

May 22, 2020

**VIA EMAIL: SLittle@marietta.gov
AND REGULAR MAIL**

Ms. Shelby Little, Manager
Planning and Zoning Division
Marietta Development Services
P.O. Box 609
Marietta, GA 30061-0609

Re: Application for Rezoning of Pulte Home Company, LLC (“Applicant”),
±3.77 acres, City of Marietta, Georgia, 521 Atlanta Street (Z2020-19).

Dear Shelby:

After receiving input and feedback from interested parties, we are hereby submitting this letter of agreeable stipulations/conditions to ensure quality which will become conditions and a part of the grant of the requested rezoning and binding as follows:

1. The architectural style, composition and design of the proposed townhomes shall be constructed consistent with the “Four-Sided Architecture” Requirement as defined in Section 724.02 of the Marietta Zoning Ordinance. (See attached). The architectural style represents high quality townhomes with blended building materials that may include the application of stone, brick, hardi-plank, shake and board and batten. No vinyl materials shall be used on the exterior of the town homes. The minimum heated floor area shall be 1,945 square feet.¹
2. Resident and guest parking provisions shall be provided per Sections 708.09 and 716.07 of the Marietta Zoning Ordinance.
3. Project will include 1 acre of the site as open space
4. All units within the proposed community shall be "for sale" units. The Declaration of Restrictive Covenants shall restrict the number of units which can be leased at any one time to no more than ten percent.
5. Applicant agrees to the recording and enforcement of a Declaration of Restrictive Covenants which shall contain covenants, rules, and regulations applicable to the proposed residential community.
6. Also, and in conjunction with the Declaration of Restrictive Covenants, Applicant agrees to the creation of a mandatory homeowners association which shall be responsible for the

¹ The price points shall be \$300,000 to \$400,000 and up.

- upkeep and maintenance of the entrance area, signage, all common areas, open space, private streets, mail kiosk, and all landscaping and plantings
7. Lighting within the proposed community shall be environmentally sensitive, decorative and themed to the architecture and style of the proposed residential homes.
 8. The yard areas around each unit shall be fully sodded/landscaped and maintained by the mandatory homeowner's association to be created through the Declaration of Restrictive Covenants applicable to the proposed community.
 9. The entrance signage for the proposed community shall be ground based, monument-style signage, and shall complement the high quality, architectural vision and style of the proposed homes. The entrance landscaping shall be professionally designed, implemented, and maintained. All signage shall comply with the City of Marietta Sign Ordinance.
 10. There shall be internal sidewalks within the proposed residential community, as more particularly shown and reflected on the updated Site Plan. However, sidewalks shall not be required in any areas in which the sidewalk conflicts with any guest parking requirements.
 11. The proposed residential community shall contain private streets, twenty-four (24) feet in width, from back-of-curb to back-of-curb.
 12. All utilities servicing the residences within the proposed community shall be located underground.
 13. All construction and employee vehicles and equipment will be parked, and otherwise located, on the property during development of infrastructure and construction of residences, and shall not be parked on or along Atlanta Street, Kings Court and E. Dixie Avenue. There will be no stacking of vehicles along any roadway waiting for entry onto the property.
 14. All landscaping referenced herein; including, but not limited to, the frontage, entrance area [including entrance signage], island areas, and open space areas, shall be approved by the City of Marietta as part of the plan review process and incorporated into the overall landscape plan for the proposed community.
 15. All setbacks, landscape and buffer areas may be penetrated for purposes of access, utilities and stormwater management; including, but not limited to, drainage and detention facilities and any and all slopes or other required engineering features of the foregoing. Any disturbed area shall be restored with comparable plantings as allowed

by the City of Marietta or any utility provider.

16. All stormwater infrastructure located outside of the public right-of-way shall be privately maintained. Applicant agrees to comply with the Water Quality requirements of the CWA-NPDES-NPS Permit and City Water Quality Ordinance.
17. Development and construction hours for the proposed project shall be limited to the following:
 - a. 7:00 a.m. to 7:00 p.m. – Monday – Friday, April 1st through September 30th;
 - b. 7:00 a.m. to 7:00 p.m. – Monday – Friday, October 1st through March 31st;
 - c. 9:00 a.m. to 6:00 p.m. – Saturday; and
 - d. No work on Sunday unless approved by the respective council member representing the Ward.
 - e. To the extent blasting is required on the Site (none is expected), any blasting will be performed only on Monday-Friday between the hours of 9:00 a.m. and 3:00 p.m. and a 24-hour notice must be given in writing to any occupied residence within 1000 feet of the Site.
18. Applicant requests approval of the following contemporaneous variances:
 - a. Section 708.09H of the Marietta City Code to allow the minimum lot size to 1,000 square feet.
 - b. Section 730.01H of the Marietta City Code to allow horizontal curvature of road centerline to be less than 100 feet.
 - c. Other variances as may be depicted on site plans recommended or approved by the Marietta Planning Commission and Mayor and Council.
20. Minor changes in use and intensity of use that may not require an amendment to the general plan and eligible to be submitted for approval in conjunction with the detailed plan shall be discussed in advance with the respective council member representing the Ward.

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21. Consistent with the existing zoning stipulations for Z2018-23, applicant will conduct a historical resources survey and submit same to the City of Marietta prior to receiving final permits.

Please do not hesitate to contact me should you or the staff require any further information or documentation prior to the Applications being heard and considered by the Planning Commission and Mayor and Council.

Sincerely,

TAYLOR ENGLISH DECISIONS, LLC



Rob Hosack

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James A. Balli

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cc: Members, Marietta Planning Commission
Marietta City Clerk's office
Rusty Roth, Director of Development Services
Pulte Home Company, LLC

