

SAMS, LARKIN, HUFF & BALLI

A LIMITED LIABILITY PARTNERSHIP

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October 10, 2018

(Stipulation Letter, Revised Site Plan and Architectural Renderings/Elevations)

VIA EMAIL AND HAND DELIVERY:

Ms. Tina Garver, AICP
Community Development Director
City of Powder Springs
4488 Pineview Drive
Powder Springs, GA 30127

Re: Application of Paran Homes, LLC to Rezone a 27.77 ± Acre Tract
from R-20 to MDR (No. PZ 18-031)

Dear Ms. Garver:

This firm represents Paran Homes, LLC concerning the above-captioned Application for Rezoning. In that regard, the application is scheduled to heard and considered by the Planning Commission at its Work Session tomorrow evening, October 11, 2018. Thereafter, the Planning Commission will conduct its Public Hearing regarding the application on October 29, 2018. In addition to the foregoing, the application is scheduled to be heard and considered by the Mayor and City Council at their Work Session on October 31, 2018 and, thereafter, at the final Public Hearing before the Mayor and City Council on November 5, 2018.

The property at issue (“Subject Property”) consists of an approximate 27.77 acre tract of land which is located on the north side of Powder Springs Road, west of its intersection with Hopkins Road and within an area on the Comprehensive Plan classified as a “Redevelopment Area” which is designed to include a multiplicity of uses such as multi-family, townhomes, single-family, office/flex space and commercial uses. The Subject Property is adjacent to the southwest corner of Powder Springs Road and Hopkins Road which is zoned Community Retail Commercial (“CRC”) and which is developed as a convenience store with fuel sales. There is an area containing a mixture of uses which is located to the south of the Subject Property on Powder Springs Road and which depicts existing non-residential utilization and “Areas of Future Development” as defined by and shown in the Comprehensive Plan, which was adopted by the Mayor and City Council in October of 2017.

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Paran Homes is requesting a Rezoning of the Subject Property from its existing zoning classification of R-20 to Medium Density Residential (“MDR”) specifically and exclusively for the purposes of an Active Adult/Age Restricted Residential Community consisting of a total number of one-hundred four (104) homes at a maximum density of 3.75 units per acre. As you know, unless an application is accompanied by a Special Use Permit Application, which seeks a residential density up to 8 units per acre, the maximum density allowed under MDR is 5 units per acre. Paran Homes’ proposal is significantly below that density cap.

During the pendency of this application, Paran Homes has engaged in a dialogue with the City’s professional staff and also has spoken with certain area residents and business owners. As a follow-up to and in connection with those discussions, Paran Homes agrees to the following stipulations becoming conditions and a part of the grant of the requested rezoning and binding upon the Subject Property thereafter:

1. The stipulations and conditions set forth herein shall replace and supersede in full any and all prior stipulations and conditions in whatsoever form which are currently in place concerning the property which constitutes the subject matter of the above-captioned Application for Rezoning.
2. The Subject Property shall be developed in substantial conformity to that certain revised site plan, prepared by Gaskins Engineering & Surveying, which is being submitted concurrently herewith.
3. The construction of a maximum number of one-hundred four (104) non-supportive active adult, age-restricted residential homes at an overall maximum density of 3.75 units per acre.
4. The architectural style and composition of the homes shall consist of traditional architecture on all sides in substantial conformity to the architectural renderings/elevations being submitted concurrently herewith.
5. The creation of a mandatory Homeowners’ Association (“HOA”) and the submission of Declaration of Covenants, Conditions and Restrictions (“CCRs”) during the Plan Review process, which shall include, among other components, strict architectural controls. The mandatory HOA shall be responsible for the maintenance and upkeep of fencing, landscaping, interior private streets, open space areas, sidewalks, community areas, stormwater detention and/or water quality ponds, lighting, the entrance to the Residential Community and any amenities.

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6. The submission of a landscape plan during the Plan Review process which shall be subject to review and approval by the Community Development Director. Additionally, the landscape plan shall include, but not necessarily be limited to, the following:
 - a. Landscaping and screening around the proposed detention and water quality areas with Cryptomeria, Arborvitae and/or other evergreen trees.
 - b. A twenty-five foot (25') landscape buffer around the perimeter of the Subject Property.
 - c. Compliance with landscape section renderings/elevations which will be submitted under separate cover.
 - d. The landscape plan, which shall be prepared, stamped and signed by a Georgia Registered Landscape Architect or a degreed Horticulturist and shall identify open space areas; landscaped common areas; and other components of the proposed Residential Community which will be further identified during the Plan Review process.
 - e. The installation of underground utilities and the utilization of decorative lighting themed to the architectural style and composition as above mentioned.
 - f. All HVAC, mechanical systems and home utilities within the community shall be screened by way of fencing and/or landscaping.
 - g. Entry signage for the proposed Residential Community shall be ground-based, monument-style, landscaped, lighted and irrigated.
 - h. The installation of landscaped front, side and rear yards.
 - i. Compliance with the City's current Tree Preservation & Replacement Ordinance and substantial conformity to all tree protection measures and the adherence to same during the construction and build out of the Residential Community.
7. A third party management company shall be hired to manage the day-to-day operations of the HOA and shall also be responsible for the management of all Association monies as well as insuring that the Association is properly insured until such time as the HOA makes a determination that it can undertake such responsibilities.

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8. Subject to recommendations from the City of Powder Springs Engineer and/or the City's consultants concerning hydrology, stormwater management, detention, water quality and downstream considerations, including recommendations regarding the ultimate positioning and configuration of on-site detention and water quality. Also, compliance with the following engineering considerations:
 - a. Providing the City Engineer and/or the City's consultants with a Hydrology Plan for the Subject Property during the Plan Review process.
 - b. Verifying all points of discharge with respect to detention/water quality.
 - c. Compliance with the protections required under State and Local Law concerning adjacent streambank buffers.
 - d. Impervious surface calculations shall not exceed 50% of the total site area pursuant to and in accordance with UDC requirements and as shown on the revised site plan.
9. Compliance with the recommendations from the City's Engineer and/or Consultant with respect to Public Works and traffic/transportation issues, as follows:
 - a. Streets to be constructed shall be private; however, said streets shall be built to the City of Powder Springs' Design Detail Standards, including the construction of sidewalks on both sides of the interior streets.
 - b. The interior streets shall be designed to provide appropriate access and maneuverability for public safety services and vehicles.
 - c. Compliance with the Fire Marshall's recommendations with respect to Life Safety & Fire Prevention Issues during the Plan Review process.
 - d. The installation of a deceleration lane and taper as shown on the revised site plan.
 - e. The Residential Community will be gated subject to UDC requirements for gated communities.

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10. Common Open Space areas, amenities, mail kiosks, and all of the various components for common and public use as described above shall be constructed in substantial compliance with ADA regulations with respect to accessibility.
11. The Community Development Director shall have the authority to approve minor modifications to these stipulations, the architectural renderings/elevations, the site plan and the overall proposal as it proceeds through the Plan Review process and thereafter except for those that:
 - a. Increase the density of the Residential Community.
 - b. Relocate a structure closer to the property line of adjacent property which is zoned the same or in a more restrictive zoning district.
 - c. Increase the height of a building which is adjacent to property which is zoned in the same or more restrictive zoning district.
 - d. Change access locations to different rights-of-way.

Please do not hesitate to contact me should you or the City's staff require additional information or documentation prior to the formulation of staff's Analysis and Recommendations and/or prior to the application being heard and considered by the Planning Commission and the Mayor and City Council. With kind regards, I am

Very truly yours,

SAMS, LARKIN, HUFF & BALLI, LLP



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

GLS, Jr./dls
Enclosures/Attachments

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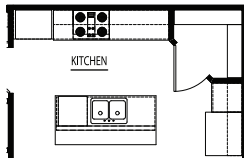
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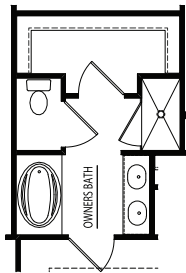
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Community Development Director
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cc: Honorable Al Thurman, Mayor (via email with attachments)
Members, Powder Springs City Council (via email with attachments)
Members, Powder Springs Planning Commission (via email with attachments)
Ms. Pam Conner, City Manager (via email with attachments)
Ms. Kelly Axt, CMC, City Clerk (via email with attachments)
Ms. Shauna Wilson-Edwards, Special Projects Coordinator for Zoning and Plan Review
(via email with attachments)
Mr. Alex Almodóvar, MPA, Permitting & Development Coordinator
(via email with attachments)
Honorable Phillip Homan, Chairman, Powder Springs Development Authority
(via email with attachments)
Mr. Kendall King, Director of Acquisitions, Paran Homes (via email with attachments)
Mr. Michael Barlow, P.E., Gaskins Engineering & Surveying (via email with attachments)

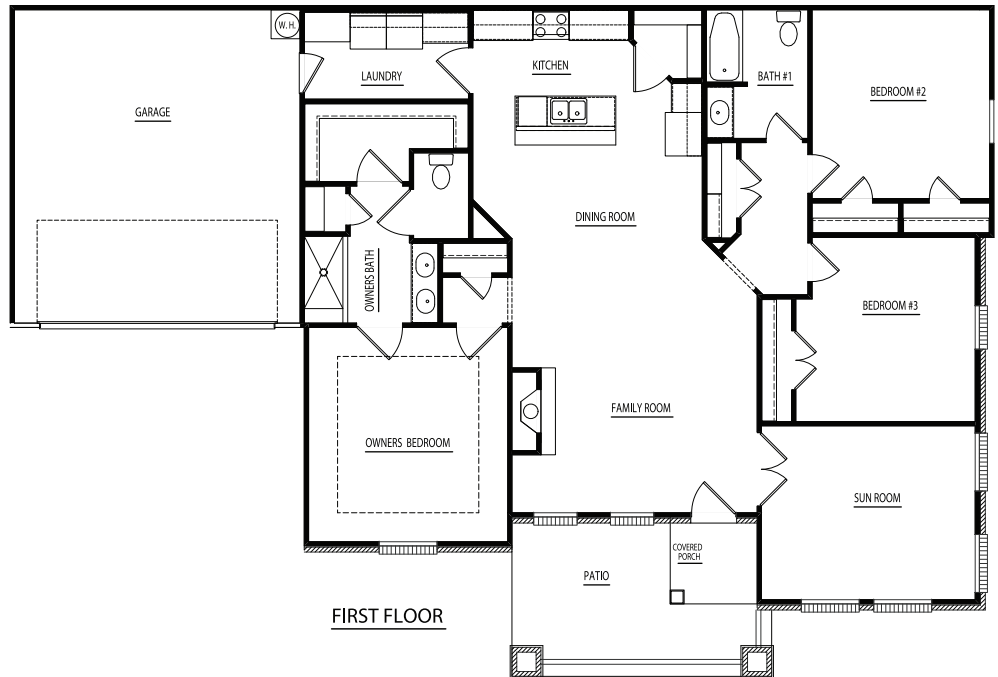
Augusta
Villas at Park Place



GOURMET KITCHEN



OWNERS BATH #2

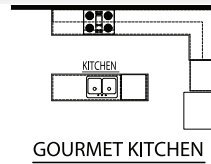


FIRST FLOOR

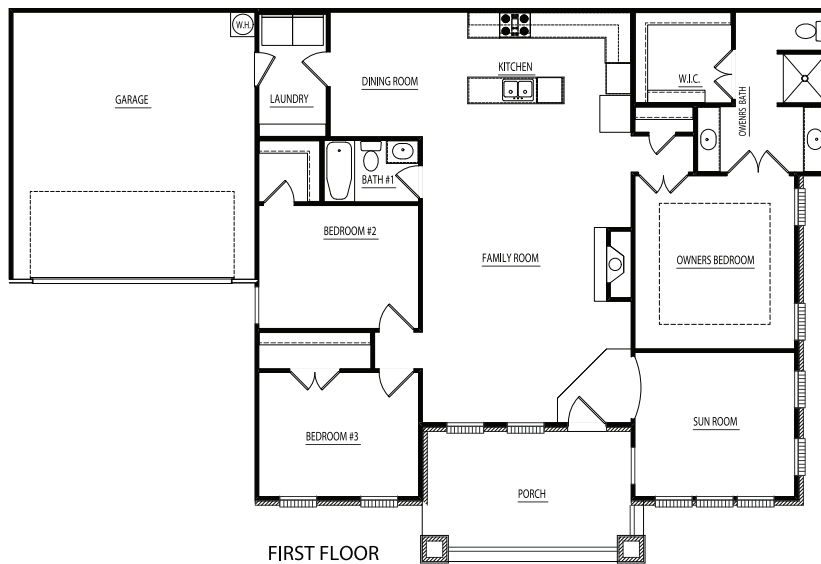
4.25.17 Artist Rendering and Floor Plan Graphics are for demonstration purposes only. Actual Construction Materials and Floor Plan May Vary per Community. Information believed accurate but not warranted. Prices and specifications subject to change without prior notice. Sales and marketing by Paran Realty.

Veranda

Villas at Park Place



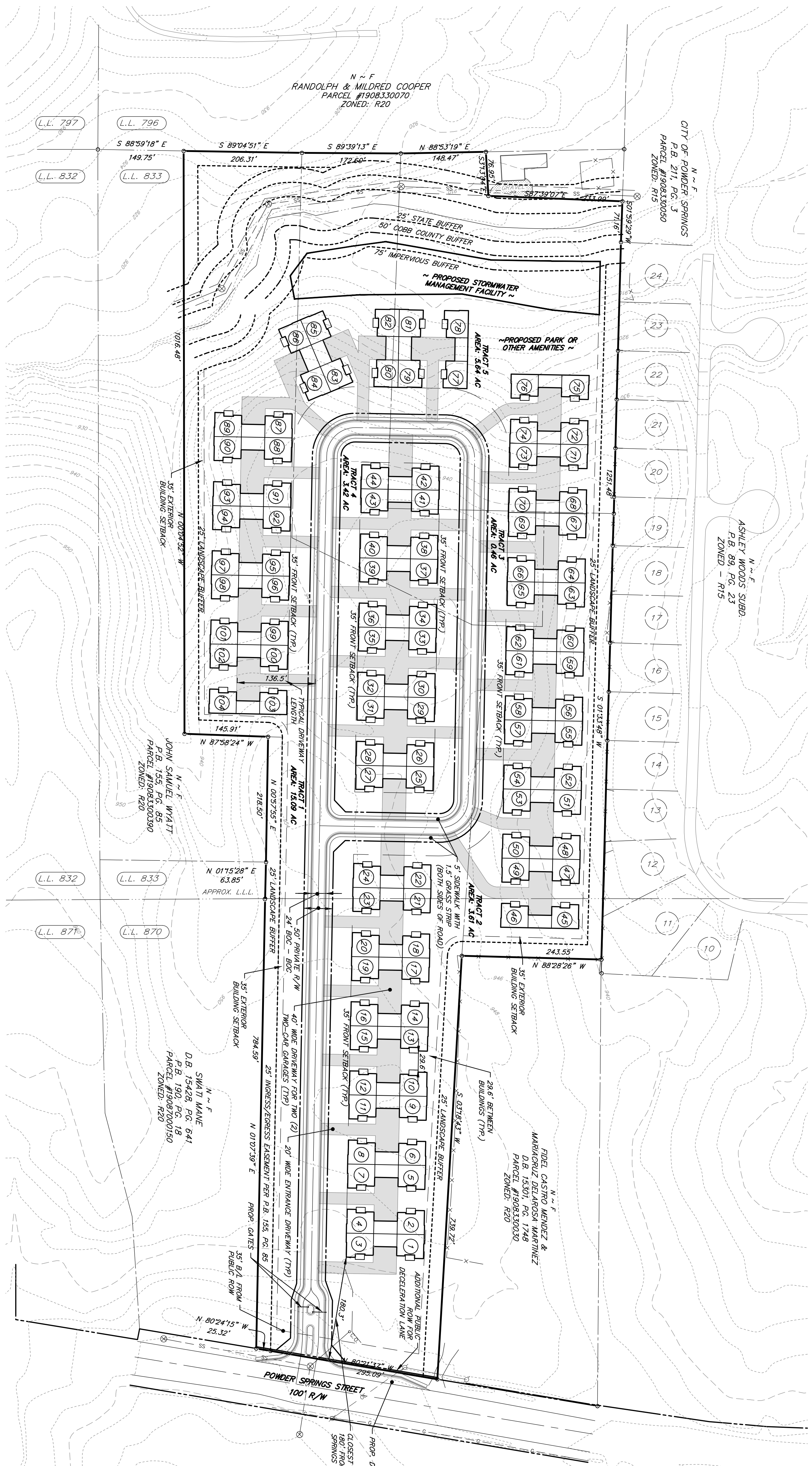
GOURMET KITCHEN



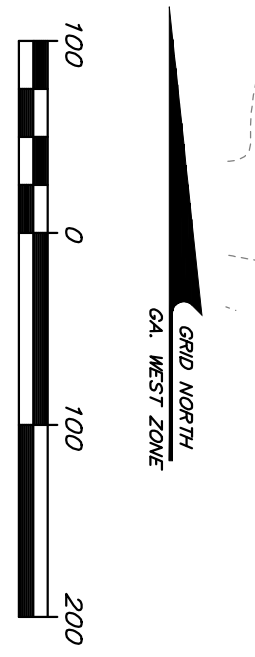
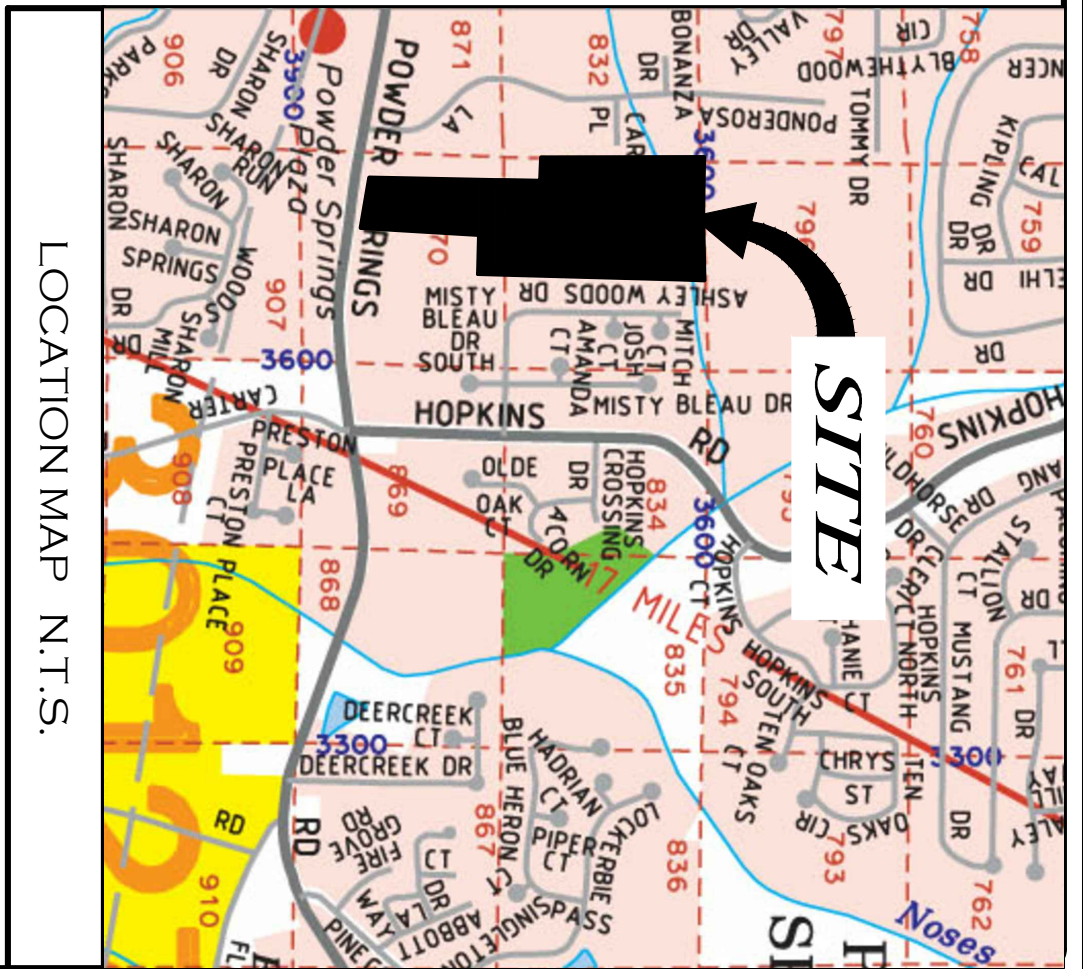
FIRST FLOOR

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THIS PARCEL OF LAND IS NOT IN THE 100 YEAR FLOOD PLAIN AND IS IN ZONE X3B1, ACCORDING TO FEMA (F.I.A.) COMMUNAL NUMBER 1587201811 UNDATED MARCH 4, 2013.



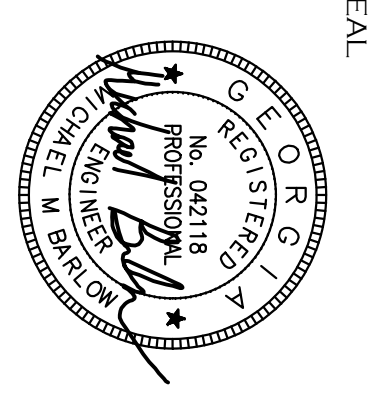
- GENERAL ZONING NOTES:**
- PROPERTY OWNER: TRACT 1: THOMAS R. ACCONALDO
TRACT 2: PARCEL #1908300030
TRACT 3: JAMES R. GAVITT
TRACT 4: PARCEL #1908300030
TRACT 5: RANDOLPH & MILDRED COOPER
PARCEL #1908300070
 - APPLICANT: PARAN HOMES, LLC
DAVID CARAGIHER
770-231-2122
3005 BRECKENRIDGE BLVD
DULUTH GA 30096
 - PROPERTY AREA: 2777 AC.
 - EX ZONING - R20
 - PROPOSED ZONING - MDR
 - MAXIMUM BUILDING HEIGHT = 35' AND/OR TWO STOREYS
 - APPROXIMATE SQUARE FOOTAGE PER QUAD UNIT: 2,270 SF
 - UNITS - 104
 - UNITS TO BE FEE SIMPLE
 - MAXIMUM DENSITY = 5.0 UNITS/AC
 - DENSITY - 104 UNITS/2777 AC = 3.75 UNITS/AC
 - SETBACKS:
 - 12.1. FRONT = 35' SIDE = 10' REAR = 20'
 - 13. MAXIMUM IMPERVIOUS RATIO = 50%
 - 14. REQUIRED OPEN SPACE = 25% (7.05 AC)
 - 15. PROVIDED OPEN SPACE = 26% (7.22 AC)
 - 16. WATER PROVIDED BY THE CITY OF POWDER SPRINGS
 - 17. SANITARY SEWER PROVIDED BY THE CITY OF POWDER SPRINGS
 - 18. SURFET PROVIDED BY GASINS SURVEYING CO.
 - 19. HORIZONTAL DATUM IS NAD 83
 - 20. SURFET DATE: 08/16/2018



NOT ISSUED FOR CONSTRUCTION

REV.	DATE	REVISION REFERENCE

PROJECT I.D.	FIELD BOOK
DRAWN BY	MMB
CHECKED BY	MMB
SCALE	1"=100'
ISSUE DATE	10/10/2018
SHEET NUMBER	



POWDER SPRINGS QUADS

LAND LOT 833 AND 870, 19TH DISTRICT, 2ND SECTION,
CITY OF POWDER SPRINGS, COBB COUNTY, GEORGIA

Gaskins
ENGINEERING SURVEYING PLANNING/CONSULTING CONSTRUCTION MGMT

1266 Powder Springs Road
Marietta, Georgia 30064

Phone: (770) 424-7168
Fax: (770) 424-7593

WWW.GCSURVEY.COM

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