

**OCTOBER 20, 2015 ZONING HEARING
“OTHER BUSINESS”
COMMISSION DISTRICT 3**

ITEM # 044

PURPOSE

To consider amending the site plan and stipulations for David Pearson Communities, Inc. regarding rezoning application Z-14 (David Pearson Communities, Inc.) of 2014, for property located on the south side of First Drive, east of Sandy Plains Road in Land Lots 629 and 630 of the 16th District.

BACKGROUND

The subject property was rezoned to RA-6 on December 16, 2014 for an eleven lot subdivision with many zoning conditions. The applicant has finalized engineering plans for the property and finds he needs to amend the site plan in order to meet county comments, and to aesthetically improve the project. The approved number of houses will remain the same, and the required ten foot landscaped buffer is shown along the Arbor Oaks property boundary. If approved, all other zoning stipulations would remain in effect.

STAFF COMMENTS

Cobb D.O.T.: Recommend western driveway onto First Drive be an out only driveway.

Stormwater Management: Subject to Plan review comments.

RECOMMENDATION

The Board of Commissioners conduct a Public Hearing and consider the proposed site plan and stipulation amendment.

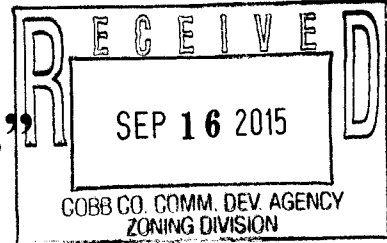
ATTACHMENTS

Other Business application and stipulations.

(Site Plan Approval)

Application for "Other Business" Cobb County, Georgia

(Cobb County Zoning Division - 770-528-2035)



OB-044-2015

BOC Hearing Date Requested: October 20, 2015

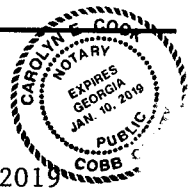
Applicant: David Pearson Communities, Inc. Phone #: (770) 321-5032
(applicant's name printed)

Address: Suite 400, 2000 First Drive, Marietta, GA 30062 E-Mail: _____
Moore Ingram Johnson & Steele, LLP

J. Kevin Moore Address: Emerson Overlook, 326 Roswell Street
(representative's name, printed) Marietta, GA 30060

BY: [Signature] Phone #: (770) 429-1499 E-Mail: jkm@mijs.com
(representative's signature) Georgia Bar No. 519728

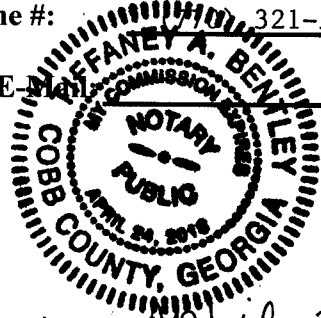
Signed, sealed and delivered in presence of:
[Signature] My commission expires: January 10, 2019
Notary Public



Titleholder(s): Elizabeth D. Pearson Phone #: 321-5032
(property owner's name printed)

Address: Suite 400, 2000 First Drive, Marietta, GA 30062 E-Mail: _____

[Signature]
(Property owner's signature) Elizabeth D. Pearson



Signed, sealed and delivered in presence of:
[Signature] My commission expires: April 24, 2018
Notary Public

Commission District: 3 (Birrell) **Zoning Case:** Z-48 (2014)

Date of Zoning Decision: 12/16/2014 **Original Date of Hearing:** 07/15/2014

Location: South side of First Drive; east of Sandy Plains Road (1955 First Drive)
(street address, if applicable; nearest intersection, etc.)

Land Lot(s): 629, 630 **District(s):** 16th

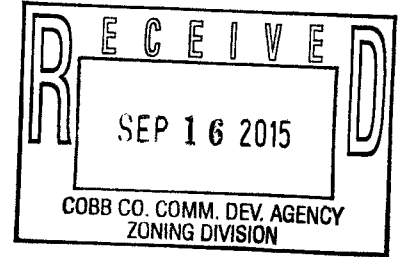
State specifically the need or reason(s) for Other Business: _____
See Exhibit "A" attached hereto and incorporated herein by reference.

(List or attach additional information if needed)

08-044-2015

EXHIBIT "A" - ATTACHMENT TO APPLICATION FOR "OTHER BUSINESS"
(Site Plan Approval)

Application No.: Z-48 (2014)
Original Hearing Date: July 15, 2014
Date of Zoning Decision: December 16, 2014
Current Hearing Date: October 20, 2015



Applicant: David Pearson Communities, Inc.
Titleholder: Elizabeth D. Pearson

On December 16, 2014, the Cobb County Board of Commissioners approved rezoning to the RA-6 zoning classification of the approximately 1.86 acre tract located on the south side of First Drive, east of Sandy Plains Road (being 1955 First Drive), Land Lots 629 and 630, 16th District, 2nd Section, Cobb County, Georgia (hereinafter "Property" or "Subject Property") which was the subject of Z-48 (2014). After further review, ongoing discussions and meetings with surrounding residents and homeowner representatives, and final engineering, Applicant has reconfigured the lot layout which would allow for a more aesthetically appealing development while not increasing the density previously approved by the Board of Commissioners. Additionally, traffic flow for residents of the development would be improved.

Therefore, Applicant presents the revised Site and Buffer Planting Plan, dated June 17, 2015, last revised September 8, 2015, prepared by Centerline Surveying Systems, Inc., for consideration and approval by the Board of Commissioners. A reduced copy of the previously approved Site Plan and the revised Site and Buffer Planting Plan submitted herewith are attached to the overall Application for "Other Business."

If the revised Site and Buffer Planting Plan is approved, as submitted in this Application, it shall become an additional part of the final rezoning and shall be binding upon the Subject Property.

The balance and remainder of the stipulations and conditions specifically enumerated in the final, official minutes, and attachments thereto, of the Board of Commissioners Zoning Hearing held on December 16, 2014, applicable to the Subject Property are unaltered by this request for Site Plan Approval and shall remain in full force and effect.

**SITE AND BUFFER PLANTING PLAN
PRESENTED FOR APPROVAL PURSUANT TO
APPLICATION FOR “OTHER BUSINESS” –
OCTOBER 20, 2015**

OB-044-2015
Proposed site plan



Centerline Surveying Systems, Inc.
1301 SHILOH ROAD, SUITE 1210, KENNESAW, GA 30144
PHONE: (770) 424-0028 FAX: (770) 424-2399

MANOR ESTATES
SITE & UTILITY PLATING PLAN FOR
LAND LOT 629 & 630, 16TH DISTRICT, 2ND SECTION
COBB COUNTY, GEORGIA

NO.	DATE	REVISION DESCRIPTION
1	8-10-15	DRIVE MOUNTS REVISIONS, WEST GATE WORK
2	8-10-15	OVERHEAD POWER LINES, WEST GATE WORK

DATE: 8-17-15	PROJECT NO: 150802
DRAWN BY: MSJ	SHEET NO: 5

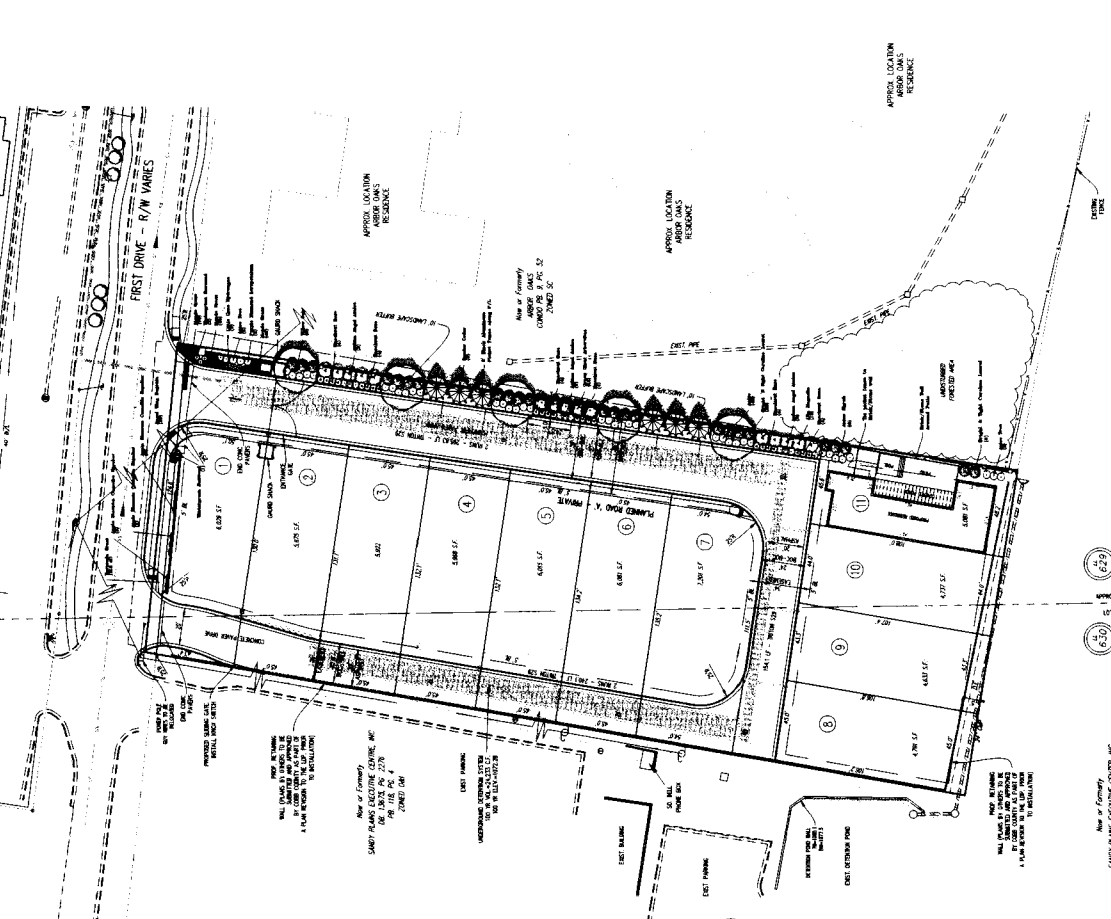
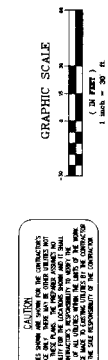


LEAD INFORMATION
PROJECT: 150802
DATE: 8-17-15
DRAWN BY: MSJ
CHECKED BY: MSJ
SCALE: 1" = 200'

GENERAL NOTES
1. THE SITE LAYOUT AND THE LOCATION OF ALL UTILITIES SHOWN ON THIS PLAN ARE BASED ON THE RECORD DRAWINGS AND FIELD SURVEY DATA.
2. THE LOCATION OF ALL UTILITIES SHOWN ON THIS PLAN ARE BASED ON THE RECORD DRAWINGS AND FIELD SURVEY DATA.
3. THE LOCATION OF ALL UTILITIES SHOWN ON THIS PLAN ARE BASED ON THE RECORD DRAWINGS AND FIELD SURVEY DATA.

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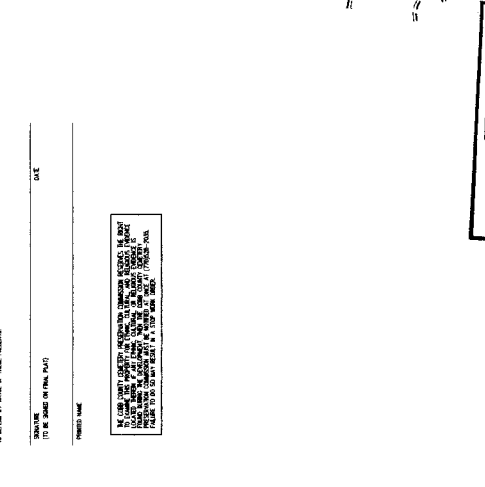
CAUTION
THE SITE LAYOUT AND THE LOCATION OF ALL UTILITIES SHOWN ON THIS PLAN ARE BASED ON THE RECORD DRAWINGS AND FIELD SURVEY DATA.
2. THE LOCATION OF ALL UTILITIES SHOWN ON THIS PLAN ARE BASED ON THE RECORD DRAWINGS AND FIELD SURVEY DATA.
3. THE LOCATION OF ALL UTILITIES SHOWN ON THIS PLAN ARE BASED ON THE RECORD DRAWINGS AND FIELD SURVEY DATA.



GEORGIA 811
UTILITIES PROTECTION CENTER, INC.
1000 WOODLAND DRIVE, SUITE 100
CUMMINGS, GA 30041-7400

APPLICANT/DEVELOPER
DAVID FRANKSON COMMUNITIES, LLC
1955 FIRST DRIVE
MARIETTA, GEORGIA 30062
24 HOUR CONTACT
SEAN McLAUGHLIN
6077-639-3590

OWNER'S CERTIFICATION
I, THE UNDERSIGNED, CERTIFY THAT THE INFORMATION CONTAINED ON THIS PLAN IS TRUE AND CORRECT TO THE BEST OF MY KNOWLEDGE AND BELIEF.
I HEREBY CERTIFY THAT THE INFORMATION CONTAINED ON THIS PLAN IS TRUE AND CORRECT TO THE BEST OF MY KNOWLEDGE AND BELIEF.

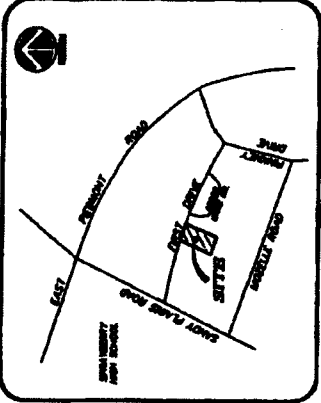


RECEIVED
SEP 16 2015
COBB CO. COMM. DEV. AGENCY
ZONING DIVISION

SYMBOL LEGEND

Symbol	Description
Circle with dot	WATER LINE
Circle with cross	SEWER LINE
Circle with horizontal lines	STORM PIPE
Circle with vertical lines	CONCRETE
Circle with diagonal lines	IRON PIPE
Circle with wavy lines	OVERHEAD POWER LINE
Circle with solid fill	PROPERTY CORNER
Circle with dashed fill	CONCRETE
Circle with diagonal lines	IRON PIPE FOUND
Circle with horizontal lines	IRON PIPE SET
Circle with vertical lines	HOODED INLET
Circle with wavy lines	CATCH BASIN
Circle with solid fill	JUNCTION BOX OR
Circle with dashed fill	FEEDER INLET
Circle with diagonal lines	REPAIR
Circle with wavy lines	SPONGED PILE
Circle with solid fill	(TO BE REMOVED)

**SITE PLAN PREVIOUSLY APPROVED BY
BOARD OF COMMISSIONERS ON
DECEMBER 16, 2014**



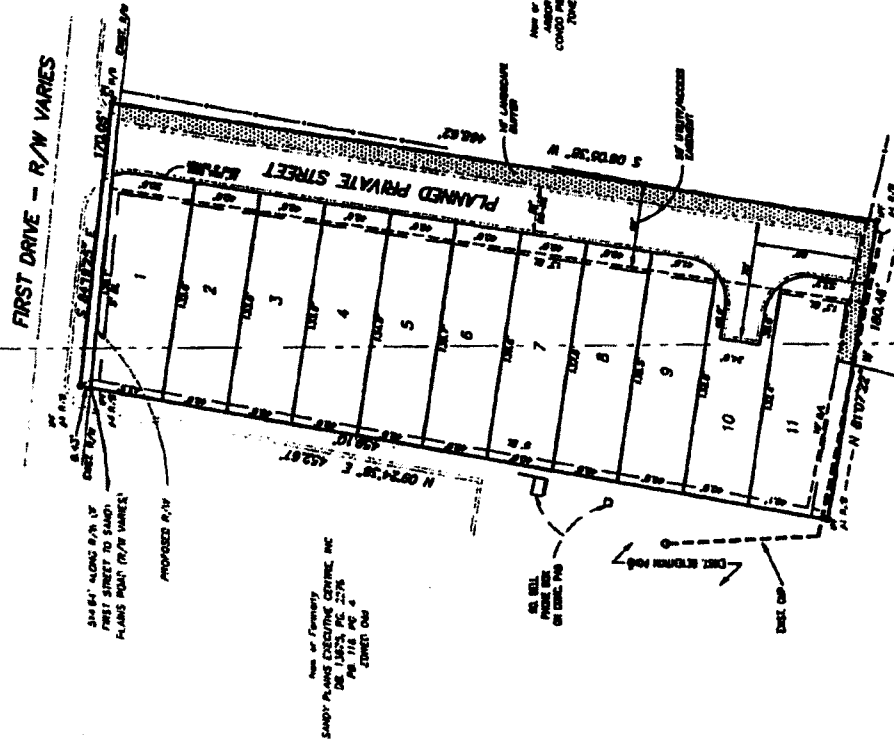
THIS PROPERTY IS NOT LOCATED WITHIN A FEMA 100 YEAR FLOOD ZONE ACCORDING TO COBB COUNTY F.I.R.M. PANEL G0434, COMMUNITY #130652, DATED: NOV. 02, 2012

CURRENT OWNER:
 CLARENCE G. PEARSON
 1855 FIRST DRIVE
 DE. 30108, PH. 4842

PROPERTY ADDRESS:
 1855 FIRST DRIVE
 MARIETTA, GEORGIA 30062

RECEIVED
 DEC 12 2014
 COBB CO. COMM. DEV. AGENCY
 ZONING DIVISION

630
 629



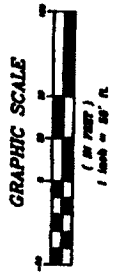
Meeting Date 12/14/14
 Prop. Type Side Plat
 With the 75' Portion No. 2-48

DEVELOPER
 DAVID PEARSON COMMUNITIES
 1955 FIRST DRIVE
 MARIETTA, GA 30362
 (770) 321-5032

BUILDING SETBACK REQUIREMENTS:
 (UNLESS OTHERWISE SHOWN)
 FRONT - 10' (FROM PRIVATE ROAD)
 SIDE - 0' (3.5' MIN. BETWEEN DETACHED UNITS)

GENERAL NOTES
 PROPOSED ZONING: RM-9
 EXISTING ZONING: LND
 TOTAL AREA - 1.86 ACRES
 TOTAL NO. OF LOTS SHOWN - 11
 LOT DENSITY - 5.81 LOTS/ACRE
 MAXIMUM COVERAGE - 75% (AVG. PER LOT)
 PROPOSED USE: SINGLE FAMILY RESIDENTIAL (PRIVATE DEVELOPMENT)

ZONING PLAN FOR:
DAVID PEARSON COMMUNITIES
 PROPERTY IS LOCATED IN LAND LOT 629 & 630
 IN THE 18TH DISTRICT, 2ND SECTION
 COBB COUNTY, GEORGIA
 SCALE: 1" = 50' DATE: APRIL 21, 2014
 REVISIONS: JULY 24, 2014
 REVISIONS: NOV. 14, 2014



Centerline Surveying Systems, Inc.
 1901 SHILOH ROAD, SUITS 1210, KENNESAW, GA. 30144
 PHONE: (770) 424-0028 FAX: (770) 424-2289

**OFFICIAL MINUTES OF BOARD OF
COMMISSIONERS ZONING HEARING
AS TO APPLICATION FOR REZONING
NO. Z-48 (2014) – DECEMBER 16, 2014**

**MINUTES OF ZONING HEARING
COBB COUNTY BOARD OF COMMISSIONERS
DECEMBER 16, 2014**

Z-48

DAVID PEARSON COMMUNITIES, INC. (Elizabeth D. Pearson, owner) requesting Rezoning from LRO to FST for the purpose of Detached Single-Family Townhomes in Land Lots 629 and 630 of the 16th District. Located on the south side of First Drive, east of Sandy Plains Road (1955 First Drive). *(Previously continued by the Planning Commission from their July 1, 2014 hearing; previously continued by Staff from the August 5, 2014 Planning Commission hearing; previously held by the Planning Commission from their September 4, 2014 hearing; and previously continued by the Board of Commissioners from their October 21, 2014 hearing)*

The public hearing was opened and Mr. Kevin Moore addressed the Board. Following presentation and discussion, the following motion was made:

MOTION: Motion by Birrell, second by Ott, to delete to the RA-6 zoning category subject to:

- **Specific to site plan received by the Zoning Division December 12, 2014, with the District Commissioner having final approval and approving minor modifications (attached and made a part of these minutes)**
- **Letters of agreeable conditions from Mr. Kevin Moore dated December 10, 2014 with Exhibit B to be replaced with revised photographs submitted at this hearing, and December 12, 2014 (attached and made a part of these minutes)**
- **Notification from Staff to District Commissioner and Arbor Oaks Home Owners Association of scheduled Plan Review meeting**
- **No land disturbance or building permits to be issued prior to easement agreement being approved and finalized**
- **Detached single family houses only**
- **Stormwater solution and landscaping to be coordinated with the engineer for Arbor Oaks and County staff**
- **All previous stipulations and conditions, not otherwise in conflict, to remain in effect**
- **Fire Department comments and recommendations, not otherwise in conflict**
- **Water and Sewer Division comments and recommendations, not otherwise in conflict**
- **Revised Stormwater Management Division comments and recommendations dated November 17, 2014, not otherwise in conflict (attached and made a part of these minutes)**
- **Revised Cobb DOT comments and recommendations dated September 9, 2014 (attached and made a part of these minutes)**
- **Owner/developer to enter into a Development Agreement pursuant to §36-71-13 for dedication of system improvements to mitigate traffic concerns**

VOTE: ADOPTED 3-0-1, Cupid absent, Goreham opposed

MOORE INGRAM JOHNSON & STEELE

A LIMITED LIABILITY PARTNERSHIP
WWW.MIJS.COM

JOHN H. MOORE
STEPHEN C. STEELE
WILLIAM R. JOHNSON¹
ROBERT D. INGRAM¹
J. BRIAN O'NEIL
G. PHILLIP BEGGS
ELDON L. BASHAM
MATTHEW J. HOWARD
JERE C. SMITH
CLAYTON O. CARMACK
KEVIN B. CARLOCK¹
ALEXANDER T. GALLOWAY III¹
J. KEVIN MOORE
RODNEY R. MCCOLLOCH
SUSAN S. STUART
BRIAN D. SMITH
HARRY R. TEAR III
W. TROY HART¹
JEFFREY A. DAXE
KIM A. ROPER
VICTOR P. VALMUS
WILLIAM R. WINDERS, JR.¹
ANGELA H. SMITH¹
CHRISTOPHER C. MINGLEDORFF¹

ANGELA D. TARTLONE
JOYCE W. HARPER
CAREY E. OLSON¹
CHARLES E. PIERCE¹
WILMA R. BUSH
GREGORY H. FULLER¹
TODD I. HEIRD¹
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DOUGLAS W. BUTLER, JR.
APRIL R. HOLLOWAY
CARLA C. WESTER¹
AMY L. JETT¹
JEFF C. MORMAN¹
RYAN M. INGRAM
SHAWN G. SHELTON
D. AUSTIN GILLIS
KRISTEN C. STEVENSON¹
SARAH H. BEST¹
RYAN C. EDENS¹
JULIE C. FULLER¹
JOOI B. LODEN¹
TAMMI L. BROWN
DAVID A. HURTADO
J. MARSHALL WEHUNT

MARIETTA, GEORGIA
EMERSON OVERLOOK
326 ROSWELL ST
MARIETTA, GEORGIA 30060
TELEPHONE (770) 428-1488
KNOXVILLE, TENNESSEE
409 N. CEDAR BLUFF RD • STE 500
KNOXVILLE, TENNESSEE 37623
TELEPHONE (865) 692-8039
JACKSONVILLE, FLORIDA
10181 DEERWOOD PARK BLVD • BLDG 200, STE 250
JACKSONVILLE, FLORIDA 32256
TELEPHONE (904) 428-1485
NASHVILLE, TENNESSEE
3280 WEST END AVE • STE 600
NASHVILLE, TENNESSEE 37203
TELEPHONE (615) 428-7347
LEXINGTON, KENTUCKY
2333 ALEXANDRIA DRIVE
LEXINGTON, KENTUCKY 40504
TELEPHONE (802) 410-8021
CHARLESTON, SOUTH CAROLINA
885 ISLAND PARK DR • STE B
CHARLESTON, SOUTH CAROLINA 29492
TELEPHONE (843) 302-0002
ORLANDO, FLORIDA
7380 W. SAND LAKE RD • STE 500
ORLANDO, FLORIDA 32819
TELEPHONE (407) 367-8233

JONATHAN J. SMITH
TRISTAN B. MORRISON****
WILLIAM B. WARRHAY¹
COLLEEN K. HORN****
DAVID J. OTTEN¹
JONATHAN S. FUTRELL
ROBERT D. HUMMEL, IV
DAVID P. CONLEY
B. CHASE ELLEBY
TYLER R. MORGAN¹
MARIANNA L. JABLONSKI¹
LOURDES SANCERNI-FULTON¹
LEAH C. FOX
ALISHA I. WYATT-BULLMAN¹
J. DANIEL COLE
RYAN B. ROBINSON
JOSEPH D. SHELLEY
LESLIE S. SMITH
CHRISTOPHER L. JOHNSON
CHRISTIAN H. LAYCOCK
LIZA D. HARRELL**
JESSICA A. KING
JOHN A. EARLY
CHRISTOPHER W. SHERMAN¹

JOHN T. RICE¹
JESS E. MAPLES*
FREDERICK F. FISHER---

OF COUNSEL:
JOHN L. SKELTON, JR.¹

¹ ALSO ADMITTED IN TN
* ALSO ADMITTED IN FL
*** ALSO ADMITTED IN GA
* ALSO ADMITTED IN TX
* ALSO ADMITTED IN AL
¹ ALSO ADMITTED IN KY
* ALSO ADMITTED IN SC
* ALSO ADMITTED IN NC
** ALSO ADMITTED IN IN
* ADMITTED ONLY IN TN
¹ ADMITTED ONLY IN FL
*** ADMITTED ONLY IN SC

December 10, 2014

Hand Delivered

Mr. Jason A. Campbell
Planner III
Zoning Division
Cobb County Community Development Agency
Suite 400
1150 Powder Springs Road
Marietta, Georgia 30064

Min. Pt. 75 Paction No. Z-48
Doc. Type letter of
agreeable conditions
Meeting Date 12/10/14

RE: Application for Rezoning - Application No. Z-48 (2014)
Applicant: David Pearson Communities, Inc.
Property Owner: Elizabeth D. Pearson
Property: 1.86 acres located at 1955 First Drive, Land
Lots 629 and 630, 16th District, 2nd Section,
Cobb County, Georgia

Dear Jason:

The undersigned and this firm represent David Pearson Communities, Inc., the Applicant (hereinafter "Applicant"), and Elizabeth D. Pearson, the Property Owner (hereinafter "Owner"), in the Application for Rezoning with regard to property located at 1955 First Drive, Cobb County, Georgia (hereinafter the "Property" or "Subject Property"). After meeting with planning and zoning staff and various Cobb County departmental representatives, ongoing discussions and meetings with area civic and homeowner representatives and residents, reviewing the staff comments and recommendations, reviewing the uses of surrounding properties, and following the presentation to and hearing before the Cobb County Planning Commission and the recommendations thereof, 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

MOORE INGRAM JOHNSON & STEELE

Mr. Jason A. Campbell
Planner III
Zoning Division
Cobb County Community Development Agency
Page 2 of 5
December 10, 2014

Petition No. 2-48
Meeting Date 12-10-14
Continued

Subject Property. This letter shall supersede and replace in full the all previous letters of agreeable stipulations and conditions; and specifically, the letter dated and filed November 10, 2014.

The proposed, revised stipulations are as follows:

- (1) Applicant seeks rezoning of the Subject Property from the existing zoning category of LRO (Low Rise Office) to the proposed zoning category of RA-6, as deleted and recommended by the Cobb County Planning Commission, specific to the revised Zoning Plan prepared by Centerline Surveying Systems, Inc. dated April 21, 2014, and last revised November 14, 2014, and filed herewith. A reduced copy of the revised Zoning Plan is attached hereto as Exhibit "A" and incorporated herein by reference.
- (2) The Subject Property shall be developed for an "age-targeted" residential development marketed to those homebuyers 55 years of age and older, and consisting of a maximum of eleven (11) homes.
- (3) Applicant agrees the minimum house size for the homes in the proposed development shall be 2,000 square feet of heated and cooled living space.
- (4) Homes within the proposed community shall be substantially similar in style and architecture to the photographs of homes collectively attached as Exhibit "B."
- (5) The proposed community shall have private streets, which shall be a minimum of 29 feet in width, so as to accommodate guest parking. Applicant shall have the option of installing gates in accordance with all county ordinances and regulations.
- (6) Applicant agrees to the creation of a mandatory homeowners association. The homeowners association shall be solely responsible for the upkeep and maintenance of all common areas; including the entrance areas, and the private streets.
- (7) Additionally, and in conjunction with the creation of the mandatory homeowners association, Applicant agrees to the recording and enforcement of protective covenants which will contain covenants, rules, and regulations applicable to the proposed development.

MOORE INGRAM JOHNSON & STEELE

Mr. Jason A. Campbell

Planner III

Zoning Division

Cobb County Community Development Agency

Page 3 of 5

December 10, 2014

Petition No. 2-48

Meeting Date 12/10/14

Continued

- (8) The entrance signage for the proposed community shall be ground based, monument-style signage, and shall consist of brick, stone, stacked stone, or combinations thereof, with accents architecturally consistent with the proposed homes.
- (9) Landscaping of the entrance areas; as well as the frontage of the proposed community along all public streets, shall be professionally designed and implemented, which shall include the installation of an irrigation system. Maintenance of the entrance area and street frontage 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 minimum ten (10) foot landscaped buffer along the eastern boundary of the Subject Property (adjacent to Arbor Oaks) which shall include a fence and professionally installed landscaping designed to create visual screening, and subject to approval by the Cobb County Arborist.
- (11) Any street lights installed within the proposed community shall have down lighting, shall be environmentally sensitive, and shall be themed to the architecture and style of the residences.
- (12) All utilities servicing the residences within the proposed community shall be underground.
- (13) Applicant agrees the stormwater management facilities and system may be constructed and installed substantially consistent with the storm drainage plan prepared by Centerline Surveying Systems, a copy of which is attached hereto as Exhibit "C" and incorporated herein by reference. Final stormwater management plans and designs shall be subject to the approval of the Cobb County Stormwater Division so as to allow for engineering and design flexibility along the generally designated route.
- (14) The District Commissioner shall have the authority to approve minor modifications to these stipulations and conditions and the Zoning Plan as the development proposal 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 area or landscape strip to adjacent property; relocate a structure closer to a property line; or increase the height of a building adjacent to residential property which are in direct contradiction to or

MOORE INGRAM JOHNSON & STEELE

Mr. Jason A. Campbell
Planner III
Zoning Division
Cobb County Community Development Agency
Page 4 of 5
December 10, 2014

Petition No. 2-48
Meeting Date 12-10-14
Continued

conflict with the foregoing stipulations, will come back through the public hearing process as an "Other Business" Application agenda.

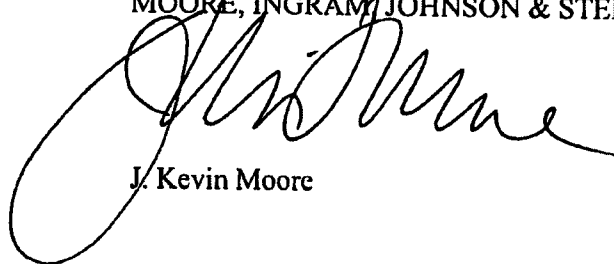
- (15) All landscaping referenced herein shall be approved by the Cobb County Arborist as part of the Plan Review process and incorporated into the overall landscape plan for the proposed community, and shall be irrigated as necessary.
- (16) Applicant agrees to comply with all Cobb County Stormwater Management requirements applicable to the Subject Property.
- (17) 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.
- (18) 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.

We believe the requested zoning, together with the revised Zoning Plan and the revised stipulations set forth herein, is an appropriate use of the Subject Property while taking into consideration the area and existing neighborhoods and residents surrounding the proposed development. The proposed residential community shall be a quality development, shall be compatible with surrounding neighborhoods, and shall be an enhancement to the Subject Property and the community as a whole. Thank you for your consideration of this project.

With kindest regards, I remain

Very truly yours,

MOORE, INGRAM JOHNSON & STEELE, LLP



J. Kevin Moore

JKM:cc
Attachments

MOORE INGRAM JOHNSON & STEELE

Mr. Jason A. Campbell
Planner III
Zoning Division
Cobb County Community Development Agency
Page 5 of 5
December 10, 2014

c: Cobb County Board of Commissioners:
Timothy D. Lee, Chairman
Helen C. Goreham
Robert J. Ott
JoAnn Birrell
Lisa N. Cupid
(With Copies of Attachments)

Cobb County Planning Commission:
Christi S. Trombetti
(With Copies of Attachments)

Arbor Oaks Homeowners Association
(With Copies of Attachments)

David Pearson Communities, Inc.
(With Copies of Attachments)

Petition No. 2-48
Meeting Date 12/16/14



Centerline Surveying Systems, Inc.
 1901 SHELTON ROAD SUITE 1218, KENNESAW, GA 30144
 PHONE (770) 424-0044 FAX (770) 424-2399

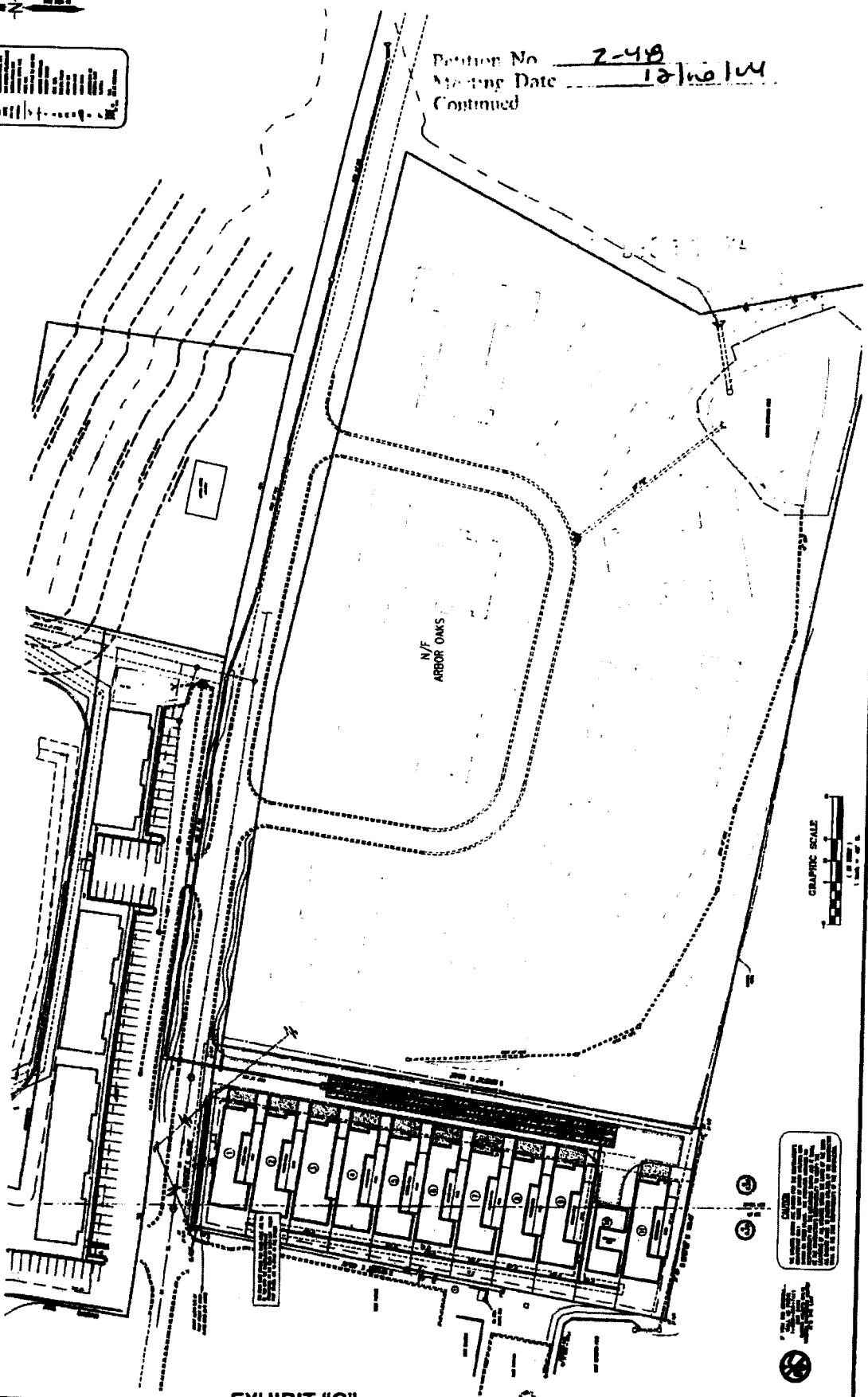
KANOR ESTATES
 OPERATIONAL MAP AND BOUNDARY PLAN FOR
 LAND LOT 622 & 620, 10th DISTRICT, 2nd SECTION
 COBB COUNTY, GEORGIA

NO.	DATE	REVISION DESCRIPTION

Sheet No. 12

Graphic Scale: 1" = 200'

Position No. 2-48
 Mapping Date 12/10/14
 Continued



GRAPHIC SCALE
 1" = 200'

NOTES

1. ALL DIMENSIONS ARE IN FEET AND DECIMALS THEREOF.
2. ALL DISTANCES ARE MEASURED ALONG THE CENTERLINE OF THE ROAD.
3. ALL CORNER POINTS ARE TO BE MARKED WITH IRON PIPES OR CONCRETE MONUMENTS.
4. ALL UTILITIES SHOWN ARE BASED ON RECORD PLANS AND FIELD SURVEY.
5. ALL EASEMENTS AND RIGHTS-OF-WAY ARE TO BE MAINTAINED.

EXHIBIT "C"

MOORE INGRAM JOHNSON & STEELE

A LIMITED LIABILITY PARTNERSHIP
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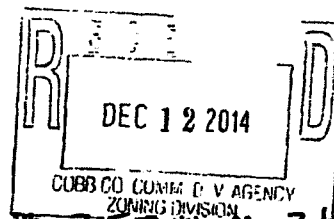
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December 12, 2014

Hand Delivered

Mr. Jason A. Campbell
Planner III
Zoning Division
Cobb County Community Development Agency
Suite 400
1150 Powder Springs Road
Marietta, Georgia 30064



Min. No. 25 Planning No. 248
Doc. Type Letter of
agreeable conditions
Meeting Date 12/10/14

RE: Application for Rezoning - Application No. 248 (2014)
Applicant: David Pearson Communities, Inc.
Property Owner: Elizabeth D. Pearson
Property: 1.86 acres located at 1955 First Drive, Land
Lots 629 and 630, 16th District, 2nd Section,
Cobb County, Georgia

Dear Jason:

On behalf of the Applicant, David Pearson Communities, Inc., (hereinafter "Applicant"), and the Property Owner, Elizabeth D. Pearson (hereinafter "Owner"), please allow this correspondence to serve as an amendment to the letter of agreeable stipulations and conditions dated and filed December 10, 2014 (hereinafter "Stipulation Letter"), regarding the referenced Application for Rezoning. Applicant and Owner wish to amend one stipulation contained within the Stipulation Letter, as follows:

Applicant deletes subparagraph 10 of the Stipulation Letter and inserts in lieu thereof, the following:

- (10) Applicant agrees to the creation of a minimum ten (10) foot landscaped buffer along the eastern boundary of the Subject Property (adjacent to Arbor Oaks)

MOORE INGRAM JOHNSON & STEELE

Mr. Jason A. Campbell
Planner III
Zoning Division
Cobb County Community Development Agency
Page 2 of 2
December 12, 2014

Petition No. 2-48
Meeting Date 12/12/14
Continued

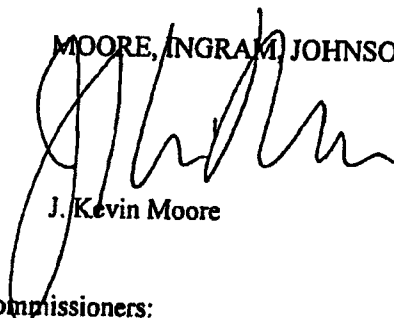
which shall include a fence and professionally installed landscaping designed to create visual screening, and subject to approval by the Cobb County Arborist. A representative designated by the Arbor Oaks Condominium Owners Association shall review and have input as to the landscaping design and fencing prior to approval by the Cobb County Arborist.

The balance and remainder of the Stipulation Letter is unchanged by the amendment set forth above.

With kindest regards, I remain

Very truly yours,

MOORE, INGRAM JOHNSON & STEELE, LLP



J. Kevin Moore

JKM:cc

- c: Cobb County Board of Commissioners:
Timothy D. Lee, Chairman
Helen C. Goreham
Robert J. Ott
JoAnn Birrell
Lisa N. Cupid

Cobb County Planning Commission:
Christi S. Trombetti

Arbor Oaks Homeowners Association

David Pearson Communities, Inc.

APPLICANT: David Pearson Communities, Inc.

PETITION NO.: Z-48

PRESENT ZONING: LRO

PETITION FOR: FST

STORMWATER MANAGEMENT COMMENTS

Map No. 75 Petition No. Z-48
Map type revised SWM
Comments
Meeting Date 12/16/14

FLOOD HAZARD: YES NO POSSIBLY, NOT VERIFIED

DRAINAGE BASIN: Sewell Mill 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 CONDITION

- 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 Arbor Oaks drainage system and detention pond.

APPLICANT: David Pearson Communities, Inc.

PETITION NO.: Z-48

PRESENT ZONING: LRO

PETITION FOR: FST

STORMWATER MANAGEMENT COMMENTS – Continued

Petition No. 2-48
Meeting Date 12/16/14
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

Based on Revised Site Plan received November 14, 2014.

1. This site is located on First Drive between Sandy Plains Executive Center to the west and the Arbor Oaks Suburban Condominium development to the east. The entire site drains to the east through the Arbor Oaks development. The applicant is working with Arbor Oaks to provide improvements within Arbor Oaks to accommodate stormwater management for both developments through the existing Arbor Oaks facility.
2. The detention pond for the adjacent Sandy Plains Executive Center discharges through an existing pipe along the southern boundary of this site. An adequate drainage easement must be provided for this conveyance as well as provision to capture and convey this runoff downstream through the Arbor Oaks development. The revised plan provides for this conveyance.
3. Since private streets are proposed all stormwater management within the development including the underground detention facility will be privately maintained in perpetuity by the HOA.

APPLICANT: David Pearson Communities, Inc.

PETITION NO.: Z-48

PRESENT ZONING: LRO

PETITION FOR: FST

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
First Drive	7200	Local	25 mph	Cobb County	50'

COMMENTS AND OBSERVATIONS

First Drive is classified as a local and according to the available information the existing right-of-way does not meet the minimum requirements for this classification.

RECOMMENDATIONS

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 the south side of First Drive, a minimum of 25' from the roadway centerline.

Recommend curb, gutter, and sidewalk along the First Drive frontage.

Recommend curb and gutter along both sides and sidewalk along one side of development roadway.

Recommend private streets be constructed to the Cobb County Standard Specifications.

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

Min. Pk. 75 Petition No. Z-48
Doc. Type revised D01
Comments
Meeting Date 12/16/14

**2014 PAID AD VALOREM PROPERTY TAX
RECIPT FOR TAX PARCEL OF
SUBJECT PROPERTY
(TAX PARCEL NO. 16063000090)**



CARLA JACKSON TAX COMMISSIONER
CHELLY MCDUFFIE CHIEF DEPUTY
 Phone: 770-528-8600
 Fax: 770-528-8679

Printed: 9/16/2015 11:24:02 AM

Cobb County Online Tax Receipt

Thank you for your payment!

Payer:
 GETTYSBURG BUSINESS PARK LLC

PEARSON ELIZABETH D

Payment Date: 8/21/2014

Tax Year	Parcel ID	Due Date	Appeal Amount			Taxes Due
2014	16063000090	10/15/2014	Pay:	N/A	or	1188.40

Interest	Penalty	Fees	Total Due	Amount Paid	Balance
\$0.00	\$0.00	\$0.00	\$1,188.40	\$1,188.40	\$0.00