

APPLICANT: Lynwood Development Group, LLC

PETITION NO: 2-27

PHONE#: (404) 512-4583 **EMAIL:** wsmnell@lynwooddevelopment.com

HEARING DATE (PC): 03-03-15

REPRESENTATIVE: J. Kevin Moore

HEARING DATE (BOC): 03-17-15

PHONE#: (770) 429-1499 **EMAIL:** jkmo@mjis.com

PRESENT ZONING: OHR

TITLEHOLDER: BSD Power II, LLC and Park Point Land, LLC

PROPOSED ZONING: UVC

PROPERTY LOCATION: Southwest intersection of Powers Ferry

Road and Windy Ridge Parkway.

PROPOSED USE: Mixed Use

ACCESS TO PROPERTY: Powers Ferry Road

SIZE OF TRACT: 3.14 acres

DISTRICT: 17

PHYSICAL CHARACTERISTICS TO SITE: Wooded, undeveloped

LAND LOT(S): 985, 1008

acreage

PARCEL(S): 8

TAXES: PAID **DUE** _____

CONTIGUOUS ZONING/DEVELOPMENT

COMMISSION DISTRICT: 2

NORTH: UC/Horizon Condominiums

SOUTH: RM-16/Windy Ridge Apartments

EAST: CRC/Retail and Restaurants

WEST: OHR/Office High Rise

PLANNING COMMISSION RECOMMENDATION

APPROVED _____ **MOTION BY** _____

REJECTED _____ **SECONDED** _____

HELD _____ **CARRIED** _____

BOARD OF COMMISSIONERS DECISION

APPROVED _____ **MOTION BY** _____

REJECTED _____ **SECONDED** _____

HELD _____ **CARRIED** _____

STIPULATIONS:



APPLICANT: Lynwood Development Group, LLC

PETITION NO.: Z-27

PRESENT ZONING: OHR

PETITION FOR: UVC

ZONING COMMENTS: Staff Member Responsible: Jason A. Campbell

Land Use Plan Recommendation: Regional Activity Center (RAC)

Proposed Number of Units: 280 **Overall Density:** 89.17 **Units/Acre**

Staff estimate for allowable # of units: 0 **Units*** **Increase of:** 280 **Units/Lots**

**Estimate could be higher or lower based on engineered plans taking into account topography, shape of property, utilities, roadways, natural features such as creeks, wetlands, etc., and other unforeseen circumstances.*

Applicant is requesting the Urban Village Commercial (UVC) zoning category for a mixed use development of 280 condominium units in a building not to exceed six stories. The units will range in size from 700 square feet to 1,400 square feet (possibly greater) and the building shall consist of brick, stone, stacked stone, stone-type materials, stucco-type materials, hardi or metal-panel, masonry, cement fiber and glass or any combinations thereof, on all four sides. The units will be leased and will convert to “for sale” units at such time as market conditions allow. The proposed development will also include an 8,000 square foot commercial component that will include specialty retail shops and restaurants on the lower levels along the entire frontage of Powers Ferry Road. The exteriors of the commercial component will consist of glass and brick with patio and outdoor seating areas.

Applicant is also requesting simultaneous variances that include:

1. Waiving the front setback (Powers Ferry Road) from the required 50 feet to 25 feet; and
2. Waiving the major side setback (Windy Ridge Parkway) from the required 35 feet to 25 feet;
3. Waive the side setback from 35 feet to zero feet; and
4. Allow all the units to be rental in lieu of for sale condominiums.

Cemetery Preservation: No comment.

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SCHOOL COMMENTS:

Number of

Capacity

Portable

Name of School

Enrollment

Status

Classrooms

Brumby 1,026 Over _____

Elementary
East Cobb 1,223 Over _____

Middle
Wheeler 2,117 Under _____

High

- School attendance zones are subject to revision at any time.

Additional Comments: Approval of this petition could seriously and adversely impact the enrollment at Brumby Elementary and East Cobb Middle schools, as both of these schools are severely over capacity at this time. This petition includes 300 condominiums, which could potentially result in the addition of portable classrooms, over-crowded cafeterias and media centers, and could exacerbate already heavy traffic flow at key times during the day, such as drop-off and pick-up times.

FIRE COMMENTS:

After analyzing the information presented for a Preliminary Review, the Cobb County Fire Marshal's Office is confident that all other items can be addressed during the Plan Review Stage.

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PLANNING COMMENTS:

The applicant is requesting a rezoning from OHR to UVC for purpose of urban village commercial. The 3.14 acre site is located on the southwest intersection of Powers Ferry Road and Windy Ridge Parkway.

Comprehensive Plan

The parcel is within a Regional Activity Center (RAC) future land use category, with OHR zoning designation. The purpose of the Regional Activity Center (RAC) category is to provide for areas that can support a high intensity of development which serves a regional market. Typical land uses in these areas include high-rise office buildings, regional malls and varying densities of residential development.

Master Plan/Corridor Study

Not applicable.

Historic Preservation

After consulting various county historic resources surveys, historic maps, archaeology surveys and Civil War trench location maps, staff finds that no known significant historic resources appear to be affected by this application. No further comment. No action by applicant requested at this time.

Design Guidelines

Is the parcel in an area with Design Guidelines? Yes No

If yes, design guidelines area _____

Does the current site plan comply with the design requirements?

Incentive Zones

Is the property within an Opportunity Zone? Yes No

The Opportunity Zone is an incentive that provides \$3,500 tax credit per job in eligible areas if two or more jobs are being created. This incentive is available for new or existing businesses.

Is the property within an Enterprise Zone? Yes No

The Enterprise Zone is an incentive that provides tax abatements and other economic incentives for qualifying businesses locating or expanding within designated areas for new jobs and capital investments.

Is the property eligible for incentives through the Commercial and Industrial Property Rehabilitation Program? Yes No

The Commercial and Industrial Property Rehabilitation Program is an incentive that provides a reduction in ad valorem property taxes for qualifying redevelopment in eligible areas.

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PLANNING COMMENTS: (Continued)

Special Districts

Is this property within the Cumberland Special District #1 (hotel/motel fee)?

Yes No

Is this property within the Cumberland Special District #2 (ad valorem tax)?

Yes No

Is this property within the Six Flags Special Service District?

Yes No

WATER COMMENTS:

NOTE: Comments reflect only what facilities were in existence at the time of this review.

- Available at Development: Yes No
Fire Flow Test Required: Yes No

Size / Location of Existing Water Main(s): 20" DI / S side of Powers Ferry Rd

Additional Comments:

Developer may be required to install/upgrade water mains, based on fire flow test results or Fire Department Code. This will be resolved in the Plan Review Process.

SEWER COMMENTS:

NOTE: Comments reflect only what facilities were in existence at the time of this review.

- In Drainage Basin: Yes No
At Development: Yes No

Approximate Distance to Nearest Sewer: 650' SW in Windy Ridge PkV

Estimated Waste Generation (in G.P.D.): A D F= 48,000 Peak= 120,000

Treatment Plant: Sutton

- Plant Capacity: Available Not Available
Line Capacity: Available Not Available
Projected Plant Availabilitv: 0 - 5 years 5 - 10 years over 10 years
Drv Sewers Required: Yes No

Off-site Easements Required: Yes* No
Flow Test Required: Yes No
Letter of Allocation issued: Yes No
*If off-site easements are required, Developer must submit easements to CCWS for review/approval as to form and stipulations prior to the execution of easements by the property owners. All easement acquisitions are the responsibility of the Developer

- Septic Tank Recommended by this Department: Yes No
Subject to Health Department Approval: Yes No

Additional Comments: The capacity of the private sewer 125' to SW is unknown.

Developer will be responsible for connecting to the existing County water and sewer systems, installing and/or upgrading all outfalls and water mains, obtaining on and/or offsite easements, dedication of on and/or offsite water and sewer to Cobb County, as may be required. Rezoning does not guarantee water/sewer availability/capacity unless so stated in writing by the Cobb County Water System. Permit issuances subject to continued treatment plant compliance with EPD discharge requirements.

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STORMWATER MANAGEMENT COMMENTS

FLOOD HAZARD: YES NO POSSIBLY, NOT VERIFIED

DRAINAGE BASIN: Rottenwood Creek FLOOD HAZARD INFO: Zone X

- FEMA Designated 100 year Floodplain Flood.
- Flood Damage Prevention Ordinance DESIGNATED FLOOD HAZARD.
- Project subject to the Cobb County Flood Damage Prevention Ordinance Requirements.
- Dam Breach zone from (upstream) (onsite) lake - need to keep residential buildings out of hazard.

WETLANDS: YES NO POSSIBLY, NOT VERIFIED

Location: _____

- The Owner/Developer is responsible for obtaining any required wetland permits from the U.S. Army Corps of Engineer.

STREAMBANK BUFFER ZONE: YES NO POSSIBLY, NOT VERIFIED

- Metropolitan River Protection Area (within 2000' of Chattahoochee River) ARC (review 35' undisturbed buffer each side of waterway).
- Chattahoochee River Corridor Tributary Area - County review (_____ undisturbed buffer each side).
- Georgia Erosion-Sediment Control Law and County Ordinance - **County Review**/State Review.
- Georgia DNR Variance may be required to work in 25 foot streambank buffers.
- County Buffer Ordinance: **50', 75', 100'** or 200' each side of creek channel.

DOWNSTREAM CONDITIONS

- Potential or Known drainage problems exist for developments downstream from this site.
- Stormwater discharges must be controlled not to exceed the capacity available in the downstream storm drainage system.
- Minimize runoff into public roads.
- Minimize the effect of concentrated stormwater discharges onto adjacent properties.
- Developer must secure any R.O.W required to receive concentrated discharges where none exist naturally
- Existing Lake Downstream _____.
- Additional BMP's for erosion sediment controls will be required.
- Lake Study needed to document sediment levels.
- Stormwater discharges through an established residential neighborhood downstream.
- Project engineer must evaluate the impact of increased volume of runoff generated by the proposed project on existing downstream system (including any in-line ponds or detention facilities).

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STORMWATER MANAGEMENT COMMENTS – Continued

SPECIAL SITE CONDITIONS

- Provide comprehensive hydrology/stormwater controls to include development of out parcels.
- Submit all proposed site improvements to Plan Review.
- Any **spring activity** uncovered must be addressed by a qualified geotechnical engineer (PE).
- Structural fill _____ must be placed under the direction of a qualified registered Georgia geotechnical engineer (PE).
- Existing facility.
- Project must comply with the Water Quality requirements of the CWA-NPDES-NPS Permit and County Water Quality Ordinance.
- Water Quality/Quantity contributions of the existing lake/pond on site must be continued as baseline conditions into proposed project.
- Calculate and provide % impervious of project site.
- Revisit design; reduce pavement area to reduce runoff and pollution.

INSUFFICIENT INFORMATION

- No Stormwater controls shown _____
- Copy of survey is not current – Additional comments may be forthcoming when current site conditions are exposed.
- No site improvements showing on exhibit.

ADDITIONAL COMMENTS

1. The site is located on the Phase II portion of the original Parkwood Point Office Complex at the corner of Powers Ferry Road and Windy Ridge Parkway. The site is characterized by a large depression. The lowest portion of the site, located at the southwest end serves as the detention facility for the existing Parkwood Point development. There is a Reciprocal Use and Easement Agreement for this drainage easement. The agreement does allow for reconfiguration of the detention facility to accommodate the overall development. The final site design must provide adequate stormwater management for the entire Parkwood Point Site.

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TRANSPORTATION COMMENTS

The following comments and recommendations are based on field investigation and office review of the subject rezoning case:

ROADWAY	AVERAGE DAILY TRIPS	ROADWAY CLASSIFICATION	SPEED LIMIT	JURISDICTIONAL CONTROL	MIN. R.O.W. REQUIREMENTS
Powers Ferry Road	32000	Arterial	45	Cobb	100'
Windy Ridge Pkwy	11,200	Arterial	35	Cobb	100'

Based on [2011] traffic counting data taken by Cobb County DOT

COMMENTS AND OBSERVATIONS

Powers Ferry Road and Windy Ridge Parkway are classified as arterials and according to the available information the existing right-of-way does meet the minimum requirements for this classification.

RECOMMENDATIONS

Recommend applicant be required to meet all Cobb County Development Standards and Ordinances related to project improvements.

Recommend applicant consider entering into a development agreement pursuant to O.C.G.A. 36-71-13 for dedication of the following system improvements to mitigate traffic concerns: a) donation of right-of-way on Windy Ridge Parkway to accommodate a planned 10' multi-use trail; b) traffic signal at Windy Ridge Parkway entrance should it become warranted in the future.

Recommend 10' multi-use trail along Windy Ridge Parkway.

Recommend FAA study.

STAFF RECOMMENDATIONS

Z-27 LYNWOOD DEVELOPMENT GROUP, LLC

- A. It is Staff's opinion that the applicant's rezoning proposal will permit a use that is suitable in view of the use and development of adjacent and nearby properties. Nearby properties are zoned for mid- and high-rise office buildings and multifamily developments.
 - B. It is Staff's opinion that the applicant's rezoning proposal will not have an adverse affect on the usability of adjacent or nearby property. There is a mixture of developments that include uses similar to this proposal.
 - C. It is Staff's opinion that the applicant's rezoning proposal will not result in a use which would cause an excessive or burdensome use of existing streets, transportation facilities, utilities, or schools. This opinion can be supported by the departmental comments contained in this analysis.
 - D. It is Staff's opinion that the applicant's rezoning proposal is in conformity with the policy and intent of the *Cobb County Comprehensive Plan*, which delineates this property to be within the Regional Activity Center (RAC) land use category. The requested UVC zoning category is compatible with the RAC land use category. The development to the north, Horizon, is a high-rise condominium development with 274 units at an approximate density of 42.74 units per acre.
 - E. It is Staff's opinion that there are existing and changing conditions affecting the use and development of the property which give supporting grounds for approving the applicant's rezoning proposal. The proposed development is consistent with the *Cobb County Comprehensive Plan* designation of RAC. The property is located in an area that has a mixture of uses including mid- and high-rise offices, high-rise condominiums, commercial centers and multi-family developments.
- Based on the above analysis, Staff recommends **APPROVAL** subject to the following conditions:
- Site plan submitted to the Zoning Division on April 16, 2015, with the District Commissioner approving minor modifications;
 - All units to be "for sale";
 - Water and Sewer Division comments and recommendations;
 - Stormwater Management Division comments and recommendations;
 - Department of Transportation comments and recommendations; and
 - Owner/developer to enter into a Development Agreement pursuant to O.C.G.A. §36-71-13 for dedication of system improvements to mitigate traffic concerns.

The recommendations made by the Planning and Zoning Staff are only the opinions of the Planning and Zoning Staff and are by no means the final decision. The Cobb County Board of Commissioners makes the final decisions on all Rezoning and Land Use Permits at an advertised public hearing.



Application #: Z-27 (2015)
 PC Hearing Date: 03/03/2015
 BOC Hearing Date: 03/17/2015

Summary of Intent for Rezoning*

.....
 Part 1. Residential Rezoning Information (attach additional information if needed)

- a) Proposed unit square-footage(s): 925 square feet - average
- b) Proposed building architecture: Maximum six-story structure with brick, hardt-plank, stucco exterior details; Flat roof; adjacent parking deck
- c) Proposed selling prices(s): Not Applicable - Rental Product
- d) List all requested variances: 25 foot building setback at Windy Ridge to match current Powers Ferry configuration

.....
 Part 2. Non-residential Rezoning Information (attach additional information if needed)

- a) Proposed use(s): Not Applicable
- b) Proposed building architecture: _____
- c) Proposed hours/days of operation: _____
- d) List all requested variances: _____

.....
 Part 3. Other Pertinent Information (List or attach additional information if needed)

.....
 Part 4. Is any of the property included on the proposed site plan owned by the Local, State, or Federal Government?

(Please list all Right-of-Ways, Government owned lots, County owned parcels and/or remnants, etc., and attach a plat clearly showing where these properties are located). None known at this time.

.....

Part 5. Is this application a result of a Code Enforcement action? No X; Yes _____ (If yes, attach a copy of the Notice of Violation and/or tickets to this form).

MOORE INGRAM JOHNSON & STEELE, LLP

Applicant signature BY: [Signature] Date: January 2, 2015

Applicant name (printed): Kevin M. Doye; Georgia Bar No. 519728 Attorneys for Applicant and Property Owners

*Applicant specifically reserves the right to amend any information set forth in the Summary of Intent for Rezoning, or any other part of the Application for Rezoning, at any time during the rezoning process.
 Revised August 21, 2013

MOORE INGRAM JOHNSON & STEEL

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April 16, 2015

Hand Delivered



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-27 (2015)
Applicant: Lynwood Development Group, LLC
Property Owners: BSD Power II, LLC and Park Point Land, LLC
Property: 3.14 acres, more or less, located on the southerly side of Powers Ferry Road and the westerly side of Windy Ridge Parkway, Land Lots 985 and 1008, 17th District, 2nd Section, Cobb County, Georgia

3.14 acres, more or less, located on the southerly side of Powers Ferry Road and the westerly side of Windy Ridge Parkway, Land Lots 985 and 1008, 17th District, 2nd Section, Cobb County, Georgia

Dear John:

The undersigned and this firm represent Lynwood Development, LLC, the Applicant (hereinafter “Applicant”), in its Application for Rezoning with regard to property located on the southerly side of Powers Ferry Road and the westerly side of Windy Ridge Parkway, being 3.14 acres, more or less, in Land Lots 985 and 1008, 17th District, 2nd Section, Cobb County, Georgia (hereinafter the “Property” or “Subject Property”). After meetings and discussions with planning and zoning staff and various Cobb County departmental representatives, ongoing discussions and meetings with area civic and homeowner representatives and area residents, reviewing the staff

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Zoning Division Manager

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comments and recommendations and the uses of surrounding properties, and following the presentation to the Cobb County Planning Commission, we have been authorized by the Applicant to submit this revised 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. This letter shall supersede and replace in full the previous letter of agreeable stipulations and conditions dated February 25, 2015, and filed with the Cobb County Zoning Office on February 26, 2015. The revised, proposed stipulations are as follows:

- (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 category of Office High Rise (“OHR”) to the proposed zoning category of Urban Village Commercial (“UVC”), site plan specific to the revised Rezoning Site Plan prepared for Applicant by Planners and Engineers Collaborative dated December 29, 2014, last revised April 15, 2015. A reduced copy of the revised Rezoning Site Plan is attached hereto for ease of reference as Exhibit “A” and incorporated herein by reference.
- (3) By this revised letter of agreeable stipulations and conditions, Applicant amends its Application for Rezoning to include the revised Zoning Site Plan for the proposed development hereinabove referenced, same being prepared for Applicant by Planners and Engineers Collaborative dated December 29, 2014, last revised April 15, 2015, and filed contemporaneously herewith.
- (4) The Subject Property consists of approximately 3.14 acres of total site area and shall be developed for a mixed-use development consisting of residential units and supporting commercial development.

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I. COMMERCIAL COMPONENT

- (1) The commercial component shall consist of a minimum of 8,000 square feet along the entire frontage of Powers Ferry Road, and may include specialty shops such as coffee, sundries, fitness, general merchandise, alcohol sales and consumption, restaurants, shared “hotspot” workspace, and other like businesses or establishments, which may be shared as business and fitness centers for the overall development.
- (2) Applicant agrees the exteriors and architectural appearance of the commercial component, shall be substantially similar to the renderings attached hereto as Exhibit “B,” including a combination of glass and brick with patio and outdoor seating areas ranging from twelve (12) to more than eighteen (18) feet in width and designed to engage the Powers Ferry Road corridor from a pedestrian perspective, but so as not to impede pedestrian traffic.
- (3) Applicant agrees that the minimum floor to finished ceiling height within the commercial component shall be twelve (12) feet.

II. RESIDENTIAL COMPONENT

- (1) The residential component of the proposed development shall consist of one building, a maximum of six (6) stories in height, with a maximum of two hundred eighty (280) total residential units.
- (2) Units within the proposed residential development shall consist of one and two-bedroom, and range in square footage from 700 square feet to 1,400 square feet per unit, and possibly greater.
- (3) Floor plans and finishes within the units shall consist, at a minimum, of the following:
 - (a) Enhanced Corian, granite, marble, or other solid surface counter tops;
 - (b) Minimum ceiling heights:
 - i) Minimum nine (9) feet from floor to finished ceiling and greater; and

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- ii) Minimum ten (10) feet between floors;
 - (c) Wood frame cabinetry or equivalent;
 - (d) High-end appliances consistent with luxury apartment and condominium finishes;
 - (e) Extra deep stainless steel kitchen sinks;
 - (f) Ceramic tile, wood plank and high-end carpet throughout;
 - (g) Spacious, open floor plans;
 - (h) Brushed chrome or oiled rubbed bronze bathroom and kitchen fixtures;
 - (i) Ceramic tile bathrooms and laundry rooms;
 - (j) Spacious walk-in closets;
 - (k) High-speed internet wiring in all units;
 - (l) Window treatments throughout the units to present a uniform appearance;
 - (m) Tile tub surround and tile showers in select units;
 - (n) Upgraded wood trim package throughout each unit;
 - (o) First-class landscape and hardscape throughout the proposed development;
 - (p) Energy-efficient construction which will exceed the Georgia Energy Code;
 - (q) Double-paned, insulated windows in all units; and
 - (r) Controlled access building and amenity areas.
- (4) The exterior façade of the building will be responsive to the site and surrounding area and shall consist of brick, stone, stacked stone, stone-type materials, stucco-type materials, hardi or metal-panel, masonry, cement fiber, and glass, or any

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combinations thereof, on all four (4) sides. A copy of the rendering of the proposed building is attached hereto as Exhibit "C" and incorporated herein by reference.

(5) All units within the proposed residential community may be leased in accordance with the UVC category. The units shall be converted to "for sale" units at such time as market conditions allow as determined by the primary lending institutions, at any given time, financing the subject development.

(6) Upon conversion of the units to "for sale" condominium units, the units shall be made subject to the Georgia Condominium Act and shall comply in all respects therewith. The submission of these units to the Georgia Condominium Act shall be concurrent with the conversion of the units to "for sale" units. Upon such conversion, Applicant agrees to the recording and enforcement of a Declaration of Condominium which shall contain covenants, rules, and regulations applicable to the proposed residential condominium community.

(7) Additionally, and in conjunction with the submission of the community to the Georgia Condominium Act, Applicant agrees to the creation of a mandatory condominium association which shall be responsible for the upkeep and maintenance of the entrance areas, all common areas, amenity areas, and the like, contained within the residential condominium community.

(8) Upon conversion of the units to "for sale" units, there shall be established a restrictive covenant which limits the number of units which can be leased or rented at any one time to a maximum of ten (10) percent of the total number of units, or as allowed by any federal agency.

(9) The proposed residential community shall have a state-of-the-art recreational facility and unique amenity area for the use and enjoyment of its residents, as follows:

- (a) Pool;
- (b) Clubhouse, which will feature a media lounge and coffee bar;
- (c) Fitness center, which will be fully equipped with weight training equipment, as well as a separate yoga studio and computerized aerobic training system;

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- (d) Outside courtyard;
- (e) Bicycle racks; and
- (f) Controlled access.

STIPULATIONS APPLICABLE TO THE OVERALL DEVELOPMENT

- (1) Access to the proposed development shall be means of the existing access points to the office high-rise building; namely, the main access on Powers Ferry Road and the private road access from Windy Ridge Parkway, as more particularly shown and reflected on the referenced Rezoning Site Plan.
- (2) Parking for the commercial and residential components of the proposed project will be provided within the existing parking deck servicing the adjacent office high-rise building; as well as or within a multi-level addition to the existing parking deck, which will employ “shared” parking among the respective components and which will provide sufficient and adequate parking for the total development based on parking for the residents at a minimum ratio of one (1) space per bedroom and the Modified ULI Shared Parking demand ratios.
- (3) Overall lighting within the proposed development shall be environmentally sensitive, decorative, and themed to the architecture and style of the building. More specifically, proposed pedestrian lighting will be similar in nature and style to the Pedestrian Lighting Concepts attached hereto as Exhibit “D” and incorporated herein by reference so as to create a distinctive pedestrian-friendly location within the Powers Ferry Road corridor. The final pedestrian lighting style and concept will be subject to approval by the District Commissioner during the plan review process.
- (4) Additionally, hooded lighting shall be utilized on the building and throughout the walkways, surface parking area, and parking garage.
- (5) Signage for the proposed development shall be ground based, monument style, and shall be constructed in a style and of materials which are complementary to the proposed building; excepting only, building, commercial/tenant identification signage and directional signage. More specifically, signage for the commercial

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Mr. John P. Pederson, AICP
Zoning Division Manager

Zoning Division

Cobb County Community Development Agency

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portion of the development will be similar in style and distinction to those shown on the Signage Concepts attached hereto as Exhibit "E" and incorporated herein by reference. The final signage package for the overall development, including commercial signage shall be subject to the approval of the District Commissioner during the plan review process.

- (6) All construction and employee vehicles and equipment will be parked, and otherwise located on, the Subject Property, or the adjacent office parking, during development of infrastructure and construction of the residential building.
- (7) The setbacks for the proposed community shall be as follows:
 - (a) Front setback - Twenty-five (25) feet;
 - (b) Rear setback - Twenty-five (25) feet;
 - (c) Major side setback - Twenty-five (25) feet; and
 - (d) Minor side setback - Zero (0) feet.
- (8) The maximum impervious surface area shall be sixty-five (65) percent.
- (9) Landscaping for the entrance area, sign areas, amenity and courtyard areas, and all other common areas immediately surrounding the proposed building shall be professionally designed, implemented, and maintained.
- (10) All utilities servicing units within the proposed development shall be underground.
- (11) Applicant shall be allowed to provide for a gated development pursuant to Cobb County standards.
- (12) The District Commissioner shall have the authority to approve minor modifications to these stipulations and the Rezoning Site Plan as the development proceeds through the Plan Review process and thereafter. For purposes of this paragraph, any modifications that increase density; reduce the size or composition of an approved buffer or landscape strip to adjacent property; relocate a structure closer to a property line; or, increase the height of a building adjacent to property which are in direct contradiction to or conflict with the foregoing stipulations, will

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Zoning Division Manager
Zoning Division
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- come back through the public hearing process as an “Other Business” Application.”
- (13) Any retaining walls exposed to public rights-of-way or adjoining properties shall be faced with hard surface materials such as brick, stone, stacked stone, or split-faced segment block wall.
- (14) Any sidewalk, curb, or guttering damaged or destroyed during construction shall be repaired or fully replaced following completion of the project.
- (15) All buffer areas may be penetrated for purposes of access, utilities, and stormwater management; including, but not limited to, detention/retention facilities, drainage facilities, trails, and any and all slopes or other required engineering features of the foregoing.
- (16) Applicant agrees to comply with all Cobb County Stormwater Management requirements applicable to the Subject Property.
- (17) 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 development.
- (18) Applicant agrees 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.

We believe the requested zoning, pursuant to the revised Rezoning Site Plan and the stipulations set forth herein, conforms to the vision established in the Powers Ferry Master Plan and is an appropriate use of the Subject Property. This project with be of the highest quality and will make an immediate contribution of critically needed, higher quality housing to the Powers Ferry Road’s residential base.

MOORE INGRAM JOHNSON & STEELE

Mr. John P. Pederson, AICP
Zoning Division Manager
Zoning Division
Cobb County Community Development Agency
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Thank you for your consideration in this request.

With kindest regards, I remain

Very truly yours,

MOORE, INGRAM, JOHNSON & STEELE, LLP

JKM:cc
Attachments

c: Cobb County Board of Commissioners:

Timothy D. Lee, Chairman

JoAnn Birrell

Lisa N. Cupid

Robert J. Ott

Bob Weatherford

(With Copies of Attachments)

Jason A. Campbell

Planner III

Zoning Division

Cobb County Community Development Agency

(With Copies of Attachments)

Charles H. Coffin

(With Copies of Attachments)

Sheldon Schlegman

The Horizon Condominiums

(With Copies of Attachments)

Sheri George

Vice President

Terrell Mill Community Association

(With Copies of Attachments)

MOORE INGRAM JOHNSON & STEELE

Mr. John P. Pederson, AICP
Zoning Division Manager
Zoning Division
Cobb County Community Development Agency
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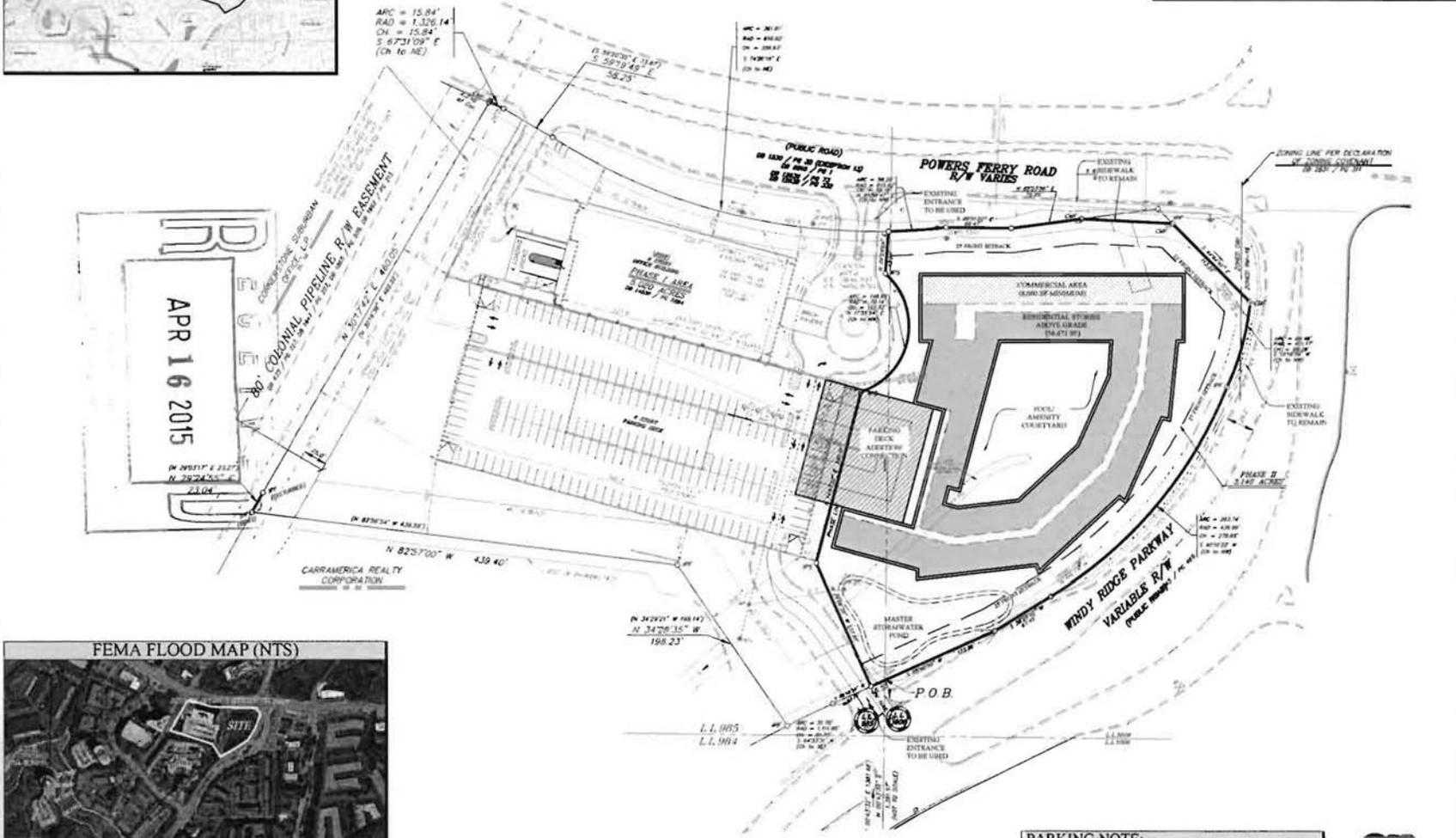
c: Lynwood Development Group, LLC
(With Copies of Attachments)

Alliance Residential Company
(With Copies of Attachments)

EXHIBIT "A"



SITE DATA:	
TOTAL SITE AREA	3.14 ACRES
ZONING	COMMERCIAL AREA
EXISTING ZONING	OFFICE BLDG B30C (12, 199)
EXISTING ZONING	EVANRICH VILLAGE CONDOMINIUM
ZONING JURISDICTION	LYNWOOD CITY
DENSITY CALCULATIONS:	
RESIDENTIAL UNITS	380 UNITS
COMMERCIAL AREA	8,000 SF (A/R)
SETBACKS:	
FRONT YARD SETBACK (MIN)	15 FEET
FRONT YARD SETBACK (MAX)	30 FEET
REAR YARD	5 FEET



Park Point
 A MASTER PLANNED RESIDENTIAL COMMUNITY
 Lynwood Development Group, LLC
 480 LOWER KOWWELL ROAD
 SUITE 164, BOX 124
 MARIETTA, GEORGIA 30067
 PHONE: 404-512-2433

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REVISIONS:

REV	DATE	BY	DESCRIPTION
1	12/29/15	RE	REVISED PER APPROVAL
2	4/17/2015	RE	COMMERCIAL AREA REVIEW

PROJECT TITLE
REZONING SITE PLAN

SCALE: 1" = 50'
 DATE: DEC. 29, 2014
 PROJECT: R3027.1RE

PARKING NOTE:
 1. PARKING FOR THE PROJECT WILL BE PROVIDED UTILIZING THE EXISTING PARKING DECK AS WELL AS WITHIN A NEW 15 LEVEL GARAGE TO THE EXISTING DECK, WHICH WILL EMPLOY "SHARED" PARKING THAT PROVIDES SUFFICIENT AND APPROPRIATE PARKING FOR THE TOTAL PARK POINT DEVELOPMENT BASED ON PARKING FOR RESIDENTIAL UNITS AT A MINIMUM RATE OF ONE SPACE PER BEDROOM AND THE ASSOCIATED UNASSIGNED PARKING DEMAND RATIO.



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EXHIBIT "B"

breadstone windy ridge

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ZONING DIVISION



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EXHIBIT "C"

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COURT COMM. DEV. AGENCY
ZONING DIVISION



EAST ELEVATION @ WINDY RIDGE PKWY

Windy Ridge

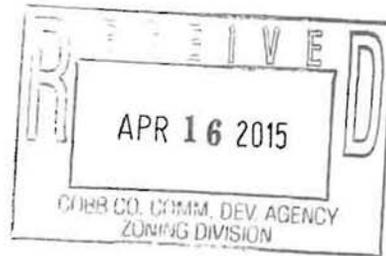
project P0320-14

Powers Ferry Road at Windy Ridge Parkway, Marietta

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PERSPECTIVE @ WINDY RIDGE PKWY - SOUTH



Windy Ridge
project P0320-14

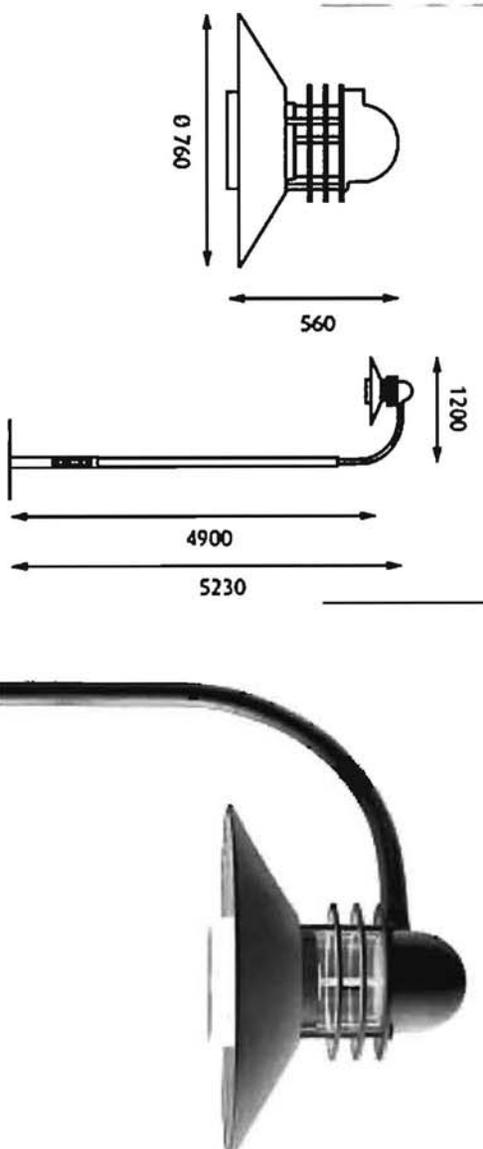
Powers Ferry Road at Windy Ridge Parkway, Marietta

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Streetscape Lighting

Creating a safe and inviting environment is the main goal for the commercial area street lighting plan.



The town center style street lamps create a vintage look and are aesthetically pleasing. The fixtures illuminate adjacent sidewalks and storefronts providing opportunity for evening strolls and community gathering.



Commercial Area - Conceptual Signage

Powers Ferry at Windy Ridge

Attractive, updated and fun with personality to match, the signage package provides an urban village feel and a destination to call home.



- Positioning signs at alternate heights and in nontraditional locales provides ideal pedestrian views and creates intimacy.
- Artistic alternative sign formats bring a unique, indie look to the commercial area.
- Allowing for autonomy in sign design, materials and placement avoids a homogenous suburban feel
- Prohibiting the use of back lit fluorescent signs mitigates a vehicular centric feel.

