

SAMS, LARKIN, HUFF & BALLI

A LIMITED LIABILITY PARTNERSHIP

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ADAM J. ROZEN

SLHB-LAW.COM

August 29, 2018

VIA HAND DELIVERY

Mr. Donald Wells
Cobb County Zoning Division
Community Development Agency
1150 Powder Springs Road, Suite 400
Marietta, GA 30064

Re: Application of KO Management, Inc. to Rezone a ±2.11 Acre Tract from NRC to RA-5; Land Lot 39, 18th District, 2nd Section, Cobb County, Georgia (Z#49).

Dear Donald:

KO Management proposes to rezone a property on Mableton Parkway from Neighborhood Retail Commercial (NRC) to RA-5 for a single family detached community of ten (10) homes. The proposed zoning is consistent with the Future Land Use designation of Medium Density Residential. The applicant has had discussion with the development staff and Mableton Improvement District in relation to the proposed zoning. Below is a list of stipulations that my client requests be included as conditions on the grant of the rezoning request.

1. The subject property shall be rezoned to RA-5 for a ten (10) home single family detached neighborhood consistent with the site plan attached as Exhibit A. The one lot size variance is justified given the large donation of right of way and additional road improvements.
2. The architecture of the homes shall be consistent to the renderings attached as Exhibit B. Additional architecture shall be approved by the District Commissioner.
3. The developer shall donate right of way on Wood Valley Road so there is a twenty five (25) foot half section along the property frontage.
4. The frontage on Wood Valley Road shall be improved with a sidewalk and additional paving so that there is at least a twenty (20) foot wide paving section.
5. The developer shall donate sufficient right of way, within reason, along Mableton Parkway to accommodate the proposed multi use path. If the donation creates lot size variances, these shall be granted as part of the donation and can be approved by the district commissioner.
6. The developer agrees with the inclusion of the recommendations from MIC contained in their letter dated August 28, 2018 attached as Exhibit C.

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7. The District Commissioner shall have the authority to approve minor modifications to these stipulations, the site plan, architectural renderings/elevations and all other components as this development proceeds through the Plan Review process and thereafter. However, the District Commissioner shall not have the authority to approve modifications which:
- a. Increase the density.
 - b. Reduce the size or composition of an approved buffer or landscape strip adjacent to contiguous properties.
 - c. Relocate a structure closer to a perimeter property line.
 - d. Increase the height of a building so that it exceeds the at-grade height of contiguous properties and/or buildings.

The subject property is currently zoned for a shopping center. Because the property is not close to the Veterans Memorial Parkway intersection, the property is much better suited for residential development. The medium density project is consistent with the County's comprehensive plan. The development has several benefits to the county including upgrading Wood Valley Road with sidewalks and additional right of way and the donation of right of way on Mableton Parkway to accommodate the future multi use trail. If you have any questions regarding the proposed zoning conditions, please contact me at once.

Very truly yours,

SAMS, LARKIN, HUFF & BALLI, LLP



Parks F. Huff
phuff@slhb-law.com

PFH/sfw
Enclosures
cc:'s on following page

SAMS, LARKIN, HUFF & BALLI

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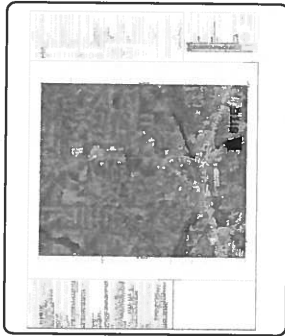
VIA HAND DELIVERY

Mr. Donald Wells
Cobb County Zoning Division
Community Development Agency
August 29, 2018
Page 3

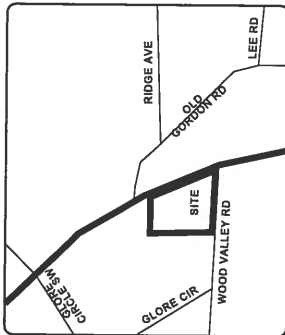
cc: Members, Cobb County Board of Commissioners (via email w/attachment)
Members, Cobb County Planning Commission (via email w/attachment)
Commission Assistants, Cobb County BOC (via email w/attachment)
Mr. John Pederson, AICP, Manager (via email w/attachment)
Mr. Dana Johnson, AICP, Director (via email w/attachment)
Mr. Lee McClead, Deputy Director (via email w/attachment)
Mr. Jason S. Gaines, AICP, Planning Manager (via email w/attachment)
Mr. Jason Campbell, Planner III (via email w/attachment)
Mr. Terry Martin, Planner III (via email w/attachment)
Ms. Tannessa Bates, Planner I (via email w/attachment)
Ms. Hayley Todd, Planner I (via email w/attachment)
Ms. Pam Mabry, County Clerk (via email w/attachment)
Ms. Robin Presley, Deputy County Clerk (via email w/attachment)
Ms. Leila Washington, Deputy County Clerk (via email w/attachment)
Mr. David Breaden, P.E. (via email w/attachment)
Ms. Ashley White, P.E., Cobb DOT (via email w/attachment)
Ms. Amy Diaz, P.E., Cobb DOT (via email w/attachment)
Mr. Tim Davidson, Plan Review Engineer (via email w/attachment)
Ms. Robin Meyers, MIC (via email w/attachment)
KO Management, Inc. (via email w/attachment)

Exhibit “A”

PROJECT CONTACT: KAREEM OKEREKE (404) 643-2637



FEMA Map
NTA



Location Map
NTA

Site Notes:

1. THE SITE CONTAINS 2.07 ACRES
2. THE LOCATING SITE IS LOCATED AT THE CORNER OF MABLETON PARKWAY AND WOOD VALLEY ROAD
3. THE NORTH ARROW AND SOUTH ARROW ARE SHOWN ON THE PLAN
4. SURVEY INFORMATION TAKEN FROM SURVEYS PREPARED BY SURVEYS PLUS, INC. DATED OCTOBER 21, 2005.
5. THIS PROPERTY IS NOT LOCATED INSIDE DESIGNATED FLOOD HAZARD AREA AS PER THE FLOOD INSURANCE RATE MAP (FIRM) 130000000, DATED DECEMBER 18, 2000.
6. THERE ARE NO WATERS OF THE STATE OF GEORGIA (LAKES OR STREAMS) WITHIN 200 FEET OF THE SITE.
7. TO THE BEST OF OUR KNOWLEDGE, THERE NO CEMETERIES, ARCHAEOLOGICAL OR ARCHAEOLOGICAL LANDMARKS EXIST ON THE SITE. IN THE EVENT THAT THESE LANDMARKS ARE DISCOVERED DURING CONSTRUCTION, THE ENGINEER MUST BE ADVISED IMMEDIATELY FOR REPAIR AND AROUNDING THE CONSTRUCTION PLANS.
8. THERE ARE NO DRINKING WATERS ON ASSOCIATED STREAM BUFFERS AREAS ASSOCIATED WITH THE PROPERTY.
9. ALL EXISTING UTILITY EGRESS POINTS FOR THE SUBJECT ARE SHOWN ON THIS PLAN.
10. THE USE OF THE PROPOSED DEVELOPMENT IS COMPATIBLE WITH THE USE DESIGNATED THROUGH AN EXISTING CONNECTION TO COBB COUNTY SEWER SYSTEM. NO ON-SITE SEPTIC SYSTEM IS PROPOSED.

Zoning Requirements:

- PROPOSED ZONING: RA-3 SINGLE FAMILY ATTACHED/DETACHED RESIDENTIAL
- SITE DENSITY - 5 UNITS PER ACRE MAXIMUM ALLOWED
- 4.75 UNITS PER ACRE PROPOSED
- MINIMUM LOT SIZE: 7,000 SQUARE FEET - OVERALL SIZE OF PRIVATE DEVELOPMENT IS 2.07 ACRES
- MINIMUM WIDTH BETWEEN DWELLINGS: 20 FEET PER FIRE CODE (SHOW)
- MINIMUM PUBLIC ROAD FRONTAGE: 70 FEET - 64 FEET SHOWN
- MINIMUM BUILDING SETBACKS:
- FRONT: 25 OR 40 FEET - 40 FEET SHOWN OFF MABLETON PARKWAY
- SIDE: 25 OR 30 FEET - 25 FEET SHOWN
- REAR: 20 OR 40 FEET - 30 FEET SHOWN

- PROPOSED ZONING: RA-3 SINGLE FAMILY ATTACHED/DETACHED RESIDENTIAL
- LANDSCAPE BUFFER AND SCREENING REQUIREMENTS:
UNLESS OTHERWISE NOTED WITHIN THESE REQUIREMENTS, ANY PROPERTY WITHIN AN RA-3 DISTRICT WHICH ADJUTS A HOSE RESTRICTION, RESIDENTIALLY ZONED PROPERTY SHALL HAVE A MINIMUM TEN-FOOT LANDSCAPED SCREENING BUFFER ADJUTANT TO ALL RESIDENTIAL PROPERTY SUCH BUFFER SUBJECT TO APPROVAL BY COUNTY STAFF. REQUIRED BUFFERS MAY BE INCLUDED WITHIN REQUIRED SETBACKS, HOWEVER, THE REQUIRED BUFFER IS GREATER THAN THE REQUIRED SETBACK, THE REQUIRED BUFFER SHALL BE ADJUTED TO.

Parking Requirements:

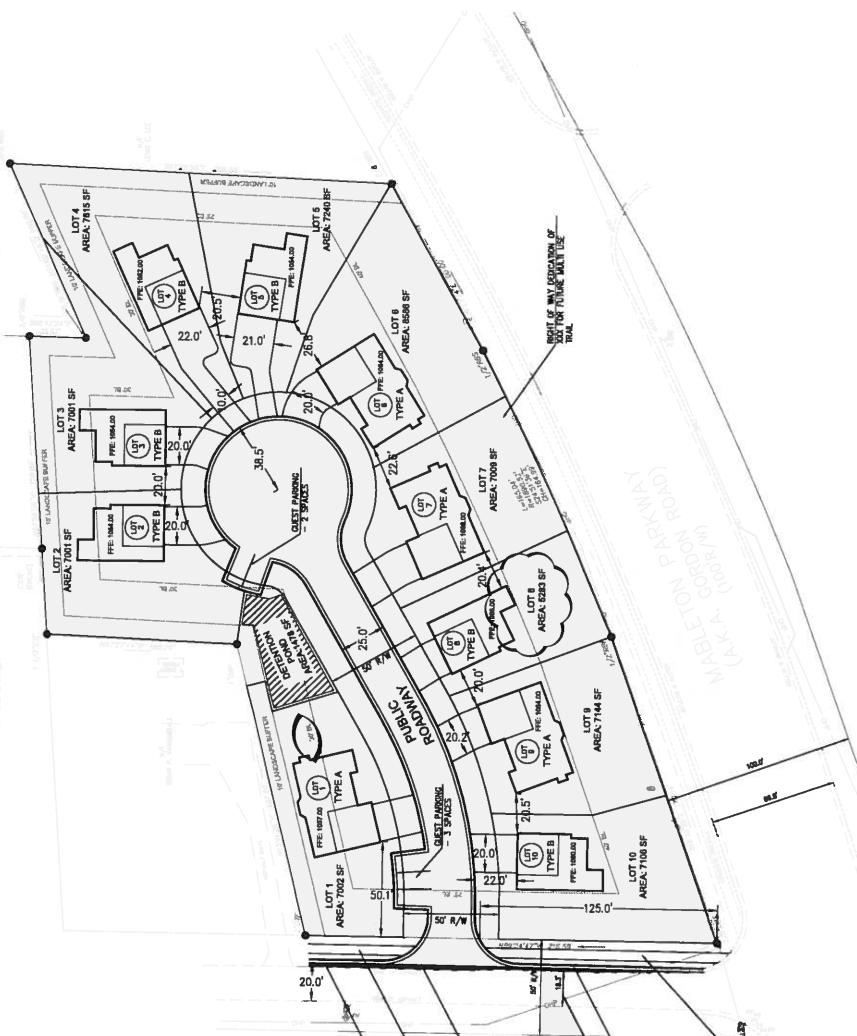
1. MINIMUM OF TWO PARKING SPACE PER DWELLING UNIT - SINGLE FAMILY DETACHED.

Guest Parking Requirements:

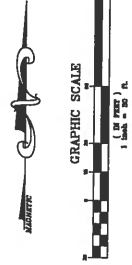
OCCUPANT PARKING SHALL BE INSTALLED AS REQUIRED BY ZONING AND ADDITIONAL GUEST PARKING SHALL BE REQUIRED AS FOLLOWS:
- WHERE DRIVEWAYS TO TWO CAR GARAGES EXCEED 50 FEET IN LENGTH, NO ADDITIONAL GUEST PARKING IS REQUIRED.
- LONG AND 20 FEET WIDE, ADDITIONAL PARKING SHALL BE REQUIRED AT .5 SPACES PER DWELLING UNIT.
- WHERE DRIVEWAYS TO TWO CAR GARAGES ARE LESS THAN 22 FEET LONG AND 20 FEET WIDE, ADDITIONAL PARKING SHALL BE REQUIRED AT 1 PARKING SPACE PER DWELLING UNIT.
- WHERE ONLY SINGLE CAR GARAGES ARE PROVIDED, ADDITIONAL PARKING SHALL BE REQUIRED AT 2 SPACES PER DWELLING UNIT.
- PARKING SPACES MUST BE FULLY DISTRIBUTED THROUGHOUT THE PROJECT.

LOT #	DRIVEWAY WIDTH	GUEST PARKING REQUIRED
22	20	0.5
22	20	0.5
22	20	0.5
68	22	0
51	21	0
37	20	1
10	20	0.5
9	22	0.5
10	22	0.5
TOTAL		5

DRIVEWAY LENGTH MEASURED ON THE SHORTER SIDE



GDOT PERMITS WILL BE REQUIRED FOR WORK IN THE RIGHT OF WAY



Prepared By:
CRESCENT VIEW
ENGINEERING, LLC
4400 Peachtree Dunwoody
Road, Suite 100
Atlanta, GA 30305
www.crescentview.com

Prepared For
K.O. Development, LLC
860 Avenue Fory Road
Suite 100, #172
Atlanta, Georgia 30324

Zoning Plan

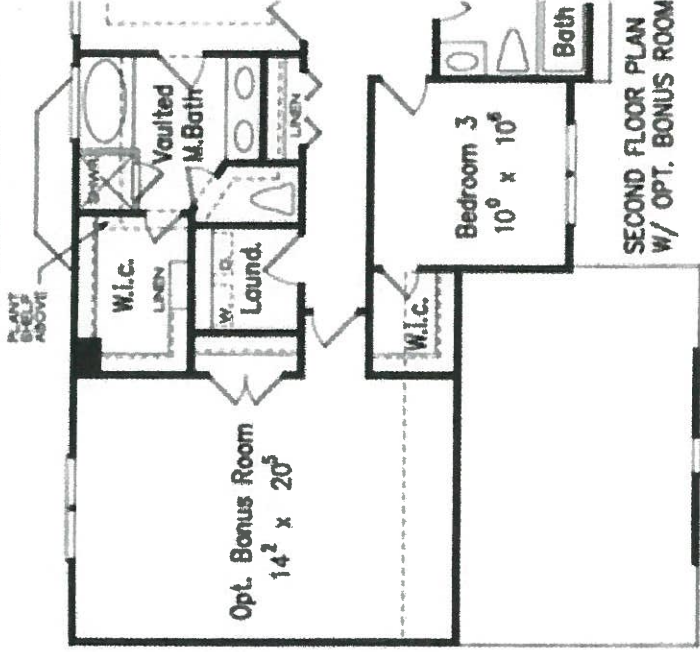
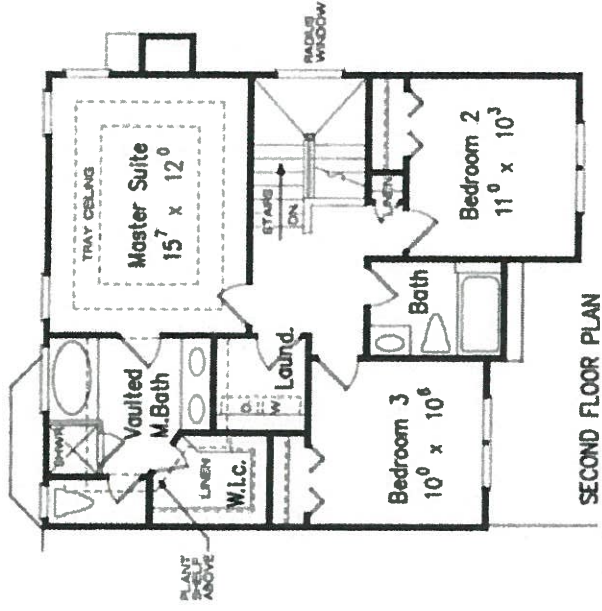
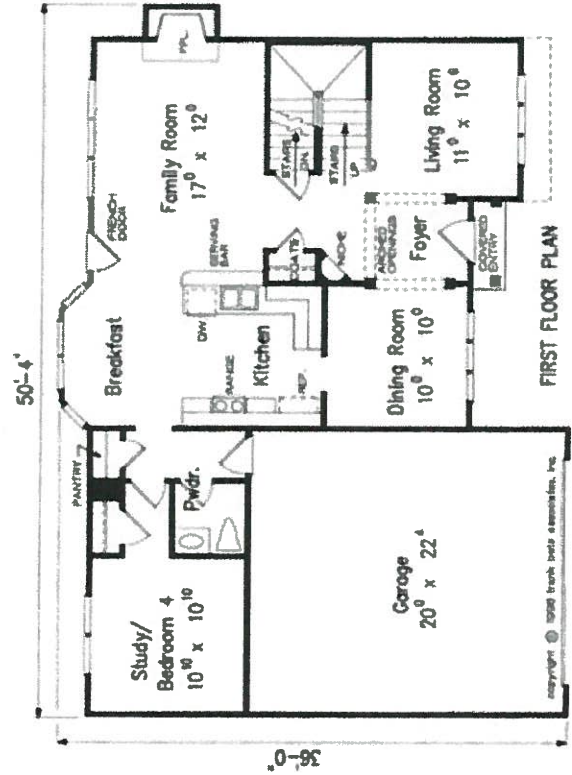
DATE	8.16.13	REVISIONS
SCALE	AS SHOWN	
DRAWN	GB	
CHECKED	GB	

Zoning Plan For
5710 Mableton Pkwy
Land Lot 37 17th District
Cobb County, Georgia

Sheet No.
Z-1

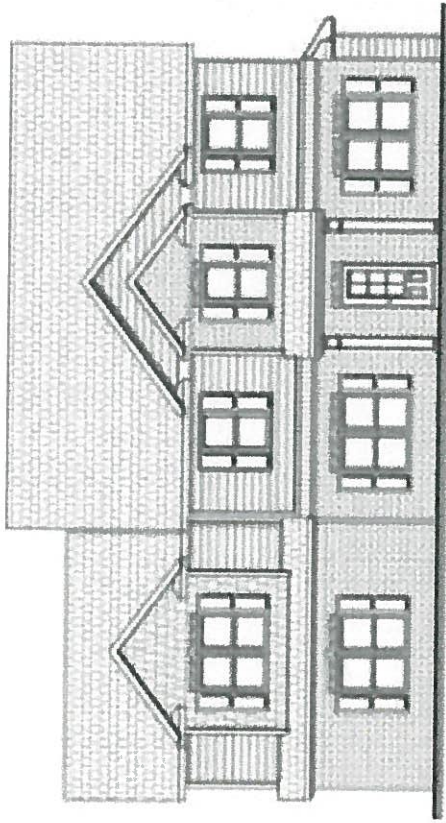
Exhibit “B”

House Plan 1

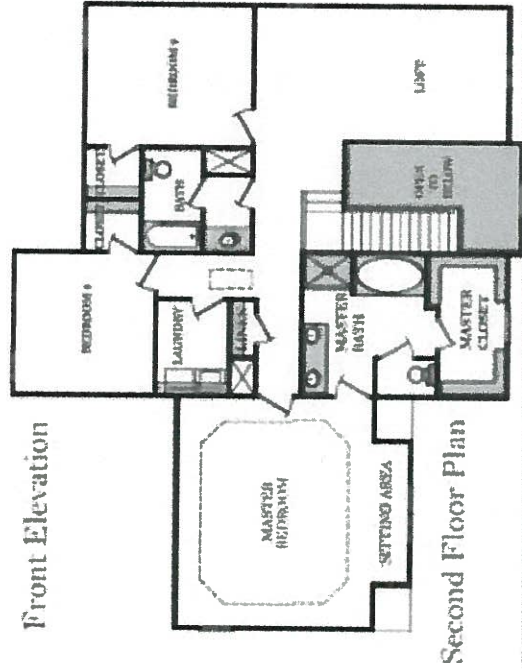


PRIVATE AND CONFIDENTIAL

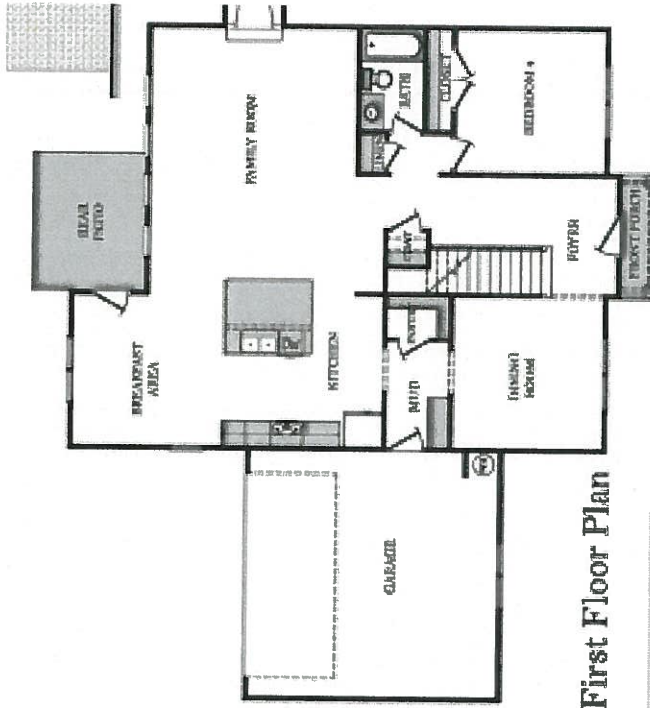
Avalon A



Front Elevation



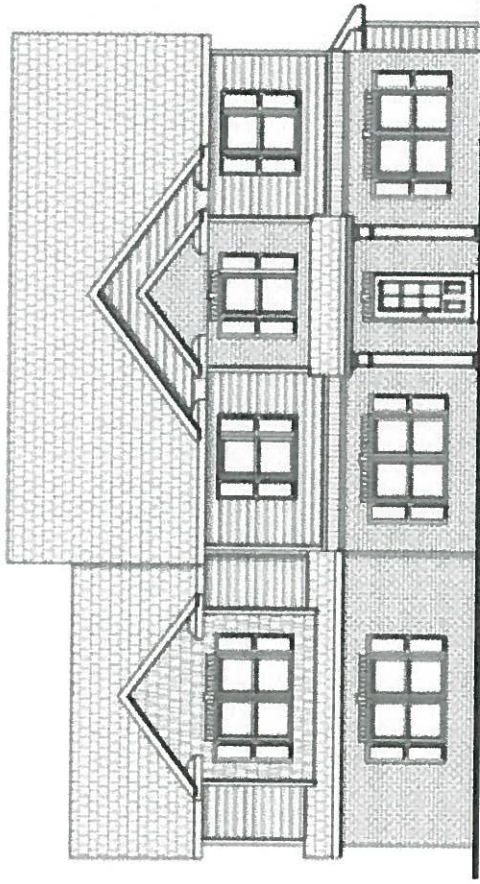
Second Floor Plan



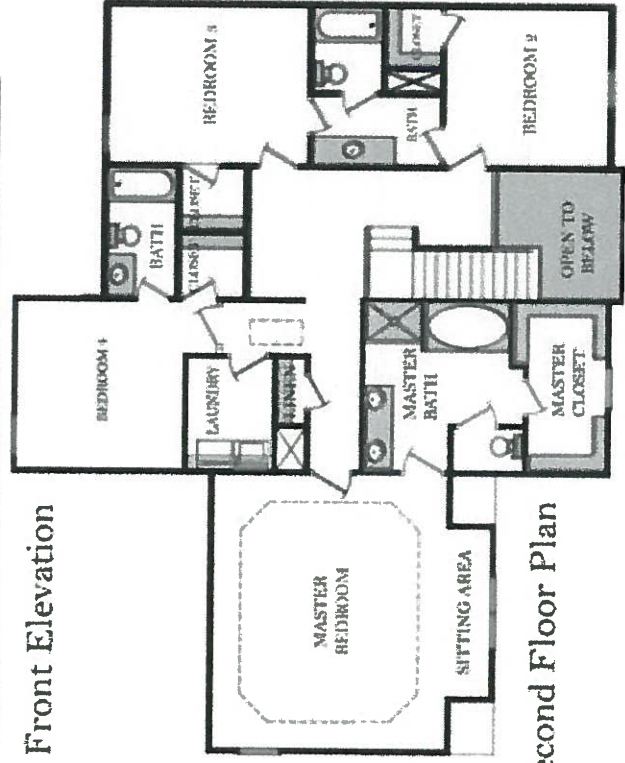
First Floor Plan



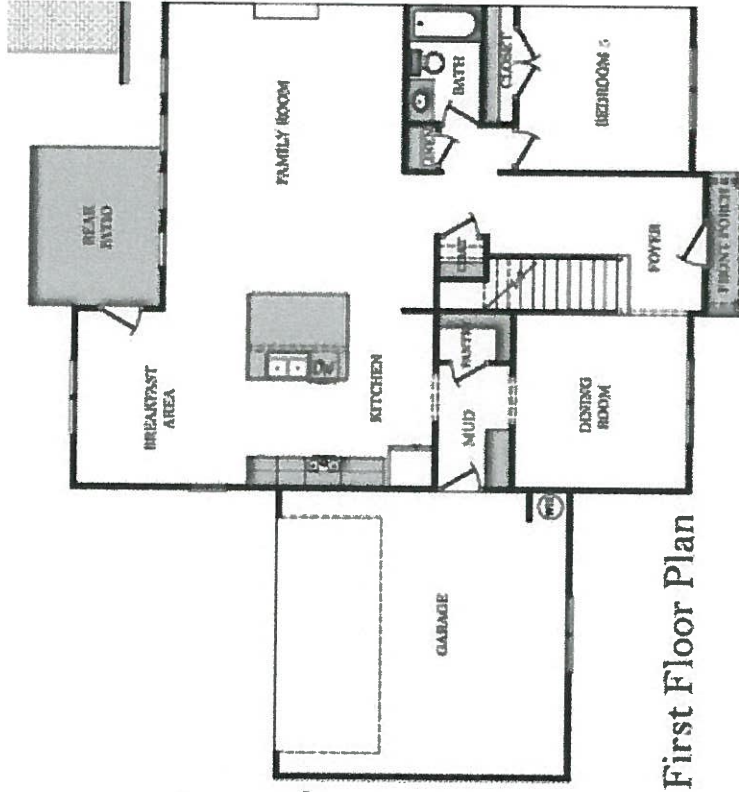
Avalon B



Front Elevation



Second Floor Plan



First Floor Plan



Exhibit “C”



August 28, 2018

Cobb County Planning Commission
100 Cherokee Street
Marietta, GA 30090

Re: Z-49, KO Development, Mableton Parkway

Dear Ms. Chairman and Commissioners:

On behalf of the Mableton Improvement Coalition, I am writing to express our support for this application and ask that you recommend approval to the Board of Commissioners. At the time of writing this letter, we have not received a stipulations letter and we have just received a photo of a proposed fence and elevations of the homes. Given the deadline for comments, it is not possible for us to consider that information in this letter. Thus, at this time, we ask that you include these conditions with any recommendation for approval:

- Creation of an Architectural Review Committee made up of the property owner or their designee, MIC and the appropriate staff member from the Community Development Department. The District Commissioner would have final approval.
- Creation of a Landscape Review Committee made up of the property owner or their designee, MIC and the appropriate staff member from the Community Development Department. The District Commissioner would have final approval. This Committee will also include fencing. The primary goal of the Landscape Review Committee will be to create a visual barrier between the homes and Mableton Parkway, so that homeowners are shielded from the traffic noises and the community does not have a view of back yards. A combination of fencing, plantings and berms will be considered.
- Establishment of an HOA with responsibility for common area maintenance
- A requirement that homes have 2 car garages that remain available for parking automobiles; no conversion to living/storage would be allowed.
- Detention pond would be maintenance by Cobb County and detention pond landscaping will be designed to obscure fencing within 2 years.

We are pleased to see new single family housing proposed for this part of Mableton in a manner that fits the existing neighborhoods.

As always, thank you for the opportunity to be a part of this public comment process. If you have any questions, please feel free to contact me at 770 948-5394.

Sincerely,

Robin Meyer
Chairman of the Board

cc: Cobb County Board of Commissioners
John Pederson, Cobb County Zoning Division Manager
Robin Presley, Deputy County Clerk
Parks Huff
MIC Board of Directors and Zoning Committee