### MOORE INGRAM JOHNSON & STEELE

March 9, 2005

Mr. John P. Pederson Planner III Zoning Division Cobb County Community Development Agency Page Six

- (7) All streets within the proposed community shall be private with the construction therefor complying in all respects as to materials, base, and other requirements to the Cobb County Code.
- (8) A fifteen (15) foot wide buffer shall be constructed along the common property line between Waterford Place and the Subject Property and shall consist of two areas as follows:
  - (a) Area One is designed to buffer the Waterford entrance road and Buildings 400 and 500 and is approximately six hundred seventy (670) feet long;
  - (b) Area Two is designed to buffer Building 1000 and is approximately eighty (80) feet long.

The buffer shall consist of twenty-one (21) 6-8 foot evergreen trees planted six (6) feet on center in a double staggered row for every sixty-five (65) feet on length. The plant material shall include random groupings of the following plants: Southern Magnolia, Deodar Cedar, Canadian Hemlock, Leyland Cypress, and Cryptomeria. The new plant material will be placed within the buffer in mutually agreeable areas.

(9) There shall be a right turn lane constructed at the entrance to Waterford Place. The turn lane shall be constructed to meet Cobb County standards and shall include the relocation and reconstruction of any entrance signs or monuments, landscaping, irrigation, system, lighting, etc., impacted by the turn lane construction. In addition, Waterford Place and Applicant agree to grant necessary easements or to quitclaim and transfer title on property necessary to construct the turn lane. The construction shall be generally in conformance with drawings by Roy Ashley & Associates dated March 7, 2005, and by Southern Civil Engineers, being drawing "EX-1" and dated July 15, 2004.

#### MOORE INGRAM JOHNSON & STEELE

Mr. John P. Pederson Planner III Zoning Division Cobb County Community Development Agency Page Seven March 9, 2005

#### RESIDENTIAL COMPONENT "B"

- (1) This portion of the proposed development contains approximately 7.74 acres and is identified on the referenced Conceptual Site Plan as Area "B."
- (2) There shall be one hundred ten (110) townhome units, up to four (4) stories in height, with one and two-car
- (3) The square footage range for these units shall be from a minimum of 1,250 square feet to 2,000 square feet, and
- (4) These units shall be condominiums in the townhome style, as the term "condominiums" is defined under the Cobb County Zoning Ordinance.
- (5) These units shall be "for sale" units only. A maximum of ten (10) percent of the proposed units may be leased at any one time.
- (6) All streets within the proposed community shall be private with the construction therefor complying in all respects as to materials, base, and other requirements to the Cobb County Code.

#### RESIDENTIAL COMPONENT "C"

- (1) This portion of the proposed development contains approximately 3.15 acres and is identified on the referenced Conceptual Site Plan as Area "C."
- (2) There shall be two hundred twenty-four (224) condominium units in a mid-rise building up to eight (8) stories in height and containing a parking deck of six (6) levels immediately adjacent to the mid-rise building, all as more particularly delineated on the referenced Conceptual

## MOORE INGRAM JOHNSON & STEELE

Mr. John P. Pederson Planner III Zoning Division Cobb County Community Development Agency Page Eight March 9, 2005

- (3) The square footage range for these units shall be between 800 square feet and 2,000 square feet, and greater.
- (4) These units shall be condominiums as the term "condominiums" is defined under the Georgia Condominium
- (5) These units shall be "for sale" units only. A maximum of ten (10) percent of the proposed units may be leased at
- (6) This Component "C" shall contain a separate pool and related club amenities such as meeting rooms, lounge area, exercise area, and the like.
- (7) All streets within the proposed community shall be private with the construction therefor complying in all respects as to materials, base, and other requirements to the Cobb County Code.

#### RESIDENTIAL COMPONENT "D"

- (1) This portion of the proposed development contains approximately 8.19 acres and is identified on the referenced Conceptual Site Plan as Area "D."
- (2) There shall be six hundred two (602) apartment home units in two mid-rise buildings up to eight (8) stories in height each and containing parking decks of seven (7) levels, located immediately adjacent to said buildings, all as more particularly delineated on the referenced Conceptual Site Plan.
- (3) The buildings shall contain an area of 10,000 square feet for potential accessory service retail, such as dry cleaners, convenience store, and the like, which will be located on the ground floors. If the retail component is incorporated, residential density would be reduced by approximately ten (10) units per building.

### MOORE INGRAM JOHNSON & STEELE

March 9, 2005

Mr. John P. Pederson Planner III Zoning Division Cobb County Community Development Agency Page Nine

- (3) Amenities for Component "D" are as follows:
  - (a) The southerly building of this Component contains a pool and related amenities such as meeting rooms, lounge area, exercise area, and the like; and
- (b) The northerly building of this Component contains a pool and related amenities such as meeting rooms, lounge area, exercise area, and the like.
- (4) All streets within the proposed community shall be private with the construction therefor complying in all respects as to materials, base, and other requirements to the Cobb County Code.

### UNIT INFORMATION APPLICABLE TO RESIDENTIAL COMPONENT "D"

(1) The total unit division and square footages for Residential Component "D" are as follows:

UNITS	NUMBER	SQUARE FOOTAGE RANGE
Studio	30	620
One Bedroom	272	725-1,100
Two Bedroom	259	1,155-1,511
Three Bedroom	41	1,500-1,690
Total Units	602	

## RESIDENTIAL COMPONENT "E"

(1) This portion of the proposed development contains approximately 14.51 acres and is identified on the referenced Conceptual Site Plan as Area "E."

# MOORE INGRAM JOHNSON & STEELE

Mr. John P. Pederson Zoning Division Cobb County Community Development Agency March 9, 2005

- (2) This residential component shall consist of two (2) 19 story residential towers, each over five (5) levels of parking, and containing in total five hundred twenty (520) residential condominium units, all as more particularly shown and reflected on the referenced Conceptual Site Plan.
- (3) The square footage range for these units shall be from a minimum of 800 square feet ranging upwards to 2,000 square feet, and greater.
- (4) These units shall be "for sale" units only and shall comply with the State of Georgia Condominium Act. A maximum of ten (10) percent of the proposed units may be leased at any one time.
- (5) Each residential tower contains an area of 10,000 square feet for potential accessory service retail, such as dry cleaners, convenience store, and the like, which will be located on the ground floors of each building. If the retail component is incorporated, residential density would be reduced by approximately ten (10) units per
- (6) Component "E" shall contain a separate pool and related club amenities such as meeting rooms, lounge area, exercise area, and the like.
- (7) All streets within the proposed community shall be private with the construction therefor complying in all respects as to materials, base, and other requirements to the Cobb County Code.

We believe the requested zoning, pursuant to the revised Conceptual Site Plan and the revised stipulations set forth herein, is an appropriate use of the Subject Property. The proposed community is an exciting concept which fits together numerous types of product into one development. The Applicant has gone to great detail in planning the development. The proposed community shall promote the

# MOORE INGRAM JOHNSON & STEELE

Mr. John P. Pederson Zoning Division Cobb County Community Development Agency March 9, 2005

"live where you work" concept; shall be of the highest quality;

shall be compatible with surrounding retail developments and neighborhoods; and shall be an enhancement to the Subject Property and Cobb County as a whole. Thank you for your consideration in this request.

With kindest regards, I remain

Very truly yours,

c: Cobb County Board of Commissioners: Samuel S. Olens, Chairman Helen C. Goreham Annette Kesting

Mr. Robert L. Hosack, Jr., AICP, Director Cobb County Community Development Agency

Mr. Michael H. S. Hughes, Director Cobb County Economic Development

Mr. Ron Sifen

Vinings Civic Association

Ms. Karen Morales, President Waterford Place Homeowners Association

Mr. Anthony L. Waybright Ms. Mary Rose Barnes

Joe L. Thompson

B. F. Saul Real Estate Investment Trust

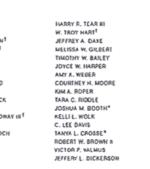
# Moore Ingram Johnson & Steele A LIW-TED LUBBLETY PARTNERS OF 192 ANDERSON STREET



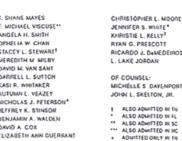
Planner III

Suite 300

Zoning Division







March 14, 2005

Min. Bk. 33 Petition No. Z-116 Mr. John P. Pederson

Planner III

Doc. Type Letter of Harceable

Stipulations Cobb County Community Development Agency March 2005 BY John Moore 191 Lawrence Street Marietta, Georgia 30060-1661

RE: Application for Rezoning Application No.: Z-116 (2004) Applicant/Owner: B.F. Saul Real Estate Investment Trust Property: 50.05 acres located at the intersection of Circle 75 Parkway and Herodian Way, Land Lots 850, 876, 877, 878, 916, and 917, 17th District, 2<sup>nd</sup> Section, Cobb County,

Georgia

Dear John:

On behalf of the Applicant and Property Owner for the abovereferenced Application for Rezoning, please allow this correspondence to serve as a supplement to the letter of agreeable stipulations and conditions dated and filed with your office on March 9, 2005, which if the Application for Rezoning is approved, as submitted, shall also become part of the grant of the requested zoning and shall be binding upon the Subject Property. Applicant deletes in its entirety subparagraph (9) of "Residential Component 'A'" and inserts in lieu thereof the following:

"(9) There shall be a right turn lane constructed by the Applicant, including all permitting costs, at the entrance to Waterford Place. The turn lane shall be constructed to meet Cobb County standards and shall

# MOORE INGRAM JOHNSON & STEELE

March 14, 2005

Mr. John P. Pederson Planner III Zoning Division Cobb County Community Development Agency Page Two

> include the relocation and reconstruction of any entrance signs or monuments, landscaping, irrigation system, lighting, etc., impacted by the turn lane construction. In addition, Waterford Place and Applicant agree to grant necessary easements or to quitclaim and transfer title on property necessary to construct the turn lane. The construction and landscaping shall be generally in conformance with drawings by Roy Ashley & Associates dated March 7, 2005, and by URS dated March 11, 2005, and being Project No. 1528006."

The balance and remainder of the stipulations and conditions set forth in the March 9, 2005, correspondence shall be unaltered by this supplement.

As previously stated, we believe the requested zoning, pursuant to the revised Conceptual Site Plan and the revised stipulations set forth in the March 9, 2005, and the revision contained herein, is an appropriate use of the Subject Property. The proposed community is an exciting concept which fits together numerous types of product into one development. The Applicant has gone to great detail in planning the development. The proposed community shall promote the "live where you work" concept; shall be of the highest quality; shall be compatible with surrounding retail developments and neighborhoods; and shall be an enhancement to the Subject Property and Cobb County as a whole. Thank you for your consideration in this request.

With kindest regards, I remain

Very truly yours, MOORE INGRAM JOHNSON & STEELE, LLP

JHM:cc Attachment



06/20/2017 PROJECT NO. 018459003

SHEET NUMBER