

SAMS, LARKIN, HUFF & BALLI

A LIMITED LIABILITY PARTNERSHIP

GARVIS L. SAMS, JR.

JOEL L. LARKIN

PARKS F. HUFF

JAMES A. BALLI

SUITE 100

376 POWDER SPRINGS STREET

MARIETTA, GEORGIA 30064-3448

770-422-7016

TELEPHONE

770-426-6583

FACSIMILE

ADAM J. ROZEN

WWW.SLHB-LAW.COM

February 26, 2019

(SUPPLEMENTAL STIPULATION LETTER)

VIA EMAIL

Mr. John P. Pederson, AICP, Manager
Cobb County Zoning Division
Community Development Agency
1150 Powder Springs Road, Suite 400
Marietta, GA 30064

Re: Application of DDR Southeast Sandy Plains, L.L.C. to Rezone an approximate
15.95 Acre Tract from NRC to Conditional/Limited CRC (No. Z-14)

Dear John:

As you know, this firm represents DDR Southeast Sandy Plains, L.L.C. ("DDR"), which is the Applicant and Property Owner concerning the above-captioned Application for Rezoning. The Application is scheduled to be heard and considered by the Cobb County Planning Commission on March 5, 2019. Thereafter, the Application is scheduled to be heard and considered for final action by the Cobb County Board of Commissioners on March 19, 2019.

On February 13, 2019, I submitted a Stipulation Letter setting forth DDR's concurrence with and acquiescence to certain stipulations which, upon the Rezoning Application being approved, will become conditions and a part of the grant of the rezoning and binding upon the Subject Property thereafter. Subsequently, on February 20, 2019, I submitted an "Informational Letter" regarding DDR's proposal for an Indoor Recreational Facility and a Trip Generation Memorandum prepared by A&R Engineering.

With respect to the foregoing and since the submission of the above-mentioned letters, we have continued our dialogue with the County's professional staff; with representatives of the Chatsworth Subdivision Homeowners Association ("HOA"); and, with other area residents in subdivisions which are generally located to the south and west of Sandy Plains Village. In furtherance of these most recent discussions and overall dialogue, this letter will serve as a Supplement to DDR's February 13, 2019 Stipulation Letter and shall, similarly, evolve into conditions of and a part of the grant of the requested Rezoning and which shall, upon approval of the rezoning, become binding upon the Subject Property thereafter:

SAMS, LARKIN, HUFF & BALLI

A LIMITED LIABILITY PARTNERSHIP

VIA EMAIL:

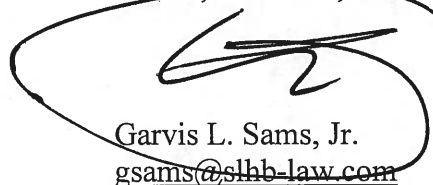
Mr. John P. Pederson, AICP, Manager
Cobb County Zoning Division
Community Development Agency
February 26, 2019
Page 2

1. The stipulations and conditions set forth herein and those set forth in the February 13, 2019 Stipulation Letter and this letter shall control, except to the extent that the stipulations/conditions of zoning which are a part of previous rezoning in 2012 (No. Z-7) pertaining to the Movie Tavern within Sandy Plains Village shall remain in full force and effect.
2. Even though DDR typically deploys video surveillance protocols within “high-risk” retail areas, at the request of the HOA and after a full consideration of the facts and circumstances attendant to this Application for Rezoning, DDR will install strategically and meaningfully positioned video security surveillance cameras in order to provide photographic and/or film imagery of the area along the rear (west) between Sandy Plains Village and the homes within Chatsworth Subdivision.
3. DDR will create a thorough Tenant Handbook which will be provided to each tenant located within Sandy Plains Village which clearly outlines stipulations/conditions governing Sandy Plains Village and will secure an acknowledgement that the tenant has received and understands the terms and provisions of said Tenant Handbook, the content of which will be subject to review and approval by the District Commissioner.
4. DDR will enhance existing directive signage which is located at or near the northern and southern rear entrances of the shopping center so that said signage is enhanced by solar powered LED lights. A copy of the signage referred to is attached hereto, made a part hereof by reference and marked as Exhibit “A”.

Please do not hesitate to contact me should you, the staff, Planning Commission members or members of the Board of Commissioners require any additional information or documentation prior to this application being heard and considered next month. With kind regards, I am

Very truly yours,

SAMS, LARKIN, HUFF & BALLI, LLP



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

SAMS, LARKIN, HUFF & BALLI

A LIMITED LIABILITY PARTNERSHIP

VIA EMAIL:

Mr. John P. Pederson, AICP, Manager
Cobb County Zoning Division
Community Development Agency
February 26, 2019
Page 3

cc: Members, Cobb County Board of Commissioners (via email w/attachment)
Mr. Robert L. Hosack, Jr., AICP, County Manager (via email w/attachment)
Members, Cobb County Planning Commission (via email w/attachment)
Board of Commissioners Assistants (via email w/attachment)
Mr. Michael Hughes, AICP, Interim Director (via email w/attachment)
Mr. Lee McClead, Deputy Director (via email w/attachment)
Mr. Jason S. Gaines, AICP, Planning Manager (via email w/attachment)
Mr. Jason Campbell, Planner III (via email w/attachment)
Mr. Terry Martin, Planner III (via email w/attachment)
Mr. Phillip Westbrook, Planner III (via email w/attachment)
Mr. Donald Wells, Planner I (via email w/attachment)
Ms. Tannessa Bates, Planner I (via email w/attachment)
Ms. Pamela Mabry, County Clerk (via email w/attachment)
Ms. Robin Stone, Deputy County Clerk (via email w/attachment)
Ms. Leila Washington, Deputy County Clerk (via email w/attachment)
Captain Bob Bennett (via email w/attachment)
Mr. David Breaden, P.E. (via email w/attachment)
Ms. Amy Diaz, P.E. (via email w/attachment)
Ms. Ashley White, P.E. (via email w/attachment)
Mr. Tim Davidson (via email w/attachment)
Ms. Lisa Hanson, Chatsworth HOA (via email w/attachment)
Mr. Phillip Searles, Westchester Subdivision HOA (via email w/attachment)
Mr. Todd Zinsmaster, V.P. of Development and Construction (via email w/attachment)
Ms. Lauren Ball, Vice President of Leasing (via email w/attachment)
Mr. Kevin Sweeney, Senior Property Manager (via email w/attachment)
Mr. Joel DelliCarpini, RLA (via email w/attachment)

Exhibit "A"

**ATTENTION
ALL DRIVERS**

- SANDY PLAINS VILLAGE
DELIVERIES ONLY
- NO OVERNIGHT PARKING
- NO IDLING – INCLUDING
REFRIGERATION UNITS

VIOLATORS WILL BE TOWED AT VEHICLE OWNER'S EXPENSE