

Z-27
(2015)

Park Point
A MASTER PLANNED RESIDENTIAL COMMUNITY
Lynwood Development Group, LLC
14810 KENNESAW RD
SUITE 101 NO 124
MARIETTA, GEORGIA 30068
PHONE: 404-512-4585
WWW.PARKPOINTCOMMUNITY.COM

NO	DATE	BY	DESCRIPTION
1	3-12-2015	JH	ARCH. BLDG.
2	4-15-2015	JH	CHEMICAL A

**REZONING
SITE PLAN**

SHEET TITLE

SCALE: 1" = 50'

DATE: DEC. 29, 2014

PROJECT: 8302718E

0 25 50 100 150



Know what's below.
Call before you dig.

PARKING NOTE:

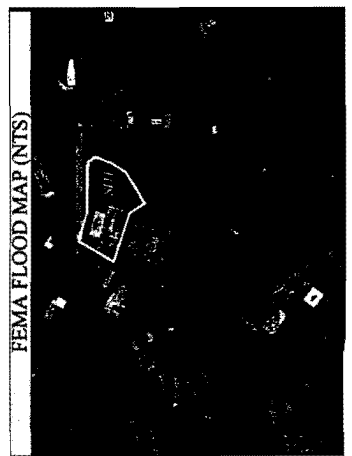
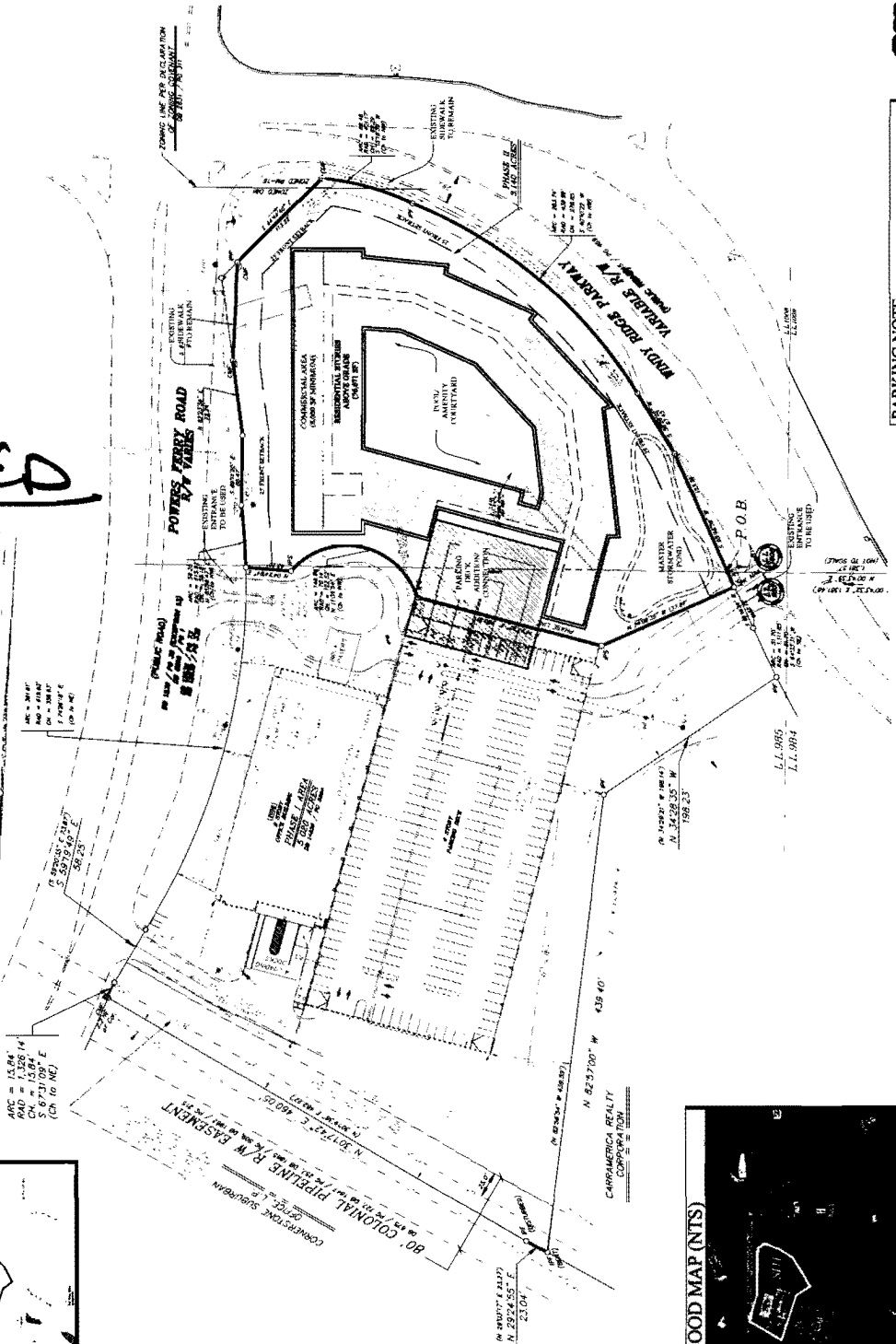
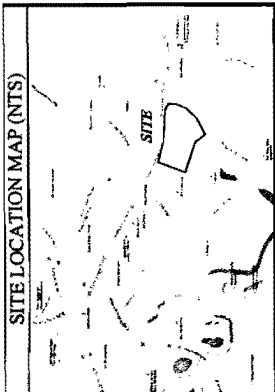
1. PARKING FOR THE PROJECT WILL BE PROVIDED UTILIZING THE EXISTING PARKING DECK AS WELL AS WITHIN A MULTIPLE ALLEYS ADJACENT TO THE EXISTING DECK WHICH WILL ENCLOSE "SHARED" PARKING THAT PROVIDES ADDITIONAL PARKING SPACE FOR THE PROJECT. THIS SHARED PARKING WILL BE LOBBY ENTRANCE HANDICAPPED PARKING FOR RESIDENTIAL UNIT #A. AN APPROXIMATE RATIO OF ONE SPACE PER BEDROOM AND THE NEIGHTEST ALL SHARED PARKING DEMAND ANTICIPATED.

SITE DATA:		314 ALBERTA	
TOTAL SITE AREA			
ZONING:			
EXISTING ZONING	EXISTING ZONING	OTHER: OFFICE USE (OFFICE BUILDINGS, 1996)	
EXISTING ZONING	EXISTING ZONING	(OFFICE BUILDING USE) (OFFICE BUILDING)	
POTENTIAL CATCHMENT:		CATCHMENT	
RESIDENTIAL DENSITY		300 UNITS	
RESIDENTIAL DENSITY		300 UNITS	
COMMERCIAL AREA		300 UNITS	
SETBACKS:			
FRONT YARD SETBACK (FEET)	FRONT YARD SETBACK (FEET)	10 FEET	
REAR YARD SETBACK (FEET)	REAR YARD SETBACK (FEET)	10 FEET	
REAR YARD SETBACK (FEET)	REAR YARD SETBACK (FEET)	10 FEET	

REVISED

APR 16 2015

PHOTO COMM DEV AGENCY
ZOOLOGICAL DIVISION



APPLICANT: Lynwood Development Group, LLC

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

REPRESENTATIVE: J. Kevin Moore

PHONE#: (770) 429-1499 **EMAIL:** jkm@mjs.com

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

PROPERTY LOCATION: Southwest intersection of Powers Ferry Road and Windy Ridge Parkway.

ACCESS TO PROPERTY: Powers Ferry Road

PHYSICAL CHARACTERISTICS TO SITE: Wooded, undeveloped
acreage

CONTIGUOUS ZONING/DEVELOPMENT

NORTH: UC/Horizon Condominiums
SOUTH: RM-16/Windy Ridge Apartments
EAST: CRC/Retail and Restaurants
WEST: OHR/Office High Rise

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:

PETITION NO: _____ Z-27

HEARING DATE (PC): _____ 03-03-15

HEARING DATE (BOC): _____ 03-17-15

PRESENT ZONING: _____ OHR

PROPOSED ZONING: _____ UVC

PROPOSED USE: _____ Mixed Use

SIZE OF TRACT: _____ 3.14 acres

DISTRICT: _____ 17

LAND LOT(S): _____ 985, 1008

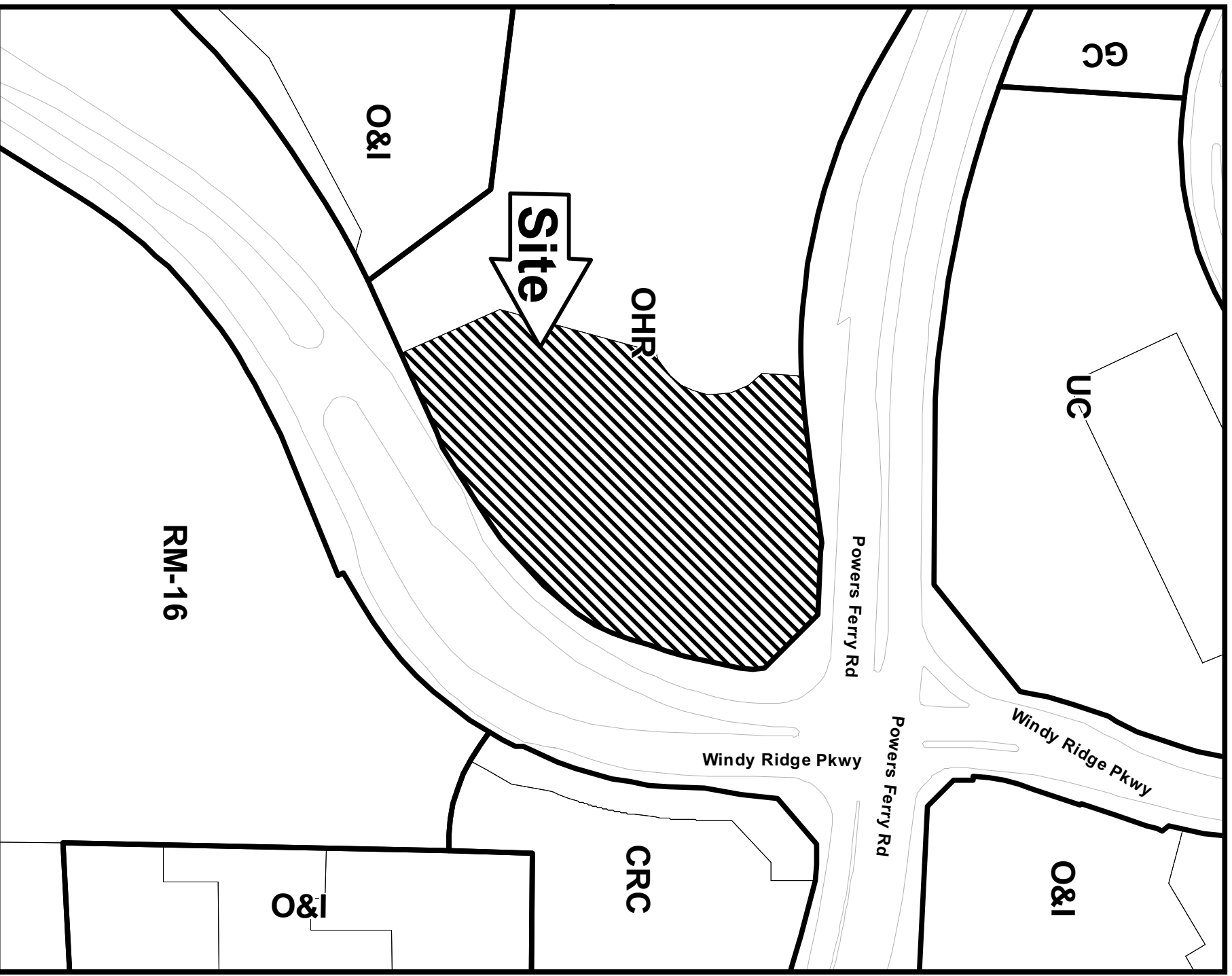
PARCEL(S): _____ 8

TAXES: PAID X **DUE** _____

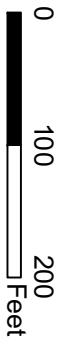
COMMISSION DISTRICT: 2



Z-27



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



City Boundary
Zoning Boundary

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.

APPLICANT: Lynwood Development Group, LLC

PETITION NO.: Z-27

PRESENT ZONING: OHR

PETITION FOR: UVC

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.

APPLICANT: Lynwood Development Group, LLC

PETITION NO.: Z-27

PRESENT ZONING: OHR

PETITION FOR: UVC

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.

APPLICANT: Lynwood Development Group, LLC

PETITION NO.: Z-27

PRESENT ZONING: OHR

PETITION FOR: UVC

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

APPLICANT Lynwood Development Group
PRESENT ZONING OHR

PETITION NO. Z-027
PETITION FOR UVC

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 Pkwy

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 Availability:

☒ 0 - 5 years

☐ 5 - 10 years

☐ over 10 years

Dry Sewers Required:

☐ Yes

☒ No

Off-site Easements Required:

☐ Yes*

☒ No

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 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 EFPD discharge requirements.

APPLICANT: Lynwood Development Group, LLC

PETITION NO.: Z-27

PRESENT ZONING: OHR

PETITION FOR: UVC

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).

APPLICANT: Lynwood Development Group, LLC

PETITION NO.: Z-27

PRESENT ZONING: OHR

PETITION FOR: UVC

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.

APPLICANT: Lynwood Development Group, LLC . **PETITION NO.:** Z-27

PRESENT ZONING: OHR **PETITION FOR:** UVC

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, hardi-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 McDole; Georgia Bar No. 519728

*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

A LIMITED LIABILITY PARTNERSHIP
WWW.MIJS.COM

Z-27 (2015)
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LETTER WITH
ATTACHMENTS

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OF COUNSEL:
JOHN L. SKELTON, JR.[†]

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* ALSO ADMITTED IN AL
† ALSO ADMITTED IN KY
* ALSO ADMITTED IN SC
* ALSO ADMITTED IN NC
** ADMITTED ONLY IN TN
‡ ADMITTED ONLY IN FL
*** ADMITTED ONLY IN SC
♦ ADMITTED ONLY IN KY

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

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

MOORE INGRAM JOHNSON & STEELE

Mr. John P. Pederson, AICP

Zoning Division Manager

Zoning Division

Cobb County Community Development Agency

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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.

MOORE INGRAM JOHNSON & STEELE

Mr. John P. Pederson, AICP

Zoning Division Manager

Zoning Division

Cobb County Community Development Agency

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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-bedrooms, 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

MOORE INGRAM JOHNSON & STEELE

Mr. John P. Pederson, AICP

Zoning Division Manager

Zoning Division

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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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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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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

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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)



J. Kevin Moore

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Cobb County Community Development Agency

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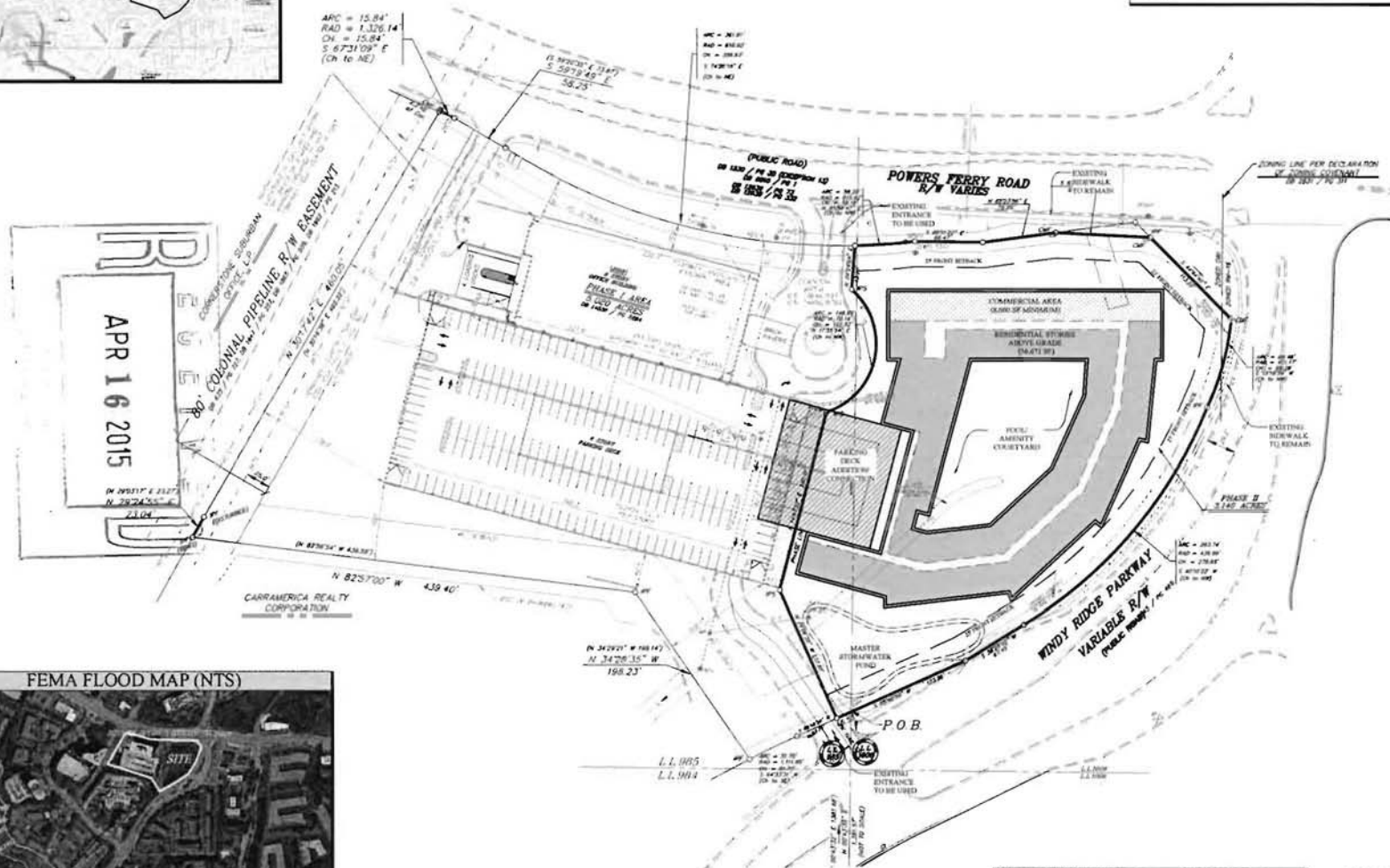
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c: Lynwood Development Group, LLC
(With Copies of Attachments)

Alliance Residential Company
(With Copies of Attachments)

EXHIBIT "A"



SITE DATA:	
TOTAL SITE AREA	5.14 AC
ZONING:	
EXISTING ZONING	OFF OFFICE BUILDING & USE, OFFICE
DEVELOPING ZONING	SYNCHRONOUS VILLAGE COMPREHENSIVE
21 ZONING FUTURE YEAR	SYNCHRONOUS
DENSITY CALCULATIONS:	
EXISTENTIAL UNIT	200 UNITS
CUMULATIVE AREA	5,000 SQ (AC)
RETRACTS:	
FRONT YARD RETRACT, MINIMUM	21 FEET
FRONT YARD RETRACT, MINIMUM	21 FEET
REAR YARD	5 FEET
REAR YARD	2 FEET

Park Point
A MASTER PLANNED RESIDENTIAL COMMUNITY
Lynwood Development Group, LLC
4800 PARK POINT ROAD
SUITE 100, BOX 124
MARIETTA, GEORGIA 30067
PHONE: 604-512-4183
WWW.PARKPOINTCOMMUNITY.COM

[illegible]

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 for which it was prepared. It is not to be used on any other project and is to be
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SHEET TITLE
**REZONING
 SITE PLAN**

0 25 50 100 150
 SCALE: 1" = 50'
 DATE: DEC. 29, 2014
 PROJECT: #3027.1RE

PARKING NOTE:
 1. PARKING FOR THE PROJECT WILL BE PROVIDED UTILIZING THE EXISTING PARKING DECK AS WELL AS WITHIN A MULTI-LEVEL ADJUTIN TO THE EXISTING DECK. WHICH WILL INCLUDE "SHARED" PARKING THAT PROVIDES SUFFICIENT AND ADEQUATE PARKING FOR THE TOTAL PARKING POINT DEVELOPMENT BASED ON PARKING FOR RESIDENTIAL UNITS AT A MINIMUM RATIO OF ONE SPACE PER BEDROOM AND THE ACCEPTED ULI RELATED PARKING DEMAND RATIO.



Know what's **below**.
Call before you dig.

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CARRINGTON COMM. DEV. BOARD
ZONING DEPT.

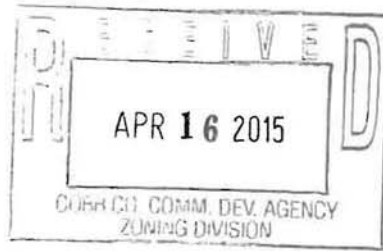


EXHIBIT "B"

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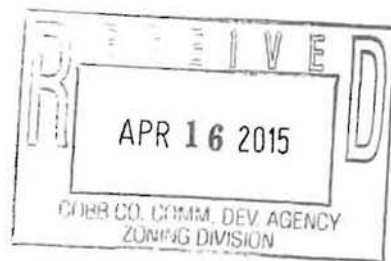
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EAST ELEVATION @ WINDY RIDGE PKWY



PERSPECTIVE @ WINDY RIDGE PKWY - SOUTH



Windy Ridge
project P0320-14

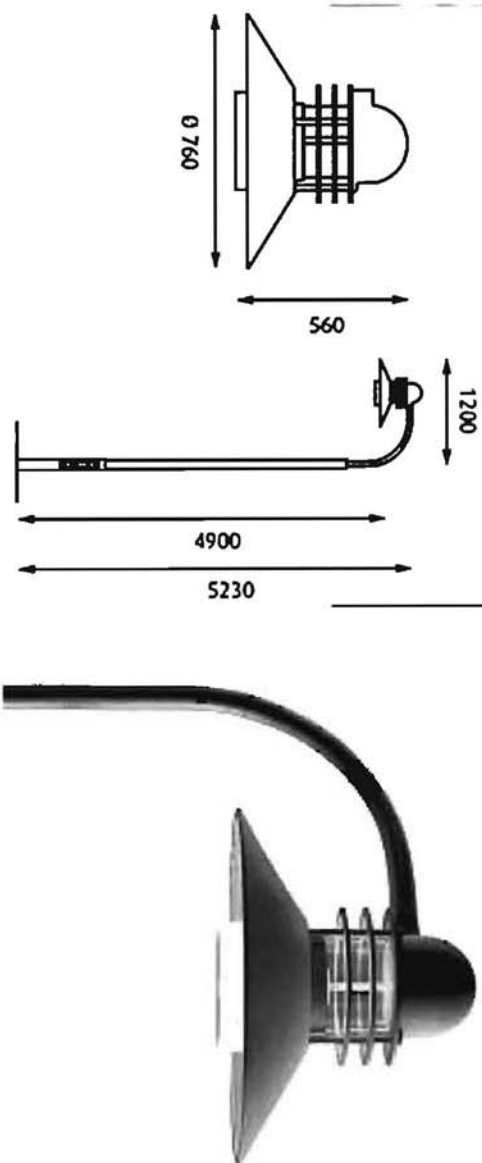
Powers Ferry Road at Windy Ridge Parkway, Marietta

Mas

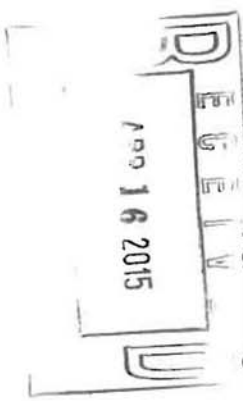
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Streetscape Lighting

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 florescent signs mitigates a vehicular centric feel.

APR 16 2015