

Stipulation Letter granting approval of a stipulation change for Chase Commercial (Jerry Brittdall) for property (known as Acworth Commons) located in Land Lot 107 and 108, Parcel 6 of the 20th District, 2nd Section of Cobb County, Georgia to remove the landscape buffer and building orientation requirement along Acworth Due West Road as a stipulation of zoning for building a commercial/retail development. This property is located on Acworth Due West Road near Cobb Parkway behind the existing Kroger shopping center.

April 7, 2005

The stipulation change is approved, subject to the following stipulations:

1. Lots 1, 2, and 3 as shown fronting on Acworth Due West Road shall remain as 3 individual lots and while the overall lots may be adjusted none of the 3 lots shall be smaller than 1 acre or larger than 3 acres. The buildings on Lots 1, 2, and 3 along Acworth Due West Road shall not have any structure larger than 19,000 square feet in total gross floor area.
2. Lots 1 and 2 as shown fronting on Acworth Due West Road shall have one curb cut total on Acworth Due West Road and combined service to that entrance through interparcel connectivity. This curb cut shall be right in/ right out only.
3. Lot 3 as shown fronting on Acworth Due West Road shall not have a curb cut on Acworth Due West Road. The access to Lot 3 shall be on the proposed access roadway connecting Cobb Parkway and Acworth Due West Road.
4. The road frontages of Lots 1, 2, and 3 along Acworth Due West Road shall be landscaped with a landscape strip no less than twenty (20) feet in depth enhanced with the integration of hardwood shade trees, evergreen trees, and hedges that are able to be maintained. The final landscape plan shall be reviewed by the Planning & Zoning Commission and approved by the Mayor and Board of Aldermen.
5. Each parcel of the overall development shall submit a conceptual site plan and building elevations to be reviewed and approved by the Mayor and Board of Aldermen.
6. The development shall adhere to the stipulations set forth in Section 69.4, [A] of the City of Acworth Zoning Ordinance.
7. Final parcel and Street layouts must come before the Planning and Zoning Commission and the Board of Aldermen.

8. a. There shall be allowed two multi user monument signs (one on each side of the new road between Acworth Due West and Cobb Parkway) each no taller than 15 feet high to identify the businesses located within the planned shopping center development. The sign design, façade and materials for the sign shall be approved by the Board of Aldermen.
 - b. Lots 1 & 2 as shown on the attached plan shall be allowed 1 shared monument sign no taller than 10 feet. Lot 3 as shown on the attached Plan shall be allowed 1 monument sign no taller than 10 feet. The sign design, façade and materials for the sign shall be approved by the Board of Aldermen.
9. The development shall meet all City of Acworth Codes and the provisions of the Zoning Ordinance and Subdivision Regulations unless specifically approved by the Mayor and Board of Aldermen.