

# Application for "Other Business"

06-31-2018

## Cobb County, Georgia

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

BOC Hearing Date Requested: 6/19/18

**Applicant:** BROADSTONE WINDY RIDGE, LLC Phone #: 404-923-8206  
(applicant's name printed)

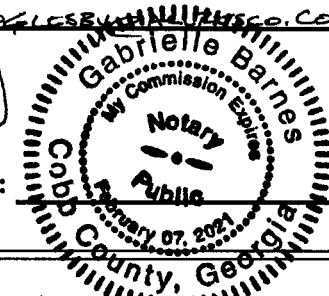
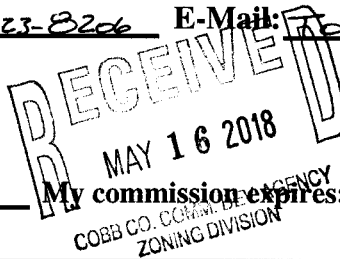
**Address:** 2020 POWERS FERRY ROAD, ATLANTA, GA 30339 E-Mail: TOGLESBY@ALFRESCO.COM

TODD OGLESBY Address: 3715 NORTHSIDE PKWY, SUITE 1102, ATLANTA, GA 30327  
(representative's name, printed)

TODD OGLESBY Phone #: 404-923-8206 E-Mail: TOGLESBY@ALFRESCO.COM  
(representative's signature)

Signed, sealed and delivered in presence of:

[Signature]  
Notary Public



**Titleholder(s):** BROADSTONE WINDY RIDGE, LLC Phone #: 404-923-8206  
(property owner's name printed)

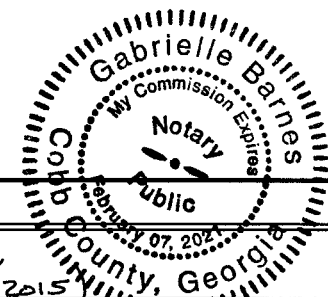
**Address:** 2020 POWERS FERRY RD, ATLANTA, GA 30339 E-Mail: TOGLESBY@ALFRESCO.COM

TODD OGLESBY  
(Property owner's signature)

Signed, sealed and delivered in presence of:

[Signature]  
Notary Public

My commission expires: \_\_\_\_\_



**Commission District:** 2 **Zoning Case:** Z-27/2015

**Size of property in acres:** 3.14 ACRES **Original Date of Hearing:** JUNE 14, 2015

**Location:** 2020 POWERS FERRY RD (INTERSECTION OF POWERS FERRY RD + WINDY RIDGE PKWY)  
(street address, if applicable; nearest intersection, etc.)

**Land Lot(s):** 985/1008 **District(s):** 17<sup>TH</sup>

**State specifically the need or reason(s) for Other Business:** \_\_\_\_\_

SEE ATTACHED  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

(List or attach additional information if needed)

*To amend the zoning stipulations letter and exhibits that were approved on June 16, 2015 to reflect modifications to the plans required based on existing site conditions and design constraints. While not all of the items below would require approval of the BOC, as many are minor changes, we are providing for clarity and in the interest of efficiency.*

*The Commercial Component and Pedestrian Corner Park conceptual renderings (attached as Exhibit B) reflects the proposed final configuration of the Commercial area, the location of the leasing office across from the existing office building, and shall serve as a replacement for the Original Exhibit "B" from the approved zoning.*

*The revised Exhibit C elevations identify the current locations of finish materials, signage and balconies. Full vs Juliet balcony locations are clarified. These plans would replace the Original Exhibit "C" from the approved zoning. It is proposed that the building elevations be revised to match Exhibit B, to include enhancements at the corner of Windy Ridge and Powers Ferry by providing additional masonry and storefront glass.*

*The attached retail build out plans (attached as Exhibit D) reflect the final design of the Commercial spaces; these will be permitted separately, and upon approval, will serve as the basis for the buildout of the Commercial spaces.*

*A Pedestrian Corner Park has been added at the corner of Windy Ridge and Powers Ferry, which is not shown in the zoning documents, and provides access to the retail in lieu of stairs down from Powers Ferry (concept attached as Exhibit E). The plaza will include low level lighting.*

*The current Site Plan documents (Exhibit F) has been revised from the original zoning to incorporate final grades and to add a loading area at the rear of the property. Sidewalk, site walls and landscape planting layouts are proposed to be revised to reflect the concepts shown in Exhibits B and E.*

**Exhibits:**

- B**      *Proposed Corner Park Enhancement*
- C**      *Elevations*
- D**      *Retail Build Out Plans*
- E**      *Concept for Pedestrian Corner Park*
- F**      *Current Site Plan Documents*

# EXHIBIT B: PROPOSED CORNER PARK ENHANCEMENT

Exhibit B, Page 1

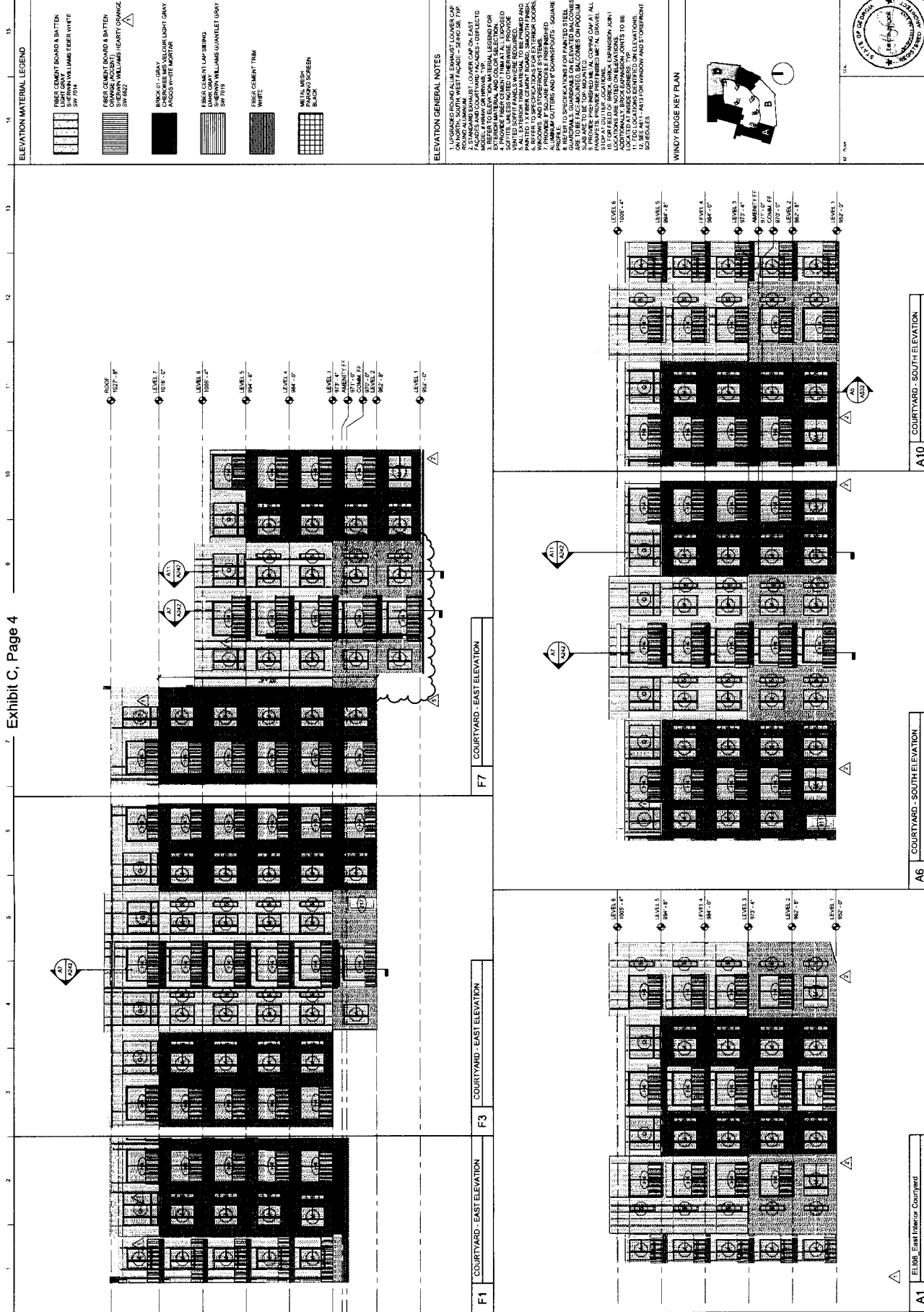


**EXHIBIT C: ELEVATIONS**









**ELEVATION MATERIAL LEGEND**

	LIGHT GRAY BOARD & BATTEN SHERWIN WILLIAMS EBER WHITE SW 714
	FIBER CEMENT BOARD & BATTEN SHERWIN WILLIAMS HEARTY ORANGE SW 662
	SOLID BLACK SHERWIN WILLIAMS VELLOW LIGHT GRAY ANDOS WHITE MORTAR
	HORIZONTAL LINE SHERWIN WILLIAMS QUANTILET GRAY SW 715
	VERTICAL LINE SHERWIN WILLIAMS QUANTILET GRAY SW 715
	THIN CEMENT TRIM WHITE
	METAL MESH PATTERNED SCREEN BLACK

**ELEVATION GENERAL NOTES**

1. LEGEND AND ALL SMART LOCATED CAP ON NORTH, SOUTH WEST FACILE - SEE NOTE 7.
2. STANDARD EXHAUST COVER CAP ON EAST FACILE - SEE NOTE 7.
3. ALL WINDOW AND DOOR FINISHES - OBJECTIC MOULD FINISH ON REAR, TP.
4. REFER TO ELEVATION MATERIAL LEGEND FOR FINISHES.
5. PROVIDE FIBER CEMENT TRIM AT ALL DOOR AND WINDOW SILL AND HEADS.
6. UNFINISHED INTERIORS TO BE PAINTED WITH FIBER CEMENT BOARD, SMOOTH FINISH, AND STAIN RESISTANT SYSTEMS.
7. PROVIDE FIBER CEMENT BOARD AND BATTEN TO CHECKOUTS FOR HANDED STEEL GUARDRAILS GUARDRAILS ON ELEVATED BALCONIES TO BE PAINTED WITH FIBER CEMENT BOARD AND BATTEN TO BE TOP ADDED.
8. ALL FINISHES TO BE TOP ADDED.
9. PROVIDE FIBER CEMENT BOARD AND BATTEN TO PROVIDE PREPARED METAL GRATE.
10. STOP AT BUTTER LOCATIONS.
11. ALL FINISHES TO BE TOP ADDED.
12. LOCATIONS ARE NOTED ON ELEVATIONS TO BE LOCATED AT INSIDE CORNER, TP.
13. SEE A11, A12 FOR WINDOW AND STOREFRONT SCHEDULES.

**WINDY RIDGE KEY PLAN**

**COURTYARD - EXTERIOR ELEVATIONS**

DATE: 11/21/17

**FOR CONSTRUCTION**

Brackstone Windy Ridge  
2320 Foothill Park Rd., Alhambra, CA 91803

Multiform Builders, LLC  
Alhambra Realty Partners, LLC - Alliance

DATE: 02/12/16  
JOB NO.: 10556-00  
PROJECT NO.: A204

SCALE: 1/8" = 1'-0"

BY: [Signature]



**EXHIBIT D: RETAIL BUILD OUT PLANS**



**OUTLETER OCCUPANCY SUMMARY**

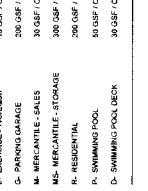
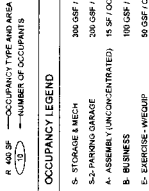
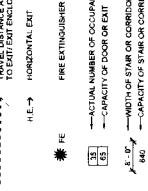
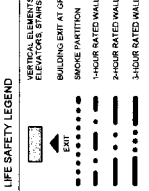
M - EQUIPMENT RENTAL	= 700 SF / 30	= 4 OCC
NS - BOMB STORAGE	= 20 SF / 100	= 1 OCC
NS - PART STORAGE/REPAIR	= 450 SF / 300	= 2 OCC
M - FLOORING	= 480 SF / 30	= 15 OCC
B - (OFFICE)	= 748 SF / 100	= 3 OCC
S - (OFFICE)	= 42 SF / 100	= 1 OCC
S - (MECHANICAL)	= 377 SF / 300	= 2 OCC
<b>TOTAL</b>		<b>= 44 OCC</b>

**PLUMBING FIXTURE COUNTS**  
INTERNATIONAL PLUMBING CODE 2012  
TABLE 403.1

WATER CLOSERS	= 24 FOR EACH NO. 1 PER 80 EXCEEDING 80
MERCANTILE	= 1 PER 500
STORAGE	= 1 PER 100
BURNERS	= 1 PER 40 FOR FIRST NO. 1 PER 80 EXCEEDING 80
MERCANTILE	= 1 PER 100
OCCUPANCY LOAD	= 48 OCC = 24 MEN, 24 WOMEN
MEN WATER CLOSERS	= 2403 = 1 MEN'S CLOSET
MEN LAVATORY	= 2406 = 1 LAVATORY
WOMEN WATER CLOSERS	= 2403 = 1 WATER CLOSET
WOMEN LAVATORY	= 2406 = 1 LAVATORY

**MAXIMUM TRAVEL DISTANCE TO EXIT = 90' ACTUAL  
100' MAX ALLOWED**

IFPA 101 LIFE SAFETY CODE 5012  
MERCANTILE OCCUPANCY  
36.12.2.1 (3) - Mercantile occupancies shall be subdivided as follows:  
36.12.2.1 (3) (a) - Mercantile occupancies shall be subdivided as follows:  
36.12.2.1 (3) (b) - Mercantile occupancies shall be subdivided as follows:  
36.12.2.1 (3) (c) - Mercantile occupancies shall be subdivided as follows:  
36.12.2.1 (3) (d) - Mercantile occupancies shall be subdivided as follows:  
36.12.2.1 (3) (e) - Mercantile occupancies shall be subdivided as follows:  
36.12.2.1 (3) (f) - Mercantile occupancies shall be subdivided as follows:  
36.12.2.1 (3) (g) - Mercantile occupancies shall be subdivided as follows:  
36.12.2.1 (3) (h) - Mercantile occupancies shall be subdivided as follows:  
36.12.2.1 (3) (i) - Mercantile occupancies shall be subdivided as follows:  
36.12.2.1 (3) (j) - Mercantile occupancies shall be subdivided as follows:  
36.12.2.1 (3) (k) - Mercantile occupancies shall be subdivided as follows:  
36.12.2.1 (3) (l) - Mercantile occupancies shall be subdivided as follows:  
36.12.2.1 (3) (m) - Mercantile occupancies shall be subdivided as follows:  
36.12.2.1 (3) (n) - Mercantile occupancies shall be subdivided as follows:  
36.12.2.1 (3) (o) - Mercantile occupancies shall be subdivided as follows:  
36.12.2.1 (3) (p) - Mercantile occupancies shall be subdivided as follows:  
36.12.2.1 (3) (q) - Mercantile occupancies shall be subdivided as follows:  
36.12.2.1 (3) (r) - Mercantile occupancies shall be subdivided as follows:  
36.12.2.1 (3) (s) - Mercantile occupancies shall be subdivided as follows:  
36.12.2.1 (3) (t) - Mercantile occupancies shall be subdivided as follows:  
36.12.2.1 (3) (u) - Mercantile occupancies shall be subdivided as follows:  
36.12.2.1 (3) (v) - Mercantile occupancies shall be subdivided as follows:  
36.12.2.1 (3) (w) - Mercantile occupancies shall be subdivided as follows:  
36.12.2.1 (3) (x) - Mercantile occupancies shall be subdivided as follows:  
36.12.2.1 (3) (y) - Mercantile occupancies shall be subdivided as follows:  
36.12.2.1 (3) (z) - Mercantile occupancies shall be subdivided as follows:

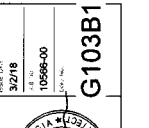
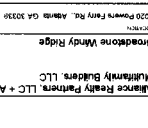
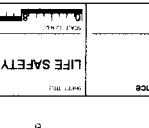
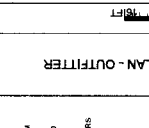
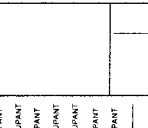
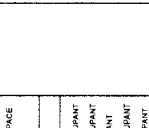


**LIFE SAFETY PLAN - OUTFITTER**

DATE: 11/11/2014  
PROJECT NO.: 10996-00  
DRAWN BY: [Signature]  
CHECKED BY: [Signature]  
APPROVED BY: [Signature]

**FOR CONSTRUCTION**

1020 Powers Ferry Rd., Atlanta, GA 30329  
Muller Realty Partners, LLC + Alliance  
Muller Realty Partners, LLC + Alliance  
10/21/14  
10996-00  
G103B1







**LORD AECK SARGENT**  
 6100 Lord Ave  
 Suite 200  
 San Francisco, CA 94103  
 Phone: 415.774.2000  
 Fax: 415.774.2001  
 www.lordsack.com

Unless otherwise specified, all materials shall be of the highest quality and shall conform to the requirements of the applicable building codes and standards. The contractor shall be responsible for obtaining all necessary permits and approvals for the work shown on these drawings.

DATE: 01/15/19  
 DRAWN BY: [Redacted]  
 CHECKED BY: [Redacted]  
 APPROVED BY: [Redacted]

PROJECT: [Redacted]  
 SHEET: [Redacted]

FOR CONSTRUCTION

1025 Powers Ferry Rd., Atlanta, GA 30339

Brookstone Windy Ridge  
 Multifamily Builders, LLC + Alliance

3/2/18  
 10596-00

IA-008C

DOOR SCHEDULE, STAIR DETAILS

MATERIAL KEYNOTES

GENERAL NOTES

SHEET SPECIFIC NOTES

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EXHIBIT D, Page 5

DOOR ELEVATION TYPES

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A4

A5

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A7

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A11

A12

A13

A14

A15

A16

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A22

A23

CONCRETE STAIR RAIL DETAIL

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**LORD  
AECK  
SARGENT**

1000 Power Entry Rd., Alhambra, CA 91803  
 626-256-8800  
 www.lordsargent.com

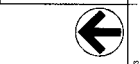
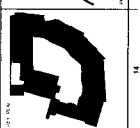
DATE	DESCRIPTION
03/27/18	ISSUED FOR PERMIT
03/27/18	ISSUED FOR CONSTRUCTION
03/27/18	ISSUED FOR CONSTRUCTION

**GENERAL NOTES**  
 A. CEILING HEIGHT MAY ADJUST FOR STRUCTURE

**SHEET SPECIFIC NOTES**

**OUTFITTERS - RCP**

**FOR CONSTRUCTION**



MATERIAL KEYNOTES

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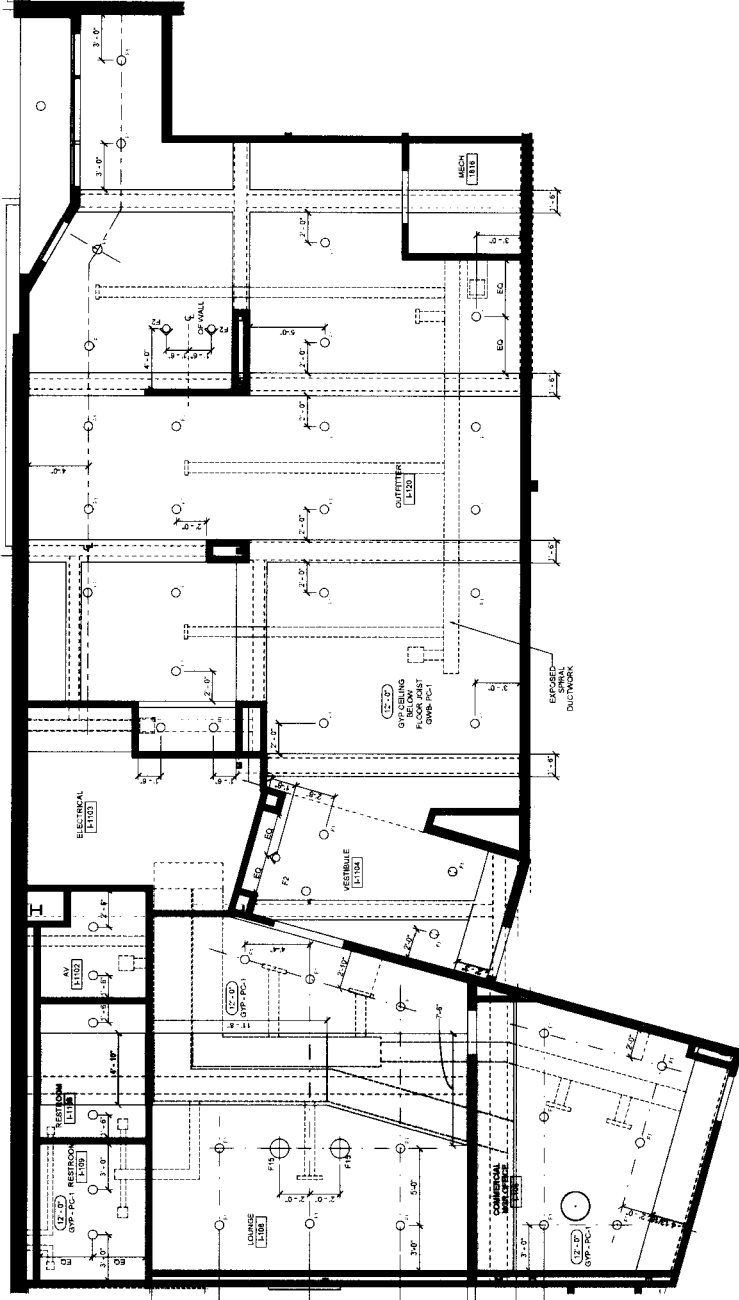
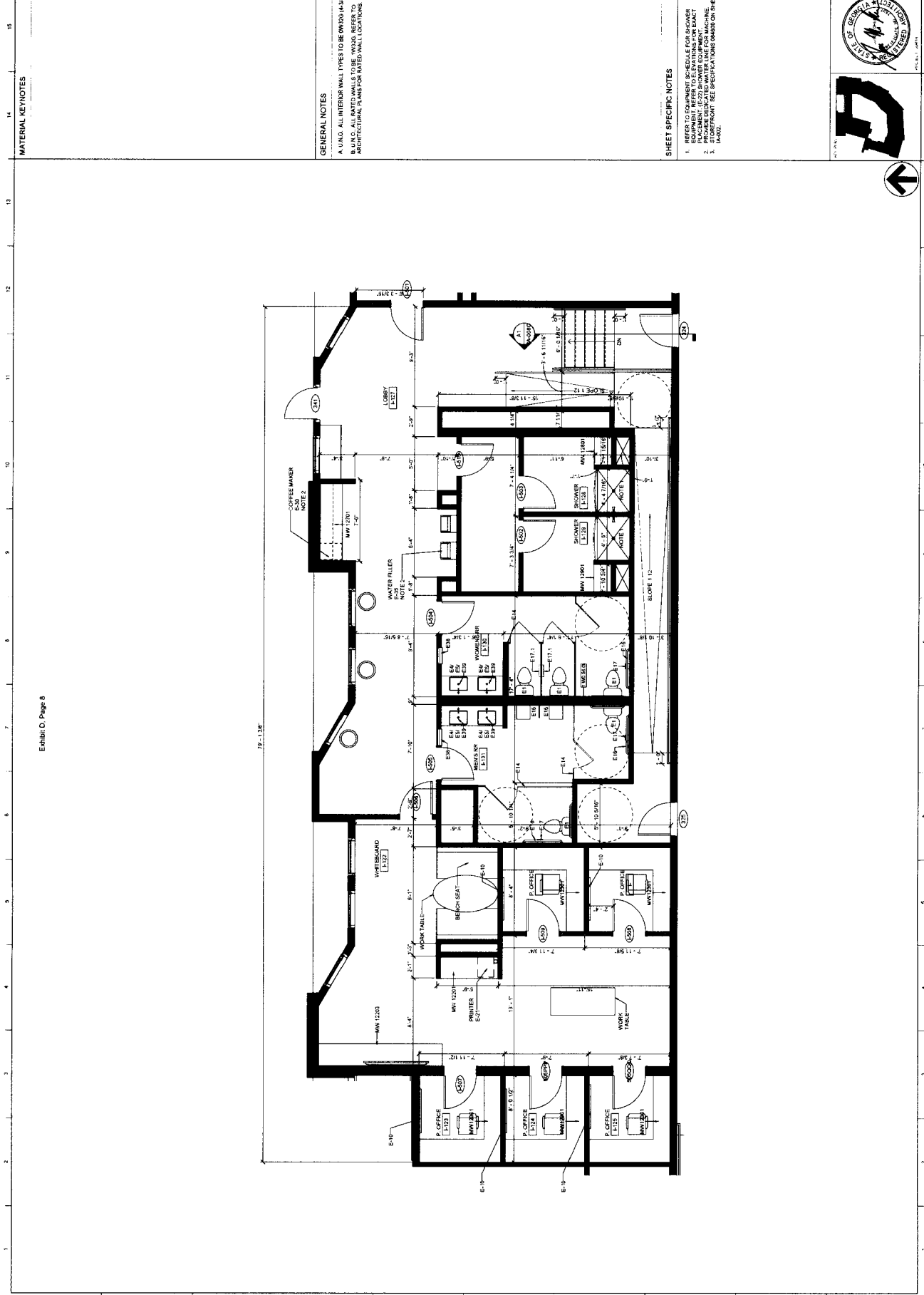


Exhibit D Page 7





MATERIAL KEYNOTES

**LORD  
AECK  
SARGENT**

NO.	DESCRIPTION	DATE
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2	ISSUED FOR CONSTRUCTION	10/20/18
3	ISSUED FOR CONSTRUCTION	10/20/18
4	ISSUED FOR CONSTRUCTION	10/20/18
5	ISSUED FOR CONSTRUCTION	10/20/18
6	ISSUED FOR CONSTRUCTION	10/20/18
7	ISSUED FOR CONSTRUCTION	10/20/18
8	ISSUED FOR CONSTRUCTION	10/20/18
9	ISSUED FOR CONSTRUCTION	10/20/18
10	ISSUED FOR CONSTRUCTION	10/20/18

**GENERAL NOTES**

A. U.N.O. ALL INTERIOR WALL TYPES TO BE (M170) (M-W1)

B. U.N.O. ALL RATED WALLS TO BE (W02) (W02) REFER TO ARCHITECTURAL PLANS FOR RATED WALL LOCATIONS

**SHEET SPECIFIC NOTES**

1. REFER TO EQUIPMENT SCHEDULE FOR SHOWER PLACEMENT. (E22) SHOWER EQUIPMENT.
2. REFER TO EQUIPMENT SCHEDULE FOR LOCKER PLACEMENT. (E16) LOCKER EQUIPMENT.
3. STORAGE. SEE INDICATIONS ON DRAWING SHEET 10400.

FOR CONSTRUCTION

**WHITEBOARD - PARTITION PLAN**

Altrinity Realty Partners, LLC + Alliance  
2020 Powers Ferry Rd. Atlanta, GA 30339



**IA-501**



Exhibit D, Page 8



PROJECT NO. 15

DATE: 11/14/15

SCALE: AS SHOWN

PROJECT: 15

DATE: 11/14/15

SCALE: AS SHOWN

PROJECT: 15

DATE: 11/14/15

SCALE: AS SHOWN

PROJECT: 15

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SCALE: AS SHOWN

PROJECT: 15

DATE: 11/14/15

FOR CONSTRUCTION

2025 Phoenix Ferry Rd., Alhambra, CA 91803  
 Broadstone Windy Ridge  
 10/27/15  
 10986-00  
 Robert A. Sargent  
 Mechanical  
 No. 13482

Alhambra Realty Partners, LLC - Alhambra  
 Multi-family Builders, LLC  
 2025 Phoenix Ferry Rd., Alhambra, CA 91803

WHITEBOARD - RCP



SHEET SPECIFIC NOTES

GENERAL NOTES

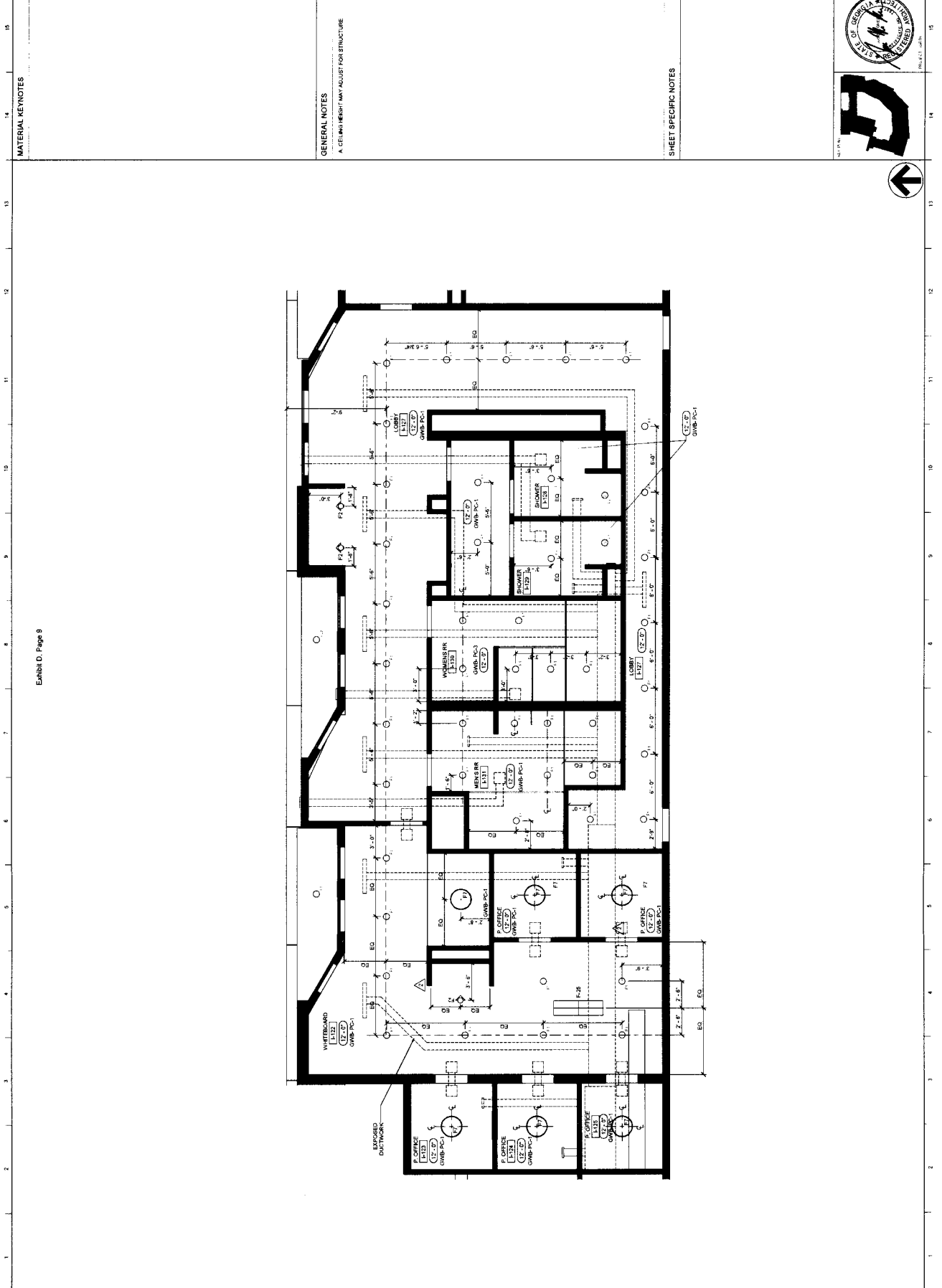
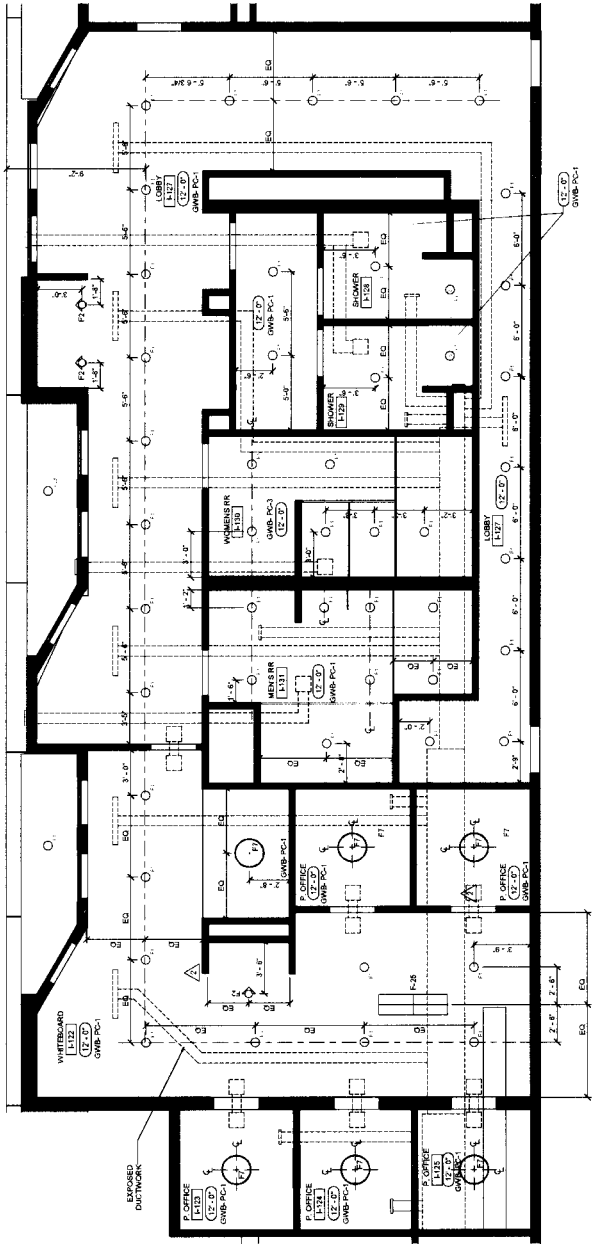
A. CEILING HEIGHT MAY ADJUST FOR STRUCTURE

MATERIAL KEYNOTES

NO.	DESCRIPTION	QTY
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12	...	...
13	...	...
14	...	...
15	...	...

**LORD AECK SARGENT**  
 42011 Lord Ave. Suite 100  
 Los Angeles, CA 90045  
 (310) 440-1100  
 www.lordsack.com

Exhibit D, Page 8



**LORD  
AECK  
SARGENT**

© 2018 Lord Aeck Sargent  
 1000 Peachtree Street, N.E.  
 Atlanta, Georgia 30309  
 Phone: 404.524.2000  
 Fax: 404.524.2001  
 www.lordsargent.com

**MATERIAL KEYNOTES**

1. SEE GENERAL NOTES.

2. SEE GENERAL NOTES.

3. SEE GENERAL NOTES.

4. SEE GENERAL NOTES.

5. SEE GENERAL NOTES.

6. SEE GENERAL NOTES.

7. SEE GENERAL NOTES.

8. SEE GENERAL NOTES.

9. SEE GENERAL NOTES.

10. SEE GENERAL NOTES.

**GENERAL NOTES**

A. UNDO ALL INTERIOR WALL TYPES TO BE REMOVED (A, B).

B. UNDO ALL INTERIOR WALL TYPES TO BE ADDED (A, B).

C. DIMENSIONS HAVE BEEN UPDATED.

**SHEET SPECIFIC NOTES**

**MILE MARKER - PARTITION PLAN**

DATE: 7/17/18

SCALE: 1/8" = 1'-0"

**FOR CONSTRUCTION**

2020 Peachtree Ferry Rd., Atlanta GA 30339

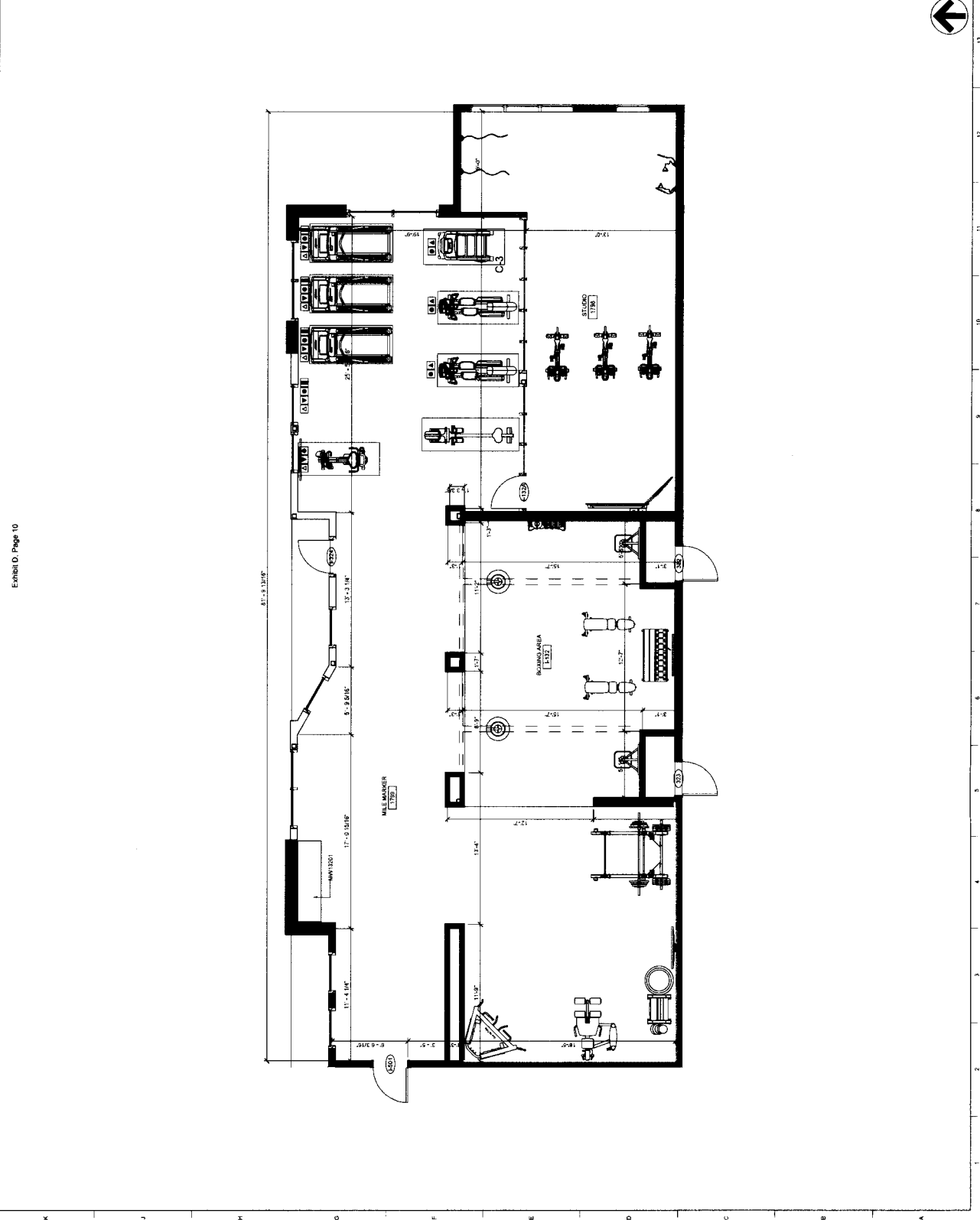
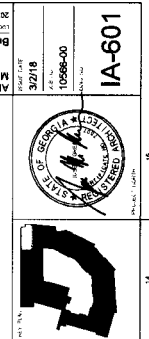
Project No. 10566-00

Date: 7/2/18

Project Name: Mile Marker - Partitions

Client: Alliance Realty Partners, LLC + Alliance Multifamily Builders, LLC

Architect: Lord Aeck Sargent

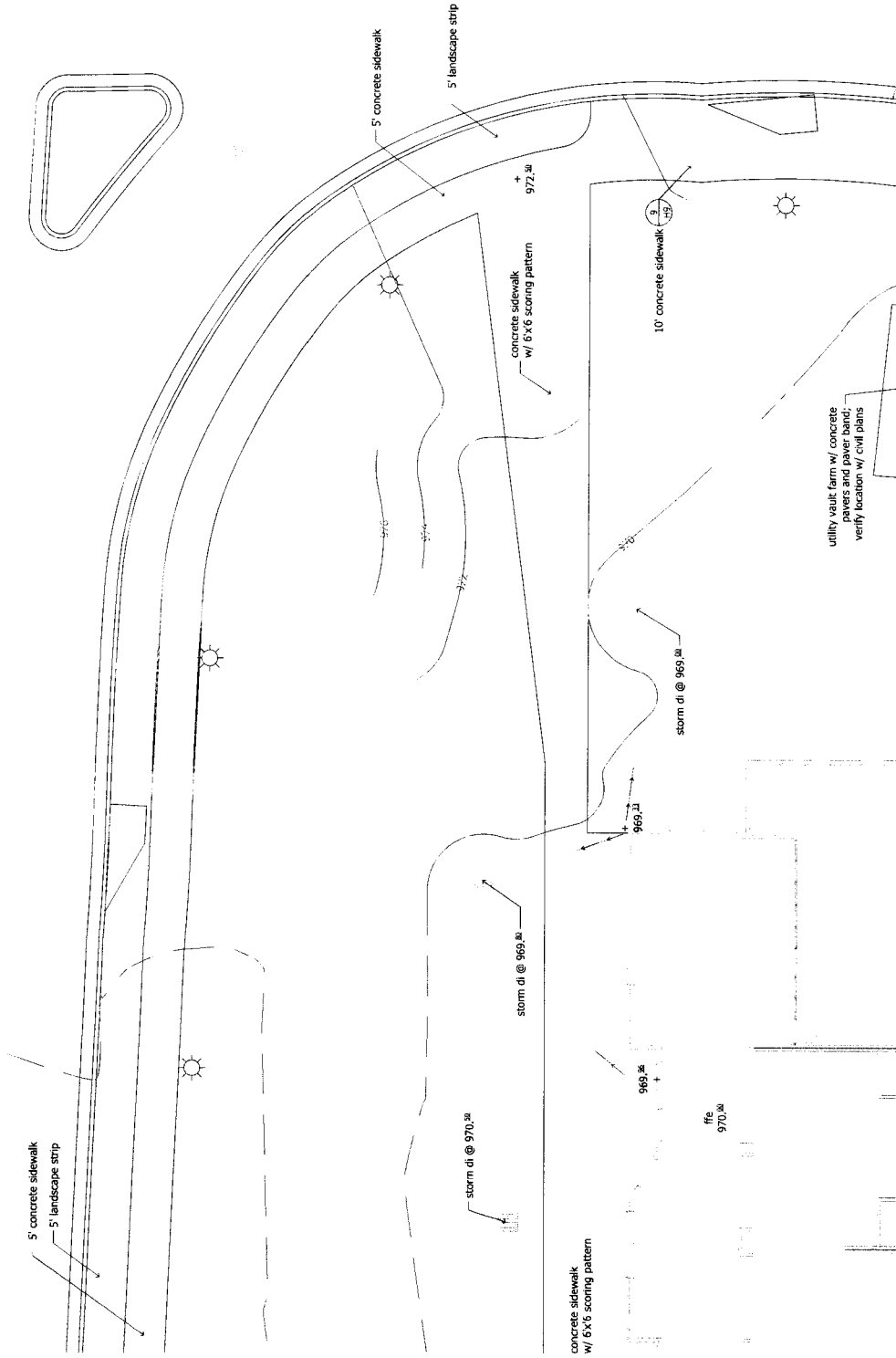




**EXHIBIT E: CONCEPT FOR PEDESTRIAN CORNER PARK**

# CURRENT CORNER PLAN

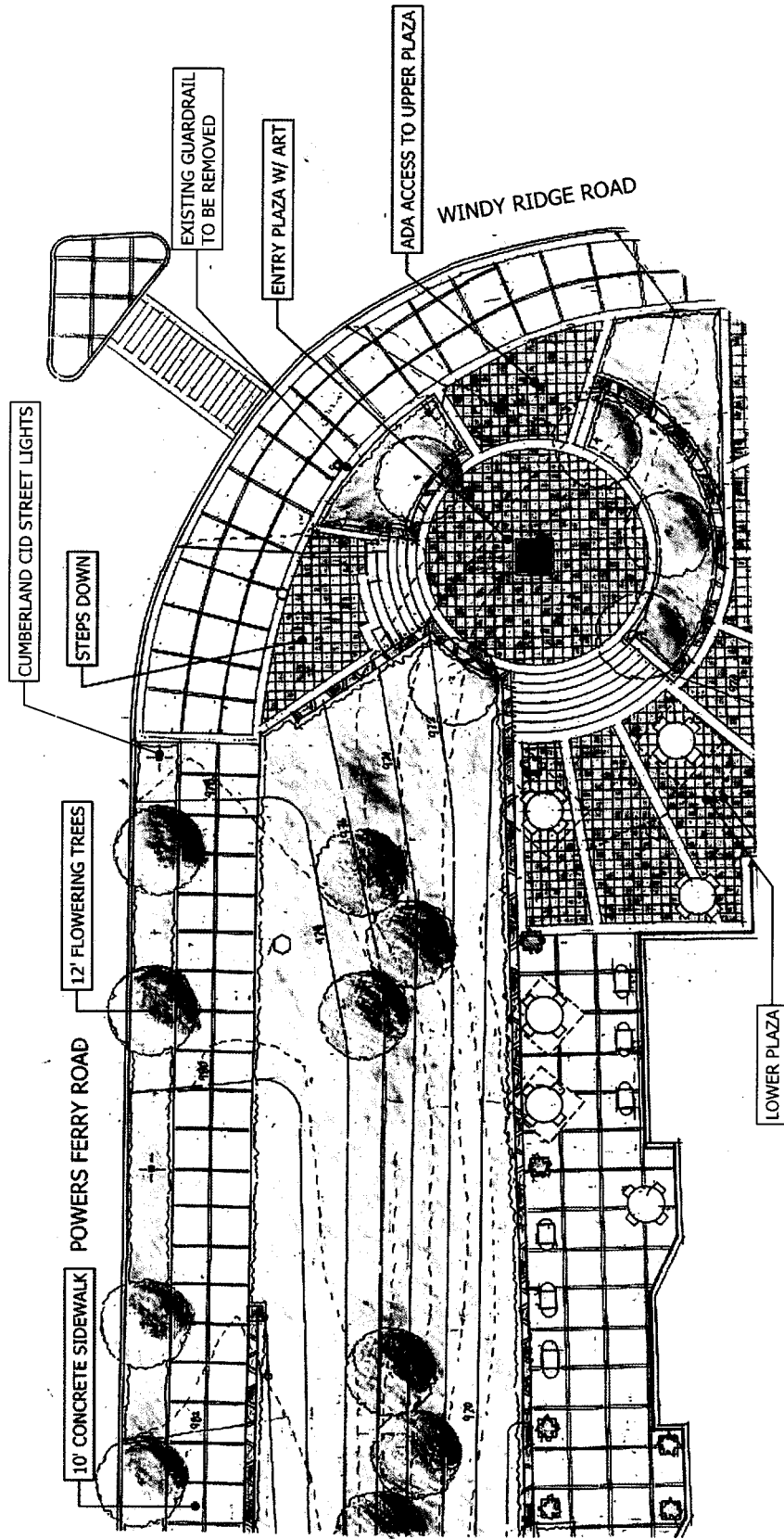
Exhibit E, Page 1





# PROPOSED CORNER PARK RENDERED

Exhibit E, Page 3





**EXHIBIT F: CURRENT SITE PLANS WITH AREA FOR CORNER PARK IDENTIFIED**

Exhibit F, Page 1

**POWERS FERRY ROAD  
(R/W VARIES)**

**AREA TO BE REVISED PER  
PROPOSED PARK PLAN**

**BROADSTONE WINDY RIDGE**  
A MULTI-FAMILY DEVELOPMENT  
FOR  
ALLIANCE RESIDENTIAL COMPANY  
3715 NORTHSIDE BLVD  
ATLANTA, GEORGIA 30327  
PHONE 404-867-9734

**PLANNERS AND ENGINEERS COLLABORATIVE**  
THE PROVIDE SOLUTIONS™  
17TH DISTRICT  
1008 COUNTY  
ROAD 100

SITE PLANNING & LANDSCAPE ARCHITECTURE & CIVIL ENGINEERING & LAND SURVEYING  
390 RESEARCH COURT • NORCROSS, GEORGIA 30092 • 770-951-2741 • FAX 770-951-2998 • WWW.PEACATL.COM

**REVISIONS:**

NO.	DATE	BY	DESCRIPTION
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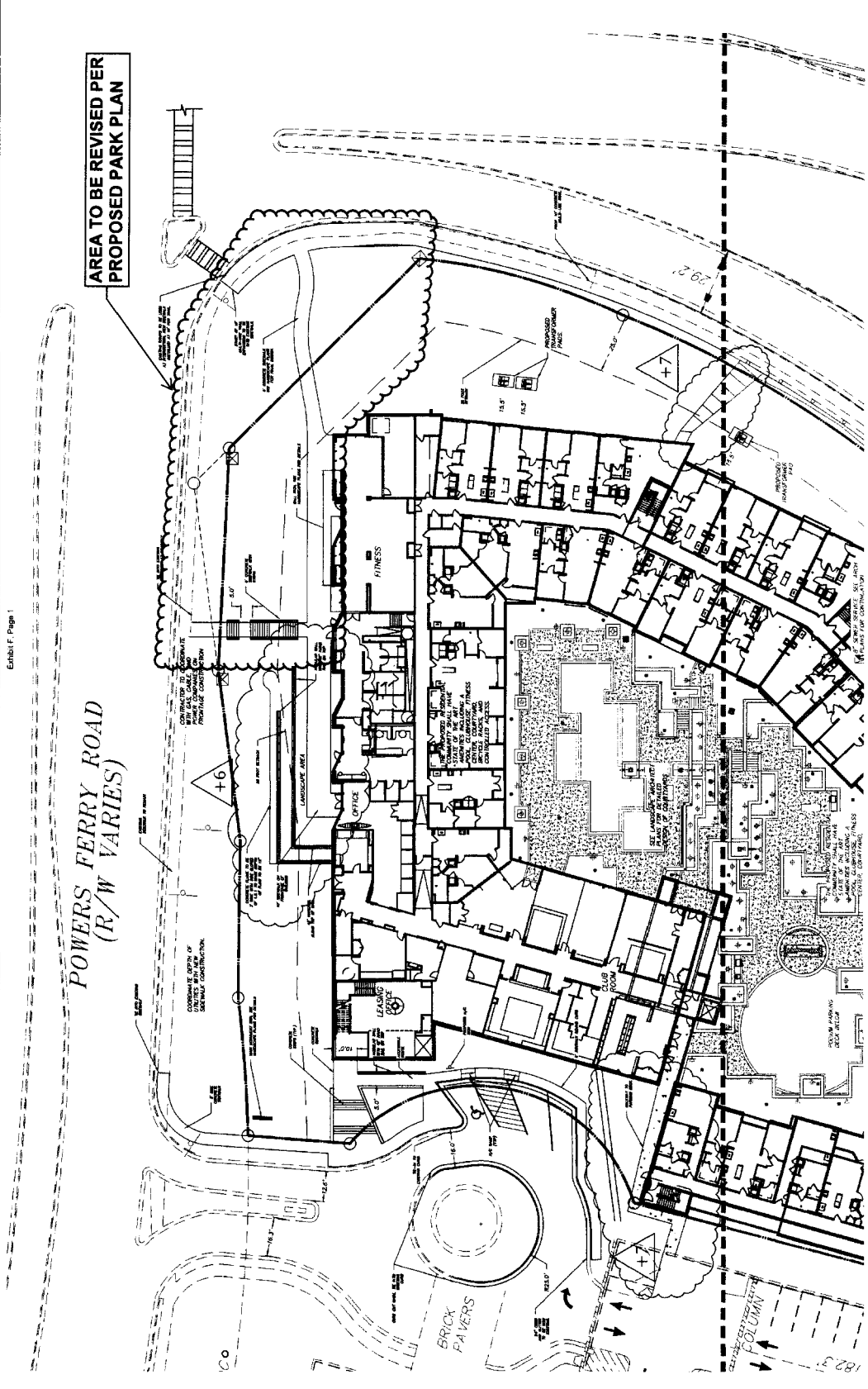
**SITE PLAN**  
**20-SCALE**

SCALE: 1" = 20'  
DATE: SEPTEMBER 29, 2015  
PROJECT: 83027.18F

1" = 20'  
0' 10' 20' 30' 40' 50'

**811**  
Know what's below.  
Call before you dig.

**24 HOUR CONTACT:**  
**WAYNE EDY @ 404-867-9734**



**NOTE:**  
ADDITIONAL ACCESSIBLE SPACES ARE  
LOCATED IN THE PARKING DECK

**NOTE:**  
ACCESS AGREEMENT FOR CONSTRUCTION  
OF ROAD AND DECK PARKING BETWEEN  
SITE AND OFFICE DEVELOPMENT IS IN  
PLACE FOR THE PROPOSED USE

**811**  
Know what's below.  
Call before you dig.

**24 HOUR CONTACT:**  
**WAYNE EDY @ 404-867-9734**

**1-16-18**  
REGISTERED PROFESSIONAL  
LANDSCAPE ARCHITECT  
STATE OF GEORGIA

**REGISTERED PROFESSIONAL  
LANDSCAPE ARCHITECT  
STATE OF GEORGIA**





**MINUTES OF ZONING HEARING  
COBB COUNTY BOARD OF COMMISSIONERS  
JUNE 16, 2015  
9:00 A.M.**

The Board of Commissioners Zoning Hearing was held on Tuesday, June 16, 2015 at 9:00 a.m. in the second floor public meeting room of the Cobb County building, Marietta, Georgia. Present and comprising a quorum of the Board were:

Chairman Tim Lee  
Commissioner JoAnn Birrell  
Commissioner Lisa Cupid  
Commissioner Bob Ott  
Commissioner Bob Weatherford

**Z-27**      **LYNWOOD DEVELOPMENT GROUP, LLC** (BSD Power II, LLC and Park Point Land, LLC, owners) requesting Rezoning from **OHR** to **UVC** for the purpose of Mixed Use in Land Lots 985 and 1008 of the 17<sup>th</sup> District. Located at the southwest intersection of Powers Ferry Road and Windy Ridge Parkway. *(Previously continued by the Board of Commissioners from their March 17, 2015 hearing, previously continued by Staff from the April 21, 2015 Board of Commissioners' hearing and previously held by the Board of Commissioners from their May 19, 2015 hearing)*

The public hearing was opened and Mr. Kevin Moore, Mr. Todd Oglesby, Mr. Charles Coffin, and Ms. Maryli Marcos addressed the Board. Following presentation and discussion, the following motion was made:

MOTION: Motion by Ott, second by Birrell, to **hold** Z-27 until the July 21, 2015 Board of Commissioners Zoning Hearing.

VOTE: **FAILED** 2-3, Lee, Cupid, Weatherford opposed

**SUBSTITUTE MOTION**

MOTION: Motion by Weatherford, second by Lee, to **approve** Z-27 to the **UVC** zoning category, subject to:

- Site plan submitted to the Zoning Division on April 16, 2015, with the District Commissioner approving minor modifications (attached and made part of these minutes)
- Letter of agreeable conditions from Mr. Kevin Moore dated April 16, 2015 (attached and made a part of these minutes), including an amendment to the letter titled "*Proposed Stipulations*" submitted at this hearing (attached and made a part of these minutes)
- Water and Sewer Division comments and recommendations, *not otherwise in conflict*
- Stormwater Management Division comments and recommendations, *not otherwise in conflict*

**MINUTES OF ZONING HEARING  
COBB COUNTY BOARD OF COMMISSIONERS  
JUNE 16, 2015  
9:00 A.M.**

The Board of Commissioners Zoning Hearing was held on Tuesday, June 16, 2015 at 9:00 a.m. in the second floor public meeting room of the Cobb County building, Marietta, Georgia. Present and comprising a quorum of the Board were:

Chairman Tim Lee  
Commissioner JoAnn Birrell  
Commissioner Lisa Cupid  
Commissioner Bob Ott  
Commissioner Bob Weatherford

**REGULAR AGENDA (CONT.)**

**Z-27            LYNWOOD DEVELOPMENT GROUP, LLC (CONT.)**

- **Cobb DOT comments and recommendations, *not otherwise in conflict***
- **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**

**VOTE: ADOPTED 4-1, Ott opposed**



# MOORE INGRAM JOHNSON & STEELE

A LIMITED LIABILITY PARTNERSHIP  
WWW.MIJS.COM

JOHN H. MOORE  
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WILLIAM R. JOHNSON†  
ROBERT D. INGRAM†  
J. BRIAN O'NEIL  
G. PHILLIP BEGGS  
ELDON L. BASHAM  
MATTHEW J. HOWARD  
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CLAYTON O. CARMACK  
KEVIN B. CARLOCK†  
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J. KEVIN MOORE  
RODNEY R. MCCOLLOCH  
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VICTOR P. VALMUS  
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JOYCE W. HARPER  
CAREY E. OLSON\*  
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WILMA R. BUSH  
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COLLEEN K. HORN\*\*\*\*  
DAVID J. OTTEN\*  
JONATHAN S. FUTRELL  
NORBERT D. HUMMEL, IV  
DAVID P. CONLEY  
B. CHASE ELLEBY  
TYLER R. MORGAN\*  
MARIANNA L. JABLONSKI\*  
LOURDES SANCERNI-FULTON†  
LEAH C. FOX\*  
ALISHA I. WYATT-BULLMAN†  
J. DANIEL COLE  
RYAN S. ROBINSON  
JOSEPH D. SHELLEY  
LESLIE S. SMITH  
CHRISTOPHER L. JOHNSON  
CHRISTIAN H. LAYCOCK  
LIZA D. HARRELL\*\*  
JESSICA A. KING  
JOHN A. EARLY  
CHRISTOPHER W. SHERMAN\*  
JESS E. MAPLES\*  
FREDERICK F. FISHER\*\*\*  
KENNETH D. HALL

RAHUL SHETH  
GRANT S. TALL  
NIGEL P. VORBRICH\*  
KIMBERLY E. THOMPSON\*  
E. SHANE BRANHAM\*  
BRENT R. LAMAN\*  
CHRISTOPHER R. BROOKS\*

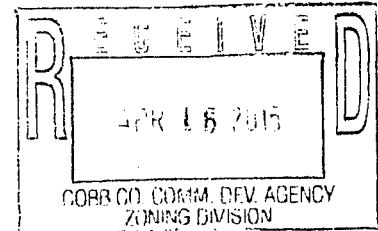
OF COUNSEL:  
JOHN L. SKELTON, JR.†

† ALSO ADMITTED IN TN  
\* ALSO ADMITTED IN FL  
\*\*\*\* ALSO ADMITTED IN GA  
\* ALSO ADMITTED IN TX  
\* ALSO ADMITTED IN AL  
‡ ALSO ADMITTED IN KY  
+ ALSO ADMITTED IN SC  
# ALSO ADMITTED IN NC  
\*\* ALSO ADMITTED IN IN  
\* ADMITTED ONLY IN TN  
‡ ADMITTED ONLY IN FL  
\*\*\* ADMITTED ONLY IN SC  
# ADMITTED ONLY IN KY

Min. Bk. 76 Petition No. Z-27  
Doc. Type letter  
Meeting Date 6-16-15

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, 17<sup>th</sup> District, 2<sup>nd</sup> 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, 17<sup>th</sup> District, 2<sup>nd</sup> 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  
Page 2 of 10  
April 16, 2015

Petition No. 2-27  
Meeting Date 6-16-15  
Continued

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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April 16, 2015

Petition No. 2-27  
Meeting Date 6-16-15  
Continued

**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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Petition No.       Z-27        
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Continued

- 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

**MOORE INGRAM JOHNSON & STEELE**

Mr. John P. Pederson, AICP  
Zoning Division Manager  
Zoning Division  
Cobb County Community Development Agency  
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Continued

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;

**MOORE INGRAM JOHNSON & STEELE**

Mr. John P. Pederson, AICP  
Zoning Division Manager  
Zoning Division  
Cobb County Community Development Agency  
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Continued

- (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

**MOORE INGRAM JOHNSON & STEELE**

Mr. John P. Pederson, AICP  
Zoning Division Manager  
Zoning Division  
Cobb County Community Development Agency  
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Meeting Date 6-16-15  
Continued

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

**MOORE INGRAM JOHNSON & STEELE**

Mr. John P. Pederson, AICP  
Zoning Division Manager  
Zoning Division  
Cobb County Community Development Agency  
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Petition No. 2-27  
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Continued

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 will be of the highest quality and will make an immediate contribution of critically needed, higher quality housing to the Powers Ferry Road's residential base.

**MOORE INGRAM JOHNSON & STEELE**

Mr. John P. Pederson, AICP  
Zoning Division Manager  
Zoning Division  
Cobb County Community Development Agency  
Page 9 of 10  
April 16, 2015

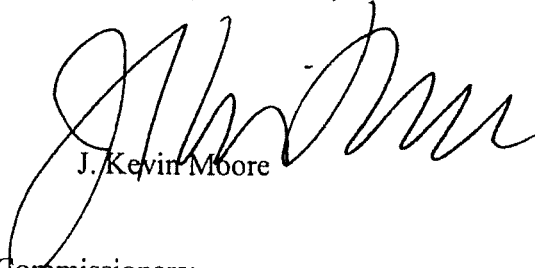
Petition No. 2-27  
Meeting Date 6-16-15  
Continued

Thank you for your consideration in this request.

With kindest regards, I remain

Very truly yours,

MOORE, INGRAM, JOHNSON & STEELE, LLP



J. Kevin Moore

JKM:cc

Attachments

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

Jason A. Campbell  
Planner III  
Zoning Division  
Cobb County Community Development Agency  
(With Copies of Attachments)

Charles H. Coffin  
(With Copies of Attachments)

Sheldon Schlegman  
The Horizon Condominiums  
(With Copies of Attachments)

Sheri George  
Vice President  
Terrell Mill Community Association  
(With Copies of Attachments)



**MOORE INGRAM JOHNSON & STEELE**

Mr. John P. Pederson, AICP  
Zoning Division Manager  
Zoning Division  
Cobb County Community Development Agency  
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April 16, 2015

Petition No.       Z-27        
Meeting Date       6-16-15        
Continued

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

Alliance Residential Company  
(With Copies of Attachments)



Petition No. z-27  
Meeting Date 6-16-15  
Continued

June 16 2015

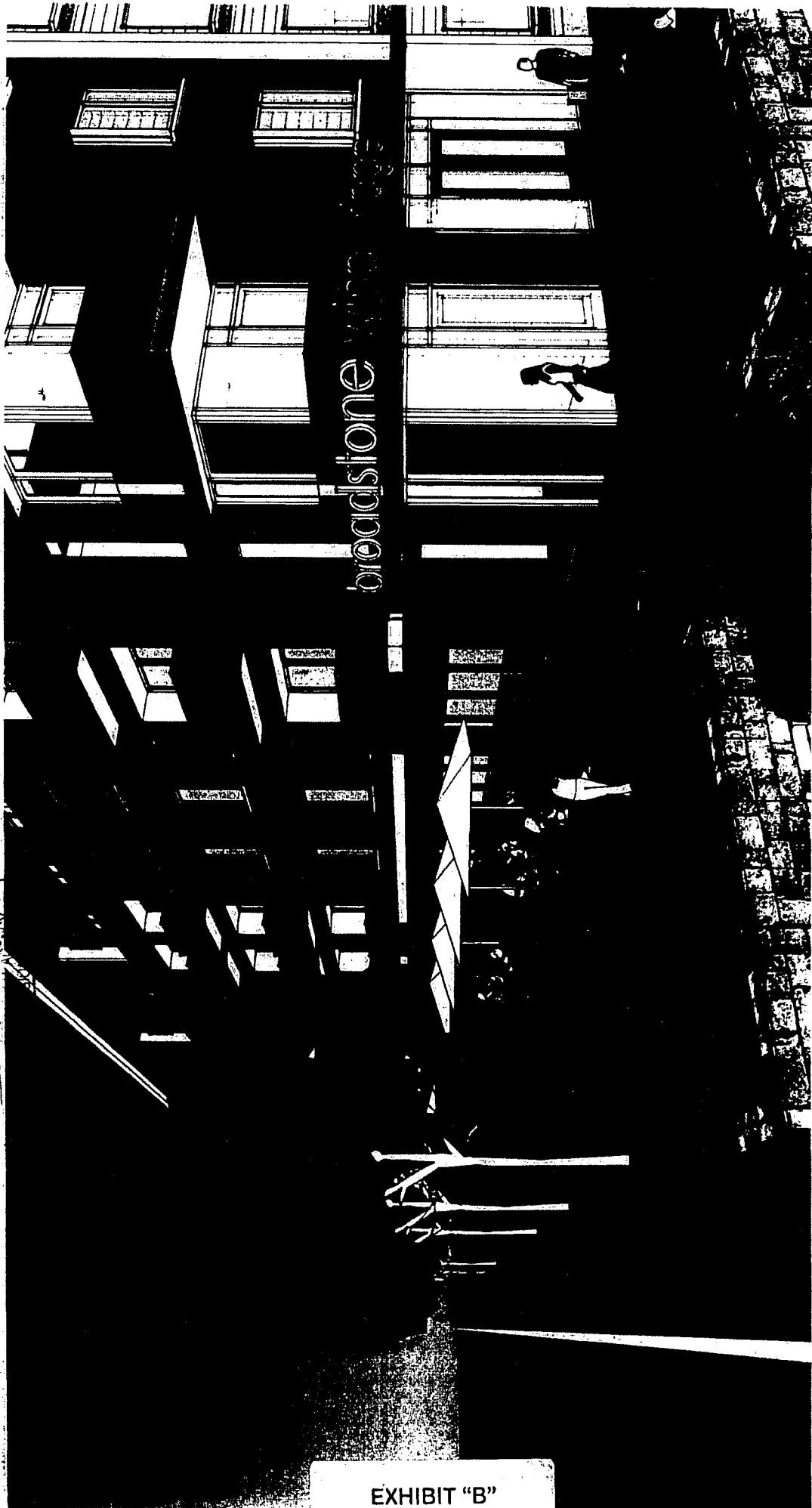
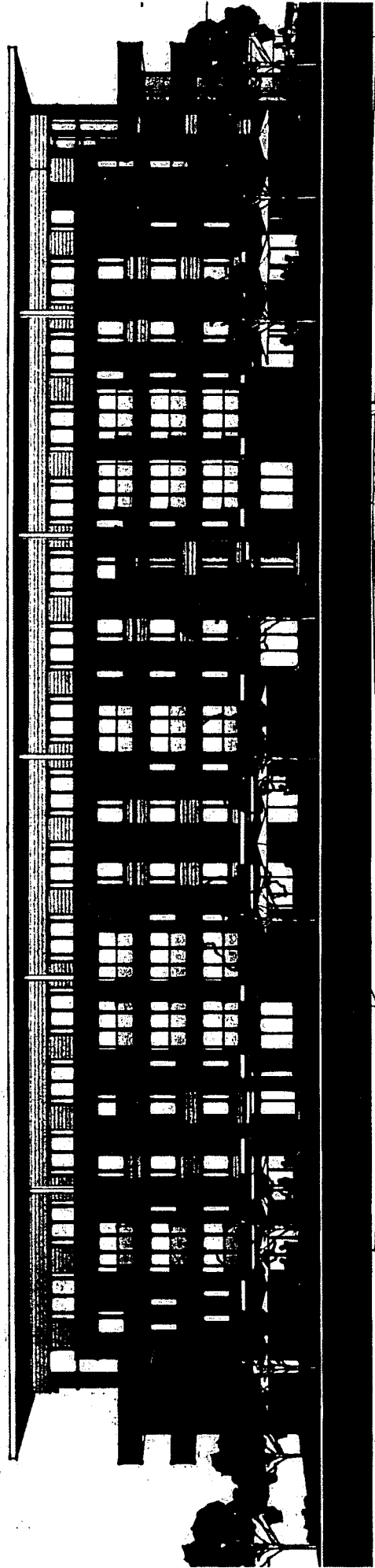
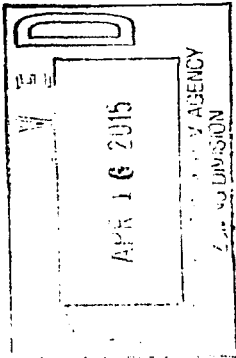


EXHIBIT "B"

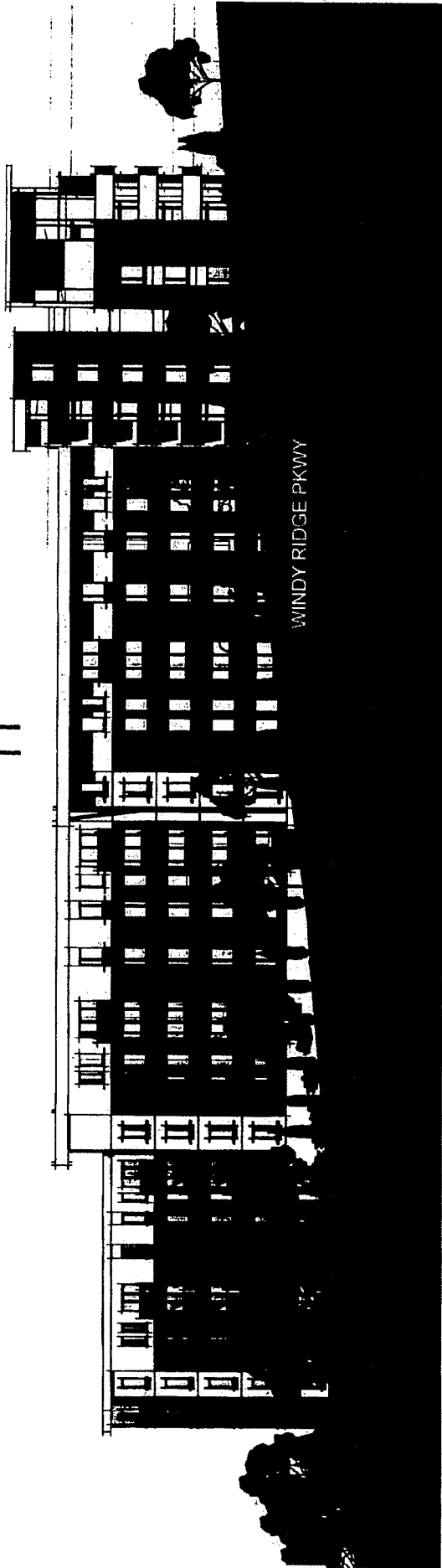
Petition No. 2-27  
Meeting Date 6-16-15  
Continued



Petition No. 2-27  
Meeting Date 6-16-15  
Continued



EXISTING  
OFFICE TOWER



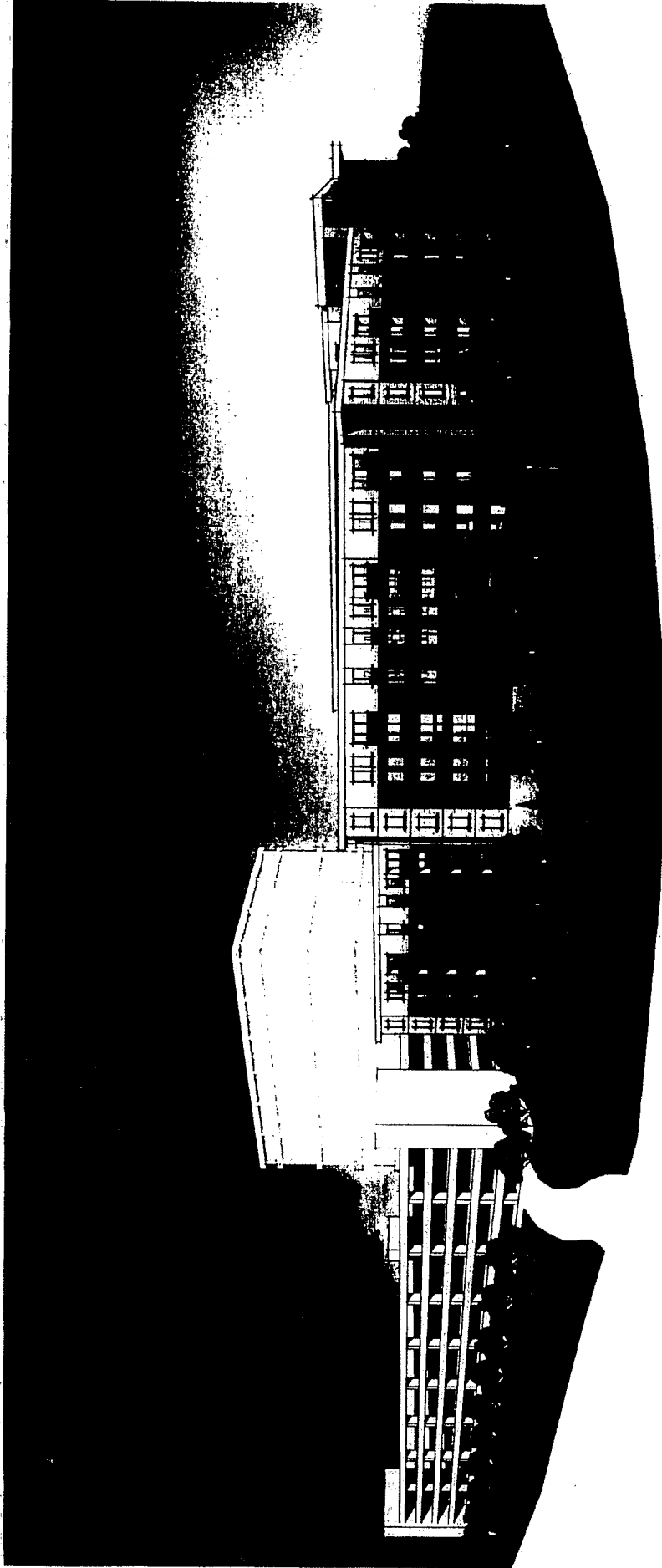
EAST ELEVATION @ WINDY RIDGE PKWY

EXHIBIT "C"

**Windy Ridge**  
Project P0320-14

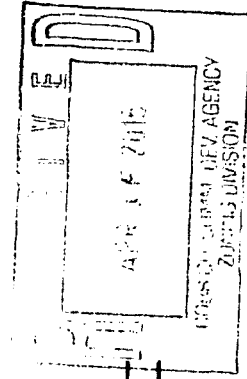
Powers Ferry Road at Windy Ridge Parkway, Marietta

**Massing Diagram**  
01.29.15



PERSPECTIVE @ WINDY RIDGE PKWY - SOUTH

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Meeting Date 6-16-15  
Continued



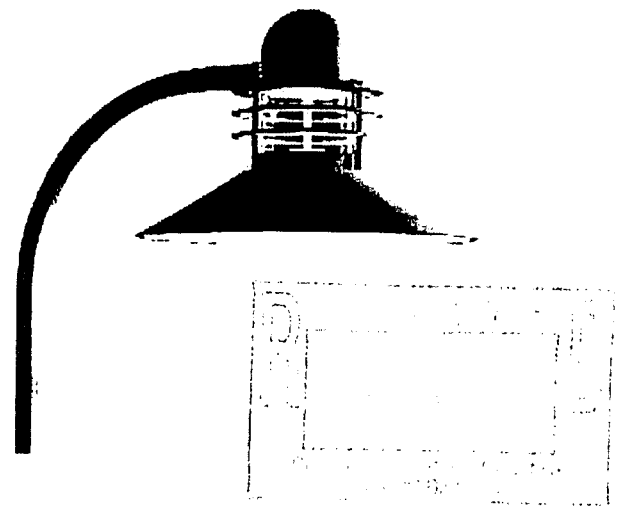
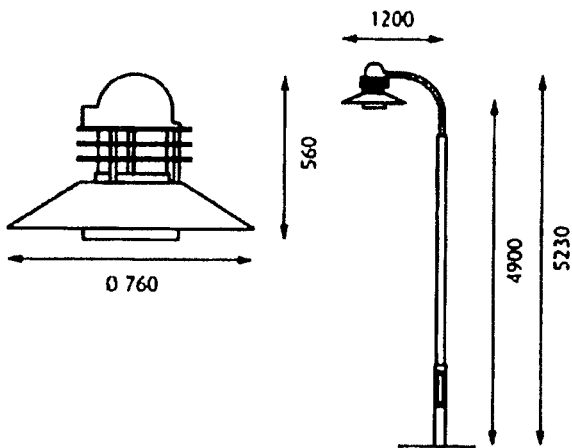
**Windy Ridge**  
Project: PC00-14

Powers Ferry Road at Windy Ridge Parkway, Marietta

**Massing Diagram**  
01.29.15

## Streetscape Lighting

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



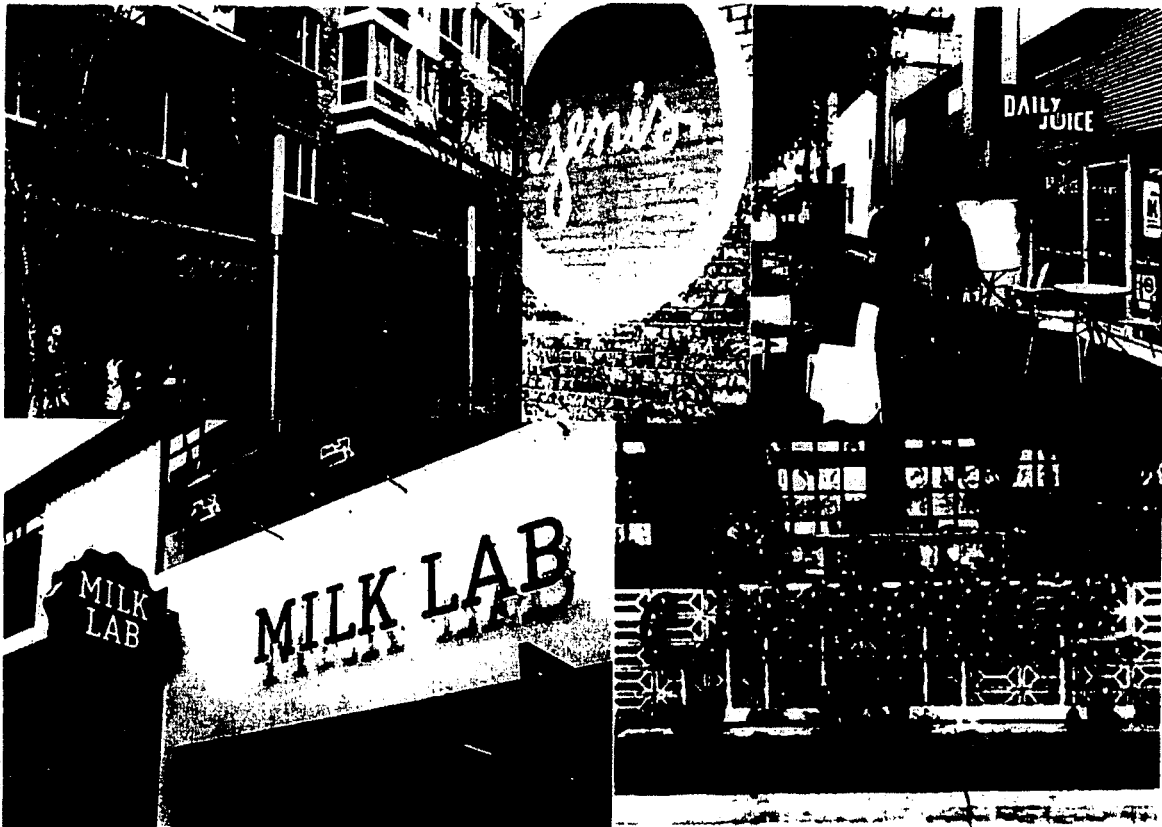
The town center style street lamps create a vintage look and are aesthetically pleasing. The fixtures illuminate adjacent sidewalks and storefronts providing opportunity for evening strolls and community gathering.

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## 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.

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Continued

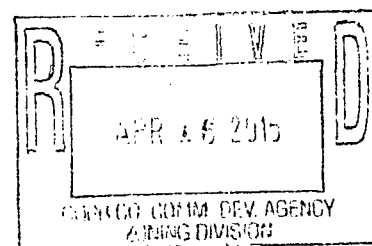


EXHIBIT "E"



Z-27/Lynwood Development  
Proposed Stipulations:

(5) All units within the proposed residential community may be leased or purchased in accordance with the UVC category. Applicant and/or subsequent transferees and assigns agrees to actively pursue conversion of all units within the community in accordance with the Georgia Condominium Act 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.

Deleted: All  
Deleted: shall be converted

(6) Upon conversion of all units to "for sale" condominium units, all 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 all units to "for sale" units. Upon such conversion, Applicant agrees to the recording and enforcement of a Declaration of Condominium consistent with the Georgia Condominium Act; consistent with the quality of the community as set forth in these stipulations; and which shall contain covenants, rules, and regulations applicable to the proposed residential condominium community. At the time of conversion, a copy of the Declaration of Condominium shall be delivered to the Cobb County Community Development Department.

(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.

Min. Bk. 76 Petition No. Z-27  
Doc. Type proposed stipulations  
Meeting Date 6-16-15

FILED WITH COUNTY CLERK THIS 16 DAY  
OF June 20 15 BY K. Moore  
RE Z-27  
Jeri Barton  
COUNTY CLERK/ASST. COUNTY CLERK/DEPUTY COUNTY CLERK  
COBB COUNTY, GEORGIA