

# MOORE INGRAM JOHNSON & STEELE

A LIMITED LIABILITY PARTNERSHIP  
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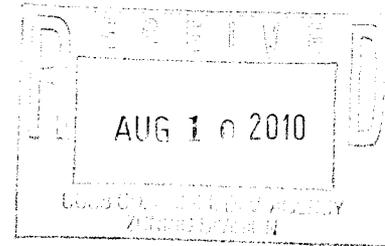
OF COUNSEL:  
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August 10, 2010

**Hand Delivered**

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



RE: Application for "Other Business"

Applicant: Pacific Group, Inc.  
Owner: CGCK Vinings, LLC  
Property: Development to be known as "The Battery on Paces Ferry" located on the southerly side of Paces Ferry Road, Land Lot 886, 17<sup>th</sup> District, 2<sup>nd</sup> Section, Cobb County, Georgia

Dear John:

On behalf of the Applicant and Property Owner in the above-referenced Application for "Other Business," we submit the attached Amendment to the "Other Business" Application which is presently pending for hearing before the Board of Commissioners on August 17, 2010. The amendments are set forth in paragraphs 3 and 4, with the balance as originally submitted.

Thank you for your consideration and assistance in this matter. If you should have any questions or require additional information or documentation prior to the upcoming hearing, please do not hesitate to contact me.

**MOORE INGRAM JOHNSON & STEELE**

Mr. John P. Pederson, AICP  
Zoning Administrator  
Zoning Division  
Cobb County Community Development Agency  
Page 2 of 2  
August 10, 2010

With kindest regards, I remain

Very truly yours,

MOORE, INGRAM, JOHNSON & STEELE, LLP



John H. Moore

JHM:cc

Attachment

c: Cobb County Board of Commissioners:

Tim Lee, Chairman

George W. "Woody" Thompson

Helen C. Goreham

Robert Ott

Thea Powell

(With Copy of Attachment)

Residents of Battery on Paces Ferry

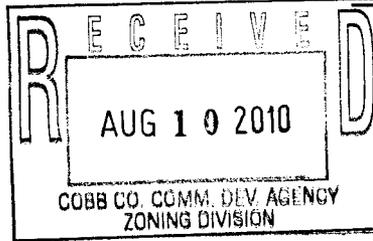
Vinings Homeowners Association

(With Copy of Attachment)

Pacific Group, Inc.

(With Copy of Attachment)

**EXHIBIT "B"**  
**AMENDMENT TO ATTACHMENT TO**  
**APPLICATION FOR OTHER BUSINESS**  
**(STIPULATION AMENDMENT)**



**Application No.:** Z-118 (2005)  
**Original Hearing Date:** July 19, 2005  
**Date of Zoning Decision:** December 20, 2005  
**Current Hearing Date:** August 17, 2010

**BEFORE THE COBB COUNTY BOARD OF COMMISSIONERS**

**Applicant: Pacific Group, Inc.**  
**Property Owner: CGCK Vinings, LLC**

Applicant and Property Owner request amendments to certain stipulations and conditions for the "townhome" portion of the development to be known as "The Battery on Paces Ferry" (formerly known and approved as "Vinings Main Townhomes," formerly known as "ALTA Vinings Townhomes"), approved through the rezoning process by the Board of Commissioners on December 20, 2005. The proposed amendments are as follows:

- (1) Deletion of Section II(B), Townhomes, paragraph 5 (page 10 of letter of agreeable stipulations and conditions), and insertion of the following in lieu thereof:
  5. The townhome residences shall contain three-sided architecture with the rear of the units being constructed of cedar shake type siding.
- (2) Deletion of Section II(B), Townhomes, paragraph 10 (page 11 of letter of agreeable stipulations and conditions), and insertion of the following in lieu thereof:
  10. A minimum of twenty-four (24) percent of the townhome units shall be "roughed-in" for elevator service, which service shall be offered as an option.
- (3) Amendment to Exhibit "A," relating to unit finishes, referenced in paragraphs II(A),5, and II(B)3 (pages 9 and 10, respectively, of the letter of agreeable stipulations and conditions), as follows:
  - (a) 10 foot ceilings in the living room and dining room only.
- (4) The exterior of the units shall be in substantial conformity to the renderings to be presented on behalf of Applicant at the Board of Commissioners Zoning Hearing.

The proposed amendments presented herein in no way adversely impact or affect the remainder of the overall development approved in the original rezoning of the Subject Property. If the requested amendments are approved, as submitted, they shall become an additional part of the final rezoning and shall be binding upon the specified portion of the overall development to be known as The Battery on Paces Ferry, as more particularly shown and reflected on the "Revised Final Plat" attached hereto as Exhibit "I" and incorporated herein by reference.

Unless otherwise specifically set forth herein, the balance and remainder of the stipulations and conditions enumerated in the official minutes, and attachments thereto, of the Board of Commissioners Zoning Hearing held on December 20, 2005, in Application No. Z-118 (2005), are unaltered or unchanged by this request for stipulation amendment.