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September 1, 2021

Via E-mail Only

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

RE: Application for Rezoning - Application No. Z-56 (2021)
 Applicant: Traton, LLC
 Property Owner: Calvert Investments, LLLP
 Property: 25.187 acres, more or less, located southerly
 of the terminus of South Cobb School Road
 and Linda Vista Drive and at the terminus of
 Leila Street, Land Lot 1217, 19th District,
 2nd Section, Cobb County, Georgia

Dear John:

The undersigned and this firm represent Traton, LLC, the Applicant (hereinafter "Applicant"); as well as, Calvert Investments, LLLP, the Property Owner (hereinafter "Owner" or "Property Owner"), in their Application for Rezoning with regard to property located southerly of the terminus of South Cobb School Road and Linda Vista Drive and at the terminus of Leila Street, being 25.187 acres, more or less, located in Land Lot 1217, 19th District, 2nd Section, Cobb County, Georgia (hereinafter the "Property" or "Subject Property"). After meetings and discussions with Cobb Planning and Zoning Staff and various Cobb County Department Representatives, Staff, and Officials; ongoing meetings and discussions with area residents; and reviewing the Departmental Comments and Staff Recommendations; as well as, the uses of surrounding properties, we have been authorized by the Applicant to submit this letter of agreeable stipulations and conditions which, if the Application for Rezoning is approved, as submitted, shall become a part of the grant of the requested zoning and shall be binding upon the Subject Property. The proposed stipulations are as follows:

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- (1) The 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 on the Subject Property; together with any and all prior Departmental Comments and Staff Recommendations submitted by Planning, Fire, Water, Sewer, and Drainage, relating to the Subject Property from any previous zoning actions.
- (2) Applicant seeks rezoning of the Subject Property from the existing zoning classification of Light Industrial ("LI") to the proposed zoning classification of RA-5, site plan specific to the revised Zoning Plan prepared for Applicant by Ridge Planning and Engineering, dated and last revised August 20, 2021, and submitted with this letter of agreeable stipulations and conditions. A reduced copy of the revised Zoning Plan is attached as Exhibit "A" for reference.
- (3) By submission of this letter of agreeable stipulations and conditions and the referenced, revised Zoning Plan, Applicant amends its Application to seek rezoning of the Subject Property from the originally proposed Fee Simple Townhome ("FST") zoning classification to the proposed RA-5 zoning classification.
- (4) The Subject Property consists of 25.187 acres and will be developed for a single-family, detached, residential community, containing a maximum of one hundred six (106) residences.
- (5) The residences within the proposed community shall have a minimum of 1,800 square feet of heated and cooled living space.
- (6) The proposed residences shall be Traditional and Craftsman in style and architecture and shall have a minimum two-car, attached garage.
- (7) Homes in the proposed community shall contain a combination of exterior materials to include brick, stone, stacked stone, cedar shake, board and batten, traditional lap-siding, and hard-plank; and shall be substantially similar to the elevations attached collectively as Exhibit "B" in terms of exterior materials, finishes, and level of quality.
- (8) The setbacks for the proposed residential community shall be as more particularly shown and reflected on the revised Zoning Plan.

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- (9) Entrance signage shall be ground based, monument-style signage, and shall consist of brick, stone, stacked stone, or combinations thereof, with accents, and other materials complementary to and comparable with materials comprising the exterior of the proposed residences. Entrance landscaping shall be professionally designed, implemented, and maintained. Maintenance of the entrance area shall be by the mandatory homeowners association as set forth in the Declaration of Covenants, Easements, and Restrictions.
- (10) Applicant agrees to the creation of a mandatory homeowners association consistent with communities within the area. The mandatory homeowners association shall be responsible for the upkeep and maintenance of all entrance areas, common areas, open space areas, amenity area, mail kiosk, landscaping around detention areas, and the like, contained within the proposed residential community.
- (11) Additionally, and in conjunction with the creation of the mandatory homeowners association, Applicant agrees to the recording and enforcement of a Declaration of Covenants, Easements, and Restrictions which will contain covenants, rules, and regulations applicable to the proposed development.
- (12) Applicant agrees there shall be established a restrictive covenant which limits the number of homes which can be leased or rented at any one time to a maximum of ten (10) percent of the total number of homes.
- (13) The community shall have active and passive amenities; including, but not limited to, the following:
 - (a) Walking trails providing access to the common, open space areas, and throughout the dedicated open space areas;
 - (b) Pocket parks located throughout the proposed community for the use and enjoyment of residents; and
 - (c) Active amenity consisting of, at a minimum, a pool and cabana.
- (14) Street lighting within the proposed community shall be environmentally sensitive, decorative, and themed to the architecture and style of the residences, as offered by the power provider.
- (15) Applicant agrees to a total fifty (50) foot buffer along the northerly and easterly boundaries of the Subject Property. The first twenty-five (25) feet of this buffer

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(along the common boundary) would be undisturbed, and the second twenty-five (25) feet would be heavily landscaped as an evergreen visual buffer.

- (16) All landscaping referenced herein shall be approved by the Cobb County Arborist as part of the Plan Review Process and incorporated into the overall landscape plan for the proposed community.
- (17) Detention facilities shall be screened by black, vinyl-clad chain link fencing, or black wrought iron-type fencing. The fencing shall be six (6) feet in height with landscaping to the exterior of the fencing for purposes of visual screening. All vegetation and landscaping surrounding the detention areas shall be maintained by the mandatory homeowners association.
- (18) Minor modifications to the within stipulations, the referenced, revised Zoning Plan, lighting, signage, landscaping, architecture, site features, and the like, may be approved by the District Commissioner, as needed or necessary, except for those that:
 - (a) Increase the density of a residential project or the overall square footage of a non-residential project;
 - (b) Reduce the size of an approved buffer adjacent to a property that is zoned the same or in a more restrictive zoning district;
 - (c) Relocate a structure closer to the property line of an adjacent property that is zoned the same or in a more restrictive zoning district;
 - (d) Increase the height of a building that is adjacent to a property that is zoned the same or in a more restrictive zoning district;
 - (e) Change an access location to a different roadway;
 - (f) Would be in direct contradiction or conflict with any of the stipulations of this rezoning;
 - (g) Would be in direct contradiction or conflict with Cobb County Code and Ordinances; or
 - (h) Would be in direct contradiction or conflict with any Staff Recommendations that were adopted into the final zoning decision.

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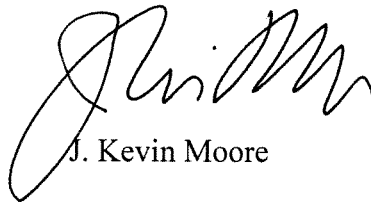
- (19) All setbacks, landscape, and buffer areas may be penetrated for purposes of access, utilities, and stormwater management, including, but not limited to, drainage facilities and any and all slopes or other required engineering features of the foregoing. Any disturbed areas must be replanted with like vegetation.

We believe the requested zoning, pursuant to the revised Zoning Plan and the stipulations set forth herein, is an appropriate use of the Subject Property while taking into consideration the existing conditions of the Property, the residents and communities surrounding the Property, and the area surrounding the proposed development. The proposed community shall be a quality development, as established by Applicant in previous developments in Cobb County and the Metropolitan Atlanta area, and shall provide a much-needed and highly sought-after type of community within the Cobb County area. Thank you for your consideration in this request.

With kindest regards, I remain

Very truly yours,

MOORE, INGRAM, JOHNSON & STEELE, LLP



J. Kevin Moore

JKM:cc

Attachments

c: Cobb County Board of Commissioners:
Lisa N. Cupid, Chairwoman
JoAnn Birrell
Keli A. Gambrill
Jerica Richardson
Monique Sheffield
(With Copies of Attachments)

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c: Cobb County Planning Commission:
Fred Beloin, Chairman
David Anderson
Deborah Dance
Michael Hughes
Stephen Vault
(With Copies of Attachments)

Jeannie Peyton
Senior Planner
Zoning Division
Cobb County Community Development Agency
(With Copies of Attachments)

Mableton Improvement Coalition
(With Copies of Attachments)

Traton, LLC
(With Copies of Attachments)



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HILL ROAD PRODUCT STUDY

TRATON HOMES

EXHIBIT "B"