



**CITY OF CUMMING**  
(CHARTERED 1845)  
DEPARTMENT OF PLANNING AND ZONING



**Memorandum**

MAYOR  
Troy Brumbalow

COUNCIL MEMBERS  
Joey Cochran  
Chad Crane  
Jason Evans  
Linda Ledbetter  
Christopher Light

CITY  
ADMINISTRATOR  
Phil Higgins

CITY ATTORNEY  
Kevin Tallant

CITY CLERK  
Jeffery Honea

DIRECTOR OF  
PLANNING AND  
ZONING  
Scott Morgan

**To:** Mayor & Council

**From:** Scott Morgan, Director

**Date:** December 17, 2021

**Re:** Providence Group of Georgia, LLC Rezoning # 2021293

The applicant, on behalf of the property owners, has made application to rezone 152.911 acres, more or less, from a combination of single-family residential (R-1A), Office Professional (OP) and Planned Shopping Center (PSC), to Planned Unit Development (PUD), in order to construct a mixed-use development. The development will consist of a mixture of housing types, totaling 774 units, 103,500 square feet of retail, restaurant, office, 26,000 square feet of indoor amenities, 9,000 square feet of ground floor commercial, 4,000 square feet of vertical mixed use, and 220,000 square feet of institutional - senior living. Future land use for the subject property is a combination of mixed-use and commercial, therefore; this rezoning request is in conformance with the City's Comprehensive Plan. The Georgia Regional Transportation Authority Notice of Decision for this Development of Regional Impact is for approval with conditions, and is attached.

The applicant has included a land use plan with zoning conditions, product elevations including amenities site plans, landscape buffers, and street profiles. The proposed development will have private streets and be gated. There will be vertical mixed units located near Dahlonega Street (SR 9), as well as retail, restaurant and office uses, along both Dahlonega Street and Pilgrim Mill Road. There will be recreational amenities in both the attached and detached single-family communities, including pockets parks dispersed throughout the development. There will be planted buffers between the development and all existing homes on Brooks Farm Drive, the Northdale Subdivision and Pilgrim Mill Road. As part of this development, a connector road will be constructed, from the intersection of SR's 9 and 306, east to its terminus and intersection with Pilgrim Mill Road.

The Planning Commission held a public hearing on September 28, 2021 and accepted public comments. After numerous meetings between Planning Commissioners, staff and the applicant, revisions were made to the proposed project. At their meeting on November 16, 2021, the Planning Commission voted 2-1 to recommend approval of this rezoning request.

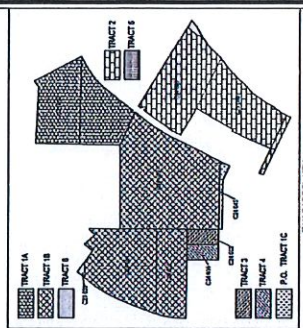
Please let me know if you have questions.

Thank you.



**SITE DATA:**  
 TOTAL SITE AREA: 152.811 ACRES  
 OPEN SPACE (BPA): 30.592 ACRES  
 FLOODPLAIN (APPROXIMATE): 2.13 ACRES

**ZONING:**  
 EXISTING ZONING: R-1A, DP, AND PSC  
 ZONING JURISDICTION: CITY OF CUMMING



**LAND USE PLAN**  
**SAWNEE VILLAGE**

725 Pilgrim Mill Road and 545 Dahlonega Highway  
 City of Cumming  
 Forsyth County, Georgia

DATE: 08/20/2018  
 SCALE: 1" = 200'  
 DESIGNED BY: [Name]  
 DRAWN BY: [Name]  
 CHECKED BY: [Name]  
 PROJECT: [Name]

2 of 3



Land Use Summary	Total #	Area (Acres)
Detached Residential Units	44	12.486
55' Front Entry Lots	105	24.559
Minor Court Lots	72	21.103
40' Front Entry Lots	123	15.00
Attached Residential Units	36,309	
20' Rear Entry Townhomes - Dahlonega Hwy	26	
24' Rear Entry Duplex Townhomes-Dahlonega Hwy	38	
20' Rear Entry Townhomes - Pilgrim Mill	98	
Vertical Mixed Use Units	6	0.843
Multifamily Units	262	9.196
Institutional - Senior Living		20,000 SF
Independent Living Units		14,561
Assisted Living Units		
Memory Care Units		
Retail, Restaurant, Office		18,406
Retail, Restaurant, Office - Dahlonega Hwy		32,000 sf
Retail, Restaurant, Office - Dahlonega Hwy		20,000 sf
Restaurant - Dahlonega Hwy		7,000 sf
Indoor Amenities - Dahlonega Hwy		26,000 sf
Retail, Office, Restaurant - Pilgrim Mill		21,000 sf

DAHLONEGA HIGHWAY  
 MIXED USE

**NOTES:**

1. THE PROPOSED DEVELOPMENT SHALL BE PROVIDED BY THE OWNER AND PRIVATE INVESTORS.
2. THE PROPOSED DEVELOPMENT SHALL BE PROVIDED BY THE OWNER AND PRIVATE INVESTORS.
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10. THE PROPOSED DEVELOPMENT SHALL BE PROVIDED BY THE OWNER AND PRIVATE INVESTORS.

**OWNERS/DEVELOPER**  
**thePROVIDENCEgroup**

Warren Jolly  
 4317 Rush Drive, Suite 400  
 Norcross, Georgia 30092  
 Phone: (770)416-7511  
 Fax: (770)416-6959  
 www.theprovidencegroup.com

DATE: 08/20/2018  
 SCALE: 1" = 200'  
 DESIGNED BY: [Name]  
 DRAWN BY: [Name]  
 CHECKED BY: [Name]  
 PROJECT: [Name]



City of Cumming, Georgia  
 725 Pilgrim Mill Road and 545 Dahlonega Highway  
 City of Cumming, Georgia

**Sawnee Village**  
**The Providence Group of Georgia, LLC**  
**152.911 acres – Located at Pilgrim Mill Road & Dahlonega Highway**  
**Application for Rezoning from R-1A, OP, and PSC to PUD**

**Zoning Conditions – December 16, 2021**

- 1) The residential uses in the development shall be consistent with the Land Use Plan by Travis Pruitt & Associates dated December 13, 2021, and summarized as follows:
  - a. Dahlonega Highway Mixed-Use
    - i. Attached Townhomes - 26
    - ii. Duplexes - 38
    - iii. Multi-Family Community – 262
    - iv. Vertical Mixed Use – 6
  - b. Detached Single-Family Community - 221
  - c. Pilgrim Mill Residential Community
    - i. Attached Townhomes – 98
    - ii. Detached Single-Family - 123
  
- 2) The non-residential uses in the development shall be consistent with the Land Use Plan by Travis Pruitt & Associates dated December 13, 2021, and summarized as follows:
  - a) Dahlonega Highway Mixed-Use
    - i. Retail, Restaurant, Office – 32,000 square feet
    - ii. Retail, Restaurant, Office – 20,000 square feet
    - iii. Restaurant - 7,000 square feet which may include a rooftop bar of an additional 3,500 square feet
    - iv. Indoor Amenities - 26,000 square feet
    - v. Vertical Mixed Use – 4,000 square feet
    - vi. Multi-Family Ground Floor Commercial – 9,000 square feet
  - b) Pilgrim Mill Mixed-Use
    - i. Institutional Residential Living and Care Facilities – 220,000 square feet
    - ii. Retail, Restaurant, Office – 41,000 square feet
  
- 3) There shall be a Master Property Owner’s Association which shall manage the entire development. Under the Master Property Owner’s Association, subservient property/homeowner associations shall exist for the different uses throughout the project. The master or sub-associations’ maintenance responsibilities shall include, but not be limited to, all private streets, parking areas, detention ponds, open spaces, amenity areas, landscaping, entrance monuments, entry gates, fencing, landscape strips, buffers, and setbacks. The Master Association will have its own Architectural

Control Committee which will set the architectural standards for the exterior of every structure in accordance with the zoning restrictions and will have concurrent enforcement rights with the sub-associations. The sub-associations may also promulgate architectural guidelines applicable within their properties, but none that are inconsistent with the rules adopted by the Master Association or with the zoning conditions. Pilgrim Mill Mixed-Use – Retail, Restaurant, Office and Pilgrim Mill Mixed Use Institutional Residential Living and Care Facilities may be excluded from the Master Property Owner’s Association.

- 4) All dumpsters shall be screened and constructed pursuant to the City Ordinance.
- 5) All signage in the development shall comply with the City Sign Ordinance.
- 6) Drainage improvements for the development shall be designed, installed, and maintained in accordance with City of Cumming standards and requirements. A Stormwater Management Report for the development shall be submitted to the Director of the City Utilities Department or his representative for review and approval prior to the issuance of a land disturbance permit.
- 7) Owner/developer shall comply with all infrastructure improvements as required by the City Utilities Department.
- 8) Sidewalks shall be a minimum of five (5) feet in width where required internal and external to the subdivision as shown in the Street Sections attached as Exhibit “C”.
- 9) Street light poles will have a minimum mounting height of twelve (12) feet and maximum of twenty (20) feet. All lighting within the entirety of the development shall be available from Sawnee EMC and/or Georgia Power and not a special-order fixture. Lighting design will minimize any light spillage to adjacent properties. All Lighting Plans shall be approved by the Mayor or his representative.
- 10) Developer shall make improvements pursuant to Sawnee Village DRI # 3395 Attachment “A” prior to build-out. Final road improvements at the project’s main entrance and Highway 9 will be determined with collaboration between the Developer, City of Cumming, Forsyth County Board of Education, Georgia Department of Transportation, and any other applicable authorities. Developer shall receive Impact Fee credits for these system improvement expenses pursuant to a separate Impact Fee Agreement between Developer and City executed prior to commencement of construction.
- 11) Phasing:

- a) As Phase 1A, Multi-family Owner shall begin vertical construction of the commercial spaces as further described below in Conditions 43 & 44 prior to final Certificate of Occupancy for the multi-family portion of the development.
- b) As Phase 1B, Developer shall provide an engineered design of the Sawnee Drive Extension from Highway 9 to Pilgrim Mill Road based on a 35 MPH design speed for the City to approve and permit. The City shall construct the road as a system improvement. The City shall fund expenses from Highway 9 to the property line, and Developer shall fund expenses from Pilgrim Mill Road to the property line. Road construction on Developer's property must commence within one (1) year of rezoning. Should completion of road on Developer's property not occur within one (1) year of commencement, Developer shall have the right to complete the road on its property. Developer shall receive Impact Fee credits for design and construction expenses and right-of-way dedication pursuant to a separate Impact Fee Agreement between Developer and City executed prior to commencement of construction.

Dahlonega Highway Mixed-Use - Retail, Restaurant, Office:

- 12) The Dahlonega Highway-Mixed Use is intended to be a mix of food and beverage uses (entertainment, fast casual, and sit down), service retail, and office, however, uses will be market driven.
- 13) The front exterior building elevations and materials for the proposed Retail, Office, Restaurant buildings shall include, for each building, at least fifty to seventy-five percent (50%-75%) brick, stone, or other masonry products; provided, however, such limitation shall not include wall and ceiling returns. At least twenty to forty-five percent (20%-45%) along each building façade shall be glass fenestration (windows & doors); provided, however, such limitation shall not include wall and ceiling returns. No more than ten to twenty percent (10%-20%) along each building façade shall consist of accent materials, including, but not limited to, stucco, hardi-plank, and batten board siding, but shall not include vinyl siding. Final designs for the exterior elevations shall be approved by the Mayor or his representative.
- 14) Retail, Restaurant, Office buildings shall not exceed two (2) stories above grade.
- 15) Commercial businesses in the Sawnee Village Dahlonega Highway Mixed-Use shall be eligible for the issuance of alcohol licenses, including distilled spirits, regardless of the distance to the neighboring school complex. The Sawnee Village Dahlonega Highway Mixed-Use shall be an "open container" district.

- 16) The Dahlonega Highway Mixed-Use shall have a minimum parking ratio of 4 spaces per 1,000 square feet for the Retail, Restaurant, Office, & Indoor Amenities. The Associations may include shared parking allowances in the Declarations of Conditions, Covenants, and Restrictions.
- 17) Dahlonega Highway Mixed-Use common areas may include programming for golf cart parking, bicycle racks, or electric vehicle charging stations.
- 18) The following uses shall not be permitted on the subject property:
  - a) Convenience stores, with or without gasoline pumps
  - b) Gas stations
  - c) Vape shops
  - d) Adult novelty stores
  - e) Pawn shops
  - f) Massage parlors
  - g) Tattoo parlors
  - h) Automobile sales and service
  - i) Automobile repair, oil change, emissions facilities
  - j) Self-storage facilities
  - k) Car Washes
- 19) End Units of commercial buildings or freestanding commercial buildings shall be allowed to include drive thru service. Drive thru service uses shall exclude full-service fast-food restaurants. Final design shall be approved by the Mayor or his representative.
- 20) There shall be a 20-foot setback from the existing right-of-way along Dahlonega Highway/State Route 9. Should additional right-of-way be required by any authority, the setback shall be reduced by the width of the surrendered right-of-way. Final design of any signage, monumentation, and landscaping shall be approved by the Mayor or his representative.
- 21) There shall be a 30-foot Landscape Strip and a 50-foot Exterior Building Setback along the southern boundary of the development abutting parcels C24 033 (N/F Martha M. Lappe), C24 038 (N/F Catherine M. Amos), C24 034 (N/F Catherine M. Amos), and C24 036 (N/F Dorothy E. Gilstrap). The Landscape Strip and Exterior Building Setback shall be measured from the property line. The Landscape Strip shall consist of a mix of evergreen trees planted staggered in 2 rows on 15-foot centers. Trees shall be a minimum of 8 feet in height at the time of planting. Developer shall construct a 6-foot black vinyl coated chain link fence 5 feet inside the project property line to be maintained by the association. A single row of plantings shall be planted on the outside of the fence and

shall be maintained by the neighboring property owners. These plantings shall be a minimum of 3 feet in height at the time of planting and planted on 10-foot centers. This condition is depicted on Exhibit "B-1".

Dahlonega Highway Mixed-Use - Attached Townhomes & Duplexes:

- 22) The Attached Townhomes & Duplexes shall have a minimum width of 20 feet.
- 23) The Attached Townhomes & Duplexes shall have a minimum heated floor area of 1,400 square feet.
- 24) Attached Townhomes & Duplexes shall not exceed three (3) stories above grade or forty (40) feet in height.
- 25) The exterior elevations and materials for the proposed Attached Townhomes & Duplexes shall be substantially similar to the elevations presented as Exhibit "A". The Duplex elevations shall be modified for the farmhouse style of architecture. Final designs shall be approved by the Mayor or his representative.
- 26) Landscape and exterior maintenance of the townhomes and duplexes shall be provided by their respective mandatory sub-associations.
- 27) Setbacks for the Attached Townhomes and Duplexes shall be:
  - a) Front: 5 feet (measured from back of sidewalk)
  - b) Side: 0 feet (10 feet between buildings)
  - c) Rear: 15 feet (measured from centerline of alley)
- 28) Attached Townhomes in the Dahlonega Highway Mixed-Use shall have 2-car garages.
- 29) Duplexes in the Dahlonega Highway Mixed-Use may have a 1-car garage per living unit.
- 30) Driveways of Attached Townhomes shall be a minimum of eighteen (18) feet from the back of the alley curb to the garage door allowing two (2) parking spaces.
- 31) Driveways of Duplexes shall be a minimum of eighteen (18) feet from the back of the alley curb to the garage door allowing one (1) parking space.
- 32) There shall be a 20-foot Setback from the existing right-of-way along Dahlonega Highway/State Route 9. Should additional right-of-way be required by any authority, the setback shall be reduced by the width of the surrendered right-of-way.

33) There shall be a 30-foot Landscape Strip and a 50-foot Exterior Building Setback along the southern boundary of the development abutting parcels C24 033 (N/F Martha M. Lappe), C24 038 (N/F Catherine M. Amos), C24 034 (N/F Catherine M. Amos), and C24 036 (N/F Dorothy E. Gilstrap). The Landscape Strip and Exterior Building Setback shall be measured from the property line. The Landscape Strip shall consist of a mix of evergreen trees planted staggered in 2 rows on 15-foot centers. Trees shall be a minimum of 8 feet in height at the time of planting. Developer shall construct a 6-foot black vinyl coated chain link fence 5 feet inside the project property line to be maintained by the association. A single row of plantings shall be planted on the outside of the fence and shall be maintained by the neighboring property owners. These plantings shall be a minimum of 3 feet in height at the time of planting and planted on 10-foot centers. This condition is depicted as Exhibit "B-1".

Dahlongega Highway Mixed-Use - Vertical Mixed-Use:

- 34) The commercial and residential space of each unit may be owned individually or separately in the form of a condominium association.
- 35) The exterior elevations and materials for the proposed Vertical Mixed-Use Units shall be substantially similar, but modified for the farmhouse style of architecture, to the elevations presented as Exhibit "A". Final designs shall be approved by the Mayor or his representative.
- 36) Vertical Mixed-Use Units shall not exceed three (3) stories above grade or forty (40) feet in height.
- 37) Setbacks for the Vertical Mixed-Use Units shall be:
- a) Front: 5 feet (measured from back of sidewalk)
  - b) Side: 0 feet (10' between buildings)
  - c) Rear: 15 feet (measured from centerline of alley)
- 38) Residential Units in the Vertical Mixed-Use shall have a two (2) car garage.
- 39) Residential unit driveways shall be a minimum of eighteen (18) feet from the back of the alley curb to the garage door allowing two (2) parking spaces.
- 40) The following uses shall not be permitted on the subject property:
- a) Convenience stores, with or without gasoline pumps
  - b) Gas stations
  - c) Vape shops
  - d) Adult novelty stores



- e) Pawn shops
- f) Massage parlors
- g) Tattoo parlors
- h) Automobile sales and service
- i) Automobile repair, emission, oil change facilities
- j) Self-storage facilities
- k) Car Washes

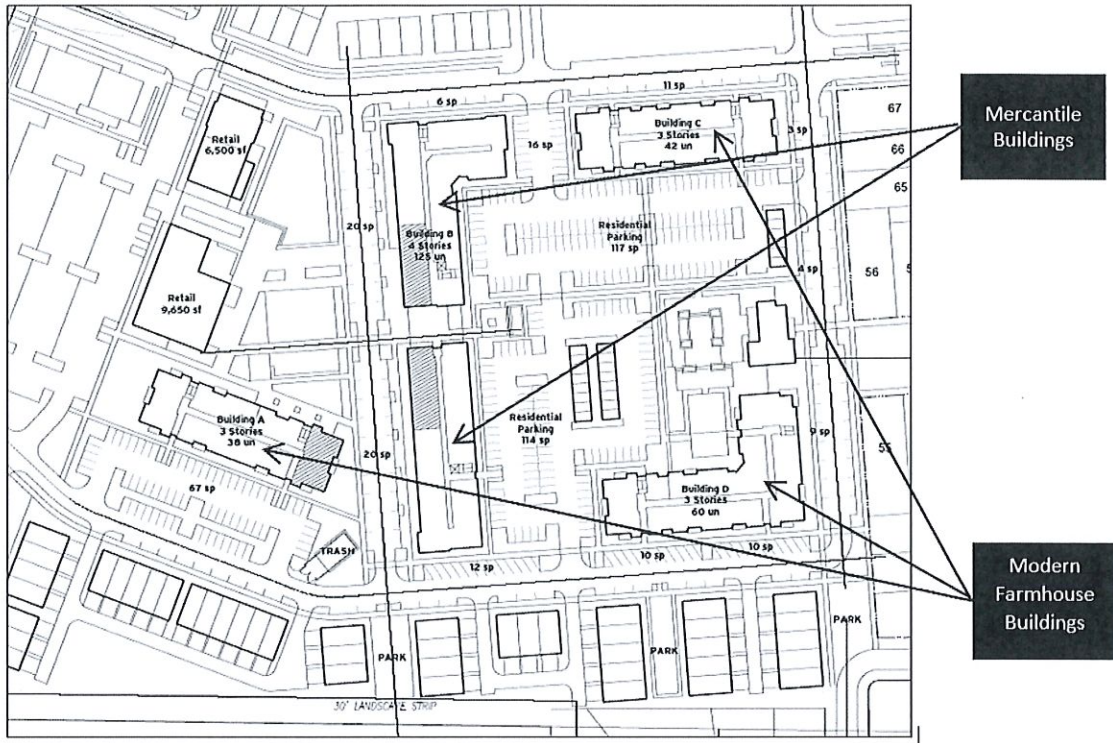
41) There shall be a 30-foot Landscape Strip and a 50-foot Exterior Building Setback along the southern boundary of the development abutting parcels C24 033 (N/F Martha M. Lappe), C24 038 (N/F Catherine M. Amos), C24 034 (N/F Catherine M. Amos), and C24 036 (N/F Dorothy E. Gilstrap). The Landscape Strip and Exterior Building Setback shall be measured from the property line. The Landscape Strip shall consist of a mix of evergreen trees planted staggered in 2 rows on 15-foot centers. Trees shall be a minimum of 8 feet in height at the time of planting. Developer shall construct a 6-foot black vinyl coated chain link fence 5 feet inside the project property line to be maintained by the association. A single row of plantings shall be planted on the outside of the fence and shall be maintained by the neighboring property owners. These plantings shall be a minimum of 3 feet in height at the time of planting and planted on 10-foot centers. This condition is depicted as Exhibit "B-1".

Dahlonga Highway Mixed-Use - Multi-Family Community:

42) Building Typology: Buildings within the Multi-Family Community shall consist of two building types:

- Mercantile Buildings
- Modern Farmhouse Buildings

The location of each building type is shown on the following Multi-Family Community site plan excerpt:



43) Mercantile Buildings. The purpose of the Mercantile Buildings is to provide a framing element or backdrop for the Village Green within the Dahlenega Highway Mixed-Use district. The intention is for these buildings to serve a place-making role within Sawnee Village through the use of primarily brick mercantile design vernacular reminiscent of historic mill town architecture. The buildings shall be four-story in height, with a single decorative tower element, served by internal corridors. The elevations and materials proposed for the Mercantile Buildings shall be substantially similar to the Design Intent elevations presented as Exhibit "A" and incorporated herein by this reference. The primary exterior building elevations and materials for the Mercantile Buildings shall consist of at least sixty-one percent (61%) brick or stone with the remainder textured, three-coat stucco. Lintels shall be used at all window openings, and ground-level building entries shall be delineated by metal awnings. The roof design shall be a parapet with decorative cornice (except for the tower element, which shall be as shown on the Design Intent elevations). In order to avoid a monolithic block presence, the Mercantile Buildings shall be constructed as two, substantially similar buildings with a "paseo" break in the buildings to create both a pedestrian passage and a view corridor from the Village Green. The two Mercantile Buildings shall be connected by a metal, two-level

resident bridge spanning the pedestrian paseo which shall be designed to reinforce the intention of echoing mercantile and mill factory buildings of the past. The ground floor of the Mercantile Buildings shall include at least 6,500 SF which shall be designed and used as commercial space with multiple points of entry facing the Village Green, storefront windows, and at least 10' of floor to ceiling height. The Multifamily Community leasing, fitness, and community activities such as co-working and coffee café may occupy these spaces. In addition, another approximately 2,000 SF (depending on unit configurations and bearing walls) shall be designed and constructed as "commercial convertible space" allowing certain residential units facing the Village Green to be converted in the future, subject to market demand, to retail uses; such space shall also include separate entries facing the Village Green, fenestration convertible to storefront windows, 10' ceiling heights, and separate, as-built, utility metering capacity. Final architectural elevations for the Mercantile Buildings shall be in accordance with the included Design Intent elevations and photos and shall be approved by the City of Cumming, Mayor, or by the Mayor's representative; such approval shall be not unreasonably withheld.

44) Modern Farmhouse Buildings. In order to introduce a variety of architectural styles and provide a visual transition from the Dahlonega Highway Mixed-Use district to the Detached Single-Family District, three of the multifamily buildings will be designed in a Modern Farmhouse style (as indicated on the Multi-Family Community site plan excerpt). The Modern Farmhouse Buildings shall be residential in scale, with a three-story maximum height, served by internal corridors (no breezeways) and incorporating where feasible, the following design elements: modulated facades of differing depths and widths to create residential character and scale; pitched and hipped roofs of varying ridge and hip height, lateral cornice length, and soffit depth; building cladding fields to create three-sided architectural depth; and balcony variation incorporating protruding, recessed, and "Juliette" designs within vertical stacks. The elevations and materials proposed for the Modern Farmhouse Buildings shall be substantially similar to the Design Intent elevations presented as Exhibit "A" and incorporated herein by this reference. The primary exterior building elevations and materials for the Modern Farmhouse Buildings shall consist of at least fifty-one percent (51%) brick or stone with the remainder in siding, shake or board and batten. Up to 2,600 SF of the ground floor of the Modern Farmhouse Building adjacent to the Village Green shall be commercial space constructed for a Fitness Spa, training facility or other wellness-type use, and shall include an indoor-outdoor component which engages the Village Green. Final architectural elevations shall be reviewed and approved by the City of Cumming, Mayor, or by the Mayor's representative; such approval shall be not unreasonably withheld.

45) The Multi-Family unit mix shall be approximately:

- a) One Bedroom Units – 65% / min. average HSF - 825
- b) Two Bedroom Units – 30% / min. average HSF – 1,200
- c) Three Bedroom Units – 5% / min. average HSF – 1,500

46) The Multi-Family Community shall have a minimum parking ratio of 1.55 spaces per dwelling unit. The Associations may include shared parking allowances in the Declarations of Conditions, Covenants, and Restrictions to be included in this requirement. Included within the overall minimum number of parking spaces for the Multi-Family Community, a minimum of two hundred (200) spaces shall be dedicated spaces located interior to the community. The Multi-Family may include up to 20 attached, enclosed private garages generally as shown on the Multi-Family Community site plan excerpt.

47) Business Platform & Amenities: The Multi-Family Community shall include a dedicated, fully staffed, business leasing center as well as amenities to include a private fitness facility, co-working spaces, coffee café, and other community gathering areas of approximately 6,500 SF. The commercial leasing platform and interior amenities (i.e., not the pool) shall be located facing the Village Green and shall be designed in a manner so as to appear to be ground-level commercial spaces.

48) The Multi-Family Community shall include an approximately 1,500 SF, pool with resort-style seating areas, paver deck (not poured concrete), grilling areas, and cabana with men's and women's bathrooms. The pool shall be gated, secured, and operated in accordance with community rules and regulations.

Detached Single-Family Community:

49) The Developer shall have the ability in its sole discretion to alter the unit mix from the zoning site plan based upon physical and market conditions so long as the maximum number of units is not exceeded. The site layout shall remain substantially similar to the Land Use Plan by Travis Pruitt & Associates dated December 13, 2021. Alterations of any product mix of greater than ten percent (10%) shall be subject to approval of the Mayor or his representative.

50) Rear entry homes shall not be permitted along the boundary of the North Dale subdivision.

51) The Detached Single-Family Units shall have minimum lot widths and areas as follows:

- a) Rear Entry – garage access via alley:
  - i. Lot Width – 45 feet

- ii. Minimum Area – 5,500 square feet
  - b) Front Entry – garage access via street:
    - i. Lot Width – 55 feet
    - ii. Minimum Area – 7,000 square feet
  - c) Motor Court – garage access via shared driveway:
    - i. Lot Width – 65 feet (To be measured along longest lot line for off street lots)
    - ii. Minimum Area – 4,500 square feet
  
- 52) Detached Single-Family Units shall not exceed three (2) stories above grade or thirty-five (35) feet in height.
  
- 53) The exterior elevations and materials for the proposed Detached Single-Family Units shall be substantially similar to the elevations presented as Exhibit “A”. Final designs shall be approved by the Mayor or his representative.
  
- 54) Setbacks for the Detached Single-Family Units (Rear Entry – garage access via alley) shall be:
  - a) Front: 5 feet (measured from back of sidewalk)
  - b) Side: 0 feet (10 feet between buildings)
  - c) Rear: 15 feet (measured from centerline of alley)
  
- 55) Setbacks for Detached Single-Family Units (Front Entry – garage access via street) shall be:
  - a) Front: 5 feet (measured from back of sidewalk)
  - b) Side: 0 feet (10 feet between buildings)
  - c) Rear: 30 feet (measured from the property line)
  
- 56) Setbacks for the Detached Single-Family units (Motor Court – garage access via shared driveway) shall be:
  - a) Front (if on street): 5 feet (measured from back of sidewalk)
  - b) Front (if off street): 0 feet (10 feet between buildings)
  - c) Side: 0 feet (10 feet between buildings)
  - d) Rear: 0 feet (10 feet between buildings)
  - e) Rear: 30 feet (measured from the exterior property line)
  
- 57) All units in the Detached Single-Family Community shall have a 2-car garage.
  
- 58) Driveways for Rear Entry Units shall be a minimum of eighteen (18) feet from the back of the alley curb to the garage door allowing two (2) parking spaces.

- 59) Driveways for the Motor Court lots shall be shared, and each unit shall allow for two (2) parking spaces in the garage. The association may mandate garage parking in order to minimize homeowners parking in the driveway.
- 60) The Detached Single-Family Units shall have a minimum heated square footage of 1,800 square feet.
- 61) A minimum of 80% of the Rear Entry homes shall have a front porch with a minimum depth of five and one half (5.5) feet.
- 62) There shall be a mandatory Homeowner's Association that shall include individual lawn maintenance.
- 63) The streets and alleyways within the development shall be private and maintained by a Homeowner's Association. This development will be gated unless an issue arises concerning safety, site distance, or permit issuance by an applicable authority.
- 64) The Detached Single-Family Units shall have a maximum allowable number of rental units of 10% to be enforced by the Declaration of Covenants, Conditions, and Restrictions of the Homeowner's Association.
- 65) Neighborhood amenities and parks shall be substantially similar to the concepts presented in Exhibit "A". The primary amenity area shall consist of a cabana with men's and women's restrooms and a 2,000 square foot pool at a minimum. Material changes to final design shall be approved by the Mayor or his representative.
- 66) Developer shall grant an easement along the western boundary of the development abutting Parcel Number C24 036 (N/F Dorothy E. Gilstrap) benefiting parcels C24 033 (N/F Martha M. Lappe), C24 038 (N/F Catherine M. Amos), C24 034 (N/F Catherine M. Amos), and C24 036 (N/F Dorothy E. Gilstrap). There shall be a 30-foot Landscape Strip and a 35-foot Exterior Building Setback along a portion of the western boundary of the development abutting Parcel Number C24 036 (N/F Dorothy E. Gilstrap). The Landscape Strip and Exterior Building Setback shall be measured from the proposed easement. Developer shall have the right to dedicate the easement to the beneficiaries. Should dedication occur, the Landscape Strip and Exterior Building setback shall be measured from the property line. The Landscape Strip shall consist of a mix of evergreen trees planted staggered in 2 rows on 15-foot centers. The trees shall be a minimum of 8 feet in height at the time of planting. Developer shall construct a 6-foot black vinyl coated chain link fence along the access easement line to be maintained by the association. A

single row of plantings shall be planted on the outside of the fence and shall be maintained by the neighboring property owner. These plantings shall be a minimum of 3 feet in height at the time of planting and planted on 10-foot centers. This condition is depicted on Exhibit "B-2".

67) There shall be a 20-foot Landscape Strip and a 30-foot Exterior Building Setback along Brooks Farm Drive and the southern boundary abutting Parcel Number C25-045 (N/F Pilgrim Mill Family Limited Partnership, LLLP). The Landscape Strip and Exterior Building Setback shall be measured from the property line. The Landscape Strip shall consist of a mix of evergreen trees planted staggered in 2 rows on 15-foot centers. The trees shall be a minimum of 8 feet in height at the time of planting. Developer shall construct a 6-foot wood privacy fence along the Brooks Farm Drive property line. This detail is depicted on Exhibit "B-5".

68) There shall be a 20-foot Landscape Strip and a 30-foot Exterior Building Setback along the portion of the single-family units along Pilgrim Mill Road. The Landscape Strip and Exterior Building Setback shall be measured from the property line. The landscaping shall consist of a mix of evergreen and street trees. Entrance monumentation and fencing shall also be required. Final design to be approved by the Mayor or his representative.

69) There shall be 30-foot Landscape strip and a 35-foot Exterior Building Setback along the boundary with the North Dale subdivision. The Landscape Strip and Exterior Building Setback shall be measured from the property line. The Landscape Strip shall consist of a mix of evergreen trees planted staggered in 2 rows on 15-foot centers. The trees shall be a minimum of 8 feet in height at the time of planting. This planting detail is depicted on Exhibit "B-3".

Pilgrim Mill Mixed-Use - Retail, Restaurant, Office:

70) The front exterior building elevations and materials for the proposed Retail, Office, Restaurant buildings shall include, for each building, at least fifty to seventy-five percent (50%-75%) brick, stone, or other masonry products; provided, however, such limitation shall not include wall and ceiling returns. At least twenty to forty-five percent (20%-45%) along each building façade shall be glass fenestration (windows & doors); provided, however, such limitation shall not include wall and ceiling returns. No more than ten to twenty percent (10%-20%) along each building façade shall consist of accent materials, including, but not limited to, stucco, hardi-plank, and batten board siding, but shall not include vinyl siding. Final designs shall be approved by the Mayor or his representative.

- 71) Retail, Restaurant, Office buildings shall not exceed two (2) stories above grade.
- 72) Commercial businesses in the Sawnee Village Pilgrim Mill mixed use area shall be eligible for the issuance of alcohol licenses, including distilled spirits, regardless of the distance to the neighboring church.
- 73) The following uses shall not be permitted on the subject property:
- a) Vape shops
  - b) Adult novelty stores
  - c) Pawn shops
  - d) Massage parlors
  - e) Tattoo parlors
  - f) Automobile sales and service
  - g) Automobile repair, emission, oil change facilities
  - h) Self-storage facilities
  - i) Self-Service Car Washes
- 74) End Units of commercial buildings or freestanding commercial buildings shall be allowed to include drive thru service. Drive thru service uses shall exclude full-service fast-food restaurants. Final design shall be approved by the Mayor or his representative.
- 75) The Pilgrim Mill Mixed-Use shall have a minimum parking ratio 4 spaces per 1,000 square feet. The Associations may include shared parking allowances in the Declarations of Conditions, Covenants, and Restrictions.
- 76) There shall be a 20-foot Landscape Strip and a 25-foot Exterior Building Setback along Pilgrim Mill Road. The Landscape Strip and Exterior Building Setback shall be measured from the existing right-of-way. Final design of signage and landscaping to be approved by the Mayor or his representative.
- 77) There shall be a 20-foot Landscape Strip and 20-foot Exterior Building Setback along the proposed Sawnee Drive Extension. The Landscape Strip and Exterior Setback shall be measured from the proposed right-of-way. Final design of signage and landscaping to be approved by the Mayor or his representative.

Pilgrim Mill Mixed-Use – Institutional Residential Living and Care Facilities:

- 78) The Institutional Residential Living and Care Facilities shall be a Continuing Care Retirement Community that will house and provide services for aging individuals requiring different levels of care. The facilities may contain multiple structures such as a



primary building, miscellaneous outbuildings, and cottages. The Facilities may include independent living, assisted living and memory care options, and all residents shall have a range of typical services such as housekeeping and laundry, dining, social activities, fitness activities, nursing services, and/or other medical assistance. These facilities shall be a maximum of 220,000 square feet.

- 79) The exterior building elevations and materials for the proposed Institutional Residential Living and Care Facilities shall include, for each building, at least thirty to fifty percent (30%-50%) brick, stone, or other masonry products; provided, however, such limitation shall not include wall and ceiling returns. At least twenty to forty percent (20%-40%) along each building façade shall be glass fenestration (windows & doors); provided, however, such limitation shall not include wall and ceiling returns. No more than twenty to forty percent (20%-40%) along each building façade shall consist of accent materials, including, but not limited to, stucco, hardi-plank, and batten board siding, but shall not include vinyl siding. Final designs shall be approved by the Mayor or his representative.
- 80) Institutional Residential Living and Care Facilities buildings height shall not exceed three (3) stories above grade or forty (40) feet in height.
- 81) Setbacks for the Institutional Living and Care Facilities shall be:
- a) Front: 25 feet (measured from future right-of-way)
  - b) Side: 35 feet (measured from property line)
  - c) Rear: 35 feet (measured from property line)
- 82) The Institutional Living and Care Facilities shall have a minimum parking ratio of 0.80 spaces per unit. The Associations may include shared parking allowances in the Declarations of Conditions, Covenants, and Restrictions.
- 83) The following uses shall not be permitted on the subject property:
- a) Vape shops
  - b) Adult novelty stores
  - c) Pawn shops
  - d) Massage parlors
  - e) Tattoo parlors
  - f) Automobile sales & service
  - g) Automobile repair, emission, oil change facilities
  - h) Self-storage facilities
  - i) Self-Service Car Washes

84) There shall be a 30-foot Landscape Strip and a 35-foot Exterior Building Setback along the boundary with parcels C33 038 (N/F M.J. Gravitt), C33 037 (N/F Gravitt & Associates, Inc.), C33 035 (N/F Lucille F. Gilstrap, et al), and C33 042 (N/F The Episcopal Church of the Holy Spirit, Inc.). The Landscape Strip and Exterior Building Setback shall be measured from the property line. The Landscape Strip shall consist of a mix of evergreen trees planted staggered in 2 rows on 15-foot centers. Trees shall be a minimum of 8 feet in height at time of planting. This planting detail is depicted on Exhibit "B-3".

Pilgrim Mill Residential Community:

85) The Developer shall have the ability in its sole discretion to alter the unit mix from the site plan based upon physical and market conditions so long as the maximum number of units is not exceeded. The site layout shall remain substantially similar to the Land Use Plan by Travis Pruitt & Associates dated December 13, 2021. Alterations of any product mix of greater than ten percent (10%) shall be subject to approval of the Mayor or his representative.

86) The Pilgrim Mill Residential Community Units shall a minimum width of twenty (20) feet.

87) The Pilgrim Mill Residential Community Units shall have a minimum heated floor area of 1,600 square feet.

88) The Pilgrim Mill Residential Units shall have not exceed three (3) stories above grade or forty (40) feet in height.

89) The exterior elevations and materials for the proposed Pilgrim Mill Residential Units shall be substantially similar to the elevations presented as Exhibit "A". Final designs shall be approved by the Mayor or his representative.

90) Landscape maintenance shall be provided by the mandatory Homeowner's Association and included in its fees.

91) Setbacks for the Front Entry Units along the perimeter shall be:

a) Front: 10 feet (measured from back of curb)

b) Side: 0 feet (10 feet between buildings)

c) Rear:

i. 55 feet - Parcels C34 004 (N/F Mattie Ruth Stone), C25 043 (N/F Edwin J. & Ruth M. Holbrook), C25 042 (N/F John Wallace Corley, Jr. & Elise I. Corley), and C25 041 (N/F Randy & Sandra Evans)

- ii. 35 feet - Parcels C34 002 (N/F Van Mashburn LeBlanc & Tim LeBlanc) and C25 051 (N/F LeBlanc Family Partners LLLP)
- iii. 20 feet – Parcel C35 001 (N/F City of Cumming)

92) Setbacks for the Rear Entry Units shall be:

- a) Front: 5 feet (measured from back of sidewalk)
- b) Side: 0 feet (10 feet between buildings)
- c) Rear: 15 feet (measured from centerline of alley)

93) The streets and alleyways within the development shall be private and maintained by a Homeowner's Association. This development will be gated unless an issue arises concerning safety, site distance, or permit issuance by an applicable authority.

94) The Pilgrim Mill Residential Community shall have a maximum allowable number of rental units of 10% to be enforced by the Declaration of Covenants, Conditions, and Restrictions of the Homeowner's Association.

95) All units in the Pilgrim Mill Residential Community shall have a 2-car garage.

96) Driveways shall be a minimum of eighteen (18) feet from the back of the sidewalk or back of the alley curb to the garage door allowing two (2) parking spaces.

97) Neighborhood amenities and parks shall be substantially similar to the concepts presented in Exhibit "A". The primary amenity shall consist of a cabana with men's and women's restrooms and a 1,000 square foot pool at a minimum. Material changes to final design shall be approved by the Mayor or his representative.

98) The Pilgrim Mill Residential Community shall be served with one (1) point of ingress/egress on Pilgrim Mill Road. The strip of land connecting the body of the site to Pilgrim Mill Road to the south of Parcel C25 041 (N/F Randy & Sandra Evans) shall remain undisturbed unless regulations require access at this location.

99) There shall be a 30-foot Undisturbed Buffer, a 20-foot Landscape Strip, and a 25-foot Exterior Building Setback along parcels C34 004 (N/F Mattie Ruth Stone), C25 043 (N/F Edwin J. & Ruth M. Holbrook), C25 042 (N/F John Wallace Corley, Jr. & Elise I. Corley), and C25 041 (N/F Randy & Sandra Evans) as depicted on the Land Use Plan by Travis Pruitt & Associates dated December 13, 2021. The Undisturbed Buffer shall be measured from the property line, and the Landscape Strip and Exterior Building Setback shall be measured from the Undisturbed Buffer. The Exterior Building Setback measures 55 feet from the property line. The Landscape Strip shall consist of a mix of evergreen

trees planted staggered in 2 rows on 15-foot centers. The trees shall be a minimum of 8 feet in height at time of planting. Should final design allow the Landscape Strip to be left completely undisturbed, it will remain natural and not be replanted. Should the Landscape Strip be left partially undisturbed, only a partial replanting shall be required, i.e., 10 feet of Landscape Strip is disturbed, then one (1) row of buffer trees would be planted. Developer shall construct a 6-foot wooden fence 5 feet inside the property line to be maintained by the association. This condition is depicted on Exhibit "B-4".

- 100) There shall be a 30-foot Landscape Strip and a 35-foot Exterior Building Setback along parcels C34 002 (N/F Van Mashburn LeBlanc & Tim LeBlanc) and C25 051 (N/F LeBlanc Family Partners LLLP). The Landscape Strip and the Exterior Building Setback shall be measured from the property line. The Landscape Strip shall consist of a mix of evergreen trees planted staggered in 2 rows on 15-foot centers. The trees shall be a minimum of 8 feet in height at time of planting. This planting detail is depicted on Exhibit "B-3".

# **EXHIBIT "A"**

# CONDITION 25



Sawnee Village - Alley Townhomes - Farmhouse

# CONDITION 25



Sawnee Village - Stacked Townhomes

# CONDITION 35



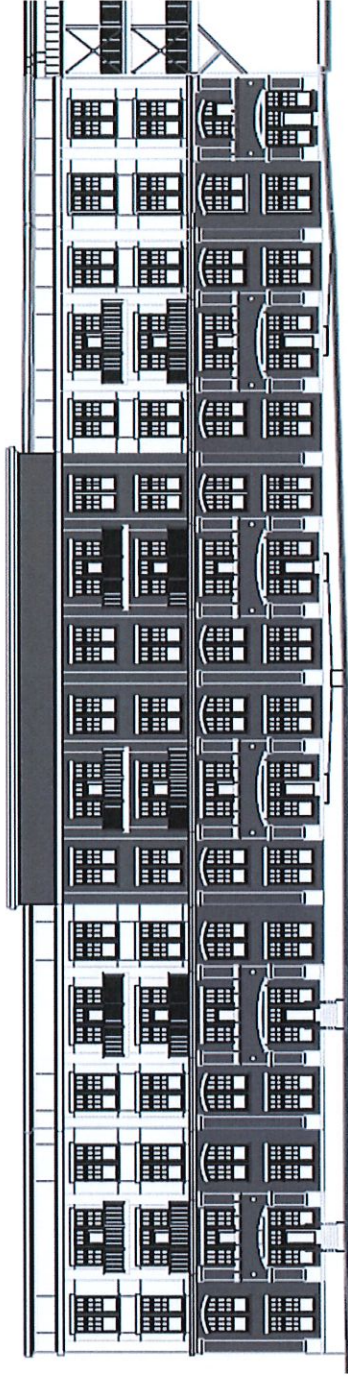
Sawnee Village - Townhomes above Retail (Live/Work)



# CONDITION 43



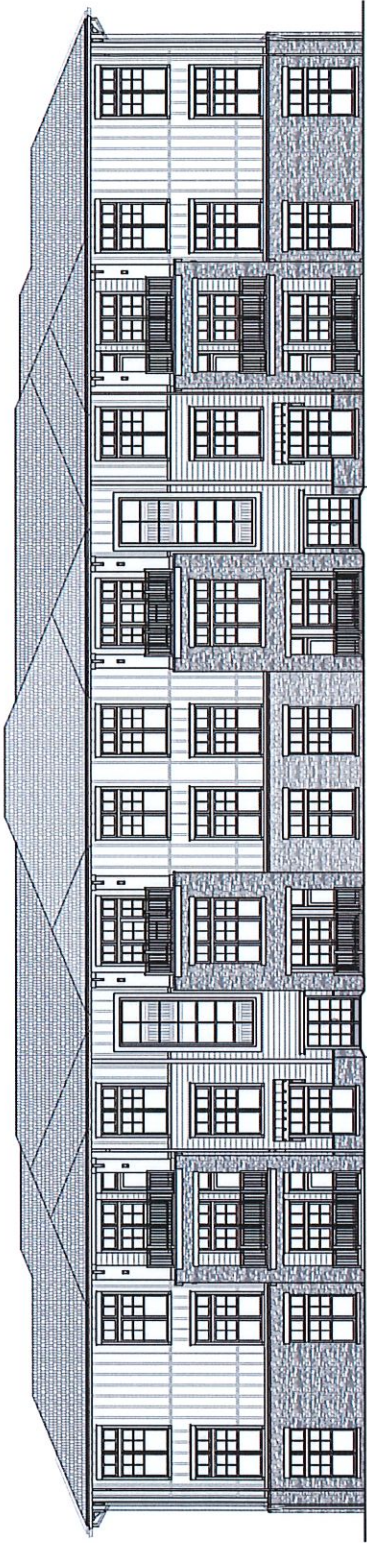
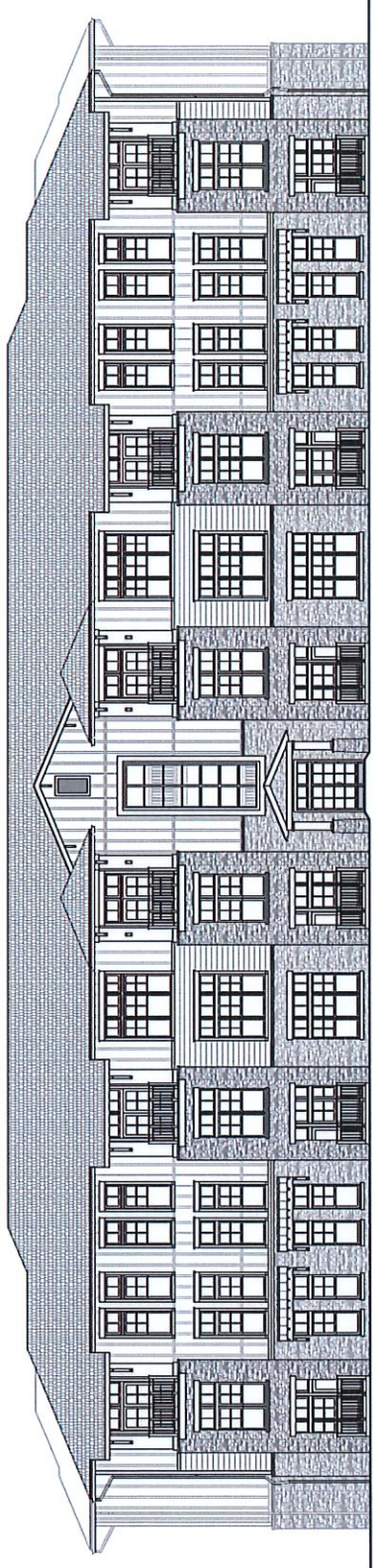
# CONDITION 43



# SAWNEE VILLAGE

Village Green Mercantile Elevations

# CONDITION 44



# SAWNEE VILLAGE

Modern Farmhouse Elevations

**CONDITION 53**



Sawnee Village - Plaza Entry - Farmhouse

# CONDITION 53



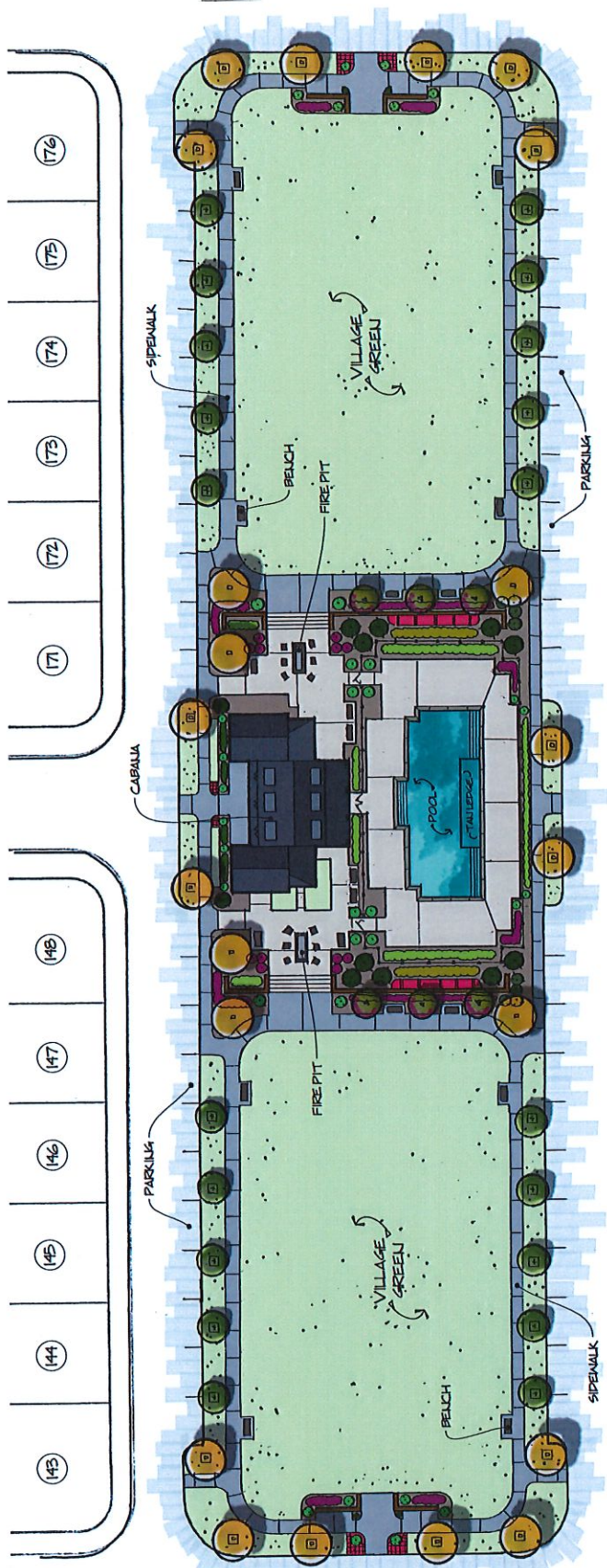
Sawnee Village - Single Family - Alley - Streetscape - Farmhouse

## CONDITION 53



Sawnee Village - Motor Court Homes

# CONDITION 65



## -CONCEPTUAL AMENITY SITE PLAN- **SAWNEE VILLAGE MAIN AMENITY**

DATE: 9/22/2021

PREPARED FOR:



PREPARED BY:



**POLLOCK & ASSOCIATES, INC.**  
LANDSCAPE ARCHITECTS  
2502 ABBEY COURT  
ALPHARETTA, GA 30004  
(770) 567-5360



SCALE: 1" = 20'

# CONDITION 65



## -CONCEPTUAL DOG PARK SITE PLAN- SAWNEE VILLAGE

DATE: 9/22/2021

PREPARED FOR:



PREPARED BY:



**POLLOCK & ASSOCIATES, INC.**  
LANDSCAPE ARCHITECTS  
2502 ABBEY COURT  
ALPHARETTA, GA 30004  
(770) 569-5900



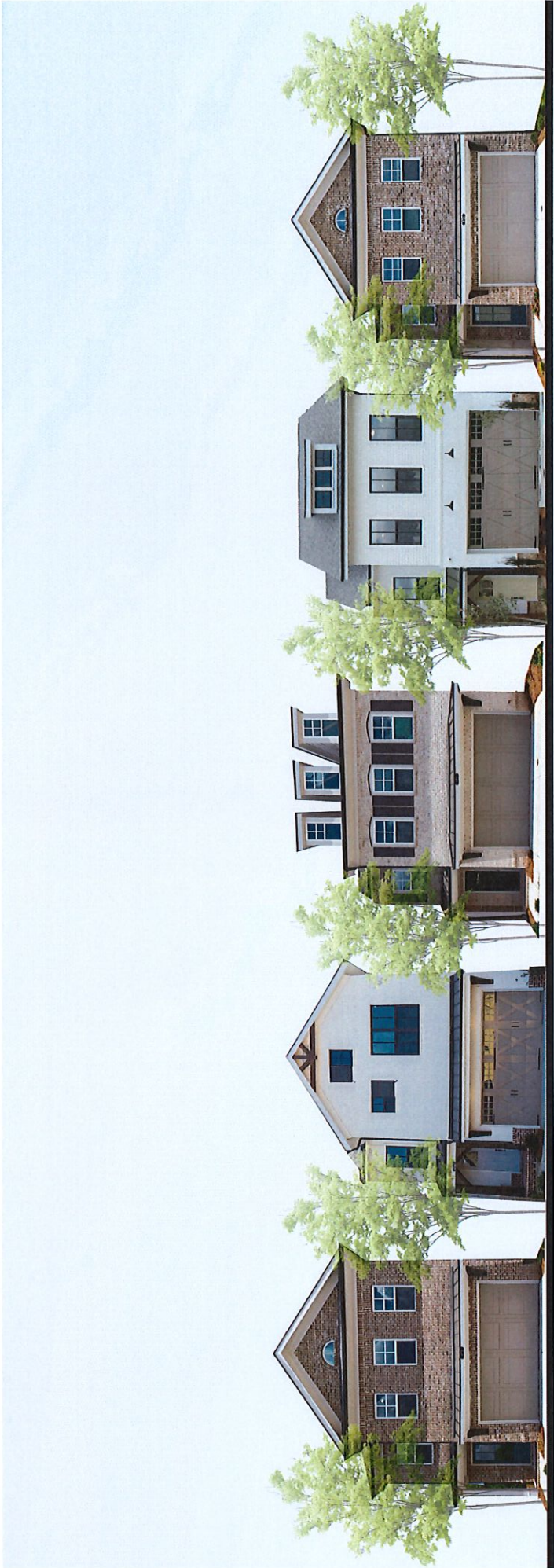
0 20' 40' 80'  
SCALE: 1" = 20'



# CONDITION 89



**CONDITION 89**



**CONDITION 89**



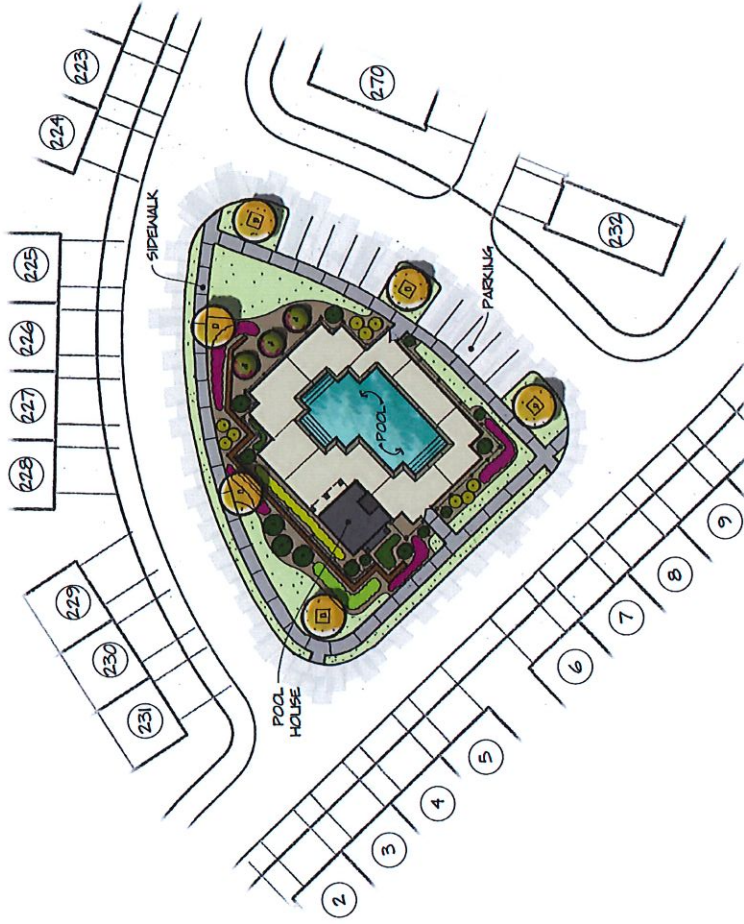
# CONDITION 89



Same Elevations but detached - See below



# CONDITION 98



-CONCEPTUAL AMENITY SITE PLAN-

# SAWNEE VILLAGE SECONDARY AMENITY

DATE: 9/22/2021

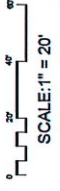
PREPARED FOR:



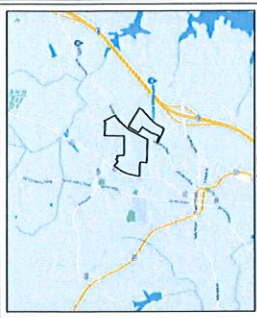
PREPARED BY:



**POLLOCK & ASSOCIATES, INC.**  
LANDSCAPE ARCHITECTS  
2502 ABBEY COURT  
ALPHARETTA, GA 30004  
(770) 369-5900

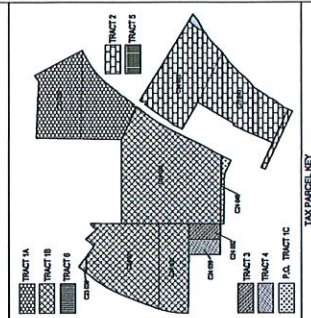


SCALE: 1" = 20'



**SITE DATA:**  
 TOTAL SITE AREA: 162,911 ACRES  
 OPEN SPACE (PDA): 30,382 ACRES  
 FLOORPLAN (APPROXIMATE): 131,529 ACRES

**ZONING:**  
 EXISTING ZONING: P-1A, OP, AND P2C  
 PROPOSED ZONING: P-1A, OP, AND P2C  
 ZONING JURISDICTION: CITY OF CUMMING

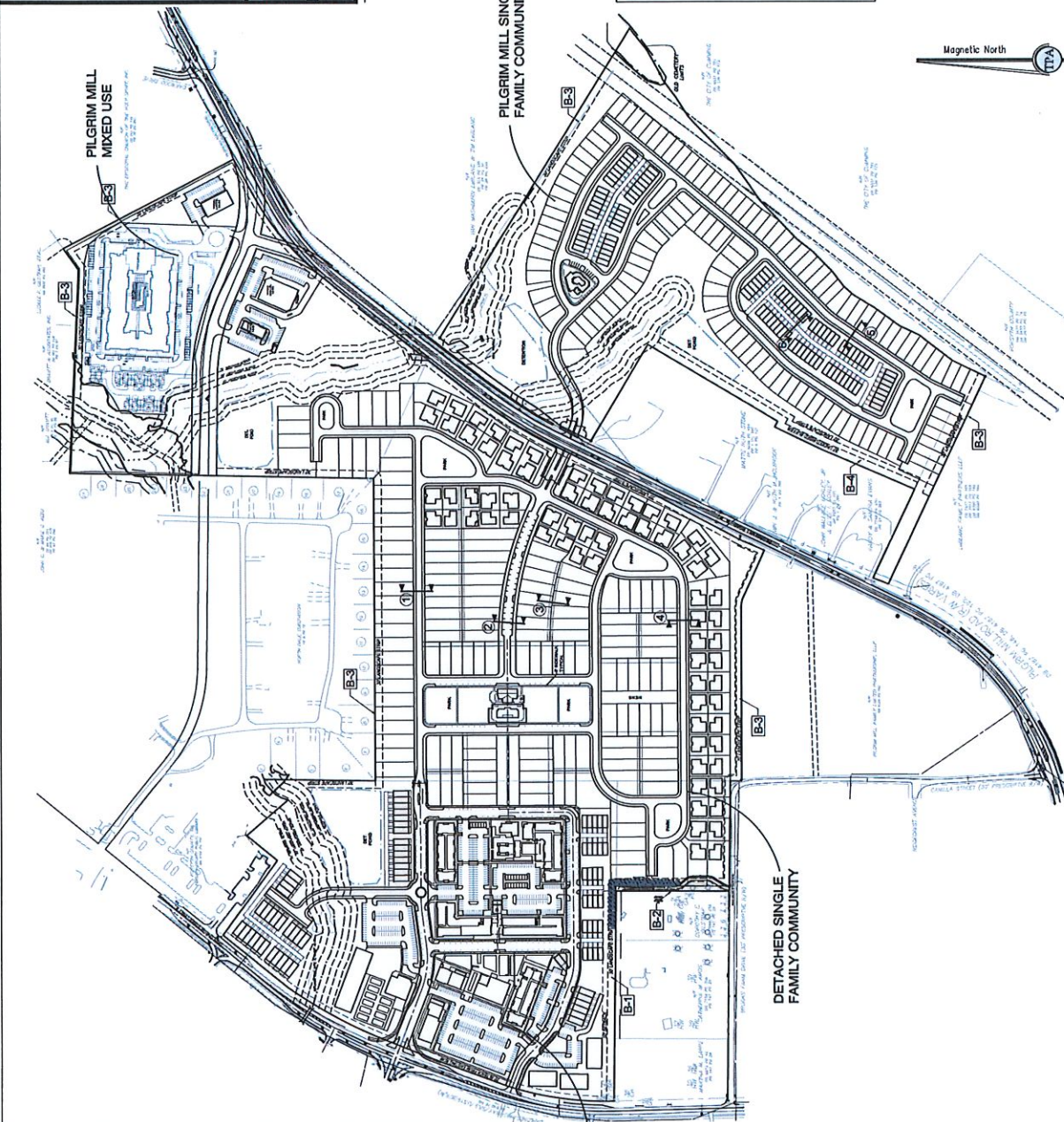


**LAND USE PLAN**  
**SAWNEE VILLAGE**

725 Pilgrim Mill Road and 540 Dahlonega Highway  
 City of Cumming  
 Forsyth County, Georgia

DATE: 10/20/20  
 SCALE: 1"=200'  
 EXPIRES: 10/20/21  
 LAYOUT: [Signature]  
 TITLE: [Signature]  
 FIRM: [Signature]

2 of 3



Land Use Summary	
	Area (acres)
<b>Total #</b>	<b>16,406</b>
Detached Residential Units	44
55' Front Entry Lots	105
45' Rear Entry Lots	72
Maison Court Lots	123
40' Front Entry Lots	36,309
Attached Residential Units	25
20' Rear Entry Townhomes - Dahlonega Hwy	38
2x Rear Entry Duplex Townhomes - Dahlonega Hwy	98
20' Rear Entry Townhomes - Pilgrim Mill	6
Vertical Mixed Use Units	0.843
Multifamily Units	262
Institutional - Senior Living	220,000 sq ft
Independent Living Units	14,561
Assisted Living Units	
Memory Care Units	
Retail, Restaurant, Office	18,406
Retail, Restaurant, Office - Dahlonega Hwy	32,000 sq ft
Retail, Restaurant, Office - Dahlonega Hwy	20,000 sq ft
Restaurant - Dahlonega Hwy	7,000 sq ft
Indoor Amenities - Dahlonega Hwy	26,000 sq ft
Retail, Office, Restaurant - Pilgrim Mill	21,000 sq ft

**DAHLONEGA HIGHWAY MIXED USE**

**NOTES:**

- ALL SHOWN AREAS SHALL BE SUBJECT TO THE CITY OF CUMMING AND ASSOCIATES FOR THE CITY OF CUMMING AND ASSOCIATES.
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**REFERENCE DOCUMENTS:**

- THE CITY OF CUMMING AND ASSOCIATES FOR THE CITY OF CUMMING AND ASSOCIATES.
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- THE CITY OF CUMMING AND ASSOCIATES FOR THE CITY OF CUMMING AND ASSOCIATES.

**OWNERS/DEVELOPER:**  
**thePROVIDENCEgroup**  
 Warren Jolly  
 4317 Park Drive, Suite 400  
 Norcross, Georgia 30093  
 Phone: (770) 445-2511  
 Fax: (770) 445-2511  
 www.theprovidencegroup.com

11200 Leland Circle  
 Building 1, Suite 200  
 Atlanta, Georgia 30327  
 Phone: (404) 251-1800  
 Fax: (404) 251-1800

10/20/20



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DOUBLE ROW OF 8'-10' TALL EVERGREENS (AT TIME OF PLANTING)  
 CAN BE ANY MIX OF PLANT MATERIAL INCLUDING HOLLY,  
 CRYPTOMERIA, MAGNOLIA, CYPRESS, CEDARS, VIBURNUM AND  
 OSMANTHUS. PLANTED 15' O.C. NO ONE SPECIES SHALL BE MORE  
 THAN 40% OF THE TOTAL BUFFER.

SINGLE ROW OF 3' - 4' TALL EVERGREENS (AT TIME OF PLANTING)  
 CAN BE ANY MIX OF PLANT MATERIAL INCLUDING HOLLY,  
 JUNIPERS AND VIBURNUM. PLANTED 10' O.C. NO ONE SPECIES  
 SHALL BE MORE THAN 40% OF THE TOTAL BUFFER.

50' SETBACK

30' LANDSCAPE STRIP

6' HT. BLACK VINYL CHAIN  
 LINK FENCE

PROPERTY LINE

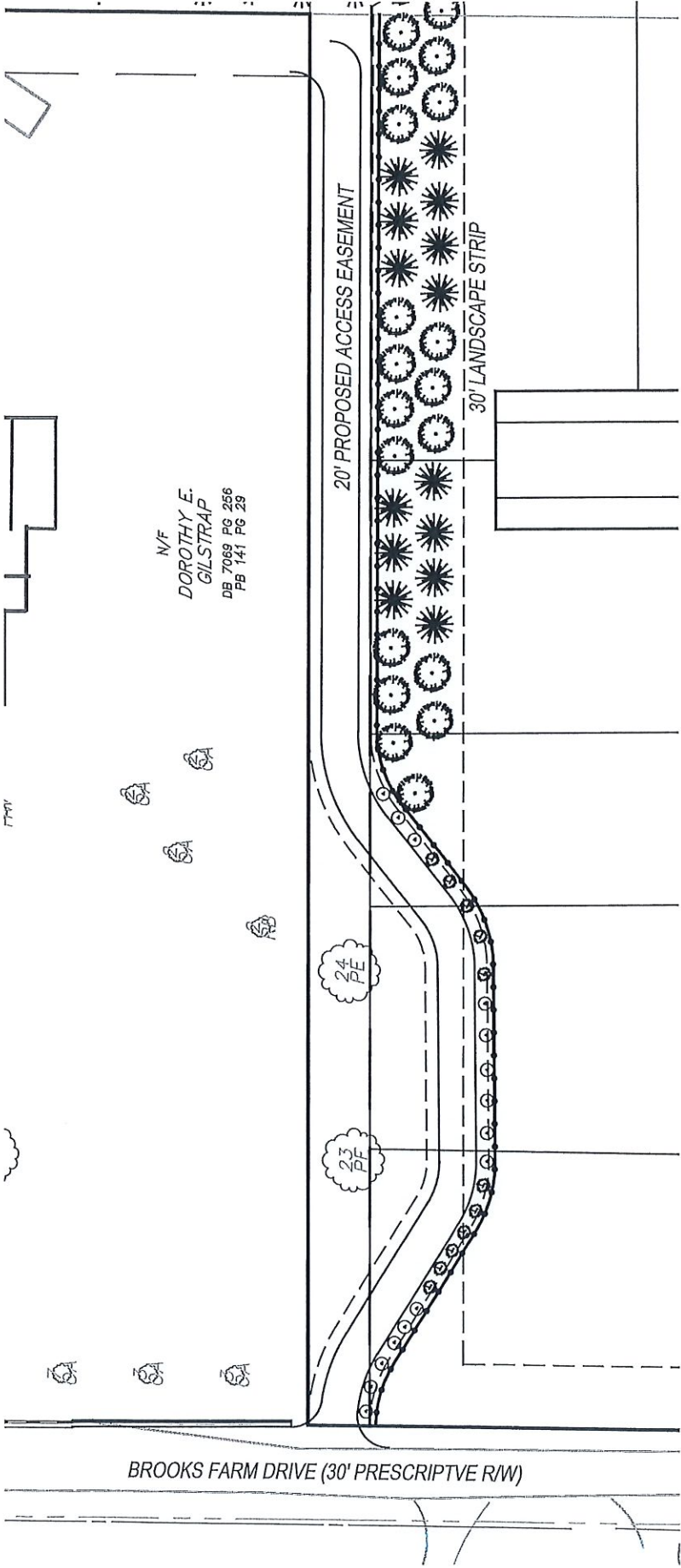
TYPICAL 100' SECTION

**PLAN VIEW**

4317 Park Drive, Suite 400  
 Norcross, Georgia 30093  
 Phone: (770)416-7511  
 Fax: (770)416-6759  
 www.travispruitt.com



**EXHIBIT B-1**



N/F  
 DOROTHY E.  
 GILSTRAP  
 DB 7089 PG 256  
 PB 141 PG 29

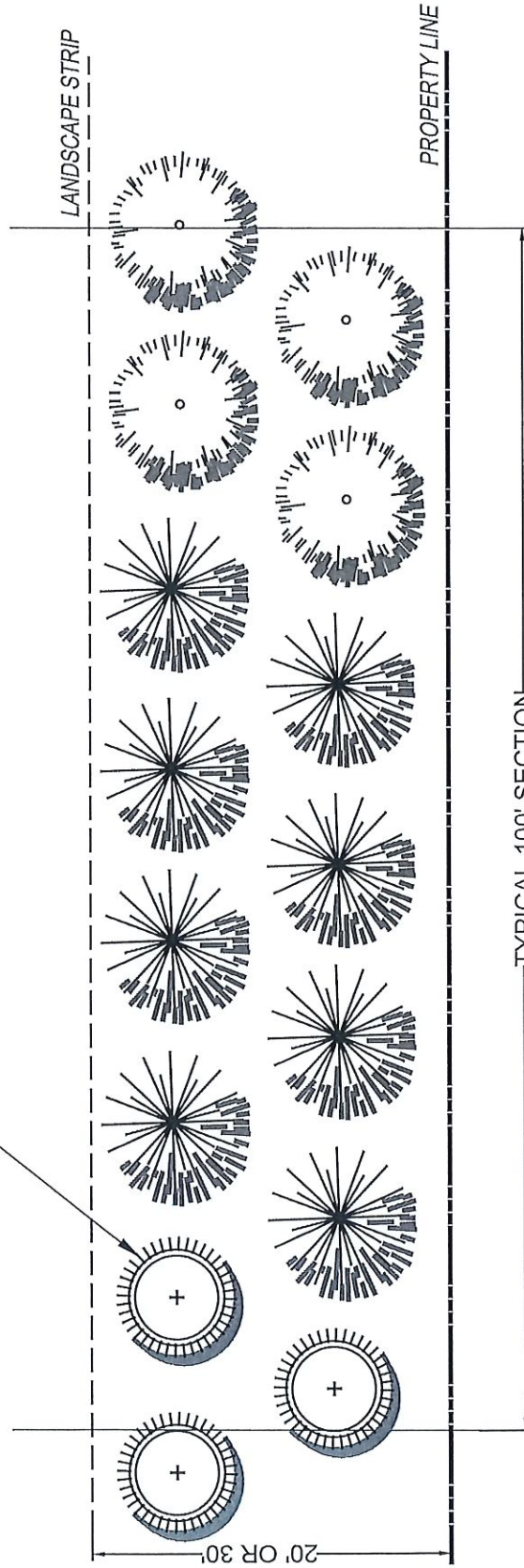
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# EXHIBIT B-2

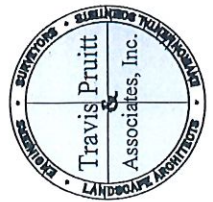


DOUBLE ROW OF 8'-10' TALL EVERGREENS (AT TIME OF PLANTING)  
 CAN BE ANY MIX OF PLANT MATERIAL INCLUDING HOLLY,  
 CRYPTOMERIA, MAGNOLIA, CYPRESS, CEDARS, VIBURNUM AND  
 OSMANTHUS. PLANTED 15' O.C. NO ONE SPECIES SHALL BE MORE  
 THAN 40% OF THE TOTAL BUFFER.



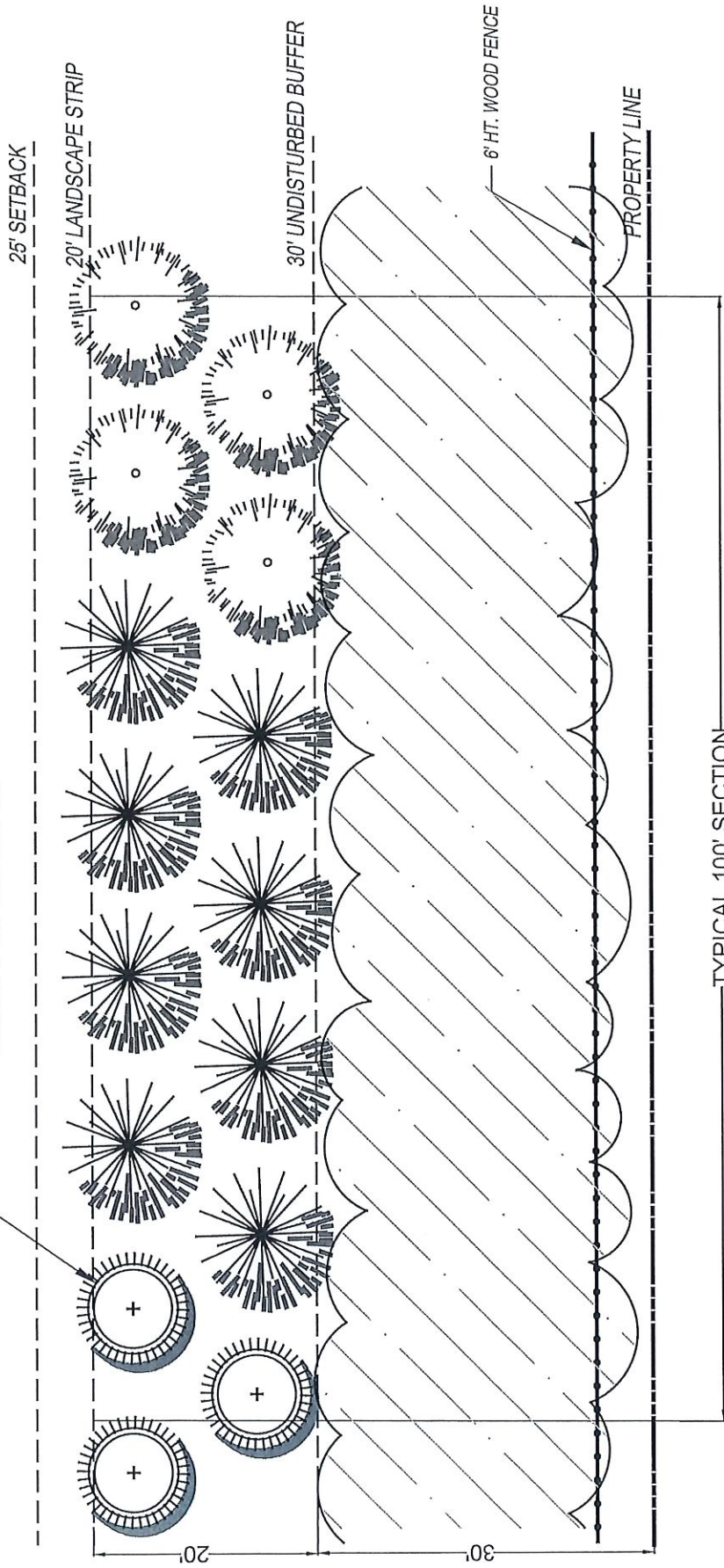
**PLAN VIEW**

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 www.travispruitt.com



**EXHIBIT B-3**

DOUBLE ROW OF 8'-10' TALL EVERGREENS (AT TIME OF PLANTING) CAN BE ANY MIX OF PLANT MATERIAL INCLUDING HOLLY, CRYPTOMERIA, MAGNOLIA, CYPRESS, CEDARS, VIBURNUM AND OSMANTHUS. PLANTED 15' O.C. NO ONE SPECIES SHALL BE MORE THAN 40% OF THE TOTAL BUFFER.



TYPICAL 100' SECTION

## PLAN VIEW

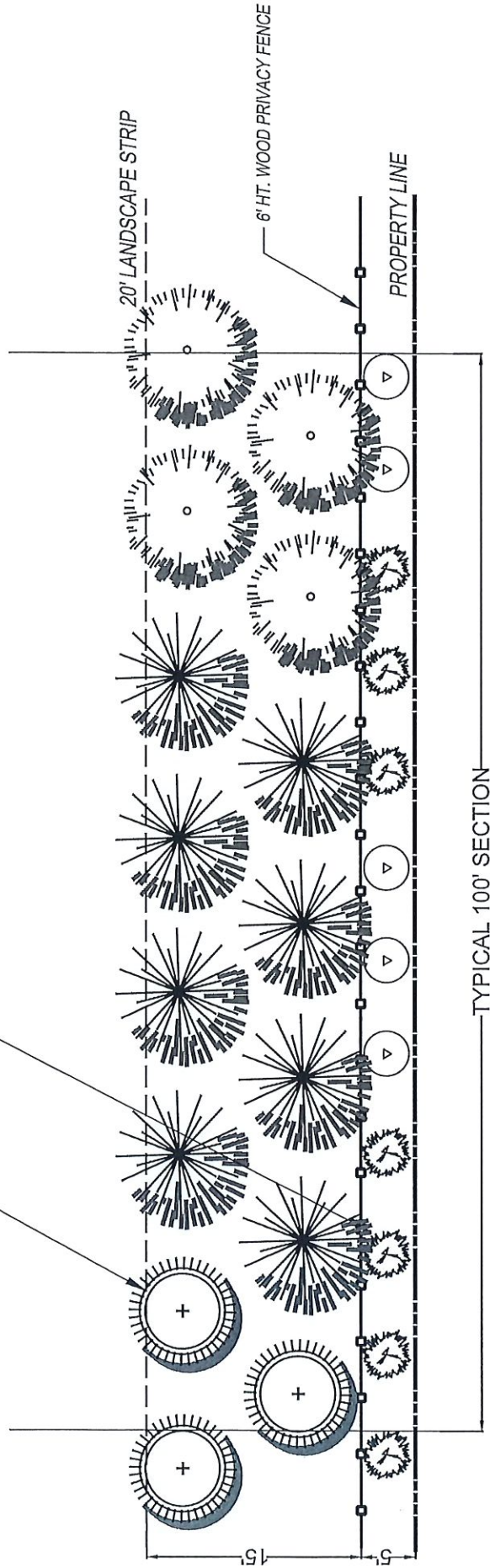


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 Fax: (770)416-6759  
[www.travispruitt.com](http://www.travispruitt.com)

# EXHIBIT B-4

DOUBLE ROW OF 8'-10' TALL EVERGREENS (AT TIME OF PLANTING)  
 CAN BE ANY MIX OF PLANT MATERIAL INCLUDING HOLLY,  
 CRYPTOMERIA, MAGNOLIA, CYPRESS, CEDARS, VIBURNUM AND  
 OSMANTHUS. PLANTED 15' O.C. NO ONE SPECIES SHALL BE MORE  
 THAN 40% OF THE TOTAL BUFFER.

SINGLE ROW OF 3' - 4' TALL EVERGREENS (AT TIME OF PLANTING)  
 CAN BE ANY MIX OF PLANT MATERIAL INCLUDING HOLLY,  
 JUNIPERS AND VIBURNUM. PLANTED 10' O.C. NO ONE SPECIES  
 SHALL BE MORE THAN 40% OF THE TOTAL BUFFER.



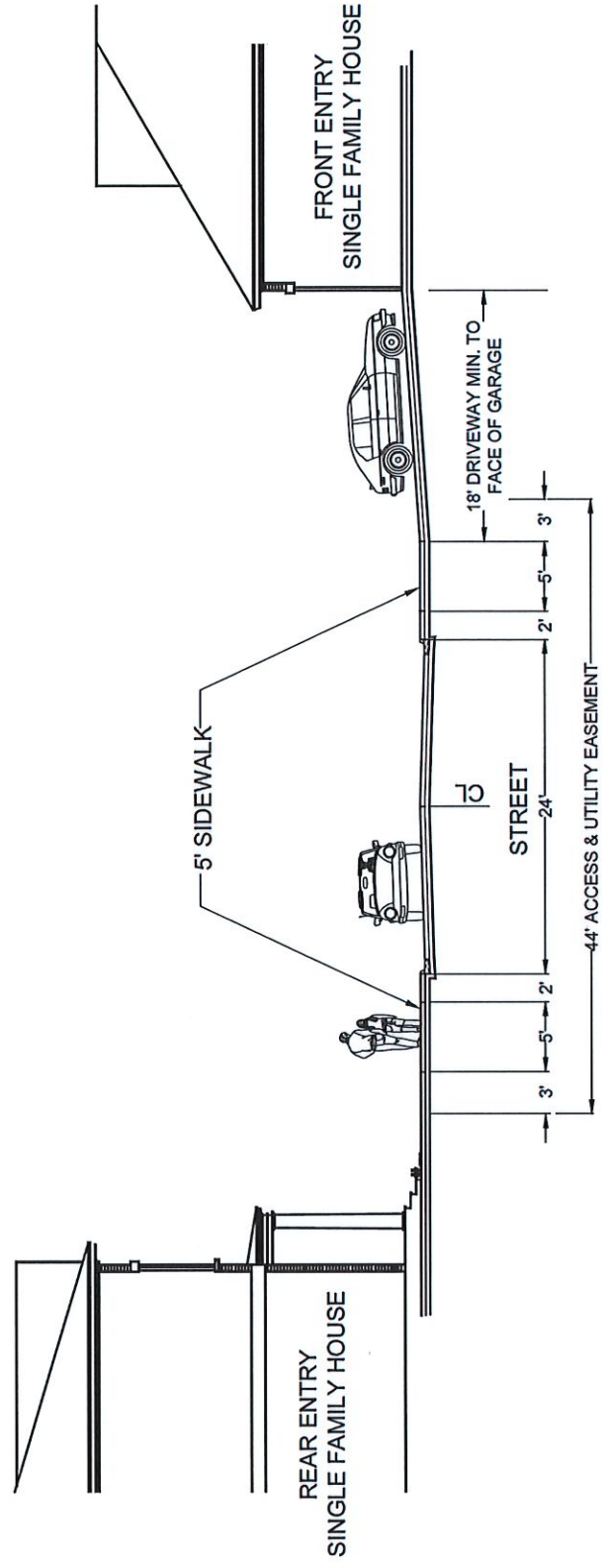
## PLAN VIEW

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 Fax: (770)416-6759  
[www.travispruitt.com](http://www.travispruitt.com)

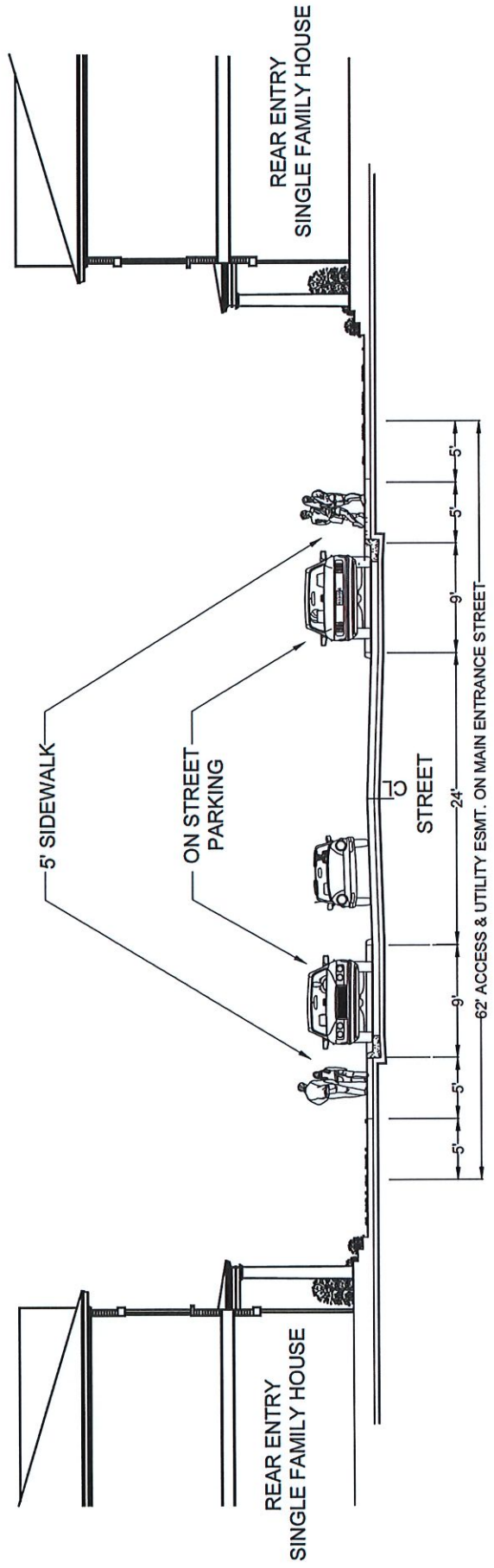


# EXHIBIT B-5

# EXHIBIT C

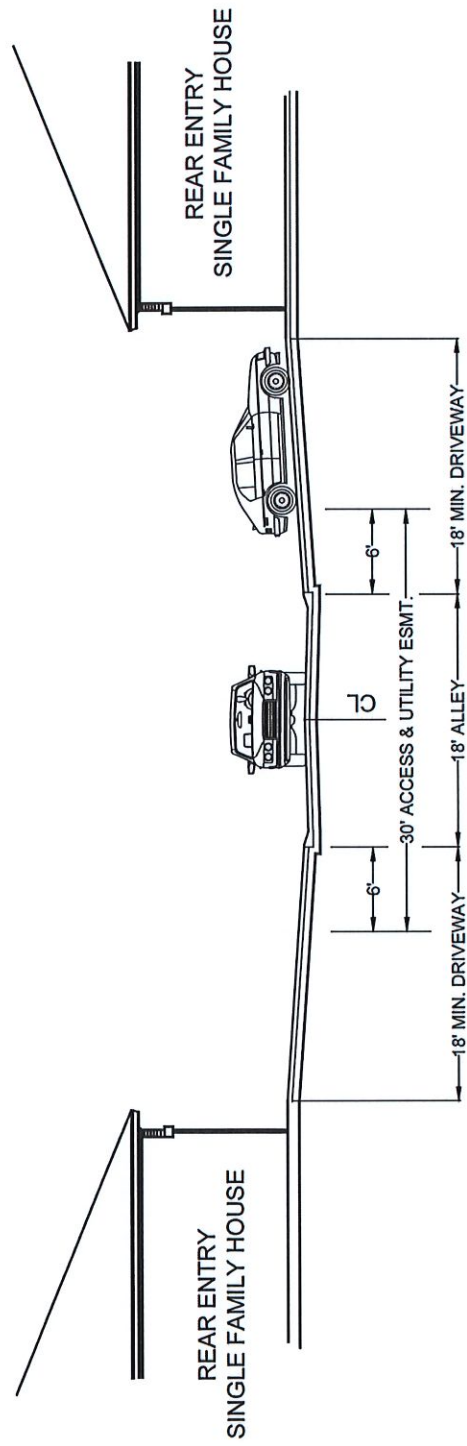


**1** SINGLE FAMILY REAR ENTRY FACING FRONT ENTRY  
NOTE: ALL STREETS AND ALLEYS ARE PRIVATE.



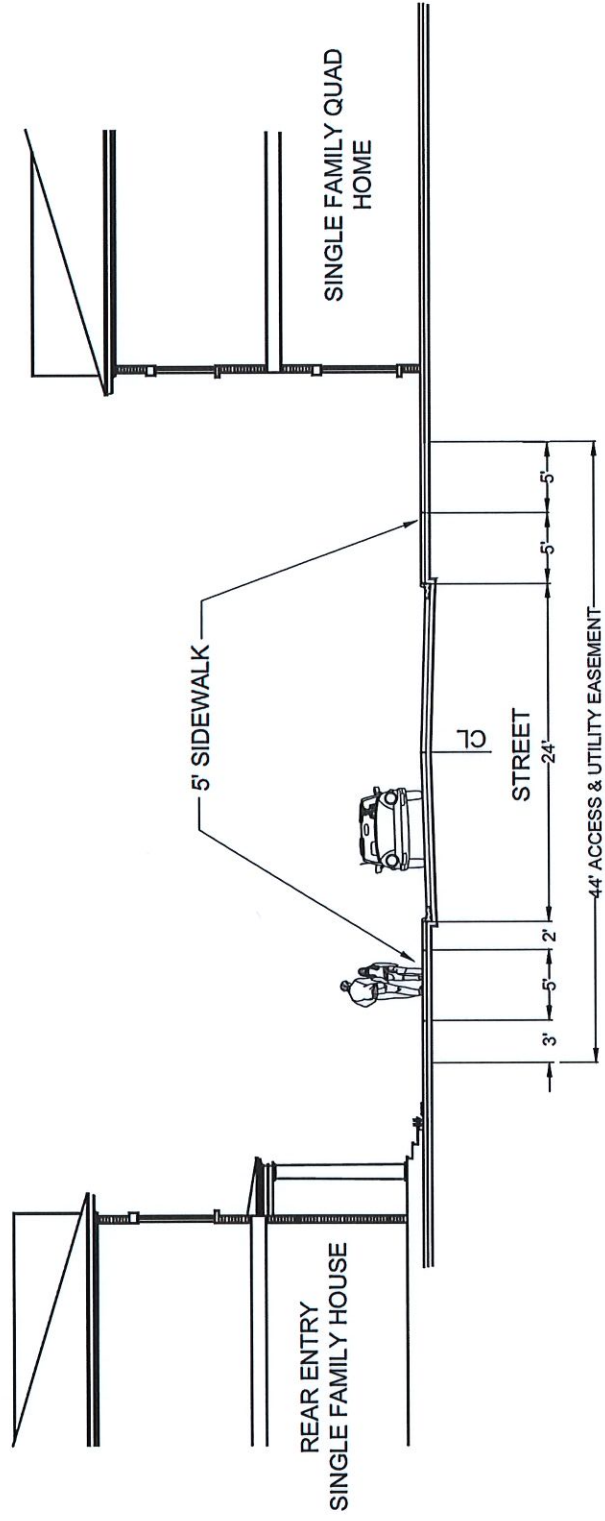
**2** MAIN ROAD REAR ENTRY FACING REAR ENTRY

NOTE: ALL STREETS AND ALLEYS ARE PRIVATE.



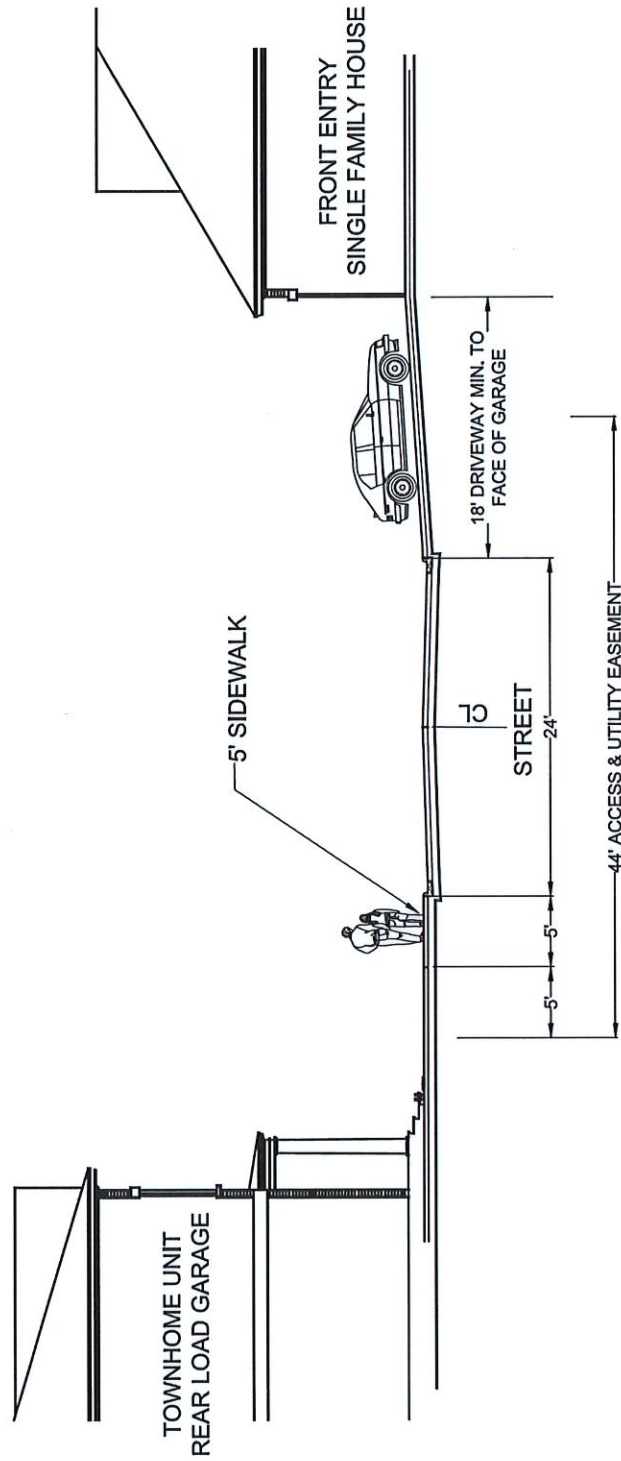
### 3 REAR ALLEY FACING REAR ALLEY

NOTE: ALL STREETS AND ALLEYS ARE PRIVATE.



**4 SINGLE FAMILY REAR ENTRY FACING QUAD**

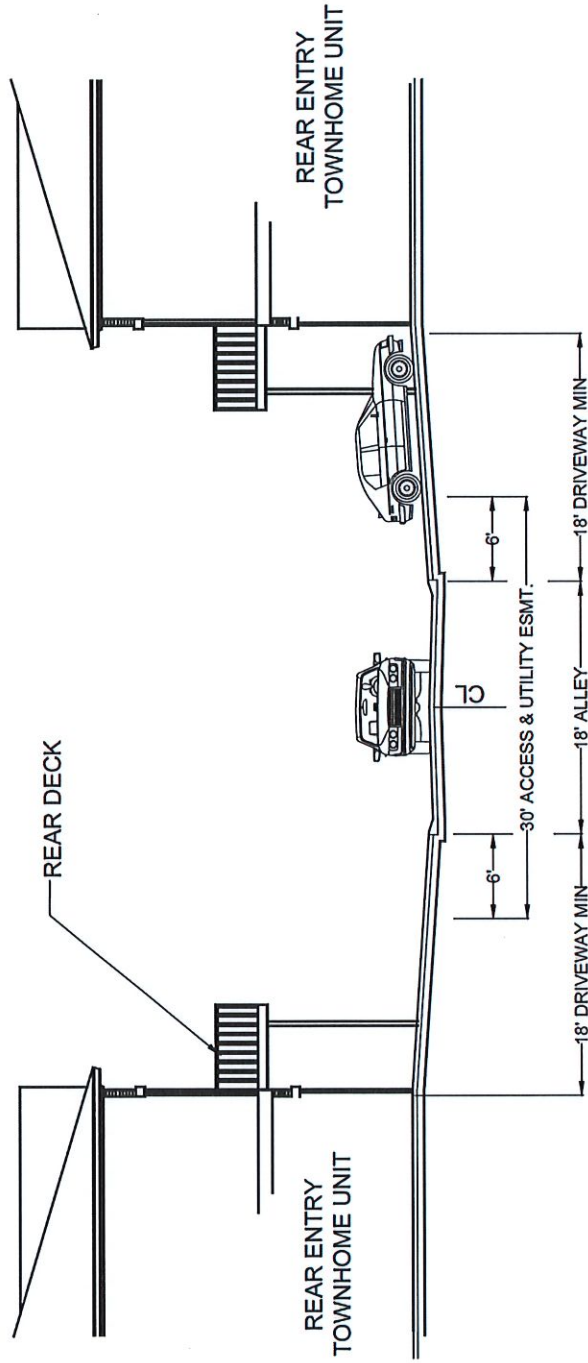
NOTE: ALL STREETS AND ALLEYS ARE PRIVATE.



**5** REAR ENTRY TOWNHOME FACING FRONT ENTRY

NOTE:  
- ALL STREETS AND ALLEYS ARE PRIVATE.





**6**

**REAR ENTRY TOWNHOME ALLEYS**

NOTE: ALL STREETS AND ALLEYS ARE PRIVATE.



## NOTICE OF DECISION

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**To:** Doug Hooker, ARC  
**(via electronic mail)** Bob Voyles, GRTA  
Dick Anderson, GRTA  
Kathryn Zickert, GRTA  
Sharon Mason, GRTA  
Sonny Deriso, GRTA

**To:** City of Cumming  
**(via electronic mail and certified mail)** Clint Walters, The Providence Group of Georgia, LLC.

**From:** Christopher Tomlinson, GRTA Executive Director

**Copy:** Andrew Smith, ARC  
**(via electronic mail)** Aries Little, ARC  
Marquitrice Mangum, ARC  
Cain Williamson, GRTA/ATL  
Aileen Daney, GRTA/ATL  
Shane Giles, GDOT  
Jonathan Peevy, GDOT  
Jason Dykes, GDOT  
Leslie Silas, Forsyth County  
Vanessa Bernstein Goldman, Forsyth County  
John Cunard, Forsyth County  
Tim Allen, Forsyth County

Scott Morgan, City of Cumming  
Everett Thompson, City of Cumming  
John Merder, Travis Pruitt and Associates  
Olivia Zuvanich, Kimley-Horn  
John Walker, Kimley-Horn  
Harrison Forder, Kimley-Horn  
Clint Walters, The Providence Group of Georgia, LLC  
Warren Jolly, The Providence Group of Georgia, LLC  
Melody Glouton, Anderson, Tate and Carr, P.C.

**Date:** October 19, 2021

**Notice of Decision for  
Request for Non-Expedited Review of  
DRI #3395 Sawnee Village**

The purpose of this notice is to inform The Providence Group of Georgia, LLC. (the Applicant) and The City of Cumming (the Local Government), the Georgia Regional Transportation Authority (GRTA) Land Development Committee, the Georgia Department of Community Affairs (DCA), the Georgia Department of Transportation (GDOT), and the Atlanta Regional Commission (ARC) of GRTA's decision regarding Development of Regional Impact (DRI) 3395 Sawnee Village (the DRI Plan of Development). GRTA has completed a non-expedited Review for the DRI Plan of Development pursuant to Section 4.2.3 of the *GRTA DRI Review Procedures* and has determined that the DRI Plan of Development meets the GRTA review criteria set forth in Section 4.3. The DRI Plan of Development as proposed is **approved subject to conditions**, as provided in Attachment A and subject to the limitations placed on allowable modifications to the DRI Plan of Development, as described in Attachment B.

Subject to the conditions set forth in Attachment A and Attachment B, GRTA will approve the expenditure of state and/or federal funds for providing the Land Transportation Services and Access improvements listed in Section 2 of Attachment C. The need for said approval shall terminate and be of no further force and effect after ten (10) years from the date of this Notice of Decision, unless substantial construction of the proposed DRI has been commenced during this ten (year) period.

The notice of decision is based on a review of the applicant's DRI Review Package received by GRTA on September 23, 2021. The review package includes: the site development plan (Site Plan) dated September 13, 2021 titled "Sawnee Village" prepared by Travis Pruitt & Associates, Inc., the Transportation Study dated September 2021 prepared by Kimley Horn & Associates received by GRTA on September 13, 2021, and the DCA Initial and Additional forms filed on July 21, 2021 and September 3, 2021.

Pursuant to Section 5 of the GRTA DRI Review Procedures the Applicant, the GRTA Land Development Committee and the local government have a right to appeal this decision within five (5) Business Days of the date on this letter by filing a Notice of Appeal with the GRTA Land Development Committee. A Notice of Appeal must specify the grounds for the appeal and present any argument or analysis in support of the appeal. For further information regarding the right to appeal, consult Section 5 of the GRTA DRI Review Procedures. If GRTA staff receives an appeal, you will receive another notice from GRTA and the Land Development Committee will schedule the appeal hearing according to the timeline established in Section 5.1.2 of the *GRTA DRI Review Procedures*.

Christopher Tomlinson  
Executive Director  
Georgia Regional Transportation Authority

## Attachment A – General Conditions

### General Conditions of Approval to GRTA Notice of Decision:

#### Pedestrian, Bicycle and Transit Facilities

- Provide pedestrian connectivity between all buildings and uses.

### Roadway & Site Access Improvement Conditions to GRTA Notice of Decision:

#### Crossing Infrastructure

- Ensure crosswalks and pedestrian signals/phasing are implemented with the determined intersection design of Sawnee Drive Extension at Pilgrim Mill Road.

#### Pedestrian Facilities

- Construct sidewalk along all site frontage on Sawnee Drive Extension to meet ADA standards as required.
- Construct sidewalk along the site frontage of SR 9 from the Middle/Elementary School driveway to the Forsyth County Library to meet ADA standards as required.

## **Attachment B – Required Elements of the DRI Plan of Development**

### **Conditions Related to Altering Site Plan after GRTA Notice of Decision:**

The on-site development will be constructed materially (substantially) in accordance with the Site Plan. Changes to the Site Plan will not be considered material or substantial so long as the following conditions are included as part of any changes:

- All “Proposed Conditions of Approval to GRTA Notice of Decision” set forth in Attachment A are provided.

## Attachment C – Required Improvements to Serve the DRI

As defined by the *GRTA DRI Review Procedures*, a “Required Improvement means a land transportation service or access improvement which is necessary in order to provide a safe and efficient level of service to residents, employees and visitors of a proposed DRI.”

The Required Improvements in the study network were identified in the Review Package as necessary to bring the level of service up to an applicable standard before the build-out of the proposed project. These requirements are identified in Sections 1 and 2 of this Attachment. Section 1 contains improvements that do not require GRTA approval at this time because they are to be constructed prior to the completion of the DRI Plan of Development. However, GRTA approval shall be required in the event state and/or federal funds are proposed at a later date to be used for any portion of the improvements described in Section 1. Section 2 contains improvements that require GRTA approval prior to the expenditure of state and/or federal funding. Subject to the conditions set forth in Attachment A and Attachment B, GRTA approves the expenditure of state/and or federal funding for the improvements contained in Section 2.

### Section 1:

#### General Conditions of Approval to GRTA Notice of Decision:

##### Pedestrian, Bicycle and Transit Facilities

- Provide pedestrian connectivity between all buildings and uses.

#### Roadway & Site Access Improvement Conditions to GRTA Notice of Decision:

##### Crossing Infrastructure

- Sawnee Drive Extension at Pilgrim Mill Road
  - Ensure crosswalks and pedestrian signals/phasing are implemented with the determined intersection design

##### Pedestrian Facilities

- Sawnee Drive Extension
  - Construct sidewalk along all site frontage to meet ADA standards as required.
- SR 9
  - Construct sidewalk along the site frontage from the Middle/Elementary School driveway to the Forsyth County Library to meet ADA standards as required.

### Section 2:

#### Roadway Improvement Conditions to GRTA Notice of Decision:

##### Intersection Control

- Pirkle Ferry Road/Bald Ridge Road at Lanier 400 Parkway
  - Install signal, if and when warranted
- SR 9 (Dahlonega Highway) at Elm Street/Ridgecrest Avenue
  - Install signal, if and when warranted

- Dahlonega Highway (SR 9) at Access A/Otwell Middle School Driveway
  - The City of Cumming and Applicant/Developer should coordinate with GDOT to determine acceptable intersection design/traffic control and warranted pedestrian and ADA facilities. In particular, the need for a safe passage between the western extent of the site and the school entrances for pedestrians, should be taken into consideration.
- Dahlonega Highway (SR 9) at Access B
  - The City of Cumming and Applicant/Developer should coordinate with GDOT to determine acceptable intersection design/traffic control and warranted pedestrian and ADA facilities.

#### Signal Optimization

- SR 9 at SR 306 Sawnee Drive/ Charles Place
  - Update phasing for the northbound intersection approach.

#### Project Coordination

- SR 9 at SR 306 Sawnee Drive/ Charles Place Intersection
  - The City of Cumming, Forsyth County, and Applicant/Developer should continue to coordinate with GDOT outside of the DRI process to assess feasibility of constructing a dedicated southbound right turn lane to address current substandard Level of Service regarding SR 9 roadway widening project PI 141890 (ARC FT-001E).