greater value and protection for the neighbors than the requirements set forth in the Cobb County Code:

1. Although Staff recommended approval at 69 homes<sup>1</sup>, the revised site plan has eliminated the need for multiple variances and now shows 67 for sale, single family homes; each with two car garages. The architectural style, composition and design of the proposed single family homes shall be constructed consistent with blended building materials that may include the application of stone, brick, hardi-plank, shake and board and batten. No vinyl materials shall be used on the exterior of the proposed homes. Said architectural style shall be substantially similar to the attached elevations, subject to the District Commissioner approving final elevations. The minimum heated floor area shall be at least 1,050 square feet larger than required by the Cobb County Zoning Ordinance and shall be at least 2,000 square feet and up.<sup>2</sup> The approval of the rezoning shall be specific to the site plan attached hereto and most recently revised April 15, 2021 (see attached).
2. Resident and guest parking provisions shall be provided per applicable section of the Cobb County Zoning Ordinance and recommendations from the Cobb County Fire Marshal’s

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<sup>1</sup> **The Application has been drastically reduced from the initial 113 home application [with townhomes ad 5.33 unit per acre density] to the now 67 single-family detached plan [no townhomes].**

<sup>2</sup> The price points shall be \$350,000 and up. The minimum size has increased from the size stipulated in the previous stipulation letter submitted prior to the Cobb County Planning Commission.

Office.

3. Applicant to provide secondary emergency access (24 feet paved fire access with gate and Cobb County Fire and Emergency Services approved Knox Box) at Mountain Trail as shown on site plan submitted.
4. Although not required by code, project will include 3.85 acres of the site as open space, comprising approximately 18% of the site. In response to community concerns regarding viewshed protection along Queens Mill Road, a portion of this open space shall be preserved along the frontage of Queens Mill Road as shown on site plan submitted and supplemented by the detailed landscape plan and decorative entrance plan attached herein. As depicted on the attached plans, there shall be 25 wide buffers with a mixture of evergreen trees and deciduous native trees, such as *Betula nigra*, *Cornus florida*, *Ilex x attenuate* 'Foster No. 2' and *Magnolia grandiflora*, supplementing the existent trees within the buffer (along the northern, western, southern and eastern property lines). All evergreen trees planted within this 25 foot buffer shall be a minimum of 6 feet high at time of planting. Extra buffering along the eastern property line (specific to the 2 adjacent homes) shall include two stacking rows of evergreen trees, such as *Ilex x attenuate*, Foster No.2' (Height 20'-30', Spread 10'-15'), *Crytomeria japonica* (Height 30'-40', Spread 20'-30'), and *Magnolia grandiflora* (Height 40'-60', Spread 20'-30').
5. All units within the proposed community shall be "for sale" units. The Declaration of Restrictive Covenants shall restrict the number of units which can be leased at any one time to no more than five percent.
6. Applicant agrees to the recording and enforcement of a Declaration of Restrictive Covenants which shall contain covenants, rules, and regulations applicable to the proposed residential community.
7. Also, and in conjunction with the Declaration of Restrictive Covenants, Applicant agrees to the creation of a mandatory homeowners association which shall be responsible for the upkeep and maintenance of the entrance area, signage, all common areas, open space, internal open space/recreational area, mail kiosk, and all landscaping and plantings.
8. Lighting within the proposed community shall be environmentally sensitive, decorative and themed to the architecture and style of the proposed residential homes.
9. The entrance signage for the proposed community shall be ground based, monument-style signage, and shall complement the high quality, architectural vision and style of the proposed homes. The entrance landscaping shall be professionally designed, implemented, and maintained. All signage shall comply with the Cobb County Sign Ordinance.

10. There shall be internal sidewalks within the proposed residential community, as more particularly shown and reflected on the updated Site Plan. However, sidewalks shall not be required in any areas in which the sidewalk conflicts with any guest parking requirements.
11. The proposed residential community shall contain public streets, twenty-four (24) feet in width, from back-of-curb to back-of-curb, in accordance with Cobb County requirements.
12. All utilities servicing the residences within the proposed community shall be located underground.
13. All construction and employee vehicles and equipment will be parked, and otherwise located, on the property during development of infrastructure and construction of residences and shall not be parked on or along Queens Mill Road or Ivey Road. There will be no stacking of vehicles along any roadway waiting for entry onto the property.
14. All landscaping referenced herein; including, but not limited to, the frontage, entrance area [including entrance signage], island areas, perimeter landscape buffers provided to protect adjacent property owners and open space areas, shall be approved by Cobb County as part of the plan review process and incorporated into the overall landscape plan for the proposed community attached hereto. (See attached).
15. All setbacks, landscape and buffer areas may be penetrated for purposes of access, utilities and stormwater management; including, but not limited to, drainage and detention facilities and any and all slopes or other required engineering features of the foregoing. Any disturbed area shall be restored with comparable plantings as allowed by Cobb County or any utility provider.
16. All stormwater infrastructure shall be constructed in accordance with the Water Quality requirements of the CWA-NPDES-NPS Permit and Cobb County Water Quality Ordinance. Further, said stormwater infrastructure along Ivey Road shall be landscaped and screened per county requirements.
17. Development and construction hours for the proposed project shall be limited to the following:
  - a. 7:00 a.m. to 7:00 p.m. – Monday – Friday, April 1<sup>st</sup> through September 30<sup>th</sup>;
  - b. 7:00 a.m. to 7:00 p.m. – Monday – Friday, October 1<sup>st</sup> through March 31<sup>st</sup>;
  - c. 9:00 a.m. to 6:00 p.m. – Saturday; and

- d. No work on Sunday unless approved by the District Commissioner.
  - e. To the extent blasting is required on the Site, any blasting will be performed only on Monday-Friday between the hours of 9:00 a.m. and 3:00 p.m. and a 24-hour notice must be given in writing to any occupied residence within 1000 feet of the Site.
18. Applicant requests approval of the following contemporaneous variances:
- a. Any variances deemed necessary by the Cobb County Zoning Division Manager and as may be shown on the site plan submitted and approved by the Cobb County Planning Commission or Cobb County Board of Commissioners.
19. Applicant to comply with all Cobb County development standards and ordinances relating to project improvements, except as approved by the Board of Commissioners or by the Department of Transportation or Community Development Agency, as their authority may allow.
20. The District Commissioner shall have the authority to make minor modifications to the site plan and these stipulations/conditions during the Plan Review process except for those that:
- a. Reduce the size of an approved buffer adjacent to property that is zoned the same or in a more restrictive zoning district.
  - b. Relocate a structure closer to the property line of an adjacent property that is zoned the same or in a more restrictive zoning district.
  - c. Increase the height of a building that is adjacent to property that is zoned the same or in a more restrictive zoning district.
  - d. Change access location to a different roadway.
  - e. Increase the density of the Residential Community.
  - f. Violate the Cobb County Zoning Ordinance applicable to the property.

Please do not hesitate to contact me should you or the staff require any further information or documentation prior to the Applications being heard and considered by the Planning Commission and Board of Commissioners.

Sincerely,

Mr. John P. Pederson, AICP, Manager  
Cobb County Community Development Agency  
June 9, 2021  
Page 5

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TAYLOR ENGLISH DECISIONS, LLC



James A. Balli  
[jballi@tedecisions.com](mailto:jballi@tedecisions.com)

cc: Rob Adamson, Green Line Partners  
Jeff Anthony, Lennar Homes  
Monique Sheffield, Cobb County Commissioner, District 4  
Cobb County Commissioners







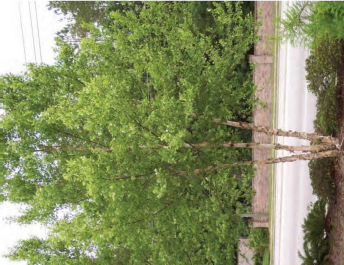




*Camus florida*  
Dogwood



*Ilex x allenutia* Foster No. 2  
Foster No. 2 Holly



*Betula nigra* 'Dure-heer'  
River Birch



*Cercis canadensis*  
Eastern Redbud



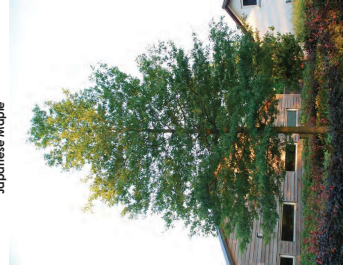
*Magnolia grandiflora* Queen Warramaker  
Southern Magnolia



*Cryptomeria japonica*  
Japanese cedar



*Acer palmatum* 'Gold Ember'  
Japanese Maple



*Quercus phellos* 'Hightower'  
Willow Oak



Rhododendron 'Conito'  
Encore® Autumn Monarch™ Azalea



*Prunus laurocerasus* 'Ofta Luyken'  
English Laurel



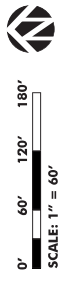
*Muhlenbergia capillaris*  
Pink Muhly Grass



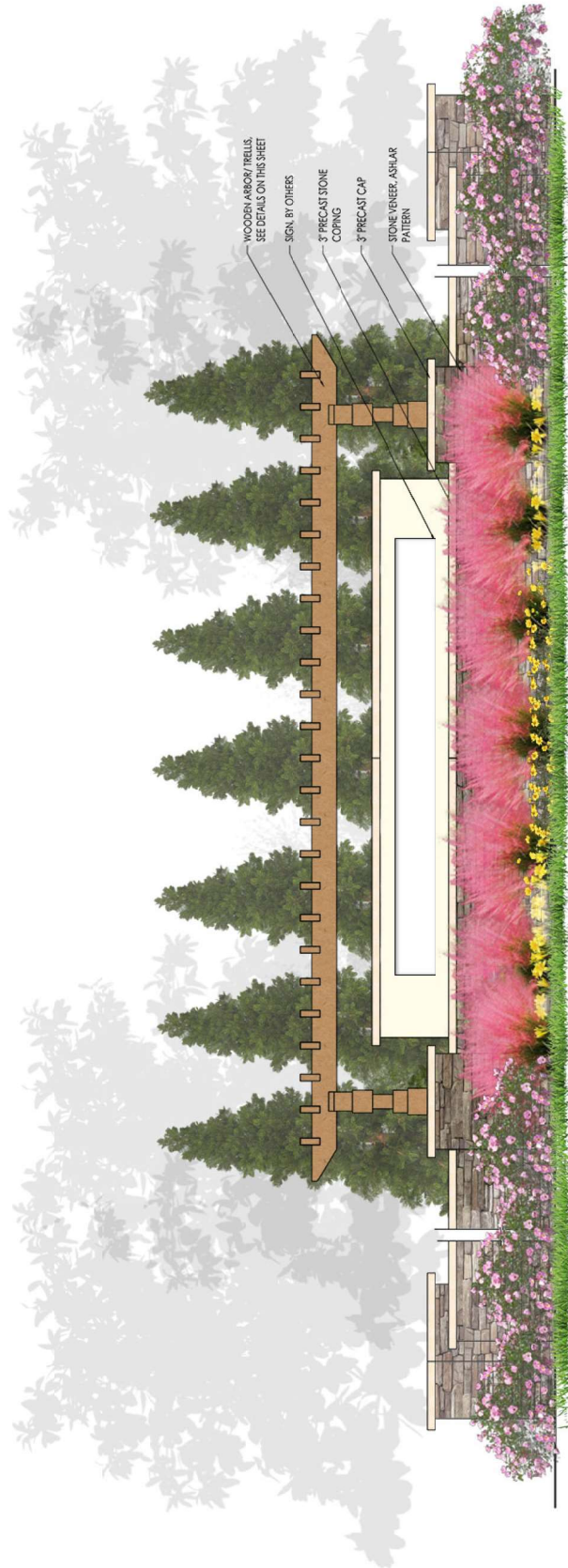
Planners & Engineers  
Collaborative+

**IVEY RD SE @ QUEEN MILL RD**

Cobb County







WOODEN ARBOR/TRELLIS.  
SEE DETAILS ON THIS SHEET

SGN. BY OTHERS

3" PRECAST STONE  
COPING

3" PRECAST CAP

STONE VENEER, ASHLAR  
PATTERN