

SITE DATA

LAND LOTS: 934 & 935
16th DISTRICT, 2nd SECTION
ACREAGE: 8.552
EXISTING ZONING: CRC (CONDITIONAL)
PROPOSED ZONING: RM-8
TOTAL UNITS: 67 UNITS
DENSITY: 783 UNITS/ ACRE
PARKING: 134 GARAGE
134 DRIVEWAY SPACES
28 ADDITIONAL GUEST
TYPICAL TOWNHOME DIMENSIONS:
LENGTH: 50 FT
WIDTH: 30 FT

NOTE:

1. THIS PLAN DOES NOT CONTAIN ANY METRICS, DIMENSIONS, OR DISTANCES.
2. THIS PLAN DOES NOT CONTAIN ANY UTILITIES, EASEMENTS, OR ENCUMBRANCES.
3. THIS PLAN DOES NOT CONTAIN ANY INFORMATION OF ARCHITECTURAL FINISHES.



APPLICANT
CORNERSTONE ASSOCIATES
4994 Lower Roswell Road, Suite 9
Marietta, GA 30068-4332

Preliminary Site Plan

Mountain Walk Townhomes

Cobb County, Georgia

December 1, 2014



APPLICANT: Cornerstone Associates, Inc.
PHONE#: 770-560-6061 **EMAIL:** tsweet@cornerstoneassociates.net
REPRESENTATIVE: Garvis L. Sams, Jr.
PHONE#: 770-422-7016 **EMAIL:** gsams@slhb-law.com
TITLEHOLDER: Dr. Rahul Saraf

PETITION NO: Z-10
HEARING DATE (PC): 02-03-15
HEARING DATE (BOC): 02-17-15
PRESENT ZONING: CRC, HI
PROPOSED ZONING: RM-8

PROPERTY LOCATION: North side of Old 41 Highway, at the terminus of Kennesaw Avenue (1718 Old 41 Highway).

PROPOSED USE: Townhouses

ACCESS TO PROPERTY: Old 41 Highway

SIZE OF TRACT: 8.552 acres

DISTRICT: 16

PHYSICAL CHARACTERISTICS TO SITE: Largely undeveloped, existing gas station converted to restaurant use

LAND LOT(S): 934, 935

PARCEL(S): 4

TAXES: PAID X **DUE** _____

COMMISSION DISTRICT: 3

CONTIGUOUS ZONING/DEVELOPMENT

- NORTH:** City of Marietta/ All American Storage, Glassy Heating and Cooling, Must Ministries
- SOUTH:** RM-8, TS/ Gates at Parkside Village Townhouses, Louise’s Restaurant
- EAST:** City of Marietta/ Sun Dial Plumbing
- WEST:** HI/ Georgia Pacific Gypsum Manufacturing Facility

OPPOSITION: NO. OPPOSED **PETITION NO:** _____ **SPOKESMAN** _____

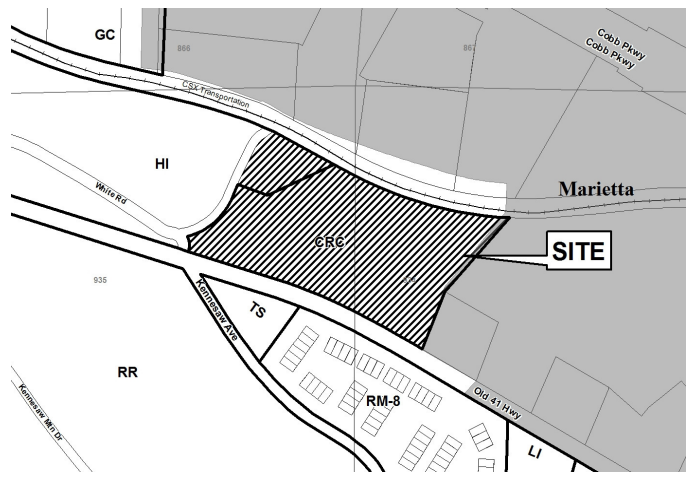
PLANNING COMMISSION RECOMMENDATION

APPROVED _____ **MOTION BY** _____
REJECTED _____ **SECONDED** _____
HELD _____ **CARRIED** _____

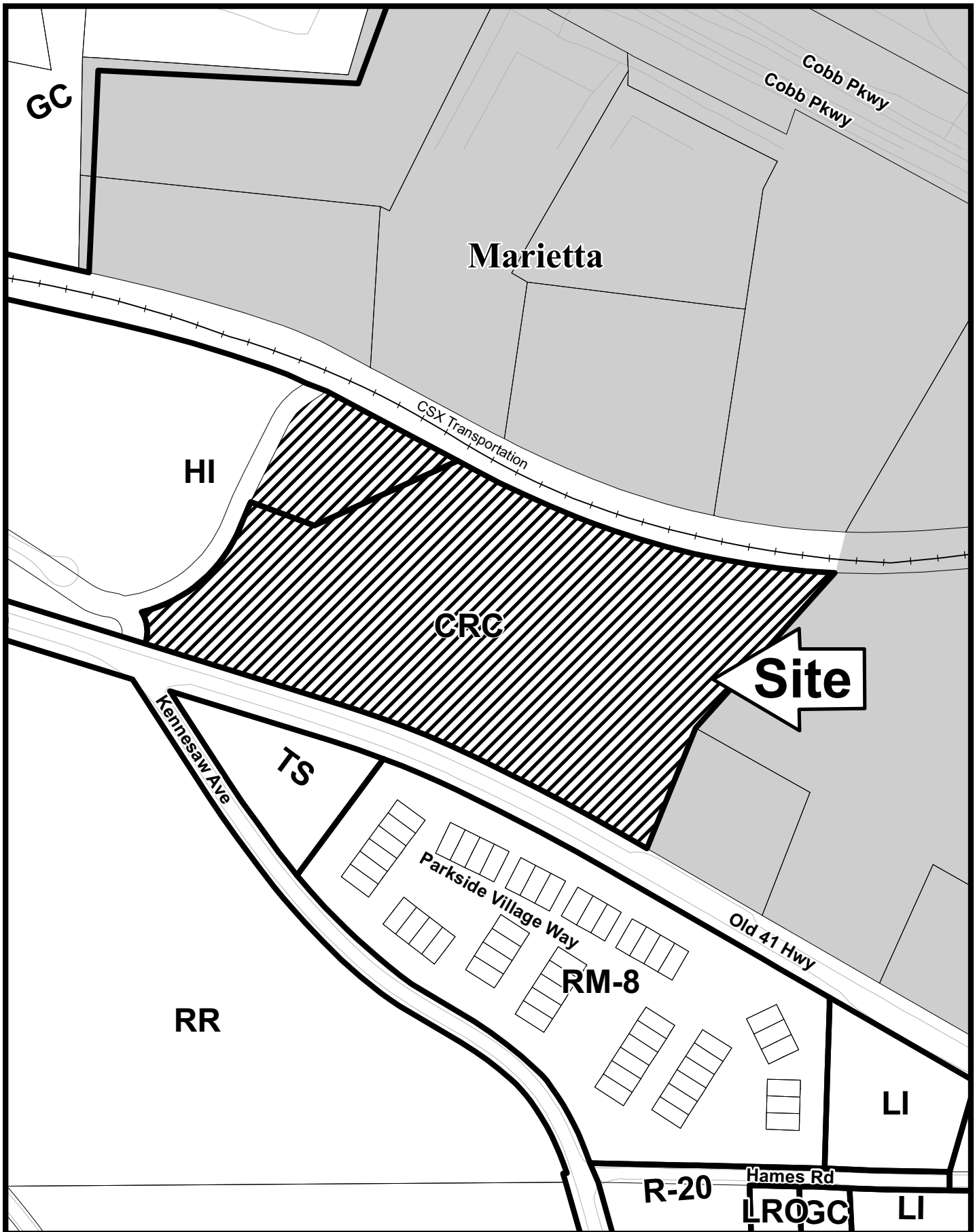
BOARD OF COMMISSIONERS DECISION

APPROVED _____ **MOTION BY** _____
REJECTED _____ **SECONDED** _____
HELD _____ **CARRIED** _____

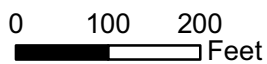
STIPULATIONS:



Z-10



This map is provided for display and planning purposes only. It is not meant to be a legal description.



- City Boundary
- Zoning Boundary

APPLICANT: Cornerstone Associates, Inc.

PETITION NO.: Z-10

PRESENT ZONING: CRC, HI

PETITION FOR: RM-8

ZONING COMMENTS:

Staff Member Responsible: Terry Martin, MPA

Land Use Plan Recommendation: Industrial Compatible

Proposed Number of Units: 67 **Overall Density:** 7.83 **Units/Acre**

Staff estimate for allowable # of units: 0 **Units*** **Increase of:** 67 **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.

The applicant is requesting a rezoning of the property to the RM-8 residential multifamily district in order to develop a 67 unit townhome community. As the property is 8.552 acres in size, this would yield a density of 7.83 units per acre. The townhomes will be approximately 2,500 to 2,700 square feet in size and each will provide a two (2) car garage with additional parking for two (2) vehicles in each driveway with 28 additional guest parking spaces available within the community. The townhome dimensions will be 50 feet by 30 feet and anticipated selling prices will be \$310,000 to \$360,000. The applicant’s representative has submitted a letter of agreeable conditions outlying the four (4) sided architecture of the proposed units, professional landscaping throughout the community as well as its Old Highway 41 frontage, formation of a Homeowners Association, etc. This letter also details conditions related to construction hours and traffic to reduce potential impact upon neighbors related to the community’s build out.

The property is currently site to a restaurant use located within the existing 1930s gas station but was formerly anticipated to be developed for office and retail uses alongside the residential development of The Gates at Parkside Village. Previously envisioned for the site was 98,100 square feet of commercial space with 360 parking spaces to complement the since developed 51 townhomes at The Gates. The proposed density of 7.83 units per acre is less than the existing 8.24 units per acre of The Gates at Parkside Village.

The submitted plan demonstrates a reduction in the rear setback from the required 30 feet to 25 feet adjacent to the CSX Railroad. Also, the applicant is presenting increased setbacks on the sides from 15 feet to 35 feet with 25 foot buffers.

Cemetery Preservation: No comment.

APPLICANT: Cornerstone Associates, Inc.

PETITION NO.: Z-10

PRESENT ZONING: CRC, HI

PETITION FOR: RM-8

SCHOOL COMMENTS:

<u>Name of School</u>	<u>Enrollment</u>	<u>Capacity Status</u>	<u>Number of Portable Classrooms</u>
<u>Hayes</u>	<u>920</u>	<u>Under</u>	<u> </u>
Elementary <u>Pine Mtn.</u>	<u>700</u>	<u>Under</u>	<u> </u>
Middle <u>Kennesaw Mtn.</u>	<u>2,141</u>	<u>Over</u>	<u> </u>

High

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

Additional Comments: Approval of this petition could adversely affect the enrollment at Kennesaw Mountain High School, which is over capacity at this time.

FIRE COMMENTS:

When projects contemplate less than 20 foot separation between units, guest parking shall be provided or the streets shall be labeled as a fire lane.

APPLICANT: Cornerstone Associates, Inc.

PETITION NO.: Z-10

PRESENT ZONING: CRC, HI

PETITION FOR: RM-8

PLANNING COMMENTS:

The applicant is requesting a rezoning from CRC to RM-8 for townhouses. The 8.552 acre site is located on the north side of Old 41 Highway at the terminus of Kennesaw Avenue.

Comprehensive Plan

The parcel is within an Industrial Compatible (IC) future land use category, with CRC zoning designation. The purpose of Industrial Compatible (IC) category is to provide for areas that can support light industrial, office /warehouse, and distribution uses. Typical land uses for these areas include professional business parks and distribution centers.

Master Plan/Corridor Study

Not applicable.

Historic Preservation

After reviewing various county resources including historic and archeological resource surveys and documented Civil War trench maps, it is determined that a c. 1930 gas station is located within the project area. Due to the age and location of the structure, information about this resource and its occupants appears to have the potential to contribute significantly to the county’s public history. Staff recommends the structure either be incorporated into the development or, alternately, documented if destroyed.

In order to properly document this structure, its inhabitants, and the role it played in Cobb County’s history, staff requests a history of the home and its occupants (as well as archival-quality photographs of the structure, all outbuildings, and its setting) be completed by a cultural resource consultant. These materials should be submitted to the historic preservation planner.

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.

APPLICANT: Cornerstone Associates, Inc.

PETITION NO.: Z-10

PRESENT ZONING: CRC, HI

PETITION FOR: RM-8

PLANNING COMMENTS: (Continued)

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.

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

APPLICANT Cornerstone Associates, Inc.

PETITION NO. Z-010

PRESENT ZONING CRC

PETITION FOR RM-8

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): 14" CI / S side of Old Hwy 41

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: On Site

Estimated Waste Generation (in G.P.D.): A D F= 10,720 Peak= 26,800

Treatment Plant: Noontday

Plant Capacity: Available Not Available

Line Capacity: Available Not Available

Projected Plant Availability: 0 - 5 years 5 - 10 years over 10 years

Drv Sewers Required: Yes No

Off-site Easements Required: 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

Flow Test Required: Yes No

Letter of Allocation issued: Yes No

Septic Tank Recommended by this Department: Yes No

Subject to Health Department Approval: Yes No

Additional Property subject to \$13,000 per acre Special Assessment Fee, in addition to standard sewer Comments: fees.

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.

APPLICANT: Cornerstone Associates, Inc.

PETITION NO.: Z-10

PRESENT ZONING: CRC, HI

PETITION FOR: RM-8

STORMWATER MANAGEMENT COMMENTS

FLOOD HAZARD: YES NO POSSIBLY, NOT VERIFIED

DRAINAGE BASIN: Noonday 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 downstream receiving system.

APPLICANT: Cornerstone Associates, Inc.

PETITION NO.: Z-10

PRESENT ZONING: CRC, HI

PETITION FOR: RM-8

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. A drainage easement agreement may need to negotiated with the adjacent property owner, Capital Materials, to provide a stable conveyance from the site to the existing culvert under the railroad.
2. Private roads are proposed which will require that all stormwater infrastructure be maintained by the HOA.

APPLICANT: Cornerstone Associates, Inc.

PETITION NO.: Z-10

PRESENT ZONING: CRC

PETITION FOR: RM-8

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
Old 41 Highway	11,600	Major Collector	35	Cobb	80'

Based on [2012] traffic counting data taken by Cobb County DOT

COMMENTS AND OBSERVATIONS

Old 41 Highway is classified as a major collector and according to the available information the existing right-of-way does not 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 the north side of Old 41 Highway, a minimum of 40' from the centerline.

Recommend deceleration lane for the Old 41 Highway access.

Recommend left turn lane for the Old 41 Highway access.

Recommend curb, gutter, and sidewalk along the Old 41 Highway frontage.

Recommend Applicant coordinate with Cobb County DOT prior to development plan approval to ensure compatibility with the Old 41 Highway roadway improvement (SPLOST 2016).

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

STAFF RECOMMENDATIONS

Z-10 CORNERSTONE ASSOCIATES, INC.

- 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. The area contains a mixture of townhouses, commercial, and a national park. The proposed townhouse community will fit well on the site where single-family homes would not and it will provide a housing option near the amenity of Kennesaw Mountain National Battlefield Park.
- 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. The proposed townhome development can serve the area well while not negatively impacting existing commercial or industrial users.
- 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 currently not in conformity with the policy and intent of the *Cobb County Comprehensive Plan*. While the current future land use for this site is IC industrial compatible, Staff has anticipated this site in its 2015 Comprehensive Plan and Future Land Use Map Amendments to be changed to MDR medium density residential as CP-3-2 recognizing it best suited for residential development.
- 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. Once forecast as an office and commercial development alongside the townhomes of The Gates at Parkside Village, the property was never developed, only used as a restaurant site in its existing 1930s gas station building. Now proposed as a 67 unit townhome community yielding a density of 7.83 units per acre, the applicant's proposal will fit nicely with the 8.24 units per acre at The Gates and follow the Staff recognized medium density residential nature of the site.

Based on the above analysis, Staff recommends **APPROVAL** subject to the following conditions:

- Site plan received by the Zoning Division on December 4, 2014, with District Commissioner approving minor modifications;
- Letter of agreeable conditions from Mr. Garvis L. Sams, Jr. received by the Zoning Division on January 6, 2015;
- District Commissioner to approve building architecture and landscape plan;
- Fire Department comments and recommendations;
- 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- 10

PC Hearing Date: February 3, 2015

BOC Hearing Date: February 17, 2015

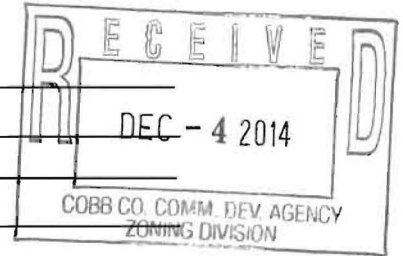
Summary of Intent for Rezoning

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

- a) Proposed unit square-footage(s): Approximately 2,500 - 2,700 sq. ft.
Rendering/elevations of the townhomes will be submitted under separate
- b) Proposed building architecture: cover
- c) Proposed selling prices(s): \$310,000 - \$360,000
- d) List all requested variances: As shown on site plan submitted contemporaneously herewith

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

- a) Proposed use(s): _____
- 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)

The subject property is in an area under Cobb County's Future Land Use Map which is designated as Industrial Compatible (IC) and is situated in an area with a multiplicity of zonings and uses including industrial (Georgia Pacific Gypsum), Commercial (Louise's Restaurant), and High Density Residential (Gates at Parkside Village Townhouses).

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). N/A

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

Applicant signature: [Signature] Date: 12/4/14

Applicant name (printed): Garvis L. Sams, Jr. (applicant's representative)

SAMS, LARKIN, HUFF & BALLI

A LIMITED LIABILITY PARTNERSHIP

GARVIS L. SAMS, JR.
JOEL L. LARKIN
PARKS F. HUFF
JAMES A. BALLI

SUITE 100
376 POWDER SPRINGS STREET
MARIETTA, GEORGIA 30064-3448

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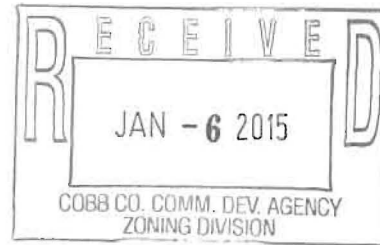
ADAM J. ROZEN

SLHB-LAW.COM

January 6, 2015

VIA EMAIL

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



Re: Application of Cornerstone Associates, Inc. to Rezone an 8.552 Acre Tract
from HI & CRC to RM-8 (No. Z-10)

Dear John:

You will recall that this firm represents Cornerstone Associates, Inc. ("Cornerstone") concerning the above-captioned Application for Rezoning. The Application is scheduled to be heard and considered by the Cobb County Planning Commission on February 3, 2015 and, thereafter, is scheduled to be heard and considered for final action by the Cobb County Board of Commissioners on February 17, 2015.

As you know, we have established an ongoing dialogue and discussions with the County's professional staff since the Application was filed last month and will now be focusing our discussions with area commercial and industrial users and with the homeowners and residents in The Gates at Parkside Village which is located directly across Old 41 Highway from the subject property. With respect to discussions thus far and in consideration of the input and comments generated by the County's professional staff, we have been authorized by Cornerstone to submit this letter of agreeable stipulations and conditions which, if the Application for Rezoning is approved, as submitted and revised, shall become conditions and a part of the grant of the requested rezoning and binding upon the subject property thereafter. The referenced stipulations are as follows, to wit:

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 concerning the property which constitutes the subject matter of the above-captioned Application for Rezoning.

SAMS, LARKIN, HUFF & BALLI

A LIMITED LIABILITY PARTNERSHIP

VIA EMAIL

Mr. John P. Pederson, AICP, Manager
Cobb County Zoning Division
Community Development Agency
January 6, 2015
Page 2

2. The subject property shall be developed in substantial conformity to that certain preliminary site plan (Mountain Walk Townhomes), prepared by AEC Engineering, Inc., dated December 1, 2014, which was filed concurrently with the Application for Rezoning. (A copy of which is attached hereto).
3. The subject property, comprised of approximately 8.552 acres, shall be developed as a single-family, owner-occupied, residential townhome community consisting of a total number of sixty-seven (67) townhomes at a maximum density of 7.83 units per acre.¹
4. The townhomes shall be a maximum of two-stories in height; a minimum of thirty feet (30') in width; and, shall range in size from a minimum of 2,700 sq. ft. upwards. All of the homes shall have two-car garages and shall be used to accommodate the parking of vehicles with sufficient parking to park additional vehicles on the driveways and in accordance with Development Regulation 41-08-02.1 (Local Residential Streets) which provides for a total of an additional 0.5 guest parking spaces per unit.
5. The architectural style and composition of the homes shall be consistent with the preliminary architectural rendering/elevation and floor plans which are being submitted contemporaneously herewith. The townhomes will have four-sided architecture which shall include a mixture of components consisting of brick, stacked stone, cementitious stucco, Hardiplank and Hardiplank shake on all four (4) sides of the homes. More defined renderings/elevations and floor plans will be submitted under separate cover.

Interior finishes of the homes shall include the following:

- a. Ten foot (10') ceilings on the main level.
- b. Hardwood floors on the main level.
- c. Granite/marble countertops on the main level.
- d. A master bedroom on the main floor of many of said homes which will be a "market-driven" determination.

¹ The Gates at Parkside Village which was rezoned to RM-8 in 2001 (No. Z-168) is a single-family, owner-occupied, residential townhome community built-out at a density of 8.23 units per acre.

SAMS, LARKIN, HUFF & BALLI

A LIMITED LIABILITY PARTNERSHIP

VIA EMAIL

Mr. John P. Pederson, AICP, Manager
Cobb County Zoning Division
Community Development Agency
January 6, 2015
Page 3

6. The creation of a mandatory Homeowners Association (“HOA”) and the submission of Declaration of Covenants, Conditions and Restrictions (“CCRs”) which shall include, among other components, strict architectural controls.
7. The residential community’s entrance signage on Old Highway 41 shall be ground-based, monument-style and shall be constructed in substantial conformity to the architectural style and composition of the homes as aforementioned. Additionally, said entrance signage shall include landscaping, irrigation and illumination.
8. The townhomes in the residential community shall be “for sale”. At any one time, no more than ten percent (10%) of the townhomes shall be leased by the owners. This recital shall be contained within the CCRs ensuring same with said CCRs being submitted to the County prior to the issuance of building permits.
9. The residential community shall be professionally landscaped as evidenced by the Landscape Plan which shall be submitted either under separate cover or during the Plan Review Process, subject to the Arborist’s review and approval.

With respect to the subject property’s frontage on Old Highway 41, the aforementioned Landscape Plan shall include a mixture of evergreen and deciduous trees, shrubs and a fencing component. If required, Cornerstone will enter into a “landscape license” with Cobb DOT as a result of any potential encroachments into existing County right-of-way on Old Highway 41.

10. Common areas within the community such as landscaping, fencing, signage, lighting and any Open Space shall be owned, maintained and controlled by the mandatory HOA. Certain common areas may be used for recreational purposes or may include such features as gazebos, benches or walking trails.

SAMS, LARKIN, HUFF & BALLI

A LIMITED LIABILITY PARTNERSHIP

VIA EMAIL

Mr. John P. Pederson, AICP, Manager
Cobb County Zoning Division
Community Development Agency
January 6, 2015
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11. Compliance with the following recommendations from the Cobb County Department of Transportation:
 - a. The installation of sidewalk, curb and gutter along the subject property's frontage on Old Highway 41.
 - b. The construction of a deceleration lane and appropriate taper.
 - c. The potential construction of a left-turn lane on Old Highway 41 as determined by DOT and Cornerstone's Engineer during the Plan Review process.
12. Subject to recommendations from the Cobb County Stormwater Management Division with respect to detention and stormwater management requirements, including the following:
 - a. The construction of the stormwater management area/detention as shown on the site plan in the northern corner of the subject property or as otherwise indicated by the Stormwater Management Division.
 - b. If determined to be necessary by the Stormwater Management Division, , securing an off-site stormwater easement and the placing of rip rap on the steep slope adjacent to the subject property.
 - c. Insuring that there is a ten percent (10%) reduction in downstream peak stormwater discharges.
13. Compliance with recommendations from the Cobb County Water System with respect to the availability and accessibility of water and sewer for the site, including the recommendation of the Water System that the townhome community be master-metered and that there be a requirement for a sub-meter on every home to encourage water conservation.²

² The subject property is located in a "Special Assessment District" which will translate into costs which Cornerstone will pay to the County in the approximate sum of Thirteen Thousand Dollars (\$13,000.00) per acre or a total of approximately One-Hundred Ten Thousand Dollars (\$110,000.00).

SAMS, LARKIN, HUFF & BALLI

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Cobb County Zoning Division
Community Development Agency
January 6, 2015
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14. Compliance with recommendations from the Cobb County Fire Department with respect to life-safety and fire prevention issues, including, but not necessarily limited to, compliance with Development Regulation 41.08.02.1 (Local Residential Streets) concerning the appropriate number of guest parking spaces.
15. Adherence to the following construction hours:
 - a. 7:00 a.m. until 7:00 p.m. Monday through Friday, from October 1st to March 31st.
 - b. 7:00 a.m. until 8:00 p.m. Monday through Friday from April 1st to September 30th.
 - c. 9:00 a.m. until 6:00 p.m. on Saturdays.
 - d. There will be no work on Sundays.
16. All construction and worker vehicles shall be parked on the subject property during the construction and build-out of the residential community.
17. The Applicant agrees to allow the Georgia Native Plant Society to conduct a “plant rescue” prior to the commencement of construction and development on the subject property. However, once notified by the Applicant, the “plant rescue process” shall be completed expeditiously so as not to delay the commencement of the development.
18. The District Commissioner shall have the authority to approve minor modifications as the development proposal proceeds through the Plan Review process and thereafter except for those that:
 - a. Increase the density of the residential community.
 - b. Reduce the size of an approved buffer which is adjacent to property which is zoned the same or in a more restrictive zoning district.
 - c. Relocate a structure closer to the property line of an adjacent property which is zoned the same or in a more restrictive zoning district.
 - d. Increase the height of a building that is adjacent to property which is zoned in the same or a more restrictive zoning district.

SAMS, LARKIN, HUFF & BALLI

A LIMITED LIABILITY PARTNERSHIP

VIA EMAIL

Mr. John P. Pederson, AICP, Manager
Cobb County Zoning Division
Community Development Agency
January 6, 2015
Page 6

- e. Violate the Cobb County Zoning Ordinance.
- f. Require a variance from the terms and provisions of the Cobb County Zoning Ordinance.

Please do not hesitate to contact me should you or your staff require any additional information or documentation prior to the formulation of the Final Zoning Analysis and Staff Recommendations. With kind regards and best wishes for the New Year, I am

Very truly yours,

SAMS, LARKIN, HUFF & BALLI, LLP



Garvis L. Sams, Jr.
gsams@slhb-law.com

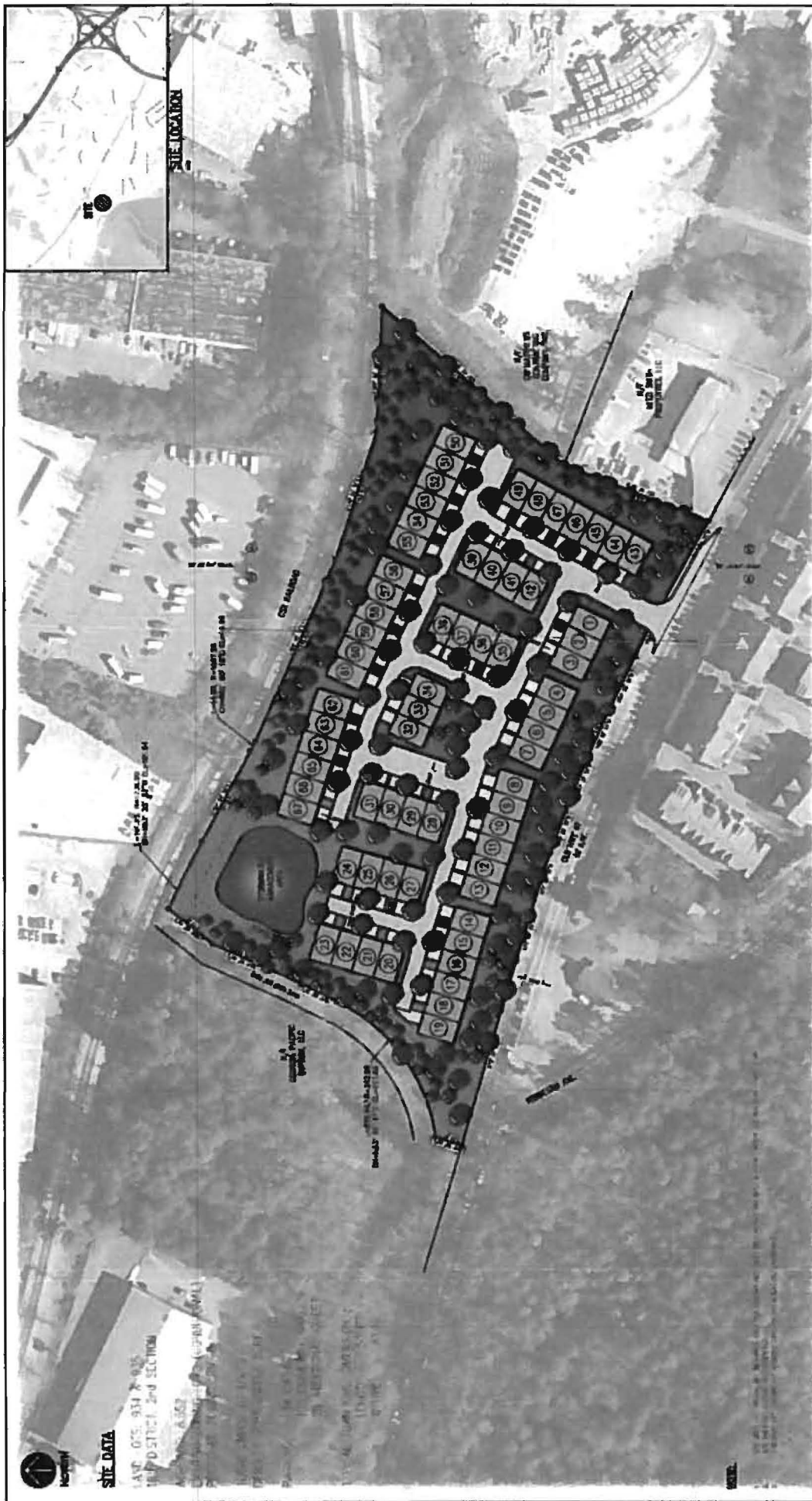
GLS/dsj

Attachments

- cc: Members, Cobb County Board of Commissioners (via email w/attachments)
Members, Cobb County Planning Commission (via email w/attachments)
Mr. Robert L. Hosack, Jr., AICP Director (via email w/attachments)
Mr. Dana Johnson, AICP Deputy Director (via email w/attachments)
Mr. Terry Martin, Planner II (via email w/attachments)
Mr. Jason Campbell, Planner III (via email w/attachments)
Mr. David Breaden, P.E. (via email w/attachments)
Mr. Eric Meyer, P.E. (via email w/attachments)
Mr. Tim Davidson, Cobb County Water System (via email w/attachments)
Ms. Lori Barton, Deputy County Clerk (via email w/attachments)
Mr. Steve Weaver, The Gates at Parkside Village HOA (via email w/attachments)
Mr. & Mrs. Ron Bush, The Gates at Parkside Village HOA (via email w/attachments)
Ms. Nancy C. Walther, Kennesaw National Battlefield Park Superintendent (via email w/attachments)
Mr. Tommy Sweet (via email w/attachments)
Mr. Steve Rowe, P.E. (via email w/attachments)
Mr. Tom Posey (via email w/attachments)

December 1, 2014

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Mountain Walk
Prelim.swg



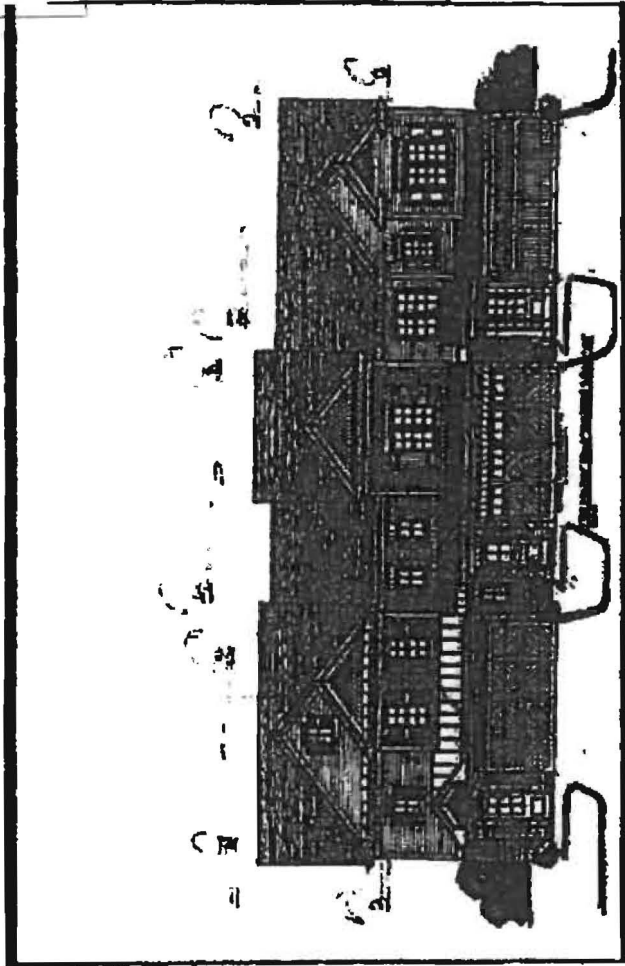
Preliminary Site Plan

Mountain Walk Townhomes

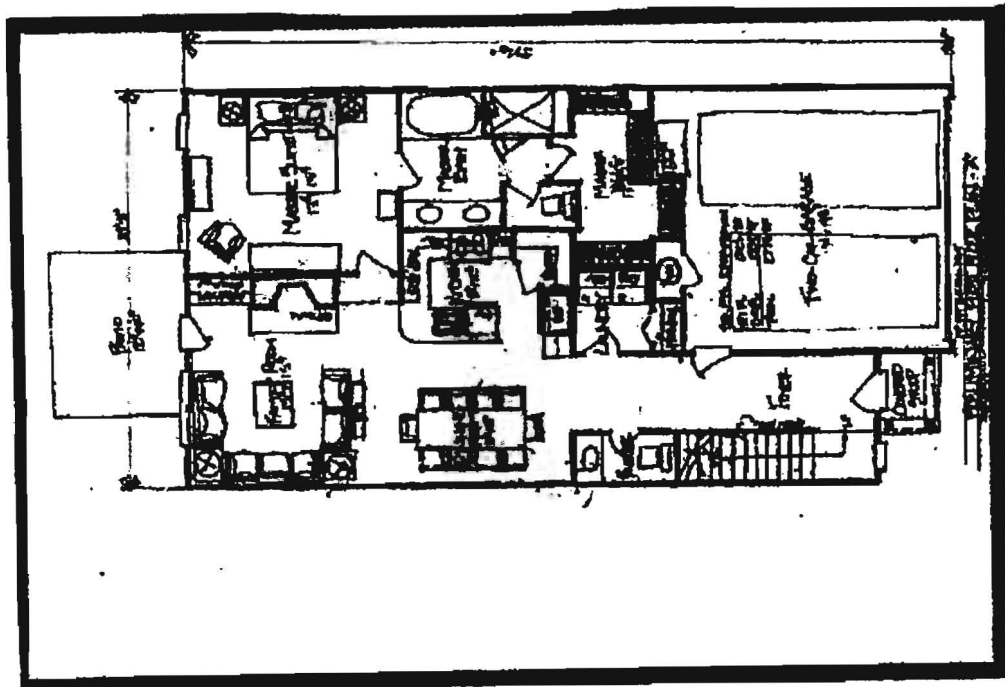
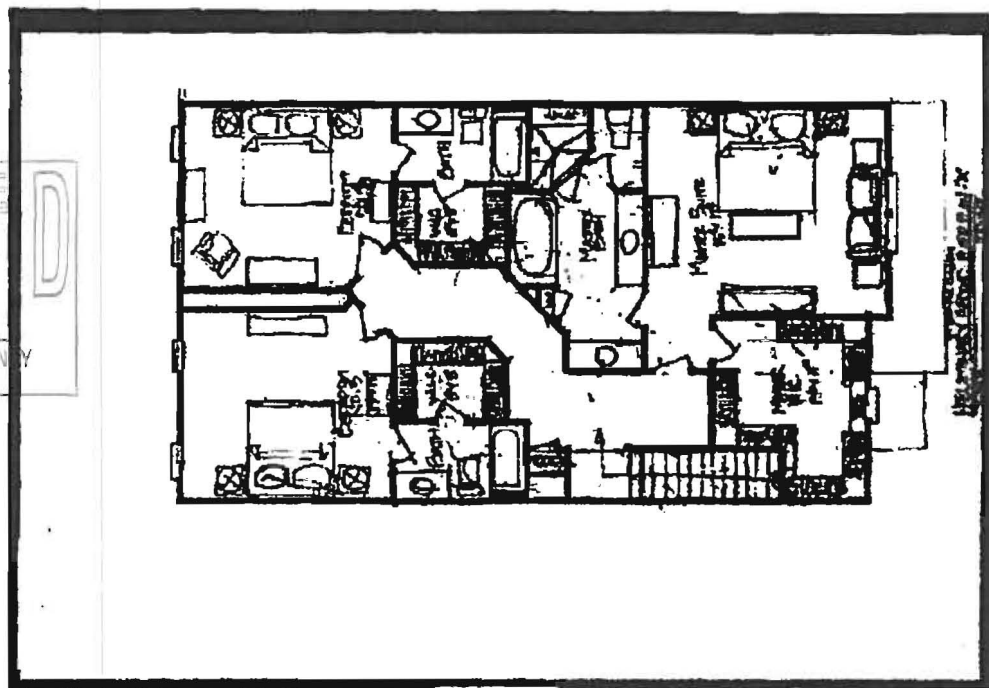
Cobb County, Georgia

APPLICANT
CONCOURSE ASSOCIATES
1000 Peachtree Street, N.E.
Atlanta, GA 30309-4071

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