

**APRIL 16, 2013 ZONING HEARING
“OTHER BUSINESS”
COMMISSION DISTRICT 1**

ITEM # 2

PURPOSE

To consider a site plan approval for Peachtree Hotel Group, LLC regarding rezoning application Z-42 of 1996 (Hendon Property Associates, LP), for property located on the westerly side of Greers Chapel Road, north of Shiloh Valley Drive in Land Lot 718 of the 16th District.

BACKGROUND

The subject property was zoned Community Retail Commercial in 1996. One of the zoning stipulations requires the Board of Commissioners to approve the final site plan. The applicant has submitted a site plan for approval for a Courtyard by Marriott hotel. The building is four stories in height with a stucco-type exterior. There will be parking spaces located around the building with parking spaces also underneath the building. The hotel would contain 100 guest rooms and 98 parking spaces. The proposal meets typical zoning criteria, except the applicant is showing a 27 space reduction in the number of parking spaces. If approved, all previous zoning stipulations would remain in effect.

FUNDING

N/A

RECOMMENDATION

The Board of Commissioners conduct a Public Hearing and consider the proposed site plan approval.

ATTACHMENTS

Other Business application, proposed site plan and zoning stipulations.

2

Year 2012 Form
(Site Plan Approval)
Application for "Other Business"
Cobb County, Georgia

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

BOC Hearing Date Requested: 04/16/2013

Applicant: Peachtree Hotel Group, LLC **Phone #:** (404) 497-4115

(applicant's name printed)

Address: Suite 430, 5607 Glenridge Drive, Atlanta, GA 30342 **E-Mail:** _____

Moore Ingram Johnson & Steele, LLP

30342

J. Kevin Moore **Address:** Emerson Overlook, 326 Roswell Street

(representative's name, printed)

Marietta, GA 30060

BY: [Signature] **Phone #:** (770) 429-1499 **E-Mail:** jkm@mij.s.com

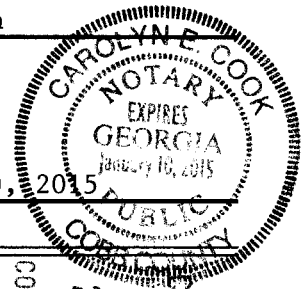
(representative's signature) Georgia Bar No. 519728

Signed, sealed and delivered in presence of:

Carolyn E. Cook

Notary Public

My commission expires: January 10, 2015



Titleholder(s): Manharlal C. Patel **Phone #:** _____

(property owner's name printed)

Address: _____ **E-Mail:** _____

See Exhibit "A" for Property Owner's Signature and Contact Information

(Property owner's signature)

Signed, sealed and delivered in presence of:

Notary Public

My commission expires: _____

COBB COUNTY ZONING DIVISION
2013 MAR 12 PM 3:21
FILED IN OFFICE
COBB COUNTY GEORGIA

Commission District: 1 (Goreham) **Zoning Case:** Z-42 (1996)

Date of Zoning Decision: 03/19/1996 **Original Date of Hearing:** 03/19/1996

Location: 560 Greers Chapel Drive
(street address, if applicable; nearest intersection, etc.)

Land Lot(s): 718 **District(s):** 16th

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

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

(List or attach additional information if needed)

EXHIBIT "A" - ATTACHMENT TO APPLICATION FOR "OTHER BUSINESS"
(Site Plan APPROVAL)

Application No.: Z-42 (1996)
Original Hearing Date: March 19, 1996
Date of Zoning Decision: March 19, 1996
Current Hearing Date: April 16, 2013

Applicant: Peachtree Hotel Group, LLC
Property Owner: Manharlal C. Patel

Manharlal C. Patel P.O.A.

Manharlal C. Patel

Address: _____
3550 Rivers Coll Blvd.
_____ Atlanta, GA 30339

Telephone No.: (678) _____ 520-7263

Signed, sealed, and delivered in the presence of:

Notary Public
Commission Expires: 4/8/14

[Notary Seal]
HOLLY LOUISE BROOKS
NOTARY PUBLIC
HENRY COUNTY, GEORGIA
MY COMM. EXP. 04-08-2014

COBB COUNTY ZONING DIVISION
2013 MAR 12 PM 3:21
COBB COUNTY GEORGIA
FILED IN OFFICE

EXHIBIT "B" - ATTACHMENT TO APPLICATION FOR "OTHER BUSINESS"
(SITE PLAN APPROVAL)

Application No.: Z-42 (1996)
Original Hearing Date: March 19, ~~2006~~ 1996
Date of Zoning Decision: March 19, 1996
Current Hearing Date: April 16, 2013

BEFORE THE COBB COUNTY BOARD OF COMMISSIONERS

Applicant: Peachtree Hotel Group, LLC
Property Owner: Manharlal C. Patel

The property which is the subject of this Application for "Other Business" is approximately 1.63 acres located at 560 Greers Chapel Drive, Land Lot 718, 16th District, 2nd Section, Cobb County, Georgia (hereinafter "Property" or "Subject Property"). The Subject Property was included within a larger tract of property, being 47.16 acres, which was rezoned on March 19, 1996, by the Cobb County Board of Commissioners to the Community Retail Commercial ("CRC") zoning classification. As a condition of rezoning, the Board of Commissioners reserved approval of the site plan for development of the property.

With the filing of this Application for "Other Business," Applicant seeks approval of the Preliminary Site Plan for development of the Subject Property and submits the Preliminary Site Plan prepared by Grimail Crawford, Inc. dated January 25, 2013. A reduced copy of the proposed Site Plan is attached hereto as Exhibit "I" and incorporated herein by reference.

The balance and remainder of the stipulations and conditions specifically enumerated in the official minutes of the Cobb County Board of Commissioners Zoning Hearing held on March 19, 1996, as to Application No. Z-42 (1996) are unaltered by this request for site plan amendment.

COBB COUNTY GEORGIA
FILED IN OFFICE
2013 MAR 12 PM 3:21
COBB COUNTY ZONING DIVISION

**SITE PLAN FOR APPROVAL BY BOARD OF
COMMISSIONERS PURSUANT TO
APPLICATION FOR “OTHER BUSINESS” –
APRIL 16, 2013**

COBB COUNTY GEORGIA
FILED IN OFFICE
2013 MAR 12 PM 3:21
COBB COUNTY ZONING DIVISION

COBB COUNTY GEORGIA
FILED IN OFFICE

2013 MAR 12 PM 3:21

COBB COUNTY ZONING DIVISION

**OFFICIAL MINUTES OF COBB COUNTY
BOARD OF COMMISSIONERS ZONING
HEARING FOR Z-42 (1996) –
MARCH 19, 1996**

COBB COUNTY GEORGIA
FILED IN OFFICE
2013 MAR 12 PM 3:21
COBB COUNTY ZONING DIVISION

- Z-42 HENDON PROPERTY ASSOC., L.P. (AMR Partners, L.P., owner) for Rezoning from R-20 and CF to GC for the purpose of a Multi-tenant Retail Shopping Center in Land Lots 650, 718 and 719 of the 16th District. 47.16 acres. Located on the south side of Ernest Barrett Parkway and north of Greers Chapel Drive. The original motion by Cooper with second by Wysong to hold application with withdrawn. Following further discussions the Board of Commissioners deleted application to the CRC zoning district subject to: 1) site plan approval by the Board of Commissioners; 2) revised DOT comments and recommendations (copy attached and made a part hereof); 3) project subject to Drainage Division comments; 4) owner/developer to enter into a Development Agreement pursuant to O.C.G.A. §36-71-13 for dedication of system improvements to mitigate traffic concerns; 5) owner/developer required to meet all Cobb County development requirements and ordinances related to project improvements. Motion by Cooper, second by Wysong, carried 5-0.

Land Use Permits

- LUP-11 SCOTT SWANSON for a Land Use Permit for the purpose of a Travel Agency in Land Lot 374 of the 16th District. 0.58 acre. Located on the north side of Autumn Ridge Drive. The Board of Commissioners rejected application with business to be removed from site on or before September 1, 1996. Motion by Wysong, second by Thompson, carried 4-0, Cooper absent at time of vote.

Special Land Use Permits

- SLUP-3 CECELIA W. ALLEN for a Special Land Use Permit for the purpose of a Grinding Station/Reduction Center in Land Lots 1002, 1001, 1015 and 1016 of the 16th District. 6.21 acres. Located on the east side of Cherokee Street, south of Cobb Parkway. Following discussions regarding the proposed development relative to use impact, buffering, fencing, traffic controls, building location, etc., the Board of Commissioners held application until the April 16, 1996 Zoning Hearing with direction for the applicant/developer to submit a revised site plan addressing issues discussed at the public hearing. Motion by Byrne, second by Wysong, carried 4-0, Cooper absent at time of vote.