

SAMS, LARKIN & HUFF
A LIMITED LIABILITY PARTNERSHIP

GARVIS L. SAMS, JR.
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MARIETTA, GEORGIA 30064-3448

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MELISSA P. HAISTEN
JUSTIN H. MEEKS

November 9, 2011

SAMSLARKINHUFF.COM

**VIA E-MAIL: bstockton@woodstockga.gov
AND REGULAR U.S. MAIL**

Mr. Brian Stockton, Senior Planner
City of Woodstock, Planning and Zoning
12453 Highway 92
Woodstock, GA 30188

Re: Variance Application of **Horizon Atlanta Outlet Shoppes, LLC**
V # 101-11

Dear Mr. Stockton:

The Woodstock Planning Commission has asked for additional information regarding the proposed variances and to include potential stipulations that the client would agree to ameliorate the variance requests. Please accept this letter as an answer to the individual questions presented by the Planning Commissioners in previous emails forwarded by Brian Stockton.

1. There are no additional questions relating to the variance related to sidewalk grades.
2. Section 7.767 provides for a table of parking ratio for different uses. General Retail has a ratio of 1 space per 300 square feet (or 3.3 spaces per 1,000). Horizon is asking for a variance to allow a ratio of 1 space per 222 square feet (or 4.5 per 1,000), essentially yielding an additional 334 parking spaces over the minimum. However, the proposed use includes a lot more than just retail sales. The shopping center will contain multiple fast food restaurants which has a ration of 1 space per 150 square feet (6.7 per 1,000). Additionally, it is instructive that "Recreation or Amusement" uses also have a ration of 1 per 250 square feet. The outlet mall is basically a large amusement park. Lastly, the parking ordinance does not give us any parking spaces for the area located between the building that will be well appointed with areas to sit, walk, eat and congregate. The 116,000 square feet of plaza area will be heavily used by our customers but are not counted in the square footage calculation. If it was counted, it would yield an additional 386 spaces. Given this perspective, the variance we are seeking is not that great.

We've been asked the following questions:

- a. Have we investigated pervious paving options? Yes we have and all pervious paving has some problems with maintenance and durability as well as increased liability for a landlord associated with potential slip and falls. We also think it is

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more effective to concentrate the storm water management efficiencies, biological benefits in one area which is why we have accomplished in our retention pond systems. It has been proven, utilization of pervious parking areas are not effective in heavy clay soils of this region.

- b. How many spaces would have to be removed to eliminate this variance? As will be seen in the response relating to the impervious variance, this variance is no longer needed based upon a recalculation of the site. So, the impervious variance is not related to the parking variance.
3. The applicant seeks a variance from the impervious maximum of 70%. However, as the attached site plan depicts, the total site is 70% impervious. (Exhibit "A") Therefore this variance is no longer needed. The recalculation is including a parcel of land that is at the entrance to the roundabout which will not be used by the applicant once the roadway is completed.
4. No additional information is requested on this variance request.
5. The applicant seeks a variance from the Architectural Standards found at 7.948 which is attached for your review and comparison. (Exhibit "B")

The building mass is broken up to give the appearance of individual buildings as depicted in the renderings that show the interior plaza walkways. This appearance of individual shops is located on two or three sides of each of the individual buildings. The section of each building that faces the parking lot does not have this feature as strongly as the sides that face the pedestrian walkways. However, the architect did break up the appearance with different features such as brick pillars, awnings, decorative exterior lighting and variation in exterior colors between different building sections.

Attached is a material list and color palate for the proposed shopping center. (Exhibit "C") The exterior materials include brick, cast stone, eifs, decorative aluminum, fabric awnings and other accent materials. We will utilize be plantings adjacent to the screen walls with the goal being to de-emphasize them as a focal point as opposed to accentuating them.

The height of the towers should be reviewed in light of their relative height to adjacent property. The proposed heights are common heights when tower elements are used. The towers are set back 260 feet from the right of way.

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6. The applicant seeks a variance from the Tree Density requirement from 25 units per acre to 12.5 units per acre. In response to our discussion with City Planning Commission we have refined our landscaping plan. Attached is the revised landscape plan showing an increase in tree units to reduce the variance to only 16.9 units per acre. (Exhibit "D") Trees are strategically located throughout the parking areas to provide visual screening and to landscape the pedestrian walkways through the parking lot.
7. It was asked why the road is being relocated to an area within the stream buffer area. The engineers reviewed other options but the narrow width of the drive aisle on the southern corner of the proposed shopping center requires this location. Recognize the area of impact are outside the state 25' buffer and there are few areas where the additional 25' buffer are impacted, further note the distance outside the buffer utilizing averaging which is a common practice is acceptable, and there have been other instances in the City of Woodstock where buffer variance has been granted.
8. Attached as Exhibit "E" is a list of the specific sign variances.

Lastly, the Planning Commissioners asked Horizon to present specific stipulations that the client would agree to become a condition on the grant of the proposed variances. Following are the proposed stipulations.

1. The applicant will agree to the attached color palate and materials list.
2. To increase water quality, the applicant will agree to a wet water detention area that is planted with aquatic plants. Additionally, a water cleansing insert will be placed at each drop inlet to provide an initial water quality treatment prior to entering the stormwater system.
3. Applicant will agree to the plantings proposed by Montclair as detailed in Exhibit "F".
4. The LED sign will remain static and will not change messages more than once per 30 seconds.
5. The brightness of the proposed LED sign will ensure it is compliant with the city's dark sky ordinance.

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6. The applicant will agree to the traffic improvement recommendations detailed in the DRI approval.

Sincerely,

SAMS, LARKIN & HUFF, LLP



Parks F. Huff
phuff@samslarkinhuff.com

PFH/brl
Enclosures

- cc: Members, City of Woodstock Mayor and Council – VIA E-Mail w/ attachments
Mr. Richard McLeod, Director, Community Development – VIA E-Mail w/ attachments
Mr. Jeff Moon, City Manager – VIA E-Mail w/ attachments
Horizon Atlanta Outlet Shoppes, LLC – VIA E-Mail w/ attachments

Exhibit “A”

Exhibit “B”

7.948. - Architectural Standards.

All projects developed within the Technology Park Overlay District shall meet the following architectural standards.

1. Building mass shall be broken up to give the appearance of individual buildings or places of business, presenting a village appearance.
2. Large areas of uninterrupted brickwork shall be broken up through the use of trellises, arcades, blind windows, archways, or other patterns.
3. Window areas shall not extend down to the floor line. A wall of not less than two (2) feet in height shall separate the floor from the bottom of the window frame.
4. In a mixed use project all residential uses will be designed in traditional styles that will compliment the office/commercial uses.
5. Buildings shall have no less than eighty (80) percent of the non-glass area of three (3) exterior sides faced with brick of a natural color and texture that simulates historic types of brickwork. If a building has more than four (4) planar areas, seventy-five (75) percent of these areas shall be faced in brick.
6. Multi-pane windows shall be used in individual window openings, rather than large glass sheets.
7. Mirrored glass with a reflection greater than twenty (20) percent and glass curtain walls are prohibited.
8. Paint colors shall be of traditional, historic types which are generally muted tones such as ivory, cream, beige, white, and pastel colors. Colors which are not permitted are bright or vibrant colors of orange, pink, purple, bright green, or violet, which are considered to be inconsistent with the district. The exterior color scheme shall be approved by the Director of Planning and Economic Development.

Exhibit “C”

THE OUTLET SHOPPES AT ATLANTA - WOODSTOCK, GA

NOTE:
 CAST STONE TYPICAL AT BASE OF EIFS EXCEPT EIFS
 TO GROUND WITHIN SCREEN WALLS AT SERVICE COURTS.

INTERSTATE 575 ELEVATION



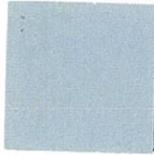
BRICK SELECTIONS



ACCENT BRICK FIELD BRICK
 COLORS ARE REPRESENTATIVE
 ACTUAL BRICK TO BE SELECTED

EXTERIOR COLOR SELECTIONS

ACCENT COLORS



COLOR: SW 6500
 OPEN SEAS



COLOR: SW 6353
 CHIVALRY COPPER



COLOR: SW 6423
 RYEGRASS



COLOR: SW 6017
 INTUITIVE



COLOR: SW 6472
 COMPOSED



COLOR: SW 6381
 ANJOU PEAR



COLOR: SW 6333
 FOXY



COLOR: SW 6499
 STREAM



COLOR: SW 6352
 SOFT APRICOT



COLOR: SW 6422
 SHAGREEN



COLOR: 1069
 VAGUELY MAUVE



COLOR: SW6471
 HAZEL



COLOR: SW 6380
 HUMBLE GOLD

FIELD COLORS



COLOR: SW 7036
 ACCESSIBLE BEIGE



COLOR: SW 7037
 BALANCED BEIGE



COLOR: SW 6102
 LATTE



COLOR: SW 6107
 NOMADIC DESERT



COLOR: SW 6106
 KILIM BEIGE



COLOR: SW 6123
 BAGUETTE



COLOR: SW 6122
 CAMELBACK



COLOR: SW 6121
 WHOLE WHEAT



COLOR: SW 7038
 TONY TAUPE

PAINT MANUFACTURER: SHERWIN WILLIAMS

HORIZON GROUP PROPERTIES, INC.
 ATLANTA, GEORGIA
 EXTERIOR MATERIAL SELECTION



ADAMS + ASSOCIATES
 ARCHITECTURE

PROJECT NO. 2689.00

Exhibit “D”

Exhibit “E”

Signage Variance Bullet Point Comparison with Sign Standards
11-4-11

I. General Criteria

- a. Any business operating within the project is permitted to advertise on any of the signs throughout the project.
- b. Use of logos on signage within the project shall not be limited except that logos may not exceed overall sign area [Sign Standards limit logos (graphic representations) within building signs to 30% of the allowable sign area]

II. Pylon Signs

- a. Sign on Outlet parcel shall deviate as follows:
 - a. The sign an additional Eight (8) feet to accommodate a decorative feature.
 - b. Allowable area of copy portion of sign shall be 300 sf instead of to 120 sf.
 - c. Copy portion of one Pylon sign shall include fixed signage and an LED panel as follows:
 - i. LED panel shall be 120sf
 - ii. LED panel shall not include rolling, flashing, or moving text
 - iii. Lumen output of LED sign shall be as agreed between owner and City within reason
 - iv. Time between message changes shall be as agreed between owner and City within reason

III. Shopping Center Ground Mounted Sign

- a. Not specifically addressed in the Sign Standards
- b. Located approx. 300' back from Ridgewalk Parkway (as shown in Exhibit A) at intersection of project entry drive and project loop drive
- c. Intended as entry sign to greet shoppers as they enter the parking area
- d. Max. height based on Monument Sign provisions of Sign Standards
- e. Width matches width of entry drive, approx. 85'
- f. All outparcel and entrance Monument signage will comply with the sign ordinance.

IV. Incidental Signs

- a. Incidental signs required for safe traffic control (i.e. stop/yield signs, etc.) shall not be limited in number due to size of project [Sign Standards allows maximum of 4 incidental signs per parcel]
- b. A total of six Incidental Signs up to 12 sf shall be permitted to contain tenant names and directional arrows to direct traffic to the portion of the project where the tenant is located [Sign Standards allow maximum of 4 signs at 2 sf ea.]

V. Building Signs

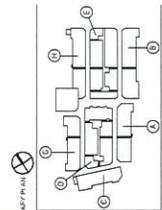
- a. Sign areas
 - a. Max sign area of 10% of building frontage to allow for consistency between tenants [Sign Standards limits each sign to 10% of tenant's store frontage; total sign area would be the same] The total wall signage will not increase but the sign locations won't necessarily correspond to the tenants location in each building.
 - b. Up to 5 anchor tenants permitted to have up to four building signs [Sign Standards limit each tenant to total of two building signs]
 - c. Corridor building signs, as they do not face adjacent streets, shall be governed by the project's tenant signage criteria and shall not be limited as to size, number, or use of logos [no deviation - these signs are not governed by Sign Standards]



THE OUTLET SHOPPES AT ATLANTA

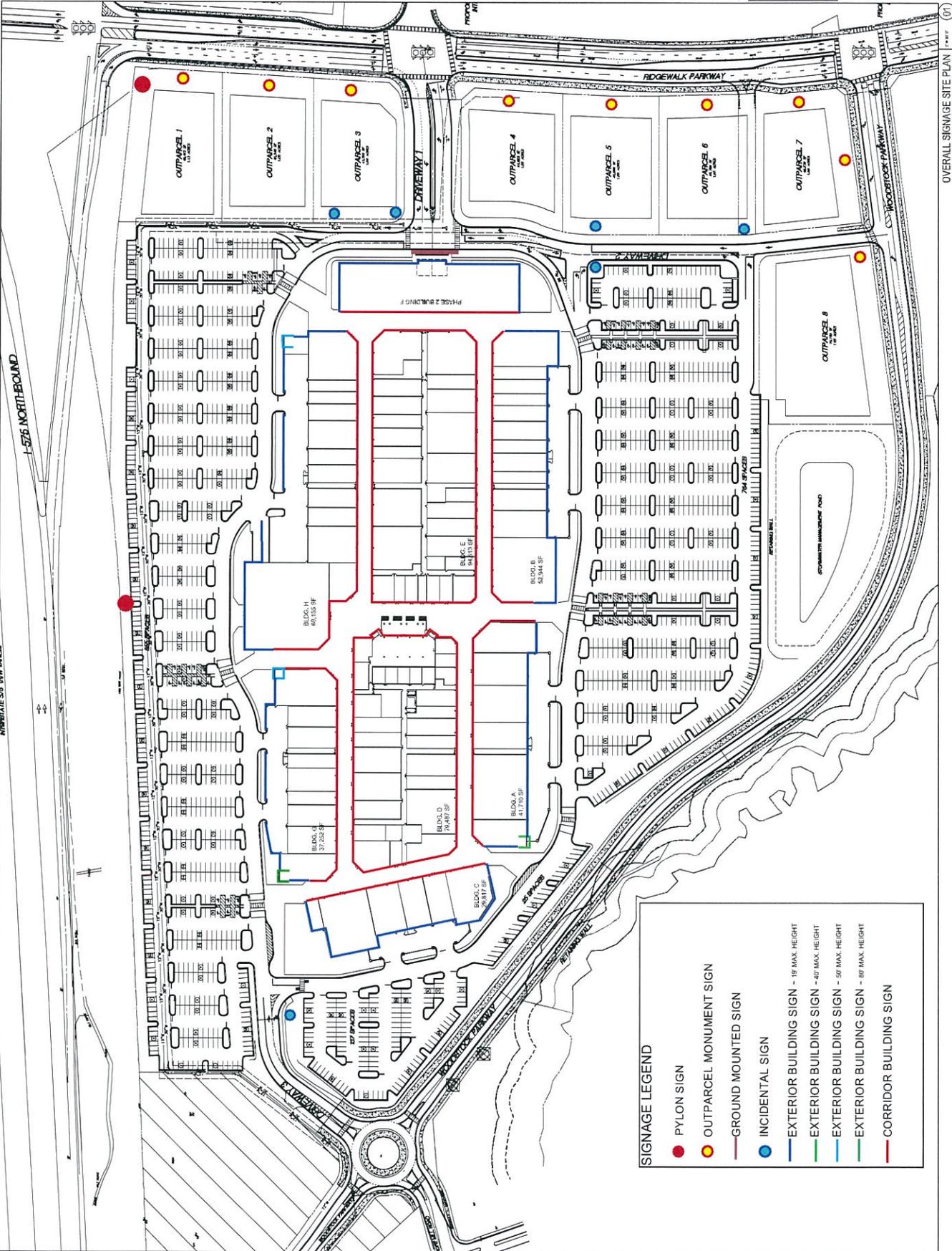
REDGEWALK PARKWAY S
ACROSSDORF PARKWAY
#6001000, GA

PROJECT NO.
CONTRACT
DATE



OVERALL
SIGNAGE SITE PLAN

EXHIBIT A



SIGNAGE LEGEND

- PYLON SIGN
- OUTPARCEL MONUMENT SIGN
- GROUND MOUNTED SIGN
- INCIDENTAL SIGN
- EXTERIOR BUILDING SIGN - 15' MAX HEIGHT
- EXTERIOR BUILDING SIGN - 40' MAX HEIGHT
- EXTERIOR BUILDING SIGN - 50' MAX HEIGHT
- EXTERIOR BUILDING SIGN - 80' MAX HEIGHT
- CORRIDOR BUILDING SIGN

OVERALL SIGNAGE SITE PLAN 1 of 1



BACK-LIT GLASS

INTERNALLY ILLUMINATED LETTERS

LED SIGN PANEL

EIFS

INTERNALLY ILLUMINATED SIGN PANELS

EIFS

Exhibit B - Pylon Sign

58' 0"

50' 0"

20' 6"

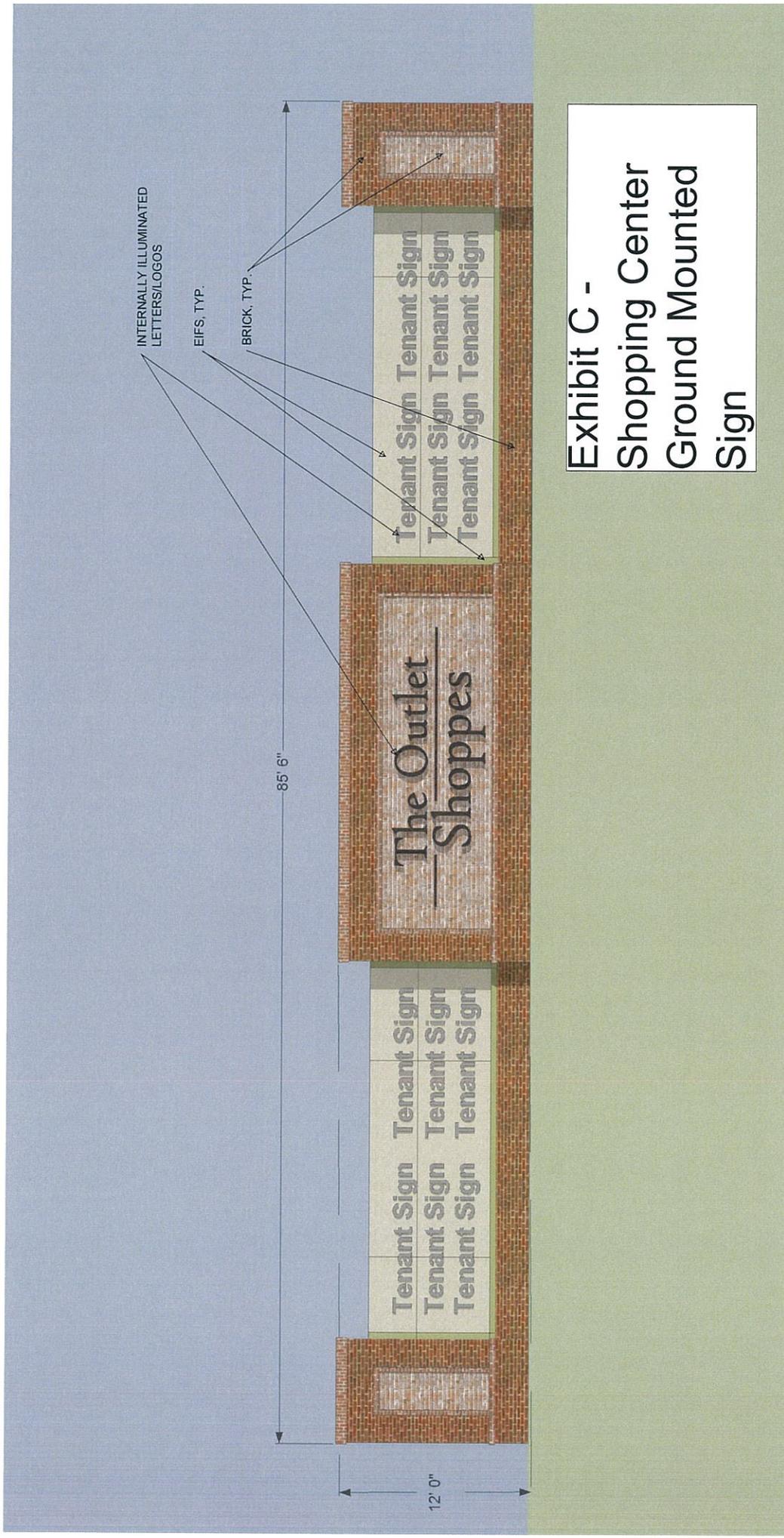
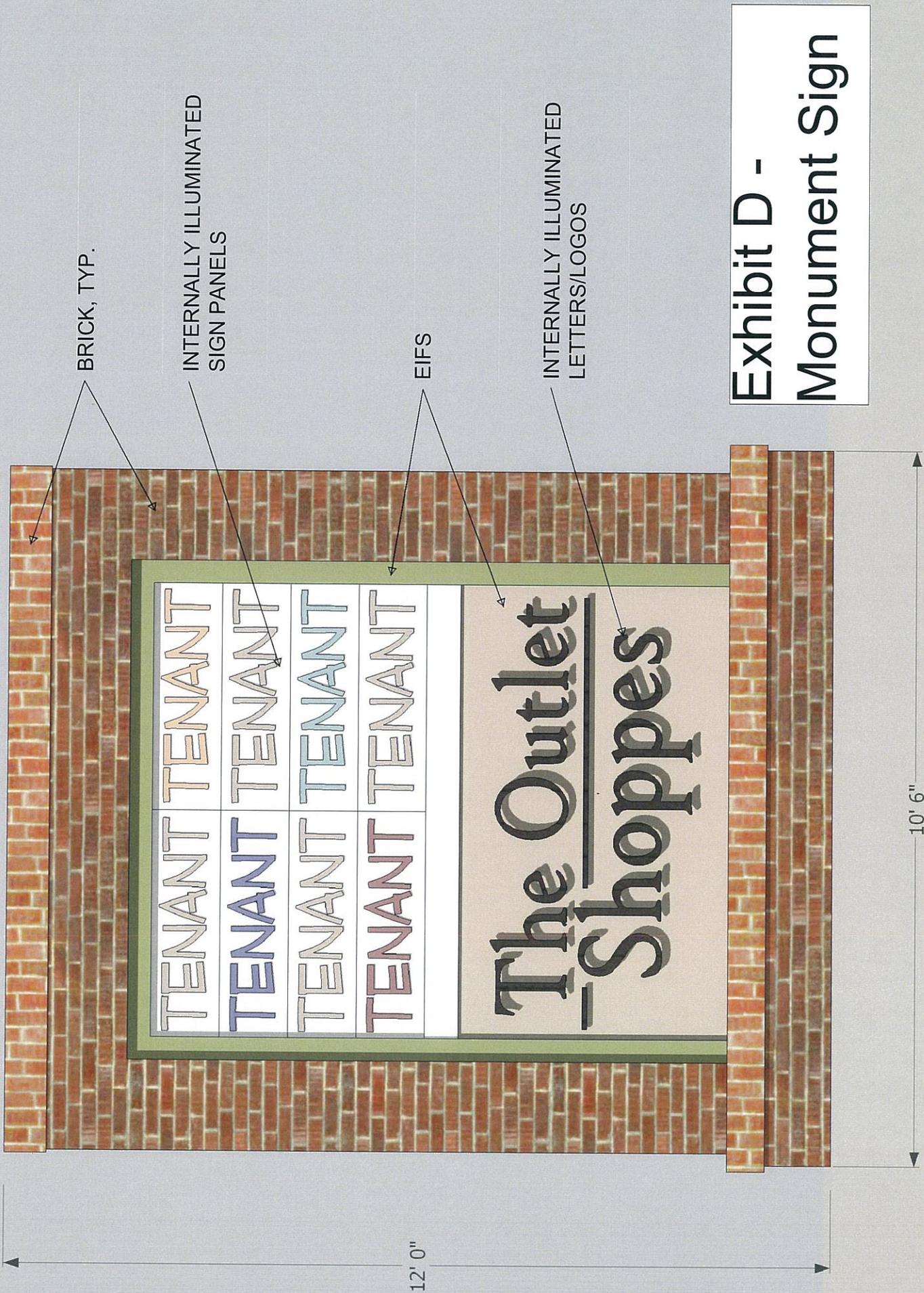


Exhibit C -
Shopping Center
Ground Mounted
Sign



**Exhibit D -
 Monument Sign**

Exhibit “F”

Parks Huff

From: Jerry Turner [turnerjd@bellsouth.net]
Sent: Sunday, October 02, 2011 8:35 PM
To: Parks Huff; Brian E. Kay
Cc: LaI040607@aol.com; jayandkathy@comcast.net; joirea@comcast.net; jackwilroy@clear.net; Watts, Vickey
Subject: Screen planting proposal Montclair
Attachments: 2011 Montclair at Ridgewalk screen planting 09-15-11.pdf

Parks & Brian,

I appreciate you both taking the time to come out and walk our property line and hear our concerns. We are confident that if Horizion/Outlet Shoppes of Atlanta agree to the following we will be able to support the planned development; (1) planting a screen of trees near the traffic circle, (2) planting trees behind all of our houses that border the proposed development, and (3) landscaping the retaining wall. Understand that we would still prefer that Woodstock Parkway be located to the far western edge of the property closer to I-575, but if that isn't possible we request the above considerations for our residents.

We look forward to another walk of the property line once the leaves are down and you have staked out the traffic circle and the new route for Woodstock Parkway. As we discussed, prior to that review, you will attach balloons to the stakes that will indicate the new elevation of the property behind Montclair. This will give us a much better understanding of what we will be looking at.

I will be out of town all of this week but we will have a large contingent at Wednesday night's zoning meeting. I have cc the rest of the BOD and Jay Dawson as they will all be attending Wednesday's meeting. If you have any questions you can contact one of them.

I appreciate your understanding of our concerns and we look forward to working with you in the future.

Jerry Turner
Montclair HOA

11/8/2011



CRM: Bond

1012 Union Center Drive | Alpharetta, GA | 30004
 770.740.9739 Phone 678.297.0399 Fax

Proposal

Date: <u>9/12/11</u> Job Name: <u>Montclair at Ridgewalk</u> Job Address: _____ Customer Phone No: _____ Bill To: <u>Lisa Robinson- Riverside Properties</u> Address: _____ Address 2: _____	Customer #: _____ South/North: <u>North</u> Approved By: _____ CODES: Pine Straw: <input type="radio"/> Enhancement: <input checked="" type="radio"/> Lawn Care: <input type="radio"/> Seasonal Color: <input type="radio"/> Extra: <input type="radio"/> Irrigation: <input type="radio"/> <input type="checkbox"/> DEPOSIT REQUIRED <input type="checkbox"/> ATTACH COPY OF SIGNED APPROVAL W/ INVOICE
NOTES:	

Proposed Work

Crabapple will provide all labor and materials to perform the described work.

Install evergreen tree as a screen from new development

Quantity	Size	Description	TOTAL
54	15 gal	Install leyland cypress trees in a straight line to act as a screen	\$10,028.00
		or	
54	15 gal	Install nellie r stevens in a straight line to act as a screen	\$12,127.15

The 6' balled and burlapped trees were twice the cost so I specified the use of 15 gallon container planting. These are 5'-6' in height on average.

*Crabapple cannot warranty any sod or plant material that is not supported by irrigation.

Total: _____

PROPOSAL IS VALID FOR 30-DAYS

Terms and Conditions

1. Crabapple shall recognize and perform in accordance with written terms, written specifications and drawings only, contained or referred to herein. All materials shall conform to bid specifications.
2. Crabapple will designate qualified representatives with experience in landscape maintenance/construction upgrades to perform this work. The workforce shall be presentable at all times. All employees shall be competent and qualified, and shall be legally documented.
3. License and Permits: Crabapple will comply with all license and permit requirements of the city, state and federal government.
4. Taxes: Crabapple agrees to pay all applicable taxes, including sales tax where applicable on material supplied.
5. Insurance: Crabapple agrees to provide General Liability Insurance, Automotive Liability Insurance, Worker's Compensation Insurance, and any other insurance required by law or customer, as specified in writing prior to commencement of work.
6. Liability: Crabapple will not be liable for any damages that are caused by the customer or their agents.
7. Subcontractors: Crabapple reserves the right to hire qualified subcontractors to perform specialized functions or work requiring specialized equipment.
8. Additional Services: Additional work not shown in the above specifications involving extra costs will be executed only with signed change order, and will become an extra charge over and above this estimate.
9. Access to Jobsite: Customer will provide all utilities to perform the work and will furnish access to all parts of jobsite related the project.

Proposal Acceptance

Crabapple is authorized to perform the work stated in proposal. Payment will be 100% due at time of billing. Accounts past due will be subject to a service charge of 1.5% per month, not to exceed 18% annually.

Customer

By: _____
Signature / Title

Printed Name / Date

Crabapple, Inc.

By: _____
Signature / Date

Printed Name / Title