

MOORE INGRAM JOHNSON & STEELE

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JOHN H. MOORE
STEPHEN C. STEELE
WILLIAM R. JOHNSON†
ROBERT D. INGRAM†
J. BRIAN O'NEIL
G. PHILLIP BEGGS
ELDON L. BASHAM
MATTHEW J. HOWARD
JERE C. SMITH
CLAYTON O. CARMACK
KEVIN B. CARLOCK†
ALEXANDER T. GALLOWAY III†
J. KEVIN MOORE
RODNEY R. MCCOLLOCH
SUSAN S. STUART
BRIAN D. SMITH
HARRY R. TEAR III
W. TROY HART†
JEFFREY A. DAXE
KIM A. ROPER
VICTOR P. VALMUS
WILLIAM R. WINDERS, JR.*
ANGELA H. SMITH†
CHRISTOPHER C. MINGLEDORFF*

ANGELA D. TARTLINE
JOYCE W. HARPER
CAREY E. OLSON*
CHARLES E. PIERCE*
WILMA R. BUSH
GREGORY H. FULLER*
TODD I. HEIRD*
ALEXANDER B. MORRISON*
DOUGLAS W. BUTLER, JR.
APRIL R. HOLLOWAY
CARLA C. WESTER‡
AMY L. JETT*
JEFF C. MORMAN*
RYAN M. INGRAM
SHAWN G. SHELTON
D. AUSTIN GILLIS
KRISTEN C. STEVENSON*
SARAH H. BEST*‡
RYAN C. EDENS*
JULIE C. FULLER*
JODI B. LODEN*
TAMMI L. BROWN
DAVID A. HURTADO
J. MARSHALL WEHUNT

MARIETTA, GEORGIA
EMERSON OVERLOOK
326 ROSWELL ST
MARIETTA, GEORGIA 30060
TELEPHONE (770) 429-1499
KNOXVILLE, TENNESSEE
408 N. CEDAR BLUFF RD • STE 500
KNOXVILLE, TENNESSEE 37923
TELEPHONE (865) 692-9039
JACKSONVILLE, FLORIDA
10151 DEERWOOD PARK BLVD • BLDG 200, STE 250
JACKSONVILLE, FLORIDA 32256
TELEPHONE (904) 428-1465
NASHVILLE, TENNESSEE
3200 WEST END AVE • STE 500
NASHVILLE, TENNESSEE 37203
TELEPHONE (615) 425-7347
LEXINGTON, KENTUCKY
2333 ALEXANDRIA DRIVE
LEXINGTON, KENTUCKY 40504
TELEPHONE (502) 410-6021
CHARLESTON, SOUTH CAROLINA
885 ISLAND PARK DR • STE B
CHARLESTON, SOUTH CAROLINA 29402
TELEPHONE (843) 302-0002
ORLANDO, FLORIDA
7380 W. SAND LAKE RD • STE 500
ORLANDO, FLORIDA 32819
TELEPHONE (407) 367-6233

JONATHAN J. SMITH
TRISTAN B. MORRISON****
WILLIAM B. WARIHAY*
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*

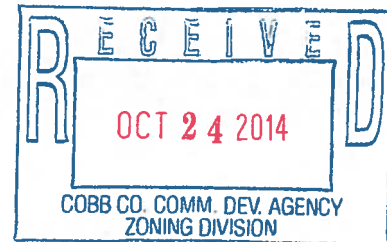
JOHN T. RICE†
JESS E. MAPLES*
FREDERICK F. FISHER***
OF COUNSEL:
JOHN L. SKELTON, JR.†

† ALSO ADMITTED IN TN
* ALSO ADMITTED IN FL
**** ALSO ADMITTED IN CA
^ 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

October 24, 2014

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-2 (2014)
 Applicant: Isakson Living Communities, LLC
 Property Owner: Wylene S. Tritt
 Property: 53.7 acres, more or less, located at 3540 Roswell
 Road, Land Lots 965 and 966, 16th District,
 2nd Section, Cobb County, Georgia

Dear John:

The undersigned and this firm represent Isakson Living Communities, LLC, the Applicant (hereinafter "Applicant"), in its Application for Rezoning with regard to property located at 3540 Roswell Road, 53.7 acres, more or less, in Land Lots 965 and 966, 16th District, 2nd Section, Cobb County, Georgia (hereinafter the "Property" or "Subject Property"). After continuing 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, and reviewing the staff comments and recommendations and the uses of surrounding properties, we have been authorized by the Applicant to submit this revised letter of agreeable stipulations and conditions which, if the Application for Rezoning is

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Zoning Division
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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 and filed May 5, 2014. The revised stipulations are as follows:

- (1) Applicant seeks rezoning of the Subject Property from the existing zoning category of R-20 to the proposed zoning category of Continuing Care Retirement Community ("CCRC"), site plan specific to that certain Conceptual Master Plan ("Zoning Plan") prepared by Foley Design Associates Architects Inc. dated September 19, 2014, and filed with the Zoning Office on September 22, 2014. A reduced copy of the revised Zoning Plan is attached hereto for ease of reference as Exhibit "A" and incorporated herein by reference.
- (2) The proposed community will be age restricted in accordance with, and pursuant to, the provisions of the CCRC zoning district.
- (3) Applicant agrees that prior to the issuance of a land disturbance permit, to execute and record a restrictive covenant encumbering the Property, which covenant shall prohibit any future use of the Property for "an apartment use" defined as non-age restricted, leased residential units in a multi-family building or development. Such restrictive covenant shall be an encumbrance upon the Property in perpetuity, and shall run with the land.
- (4) Applicant agrees to the donation and dedication of approximately 9.5 acres of the Property to Cobb County for use as a public park in coordination with The Friends of the East Cobb Park, Inc. The identification and limits of the approximately 9.5 acres proposed for dedication shall be determined after final engineering and approval by Cobb County, but shall generally consist of a portion of the Property lying adjacent to the existing East Cobb Park. This donation shall occur upon final completion of the entire project.
- (5) Applicant agrees to construct and install, at its own expense, all road improvements and transportation related requirements as set forth in the Notice of Decision recommendations issued by the Georgia Regional Transportation Authority, which include, but are not limited to, the following:
 - (a) Installation of a traffic signal upgrade at the entrance to the proposed community located at the intersection of Roswell Road and Providence Road;

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- (b) Installation of a deceleration lane on Roswell Road at the entrance to the proposed community;
 - (c) Extension of the existing left-hand turn, stacking lane on Roswell Road to Providence Road;
 - (d) Installation of a left-hand turn, stacking lane on the westbound approach to the intersection of Roswell Road and Providence Road;
 - (e) Installation of pedestrian cross-walks at the intersection of Roswell Road and Providence Road; and
 - (f) Realignment of the Providence Road intersection with Roswell Road per the recommended plans.
- (6) All road and traffic improvements referenced above shall be subject to Georgia Department of Transportation permits and approval.
 - (7) The proposed development shall have an impervious surface area of approximately 22.83 acres subject to final design and engineering as approved by Cobb County during the plan review and permitting process.
 - (8) The proposed development shall have approximately 32.96 acres of "Community Open Space" subject to final design and engineering as approved by Cobb County during the plan review and permitting process. Community Open Space shall be defined as undisturbed and maintained areas; as well as courtyard and landscaped areas to be provided within the proposed development.
 - (9) The proposed community shall contain approximately 19.45 acres of undisturbed area subject to final design and engineering as approved by Cobb County. The undisturbed areas may be maintained as necessary to remove dead, dying or diseased trees and plant material; however, same may not be developed; except for necessary installation of utilities, and stormwater management facilities (excluding detention ponds).
 - (10) Impervious surface areas, Community Open Space, and undisturbed areas as described herein shall be calculated for purposes of compliance to include all acreage of the Property prior to any dedication or donation of land to Cobb County for purposes of a public park.

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- (11) Setbacks for the proposed development shall be as shown on the submitted site plan, and in accordance with the CCRC zoning district.
- (12) The limits of the undisturbed buffer proposed for the community shall be as shown and reflected on the Undisturbed Buffer Exhibit prepared by J. Lancaster & Associates, Inc., dated October 23, 2014, a copy of which is attached hereto as Exhibit "B" and incorporated herein by reference.
- (13) Applicant agrees to the installation of a landscape plan along the Property's road frontage on Roswell Road, such plan being subject to review and approval by Cobb County. Such Landscape Plan shall include, but not be limited to, the planting of the following plant materials: Red Cedar, Japanese Cryptomeria, Southern Magnolia, American Holly, Green Giant Arborvitae, Loblolly and Virginia Pines, which shall be planted a minimum of eight (8) feet in height, along the Property's general frontage area on Roswell Road, excepting those portions of the Property within any undisturbed areas as identified on the Undisturbed Buffer Exhibit. In addition, Applicant agrees to the planting of "street trees" consisting of large over-story shade trees, consisting of a minimum of thirty-five (35) trees along Roswell Road, planted forty (40) feet on center, forty-five (45) feet away from overhead power lines, and twenty (20) feet outside all easements.
- (14) The proposed community may include, consistent with the CCRC Zoning Ordinance, on-site amenities, such as dining, activities, entertainment, fitness, wellness, and other senior based ancillary-sized uses for limited retail, such as small general store, beauty or barber shop, library, art studio, and woodworking shop.
- (15) The proposed community shall contain the following maximum number of units:
 - (a) Independent Living Units: 316 units;
(villas)
 - (b) Health Care Units: 98 units;
(assisted living, memory care and skilled nursing)

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(c) Detached Cottages 84 units;

The total number of units shall be a maximum of 498 units.

- (16) "Health Care" units shall be defined as units designed to serve health care needs associated with assisted living, memory care, and skilled nursing, consistent with CCRC Zoning Ordinance standards.
- (17) The maximum height of buildings within the proposed community shall be three (3) stories over a partially exposed parking level. More particularly, (i) a maximum of seven (7) buildings shall be limited to three (3) stories over a partially exposed parking level; (ii) a minimum of two (2) buildings shall be three (3) stories on grade; and (iii) a minimum of two (2) buildings shall be two (2) stories on grade. All detached cottages, as shown and reflected on the submitted Zoning Plan, shall be a maximum of two stories in height, plus a basement level. Applicant is therefore requesting a site-specific variance from the CCRC zoning district to allow detached cottages, two (2) stories in height, within one hundred (100) feet of a perimeter boundary adjacent to residential property.
- (18) The architectural exteriors and elevations of the proposed community shall be as shown and reflected on the architectural renderings submitted and presented to Cobb County as part of this subject Application. Architectural and exterior materials shall consist of a variety of hard surface materials, including brick, stone, stacked stone, hardi-plank type siding, and stucco as more specifically shown on the attached elevations. The level and quality of architecture shown and reflected on the submitted elevations shall be maintained on all four (4) sides of any building or structure.
- (19) The architectural exteriors and elevations of the proposed detached cottages shall be in substantial conformity, including the exterior materials, with the photographs submitted and presented to Cobb County as part of this subject Application, and attached collectively hereto as Exhibit "C."
- (20) 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.

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- (21) Applicant agrees to comply with all Cobb County Stormwater Division Comments and Recommendations; and further, may provide any required detention and water quality features through the use of underground detention facilities or other approved water quality measures.
- (22) Applicant agrees to all Staff Recommendations and Departmental Comments except as otherwise set forth within this letter of agreeable stipulations and conditions; including, but not limited to, those site development conditions as set forth on the referenced and submitted Zoning Plan.

We believe the requested zoning, together with the revised Zoning Plan and the stipulations set forth herein, is an appropriate use of the Subject Property while taking into consideration the area and existing neighborhoods and residents surrounding the proposed development. The proposed community shall be a quality development in every respect and shall provide a much needed and sought after service to residents of Cobb County. Applicant has made many concessions to minimize any impact on the surrounding residents and neighborhoods and to have the proposed Continuing Care Community compatible with surrounding neighborhoods and an enhancement to the Subject Property and the community as a whole. 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

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Zoning Division Manager
Zoning Division
Cobb County Community Development Agency
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c: Cobb County Board of Commissioners:
Timothy D. Lee, Chairman
Helen C. Goreham
Robert J. Ott
JoAnn Birrell
Lisa N. Cupid
(With Copies of Attachments)

Cobb County Planning Commission:
Mike Terry, Chairman
Christi S. Trombetti
Judy Williams
Bob Hovey
Galt Porter
(With Copies of Attachments)

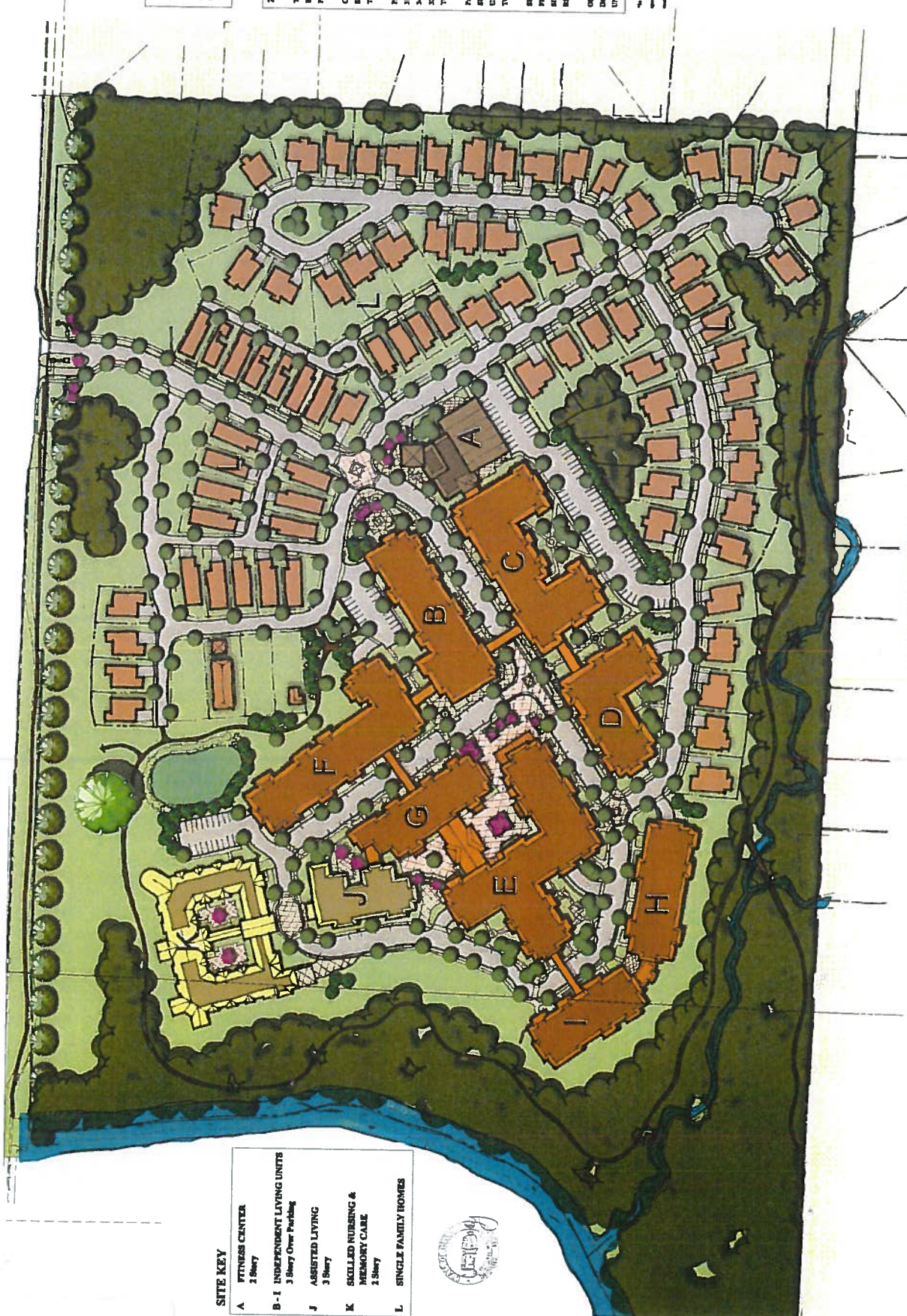
Jason A. Campbell
Planner III
Zoning Division
Cobb County Community Development Agency
(With Copies of Attachments)

Jill Flamm, Vice President
Trish Steiner, Member
East Cobb Civic Association, Inc.
(With Copies of Attachments)

Roger Phelps
Indian Hills Civic Association
(With Copies of Attachments)

Libby Barnett
Robert Burke
Area Residents
(With Copies of Attachments)

Isakson Living Communities, LLC
(With Copies of Attachments)



SITE KEY

A	FITNESS CENTER 2 Story
B-I	INDEPENDENT LIVING UNITS 3 Story Over Parking
J	ASSISTED LIVING 3 Story
K	SKILLED NURSING & MEMORY CARE 2 Story
L	SINGLE FAMILY HOMES

PROJECT TEAM
OWNER - ISAKSON LIVING
LAND PLANNER - JEW
ARCHITECT - FOLEY DESIGN ASSOCIATES
CIVIL ENGINEER - J. LANCASTER ASSOCIATES

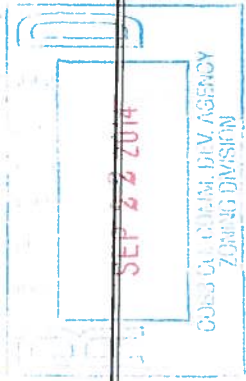
ZONING SITE DATA:
TOTAL SITE AREA - 65.1 ACRES
EXISTING ZONING - R-30
PROPOSED ZONING - C-NC
C-NC UNITS - 414
SINGLE FAMILY UNITS - 64
TOTAL UNITS - 478
PARKING TOTALS REQUIRED:
114.6 UNITS - 18 SPACES
24.4 UNITS - 7 SPACES
24.4 UNITS - 7 SPACES
TOTAL - 32.8 SPACES
PARKING TOTALS PROVIDED:
ASSISTED LIVING - 178 SPACES
INDEPENDENT LIVING - 140 SPACES
TOTAL PROVIDED - 318 SPACES
DETAILS:
FRONT YARD - 30'
SIDE YARD - 30'
REAR YARD - 30'
OPEN SPACE AREA ON SITE - 32.6 ACRES
IMPROVED AREA ON SITE - 32.6 ACRES
UNIMPROVED AREA ON SITE - 32.5 ACRES

The building to be constructed along the building frontage shall include a minimum of 10% of the building frontage which shall be landscaped with trees, shrubs, and ground cover. The building shall be landscaped with trees, shrubs, and ground cover.



3540 East Roswell Road

Isakson Living
East Cobb, Ga.



September 18, 2014
SCALE: 1"=60'-0"
Conceptual Master Plan

FOLEY DESIGN ASSOCIATES ARCHITECTS INC.
1010 Corporate Center Building 100 Suite 100 East Point, Georgia 30414 (404) 791-1200

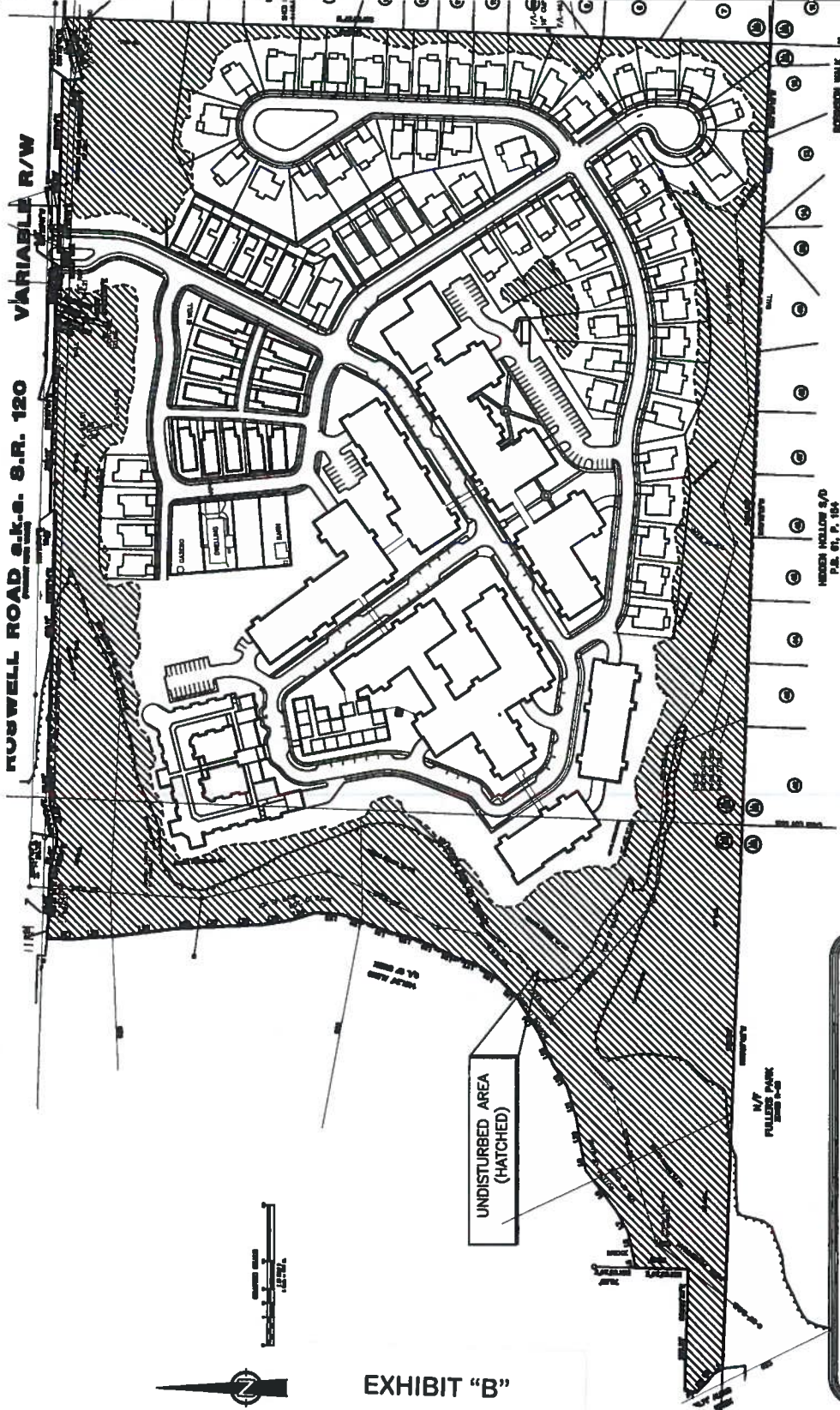
DATE: 10-23-14
DRAWN BY: BR
CHECKED BY: RH

E. COBB RETIREMENT

L.L. 965 & 966, 2ND SECT., COBB COUNTY, GA

UNDISTURBED BUFFER EXHIBIT

DRAWN BY
BR
CHECKED BY
RH
DATE
10-23-14
SCALE
1"=200'-0"
JOB NO.
14-031
CAD FILE
UNDISTURBED 10-16-14.dwg



E. COBB RETIREMENT UNDISTURBED EXHIBIT

TOTAL SITE AREA	53.70 ACRES
UNDISTURBED AREA	19.45 ACRES
PERCENT OF AREA UNDISTURBED	36.22%

J Lancaster
associates, inc.
 Engineering & Development Consultants
 Planners Engineers Landscape Architects
 275 VILLAGE PARKWAY
 MARIETTA, GA 30067
 (770) 935-2421

EXHIBIT "B"

3540 Roswell Road

John Zeilander



EXHIBIT "C"

3540 Roswell Road

John Ziegler



3540 Roswell Road

John A. Ireland



3540 Roswell Road

John A. Ireland



3540 Roswell Road

John Ireland



3540 Roswell Road

John Zeiland

