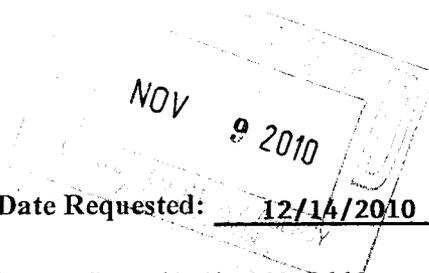


Application for "Other Business" Cobb County, Georgia

(Cobb County Zoning Division - 770-528-2035)

BOC Hearing Date Requested: 12/14/2010



Applicant: Noble Investment Group, LLC Phone #: (404) 262-9660
(applicant's name printed)

Address: Suite 1100, 3424 Peachtree Road, N.E., **E-Mail:** ben.brunt@nobleinvestment.com
Moore Ingram Johnson & Steele, LLP Atlanta, GA 30326

John H. Moore **Address:** Emerson Overlook, 326 Roswell Street
(representative's name printed) Marietta, GA 30060

BY: [Signature] Phone #: (404) 429-1499 **E-Mail:** jmoore@mijs.com
(representative's signature) Georgia Bar No. 519800 w7@mijs.com

Signed, sealed and delivered in presence of:

[Signature: Carolyn E. Cook] My commission expires: January 10, 2011
Notary Public

Titleholder(s): First Citizens Bank and Trust Phone #: (678) 589-9000
(property owner's name printed) **Company, Inc.**

Address: Suite 400, 3200 Cumberland Boulevard, **E-Mail:** rskeen@georgianbank.com
Atlanta, GA 30339

BY: [Signature]
(Property owner's signature) J. Reeves Skeen, Vice President

Signed, sealed and delivered in presence of:

[Signature] My commission expires: 7.19.2012
Notary Public

Commission District: 2 (0tt) **Zoning Case:** z-18 (2007)

Date of Zoning Decision: 04/17/2007 **Original Date of Hearing:** 02/20/2007
(OB Amendment - 12/18/2007)

Location: Northerly of the intersection of the easterly side of I-75 and
the westerly side of Cumberland Boulevard
(street address, if applicable; nearest intersection, etc.)

Land Lot(s): 1013, 1014, 1027, 1028 **District(s):** 17th

State specifically the need or reason(s) for Other Business: _____

See Exhibit "A" attached hereto and incorporated herein by reference.

**EXHIBIT "A" - ATTACHMENT TO APPLICATION FOR OTHER BUSINESS
(SITE PLAN AND STIPULATION AMENDMENT)**

Application No.:	Z-18 (2007)
Original Hearing Date:	February 20, 2007
Date of Zoning Decision:	April 17, 2007
"Other Business"	
Zoning Decision:	December 18, 2007
Current Hearing Date:	December 14, 2010

BEFORE THE COBB COUNTY BOARD OF COMMISSIONERS

Applicant: Noble Investment Group, LLC
Property Owner: First Citizens Bank and Trust Company, Inc.

Applicant and Property Owner request amendments to the previously approved site plan and certain stipulations and conditions which were set forth in Exhibit "A" of the "Other Business" Application, both of which were incorporated as part of the final approval by the Board of Commissioners on December 18, 2007. The requested amendments are as follows:

- (1) Applicant submits the Zoning Site Plans prepared for the Subject Property by Cooper Carry dated November 5, 2010. Approval of the Zoning Site Plan shall be made site plan specific.

General Stipulations

- (2) Paragraph (2), General Stipulations, "Other Business" Amendment approved December 18, 2007, shall be deleted in its entirety, and the following inserted in lieu thereof:
 - (2) Paragraph (2), General Stipulations of the "Other Business" Amendment approved December 18, 2007, currently provides for 300 on-site parking spaces with additional 260 spaces through a cross-easement parking agreement. Applicant proposes a revision to allow for 134 on-site parking spaces. An additional 150 parking spaces shall be provided through a cross-easement parking agreement as to the parking deck immediately adjacent to the Subject Property.

Retail Component

- (3) Paragraph (3), General Stipulations, Retail Component, "Other Business" Amendment approved December 18, 2007, currently allows three (3) areas for retail and restaurant uses; two (2) areas on the plaza level of the hotel, and one

area as free-standing restaurants at the plaza level and retail above, for a maximum of 63,000 square feet of retail space. Applicant proposes three (3) areas for retail and restaurant uses. There will be two (2) areas for restaurants, being delineated as Restaurant "A," being a one-story structure containing a maximum of 6,500 square feet; and Restaurant "B", being a one-story structure and containing a maximum of 7,000 square feet, as more particularly shown and reflected on the Zoning Site Plan referenced herein. Additionally, there shall be an area on the main floor of the proposed hotel which may contain restaurant/retail type usage.

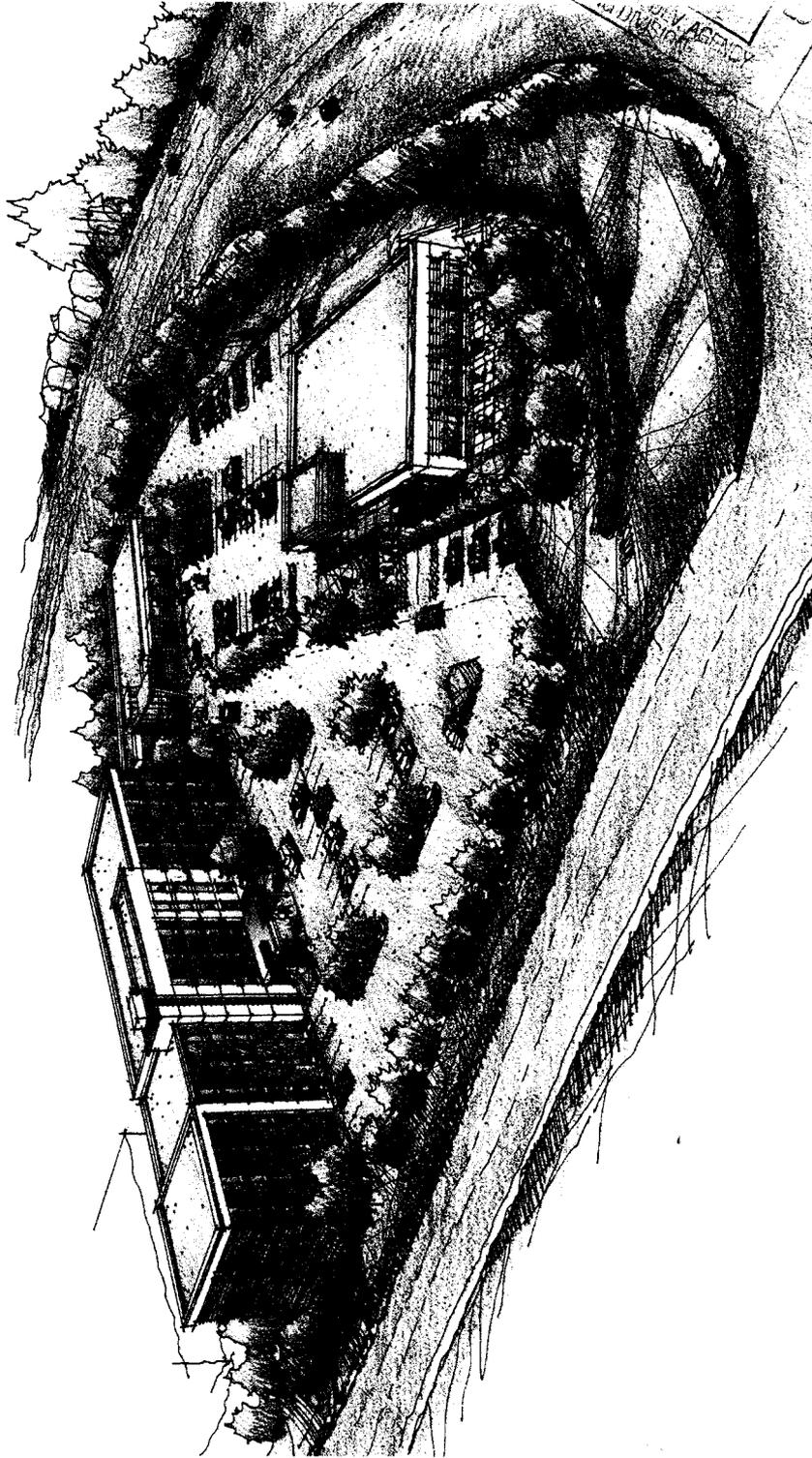
- (4) Paragraph (4), General Stipulations, Retail Component, of the "Other Business" Amendment approved December 18, 2007, currently allows the hotel to be a maximum of eight (8) stories over parking, containing a maximum of 210 rooms and a maximum of 136,500 square feet. Applicant proposes a revision to allow the hotel to be a maximum of five (5) stories with 145 rooms and a maximum of 74,000 gross square feet.

General Amendments

- (5) The proposed amendments set forth above do not increase the square footage of the overall Overton Park development.
- (6) Except as otherwise herein set forth, the balance and remainder of the stipulations and conditions specifically enumerated in the official minutes, and attachments thereto, of the Board of Commissioners Zoning Hearing held on April 17, 2007; as well as the amendments set forth in the official minutes of the Board of Commissioners Zoning Hearing held on December 18, 2007, are unchanged by the amendments requested herein.

The amendments requested and presented herein in no way adversely impact or affect the Subject Property or the remainder of the overall Overton Park development, as previously approved and amendment. If the requested amendments are approved, as submitted, they shall become an additional part of the final rezoning and shall be binding upon the Subject Property.

PROPOSED



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Notes

AERIAL VIEW

OVERTON PARK
Atlanta, Georgia

COOPER CARRY

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