

COPY

GARVIS L. SAMS, JR.
JOEL L. LARKIN
PARKS F. HUFF

SAMS, LARKIN & HUFF
A LIMITED LIABILITY PARTNERSHIP
SUITE 100
376 POWDER SPRINGS STREET
MARIETTA, GEORGIA 30064-3448

770-422-7016
TELEPHONE
770-426-6583
FACSIMILE

February 26, 2021

(CORRECTED STIPULATION LETTER, REVISED SITE PLAN & ARCHITECTURE)

VIA HAND DELIVERY & EMAIL

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

RECEIVED
FEB 26 2021
COBB CO. COMM. DEV. AGENCY
ZONING DIVISION

Re: Application of Loyd Development Services to Rezone an approximate 12.37 Acre Tract from NRC, LRO and RA-5 to RM-8 – No. Z-6 (2021)

Dear John:

As you know, this firm has been engaged by and represents Loyd Development Services (“LDS”) concerning the above-captioned Application for Rezoning. The Application is presently scheduled to be heard and considered by the Cobb County Planning Commission on March 2, 2021 and, thereafter, is scheduled to be heard and considered for final action by the Cobb County Board of Commissioners on March 16, 2021.

In keeping with our conversations and the dialogue which we have established with the County’s Professional Staff; following up with our discussion with representatives of the Mableton Improvement Coalition (“MIC”); and, area residents and business owners within this sub-area of Southwest Cobb County, this letter will serve as LDS’s agreement with the certain stipulations becoming conditions and a part of the requested rezoning.

The property at issue, “Subject Property”, was originally rezoned to the NRC, LRO and RA-5 triple-split zoning classifications on May 20, 2008. A subsequent Application for Rezoning was submitted last year (No. Z-6 {2020}) but was later “Withdrawn Without Prejudice”. The Subject Property is located on the southwesterly side of Mableton Parkway and on the southeasterly side of South Gordon Road (6590 Mableton Parkway). As mentioned

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above, the property is zoned in the NRC, LRO and RA-5 Zoning districts but has lain undeveloped since its original entitlement in 2008 even though located within an area formerly denominated as a Neighborhood Activity Center and which is now (notwithstanding adjacent commercial zoning designations), located within an area under the Future Land Use Map which is denominated as Medium Density Residential (“MDR”).

With respect to the foregoing, we have been authorized by LDS to agree to the following corrected stipulations which shall become conditions and a part of the grant of the requested rezoning and binding upon the Subject Property thereafter:

1. The corrected stipulations and conditions set forth herein shall replace and supersede in full any and all prior stipulations and conditions in whatsoever form which are currently in place concerning the Subject Property which constitutes the subject matter of the above-captioned Application for Rezoning.
2. Rezoning of the Subject Property shall be from NRC, LRO and RA-5 to RM-8, consistent with and in substantial conformity to that certain revised site plan which is being submitted concurrently herewith and the proposed residential community will be known as “The Bluffs at South Gordon”.
3. The total site area of the Subject Property consists of approximately 12.37 acres which shall be developed as an upscale, Class “A” townhome development which constitutes a “down-zoning” of a preponderance of the Subject Property.
4. The architectural style and composition of the homes being constructed within the residential community shall consist of townhomes, a minimum of 24 feet (24’) in width, which shall be served by front-loaded, two-car garages and sufficient driveway width and length to handle the parking of a minimum of two (2) additional vehicles at all times.¹

The front, sides and rear of the homes shall include a mixture of components consisting of brick, stacked stone, and cementitious components including Hardi-plank and Hardi-plank shake. The architectural style and composition of the homes

¹ The particular demographic which LDS is addressing are those homeowners who want a yard . . . even with its upkeep and maintenance and so that it serves as an added amenity to those purchasing the townhomes within this proposed residential community.

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shall be in substantial conformity to the architectural renderings/elevations being submitted concurrently herewith.

5. The meaningful positioning of greenspace, throughout the development which shall be used for passive/active recreational amenities including, but not necessarily are limited to: a fire pit area; a social gathering/contemplation area; utilizable recreational hardscape features; a gazebo; a dog park; a children's play area; and, other features which will be supported by the mandatory HOA as hereinafter described.
6. Entrance signage for The Bluffs at South Gordon Road shall be ground-based, monument-style signage with the finish, materials and colors matching the architectural style and composition embodied within the townhome development and as shown on the Revised Site Plan. There shall be not exterior, temporary signs and no other signage indicating the coming residential community.
7. Environmentally sensitive lighting, themed to the architectural style and composition of the residences shall be utilized throughout the residential development and shall be subject to a photometric plan submitted during the Plan Review Process.
8. The Subject Property shall be developed as a single-family, attached residential community consisting of a total number of 98 single-family townhomes at a density of 7.92 units per acre.
9. The homes shall be a minimum of 1,800 square feet in size and shall range up to 2,325 square feet and greater. All of the homes shall have two-car garages of driveways of sufficient width and length for the parking of two (2) additional vehicles on the driveways. Additionally, as noted on the revised site plan, there is sufficient and strategically/meaningfully placed guest parking which has been positioned in accordance with Fire Marshal recommendations regarding same and parking for the ADA-Accessible mail kiosk area.
10. The creation of a mandatory Homeowners' Association ("HOA") and a submission of Declaration of Covenants, Conditions and Restriction ("CCRs") which shall include among other components, strict architectural controls.

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11. The mandatory HOA shall be responsible for the upkeep and maintenance of all common areas, landscaped areas, fences, rights-of-way, lighting and guest parking (which meets Fire Marshal requirements) within the proposed residential community,
12. The submission of a Landscape Plan prior to and/or contemporaneously with the Plan Review process, subject to review and approval by the District Commissioner. The revised site plan filed herewith depicts the installation of heavily landscaped earthen berms, 25 feet in width and four feet, six inches in height along the Subject Property's frontage on South Gordon Road and Mableton Parkway and within the 40' and 25' setbacks, respectively.
13. Compliance with the following recommendations from the Cobb County Department of Transportation ("DOT"), including the following:
 - a. The voluntary donation and conveyance of right-of-way so that the County can achieve 50 feet (50') from the center line of South Gordon Road beginning 400 feet (400') tangent distance from Mableton Parkway and ending at the northern edge of the Subject Property in order to accommodate a future left-turn lane as well as recommended by that certain Traffic Impact Study ("TIS") by A&R Engineering completed in connection with a previous zoning case (No. Z-6 [20220]).
 - b. All streets, lighting and utilities shall be constructed to the Cobb County Standard Specifications which include the prohibition of perpendicular parking within the right-of-way.
 - c. Planning for the ultimate connection to the "Mableton Trail System" by way of a ten foot (10') in width multi-use sidewalk.
 - d. Coordinating with Cobb DOT and the Georgia Department of Transportation ("GDOT") prior to development plan approvals in order to install a bus stop pad at the entrance on Mableton Parkway subject to CobbLinc and GDOT approval.
 - e. The Mableton Parkway point of ingress shall include a deceleration lane, the location and design of which shall be determined during the Plan Review Process subject to Cobb DOT and GDOT approval.

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- f. Obtaining GDOT permits for all work which encroaches upon State right-of-way.
 - g. The submission of a Trip Generation Comparison Memo, prepared by A&R Engineering, Inc., which is being provided concurrently herewith.
14. Compliance with recommendations from the Stormwater Management Division with respect to detention, hydrology, water quality and downstream considerations including the following:
- a. Revising/adjusting existing detention/water quality components on site in accordance with the current proposal to rezone the Subject Property for a townhome community.
 - b. The Subject Property drains in a southeasterly direction and LDS agrees to conduct pre-development and post-development hydrologic studies regarding substantive bodies of water downstream.
 - c. Subject to the ultimate positioning, configuration and details regarding revisions to the existing detention/water quality area.
 - d. The submission of Phase I/Phase II Environmental Reports regarding the efficacy of the Subject Property for development with respect to subterranean and other site environmentally-related and/or geotechnical aspects.
15. Compliance with the recommendations from the Cobb County Waters System with respect to the availability of water and sewer to service the Subject Property.
16. Compliance with the recommendations from the Cobb County Fire Marshal's Office with respect to life-safety and fire-prevention issues. Additionally, complying with the guest parking requirements mentioned above and as shown on the revised site plan.
17. Subject to the granting of the sole concurrent Variance request as shown on the revised site plan submitted herewith; waiving the maximum density under MDR by 2.92 units per acre (in view of the "downzoning" from NRC & LRO).

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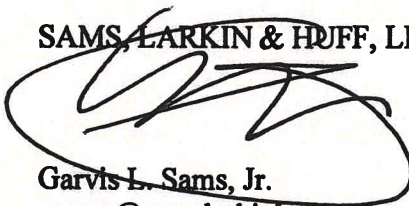
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18. The District Commissioner shall have the authority to approve minor modifications to the site plan, architecture and these stipulations as the development proposal proceeds through the Plan Review Process and thereafter except for those that:
- a. Increase the density of the residential community.
 - b. Reduce the size of an approved buffer adjacent to property that is zoned in a more restrictive zoning district.
 - c. Relocate a structure closer to the property line of an adjacent property that is zoned in a more restrictive zoning district.
 - d. Increase the height of a building that is adjacent to property that is zoned in a more restrictive zoning district.
 - e. Are in conflict with the stipulations contained herein or which require the approval of a Variance beyond the requested Variances mentioned above.

Please do not hesitate to contact me should you, your staff, Planning Commission Members or Board Members require any additional information or documentation prior to this Application being heard next week. With kind regards, I am

Very truly yours,

~~SAMS, LARKIN & HUFF, LLP~~



Garvis L. Sams, Jr.
gsams@samslarkinhuff.com

GLS, Jr./jac
Enclosures/Attachments

cc: Members, Cobb County Board of Commissioners (via email w/attachments)
Dr. Jackie McMorris, County Manager (via email w/attachments)
Members, Cobb County Planning Commission (via email w/attachments)

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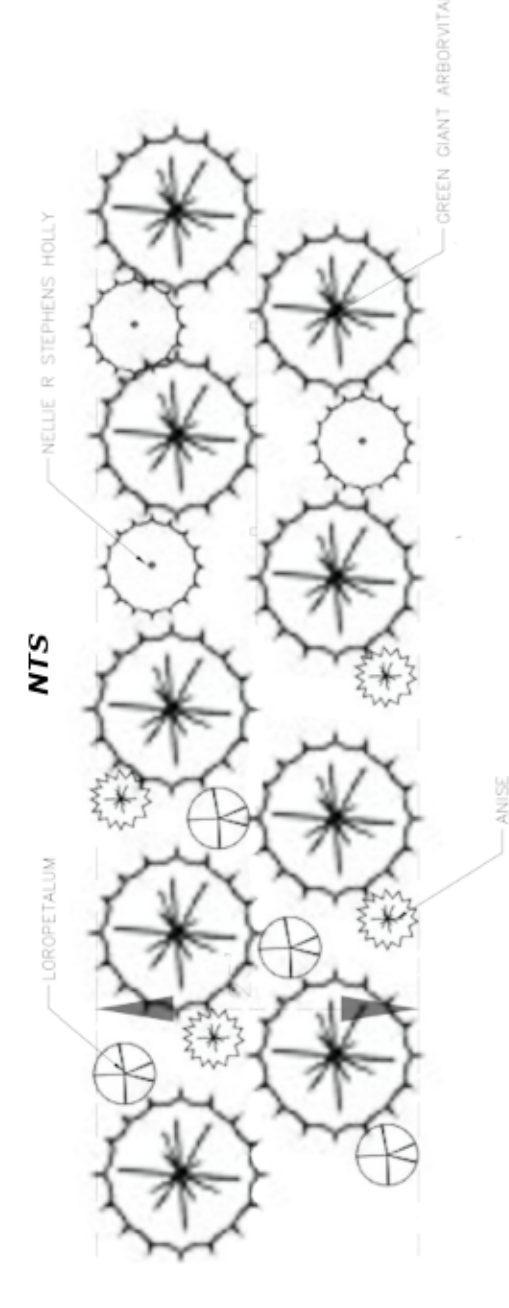
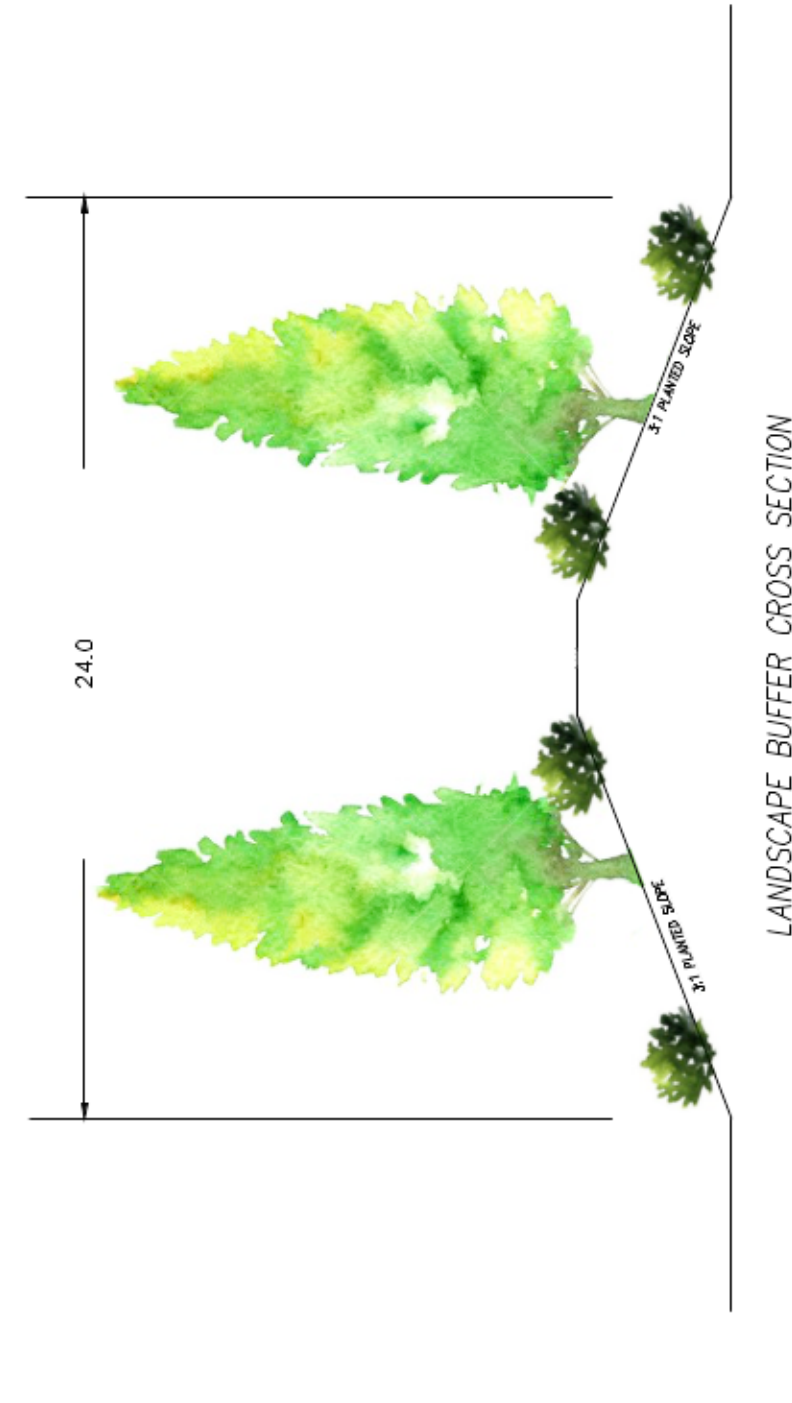
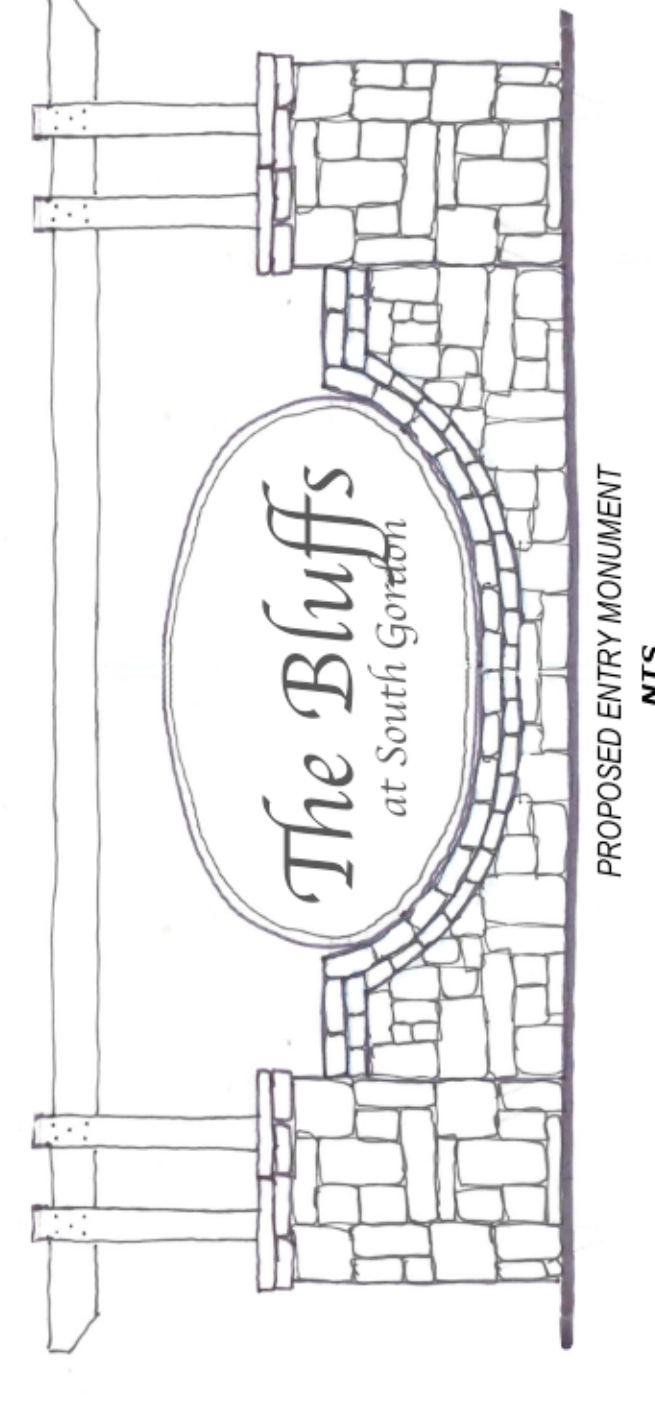
BOC Commission Assistants (via email w/attachments)
Ms. Jessica Guinn, AICP, Director, Community Development (via email w/attachments)
Mr. Jason Gaines, AICP, Manager (via email w/attachments)
Mr. Phil Westbrook, Planner III (via email w/attachments)
Ms. Jeannie Peyton, Senior Planner (via email w/attachments)
Mr. Terry Martin, Planner III (via email w/attachments)
Mr. Donald Wells, Planner I (via email w/attachments)
Ms. Tannessa Bates, Planner I (via email w/attachments)
Ms. Margie Vazquez, Planner I (via email w/attachments)
Ms. Pam Mabry, County Clerk (via email w/attachments)
Ms. Robin Stone, Deputy County Clerk (via email w/attachments)
Ms. Leila Washington, Deputy County Clerk (via email w/attachments)
Ms. Mary Lanning, RLA, Fire Marshal's Office (via email w/attachments)
Capt. Josh Davis, Fire Marshal's Office (via email/with attachments)
Mr. David Breden, P.E., Stormwater Management Division (via email w/attachments)
Mr. Carl Carver, P.E., Stormwater Management Division (via email w/attachments)
Ms. Amy Diaz, P.E., Cobb DOT (via email w/attachments)
Ms. Abby Rettig, P.E., Cobb DOT (via email w/attachments)
Mr. Tim Davidson, Water System (via email w/attachments)
Ms. Robin Meyer, Vice President, Mableton Improvement Coalition ("MIC")
(via email w/attachments)
Mr. John Loyd, Loyd Development Services (via email w/attachments)
Mr. Abdul Amer, P.E., A&R Engineering (via email w/attachments)
Mr. Tom Wasson (via email w/attachments)



| DEVELOPMENT SUMMARY | |
|-------------------------|-----------------|
| ZONING | LRO/NRC/RA-5 |
| EXISTING ZONING | RM-8 |
| PROPOSED ZONING | 12.37 ACRES |
| SITE AREA | |
| DENSITY | 98 UNITS |
| NUMBER OF UNITS | 7.92 UNITS/ACRE |
| PROPOSED DENSITY | N/A |
| MINIMUM LOT SIZE | 1,800 SF |
| MINIMUM HEATED AREA | 35 FEET |
| MAXIMUM BUILDING HEIGHT | |
| SETBACKS (INTERIOR) | |
| FRONT | 40 FEET |
| MAJOR SIDE | 25 FEET |
| MINOR SIDE | 15 FEET |
| REAR | 30 FEET |
| PARKING PROVIDED | 49 SPACES |




Sample Elevations



Loyd Development Services

The Bluffs at South Gordon

Land Lot 368, 18th District, Cobb County Georgia



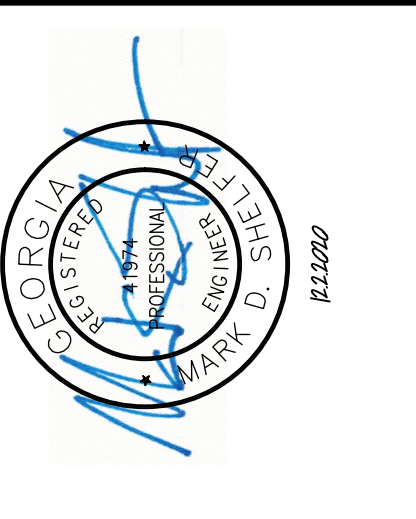
CRESTLINE ENGINEERING
 2000 S. DAIRY ASHFORD ROAD, SUITE 200 - HOUSTON, TX 77077
 4651 WOODSTOCK ROAD, SUITE 208-106 - ROSWELL, GA 30075
 770.868.7991

CONSTRUCTION DRAWINGS
SOUTH GORDON ROAD TRACT
 LL 388, 187H DISTRICT
 COBB COUNTY, GEORGIA

OWNER/DEVELOPER

 Loyd Development Services

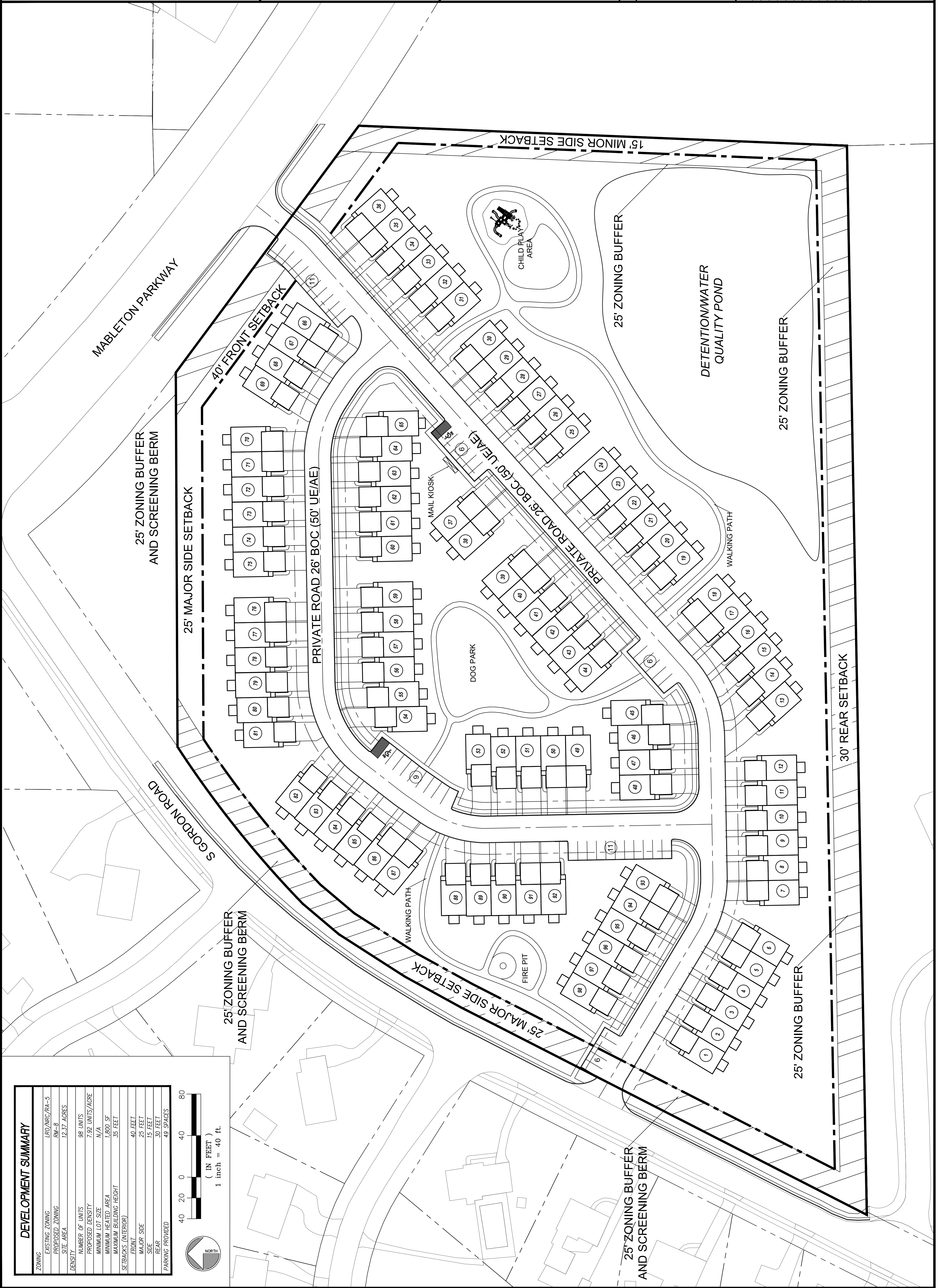
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 EXPIRATION DATE: 6.14.2023



REVISIONS

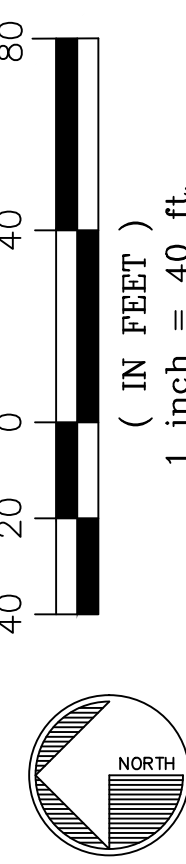
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DEVELOPMENT SUMMARY

| | | |
|---------------------|-------------------------|-----------------|
| ZONING | EXISTING ZONING | LR0/NRC/RA-5 |
| | PROPOSED ZONING | RM-8 |
| | SITE AREA | 12.37 ACRES |
| DENSITY | NUMBER OF UNITS | 98 UNITS |
| | PROPOSED DENSITY | 7.92 UNITS/ACRE |
| | MINIMUM LOT SIZE | N/A |
| | MINIMUM HEATED AREA | 1,800 SF |
| | MAXIMUM BUILDING HEIGHT | 35 FEET |
| SETBACKS (INTERIOR) | FRONT | 40 FEET |
| | MAJOR SIDE | 25 FEET |
| | REAR | 30 FEET |
| PARKING PROVIDED | | 49 SPACES |





SAMPLE ELEVATIONS



A&R Engineering Inc.

2160 Kingston Court, Suite O
Marietta, GA 30067
Tel: (770) 690-9255 Fax: (770) 690-9210
www.aren.com



Memorandum

To: Amy Diaz, PE., Cobb County DOT.
From: Abdul Amer, PE., A&R Engineering, Inc.
Date: February 25th, 2021
Subject: Submittal 1 - Z-6 of 2021 - SLH File No. 20-292 - Trip Generation Comparison Memorandum for Proposed Residential Development at 6590 Mableton Pkwy, Cobb County, Georgia – A&R # 21-030.

The purpose of this memorandum is to compare the trip generation for the proposed 98-unit townhome development with the trip generation for the previously proposed 122-unit Senior Adult Housing development at 6590 Mableton Pkwy, Cobb County, Georgia. The location of the proposed development is shown below in Figure 1.



Figure 1 – Location Map

METHODOLOGY

Trip generation estimates for the project were based on the rates and equations published in the 10th edition of the Institute of Transportation Engineers (ITE) Trip Generation Manual (10th edition). This reference contains traffic volume count data collected at similar facilities nationwide.

TRIP GENERATION FOR SENIOR ATTACHED HOUSING DEVELOPMENT

The trip generation referenced is based on the following ITE Land Uses:

- Land Use: 252 Senior Adult Housing – Attached: Senior adult housing consists of attached independent living developments, including retirement communities, age-restricted housing, and active adult communities.
- Land Use: 220 Multifamily Housing (Low-Rise): Low-rise multifamily housing includes apartments, townhouses, and condominiums located within the same building with at least three other dwelling units and that have one or two levels (floors).

The results of the analysis for the Land Use 252 (previously proposed Senior Adult Housing) are shown in Table 1, and Land-Use 220 (currently proposed townhome development) are shown in Table 2.

| Land Use | Size | AM Peak Hour | | | PM Peak Hour | | | 24 Hour | |
|--------------------------------|-----------|--------------|------|-------|--------------|------|-------|---------|------|
| | | Enter | Exit | Total | Enter | Exit | Total | Enter | Exit |
| ITE 252 – Senior Adult Housing | 122 units | 8 | 16 | 24 | 17 | 15 | 32 | 232 | 233 |

| Land Use | Size | AM Peak Hour | | | PM Peak Hour | | | 24 Hour | |
|-------------------------------|----------|--------------|------|-------|--------------|------|-------|---------|------|
| | | Enter | Exit | Total | Enter | Exit | Total | Enter | Exit |
| ITE 220 – Multifamily Housing | 98 units | 10 | 35 | 45 | 37 | 21 | 58 | 350 | 350 |

TRIP GENERATION COMPARISON

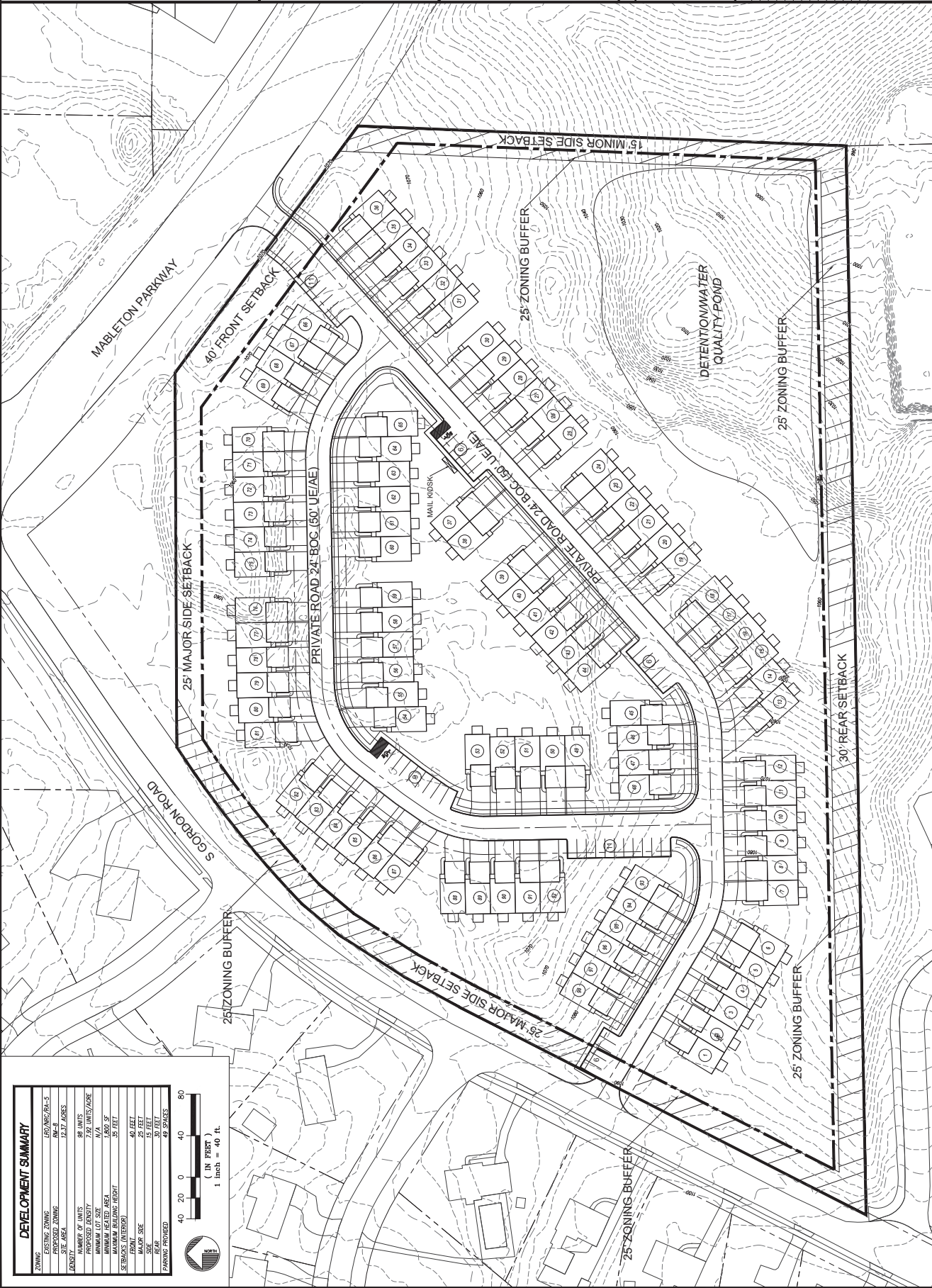
A comparative analysis of trips generated by previously proposed and currently proposed developments are shown below in Table 3.

| Land Use | Size | AM Peak Hour | | | PM Peak Hour | | | 24 Hour |
|---|-----------|--------------|-----------|-----------|--------------|-----------|-----------|------------|
| | | Enter | Exit | Total | Enter | Exit | Total | 2-way |
| ITE 220 – Multifamily Housing (Low-Rise) | 98 units | 10 | 35 | 45 | 37 | 21 | 58 | 700 |
| ITE 252 – Senior Adult Housing – Attached | 122 units | 8 | 16 | 24 | 17 | 15 | 32 | 465 |
| Difference | | 2 | 19 | 21 | 20 | 16 | 26 | 235 |

CONCLUSION

A comparison of the trips generated by previously proposed 122-unit senior adult housing and currently proposed 98-unit townhome development revealed that the currently proposed townhome development will generate 21 more 2-way trips in the AM peak hour and 26 more 2-way trips in the PM peak hour and 235 more 2-way trips in 24-hour period.

| REVISIONS | |
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| DEVELOPMENT SUMMARY | |
|-------------------------|---------------|
| ZONING | RD/MS/PAL-S |
| EXISTING ZONING | RD/MS/PAL-S |
| EXISTING ZONING | RD/MS/PAL-S |
| SITE AREA | 182.2 ACRES |
| DENSITY | 20 UNITS |
| NUMBER OF UNITS | 20 UNITS/ACRE |
| MINIMUM LOT SIZE | N/A |
| MINIMUM HEATED AREA | 1,800 SF |
| MINIMUM BUILDING HEIGHT | 35 FEET |
| SETBACKS | 40 FEET |
| MAJOR SIDE SETBACK | 25 FEET |
| REAR SETBACK | 30 FEET |
| MINOR SIDE SETBACK | 15 FEET |
| FRONT SETBACK | 40 FEET |
| PARKING PROVIDED | 49 SPACES |

Scale: 1 inch = 40 ft. (0, 20, 40, 60 feet)