

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 – November 1, 2021

- 1) The residential uses in the development will consist approximately of:
 - a. Dahlonega Highway Mixed-Use
 - i. Attached Townhomes and Duplexes - 102 Units
 - ii. Multi-Family Community – 262 Units
 - iii. Vertical Mixed Use – 6 Units
 - b. Detached Single-Family Community - 221 Units
 - c. Attached Single-Family Community - 270 Units
- 2) The non-residential uses in the development will consist approximately of:
 - 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 Mixed- Use
 - i. Institutional Residential Living and Care Facilities, Retail, Restaurant, Office – 261,000 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.

- 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 42 & 43 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 must commence within one (1) year of rezoning. Should completion not occur within twenty-four (24) months of commencement, Developer shall have the right to complete the road on its property. Developer shall dedicate 100 feet of right-of-way to the City upon road completion. 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) and service retail, however, uses will be market driven.
- 13) The front exterior building elevations and materials for the proposed Retail, Office, Restaurant buildings shall be substantially similar to the elevations as presented as Exhibit "A" and 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) 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

18) 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.

19) There shall be a 20-foot setback from the existing right-of-way along Dahlonge 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.

20) 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".

Dahlonge Highway Mixed-Use - Attached Townhomes & Duplexes:

21) The Attached Townhome & Duplex Units shall have a minimum width of 20 feet.

- 22) The Attached Townhome & Duplex Units shall have a minimum heated floor area of 1,400 square feet.
- 23) Attached Townhome & Duplex Units shall not exceed three (3) stories above grade or forty (40) feet in height.
- 24) The exterior elevations and materials for the proposed Attached Townhome & Duplex Units 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.
- 25) Landscape and exterior maintenance of the townhomes and duplexes shall be provided by their respective mandatory sub-associations.
- 26) Setbacks for the Attached Townhome and Duplex 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)
- 27) Attached Townhomes in the Dahlonega Highway Mixed-Use shall have 2-car garages.
- 28) Duplex Units in the Dahlonega Highway Mixed-Use may have 1-car garages
- 29) 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.
- 30) Driveways of Duplex Units shall be a minimum of eighteen (18) feet from the back of the alley curb to the garage door allowing one (1) parking space.
- 31) 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.
- 32) 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".

Dahlonge Highway Mixed-Use - Vertical Mixed-Use:

- 33) The commercial and residential space of each unit may be owned individually or separately in the form of a condominium association.
- 34) 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.
- 35) Vertical Mixed-Use Units shall not exceed three (3) stories above grade or forty (40) feet in height.
- 36) 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)
- 37) Residential Units in the Vertical Mixed-Use shall have a two (2) car garage.
- 38) 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.
- 39) 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

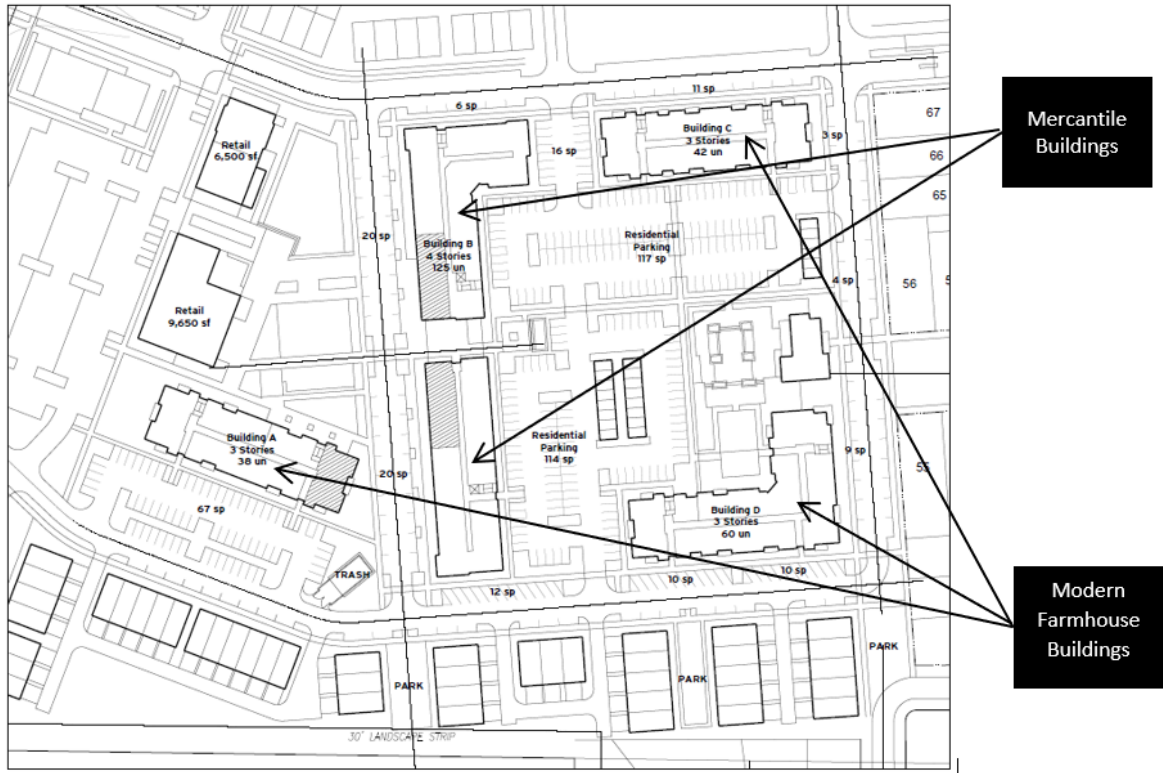
40) There shall be a 30-foot Landscape Strip and a 50-foot Exterior Building Setback along the southern boundary of the development abutting parcels C24 033 (N/F Martha M. Lappe), C24 038 (N/F Catherine M. Amos), C24 034 (N/F Catherine M. Amos), and C24 036 (N/F Dorothy E. Gilstrap). The Landscape Strip 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".

Dahlonge Highway Mixed-Use - Multi-Family Community:

41) 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:



42) Mercantile Buildings. The purpose of the Mercantile Buildings is to provide a framing element or backdrop for the Village Green within the Dahlonega 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.

43) 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.

44) 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

- 45) 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.
- 46) 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.
- 47) 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:

- 48) 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. Alterations of any product mix of greater than ten percent (10%) shall be subject to approval of the Mayor or his representative.
- 49) Rear entry homes shall not be permitted along the boundary of the North Dale subdivision.
- 50) The Detached Single-Family Units shall have a minimum lot width of forty-five (45) feet and a minimum lot area of 4,000 square feet.
- 51) Detached Single-Family Units shall not exceed three (2) stories above grade or thirty-five (35) feet in height.

- 52) 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.
- 53) 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)
- 54) 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: 35 feet (measured from the exterior property line)
- 55) 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)
- 56) All units in the Detached Single-Family Community shall have a 2-car garage.
- 57) 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.
- 58) 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.
- 59) The Detached Single-Family Units shall have a minimum heated square footage of 1,800 square feet.
- 60) Rear Entry homes shall have a front porch with a minimum depth of five and one half (5.5) feet.
- 61) There shall be a mandatory Homeowner's Association that shall include individual lawn maintenance.

- 62) 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.
- 63) 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.
- 64) 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 2,000 square foot pool at a minimum. Material changes to final design shall be approved by the Mayor or his representative.
- 65) Developer shall grant an access 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 access easement. 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".
- 66) There shall be a 20-foot Landscape Strip and a 20-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(s) 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".
- 67) There shall be a 20-foot Landscape Strip and a 25-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.

68) 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".

69) There shall be a 20-foot Landscape Strip and a 25-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.

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

70) The front exterior building elevations and materials for the proposed Retail, Office, Restaurant buildings shall be substantially similar to the elevations presented as Exhibit "A" and 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

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 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 to provide independent living, assisted living, and memory care options. Residents will have a range of typical services such as housekeeping and laundry, dining, social activities, fitness activities, and nursing services.

79) The exterior building elevations and materials for the proposed Institutional Residential Living and Care Facilities 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. **LAMAR WAKEFIELD REVIEWING; DON'T FORGET COTTAGES**

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:

- i) Vape shops
- j) Adult novelty stores
- k) Pawn shops
- l) Massage parlors
- m) Tattoo parlors
- n) Automobile sales & service
- o) Automobile repair, emission, oil change facilities
- p) Self-storage facilities

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".

Attached Single-Family 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. Alterations of any product mix of greater than ten percent (10%) shall be subject to approval of the Mayor or his representative.
- 86) The Attached Single-Family Units shall a minimum width of twenty (20) feet.
- 87) The Attached Single-Family Units shall have a minimum heated floor area of 1,600 square feet.
- 88) The Attached Single-Family 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 Attached 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.
- 90) Landscape and exterior maintenance shall be provided by the mandatory Homeowner's Association and included in its fees.
- 91) Setbacks for the Front Entry Attached Single-Family Units shall be:
- a) Front: 10 feet (measured from back of curb)
 - b) Side: 0 feet (10 feet between buildings)
 - c) Rear: 35 feet (measured from exterior property line)
- 92) Setbacks for the Rear Entry Attached Single-Family 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 Attached 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.
- 95) All units in the Attached Single-Family 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 1,000 square foot pool at a minimum. Material changes to final design shall be approved by the Mayor or his representative.
- 98) The Attached Single-Family Community shall be served with one (1) point of ingress/egress on Pilgrim Mill Road.
- 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). 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 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 undisturbed, it will remain natural and not be replanted. 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".