

(Site Plan and Stipulation Amendment)
Application for "Other Business"
Cobb County, Georgia

CE
08-022-2015
MAR 17 2015

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

BOC Hearing Date Requested: 04/21/2015

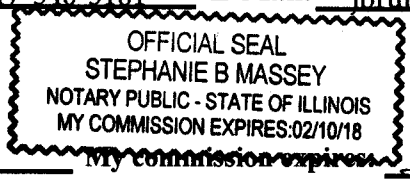
***Applicant:** Professional Resource Development, Inc. Phone #: 217-540-5100
(applicant's name printed)

Address: 1200 Network Centre Dr., Effingham, IL 62401 E-Mail: jbrumleve@heartland.com

Jonathan Brumleve Address: 1200 Network Centre Dr., Effingham, IL 62401
(representative's name, printed) ***Applicant's Representative:** John H. Moore
(See Attached)

[Signature] Phone #: 217-540-5181 E-Mail: jbrumleve@heartland.com
(representative's signature)

Signed, sealed and delivered in presence of:



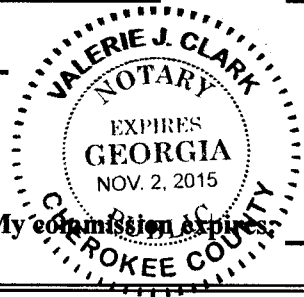
[Signature]
Notary Public

2/10/18

Titleholder(s): Synovus Bank Phone #: 678-339-1671
(property owner's name printed)

Address: 8025 Westside Parkway, Alpharetta, GA 30009 E-Mail: josephsumner@synovus.com

[Signature]
(Property owner's signature) *MANAGED ASSETS OFFICER*



Signed, sealed and delivered in presence of:

[Signature]
Notary Public

11/2/15

Commission District: 4 (Cupid) **Zoning Case:** Z-39 (2004)

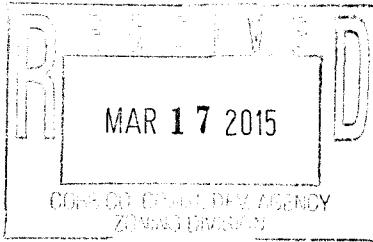
Date of Zoning Decision: 08/17/2004 **Original Date of Hearing:** 03/16/2004
OB Decisions: 09/21/2010; 02/15/2011

Location: Northerly side of the East-West Connector with the westerly side of
(street address, if applicable; nearest intersection, etc.) Felton Hill Road

Land Lot(s): 25 **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-39 (2004)
Original Hearing Date: March 16, 2004
Date of Zoning Decision: August 17, 2004
Date of OB Decisions: September 21, 2010
February 15, 2011
Current Hearing Date: April 21, 2015

BEFORE THE COBB COUNTY BOARD OF COMMISSIONERS

Applicant: Professional Resource Development, Inc.
Property Owner: Synovus Bank

The property which is the subject of this Application for "Other Business" is a 1.669 acre parcel, designated as Tract 2C, located in Land Lot 25, 17th District, 2nd Section, Cobb County, Georgia (hereinafter the "Property" or the "Subject Property"). The Subject Property was part of the overall commercial component of the mixed-use development rezoned to the Planned Village Community ("PVC") zoning category, approved by the Cobb County Board of Commissioners on August 17, 2004. Subsequently, by Application for "Other Business" presented for hearing by the Board of Commissioners on September 21, 2010, the Subject Property was approved for a medical office building.

The Applicant in this Application for "Other Business," Professional Resource Development, Inc. (hereinafter "Applicant"), seeks amendments only to the Subject Property, Tract 2C, within the commercial section of the previously approved overall development, as follows:

- (1) Applicant seeks an amendment to the previously approved Site Plan for the Subject Property, received by the Zoning Division on September 8, 2010, and approved by the Board of Commissioners on September 21, 2010, as to the portion designated as "Medical Facility" only on the Site Plan, being Tract 2C. Applicant submits a revised Site Plan for the Subject Property only with this Application; and, in conjunction with the approval of the revised Site Plan, Applicant seeks approval of the revised use of the Subject Property to be used for an office and restaurant. The revised, proposed Site Plan is attached hereto as Exhibit "1" and incorporated herein by reference.
- (2) Applicant seeks amendment of all previously approved stipulations and conditions applicable to the Subject Property, being Tract 2C only, and presents the following stipulations and conditions which, if this Application for "Other Business" is approved, as submitted, shall be binding upon the Subject Property:
 - (a) Construction of a one-story building to be used for an office and restaurant facilities. The office shall comprise approximately 3,264 square feet within the building, and the

restaurant facility shall comprise approximately 2,733 square feet of the building, together with an outdoor patio area of approximately 1,050 square feet.

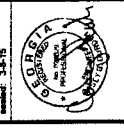
- (b) The exterior of the proposed building shall consist of brick, stone, stacked stone veneer, and EFIS/stucco, as more particularly shown and reflected on the proposed elevations and renderings attached collectively hereto as Exhibit "2" and incorporated herein by reference.
- (c) The colors used for the proposed building shall be earth tones and shall be compatible with and complementary to the buildings constructed on the other designated commercial tracts.
- (d) Lighting fixtures for parking areas shall be environmentally sensitive, shoe-box style and shall be fitted with non-glare lenses and cut off shields to prevent light from extending beyond the property line.
- (e) Security lighting on the proposed building store shall be wall packs, hooded, environmentally sensitive and shall be fitted with non-glare lenses and cut off shields to prevent light from extending beyond the property line.
- (f) Neon accents will not be permitted on the outside of the proposed building or in any window. There shall be no neon or box signs permitted on the exterior of the building. Further, there shall be no roof signs and no exterior, temporary signs excepting only grand opening signage for the businesses within the proposed building.
- (g) Signage for the proposed building shall be located as shown and reflected on the Site Plan. All signage, except building signage, shall be ground based, monument style signage, with the design, finish, materials, and colors for the signage being complementary to the proposed building. All signage shall comply with Cobb County Zoning Codes and Ordinances.
- (h) Any roof-mounted HVAC equipment shall be screened by means of a continuous roof parapet.
- (i) There shall be no vehicles of any type parked in front of the proposed building containing tenant identification signage or advertising signage. Additionally, there shall be no vehicles parked in front of the proposed building with "for sale" signs posted thereon.
- (j) The dumpsters servicing the occupants of the proposed building shall be enclosed within a minimum six (6) foot high brick enclosure on three sides with a solid wooden screen gate or doors on the access side. The materials and colors for the enclosure shall match and be complementary to the façade of the proposed building. All dumpsters shall contain rubber lids to minimize noise.
- (k) All utilities for the proposed building shall be located underground.

- (l) Stormwater management for the Subject Property shall be through the existing detention facilities as more particularly shown and reflected on the Site Plan presented for approval in this Application.
- (m) All landscaping for the Subject Property shall be professionally designed, installed, and maintained.
- (n) The Subject Property shall have "zero lot lines" so as to allow for the free flow of access, parking, and the like among the various tracts within the overall commercial development.
- (o) There shall be no outside speakers, bells, whistles, or paging systems utilized for the occupants of the proposed building.
- (p) All construction and employee vehicles and equipment will be parked, and otherwise located on, the Subject Property during development of infrastructure and construction of the proposed building, and shall not be parked on or along the East-West Connector or Felton Hill Road. There will be no stacking of vehicles on either road waiting for entry onto the Subject Property.

This proposed Site Plan and Stipulation Amendment do not adversely impact or affect the surrounding commercial developments, nor the overall development. If the requested Site Plan and Stipulation Amendments are approved, as submitted, they shall become an additional part of the final rezoning and shall be binding upon the Subject Property.

Unless otherwise stated herein, 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 August 17, 2004, as to Z-39 (2004); as well as the amendment granted by the Board of Commissioners at the Zoning Hearing held on September 21, 2010, are unaltered by the requests for Site Plan and Stipulation Amendments set forth above.

HILLTOP CROSS ASSOCIATES
ARCHITECTURE ENGINEERING
 1200 NETWORK CENTER DRIVE
 COBB COUNTY, GA 30146
 (770) 421-1313
 www.hilltopcross.com



Austell Dental Building
 East West Connector and Felton Road
 Cobb County, GA
 Professional Resource Development, Inc.
 1200 Network Center Drive
 Emingham, IL 62401
 (217) 540-5113

REV.	DATE	DESCRIPTION
1	03/17/2015	ISSUED FOR PERMITS

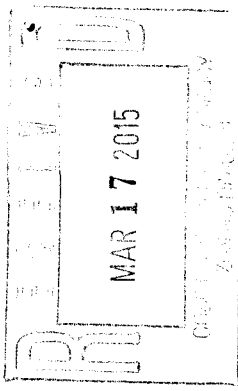
site plan
CP.3
 HFR 15.110

SITE ANALYSIS

NAME	PARKING
SUITE 100 DENTAL OFFICE	3,264 SF / 12 SPACES (1 SP/265 SF)
SUITE 101 RESTAURANT	2,733 SF / 27 SPACES (1 SP/100 SF)
TOTAL AREA	5,997 SF
PARKING PROVIDED	47 SPACES
PARKING REQUIRED	39 SPACES
PARKING RATIO	7.8 SP/1000 SF
TOTAL SITE AREA	11,699 ACFT

NOTE: ON-SITE 465 BELL BASED UPON AN AS-BUILT SURVEY BY
 GEORGE W. HAYES, L.L.C. DATED 05-28-07

POST-CONSTRUCTION NOTES:



**OB-022-2015
 PROPOSED PLAN**

24 HOUR EMERGENCY CONTACT:
 DAVID L. DEAN
 217-540-5113

SITE LEGEND

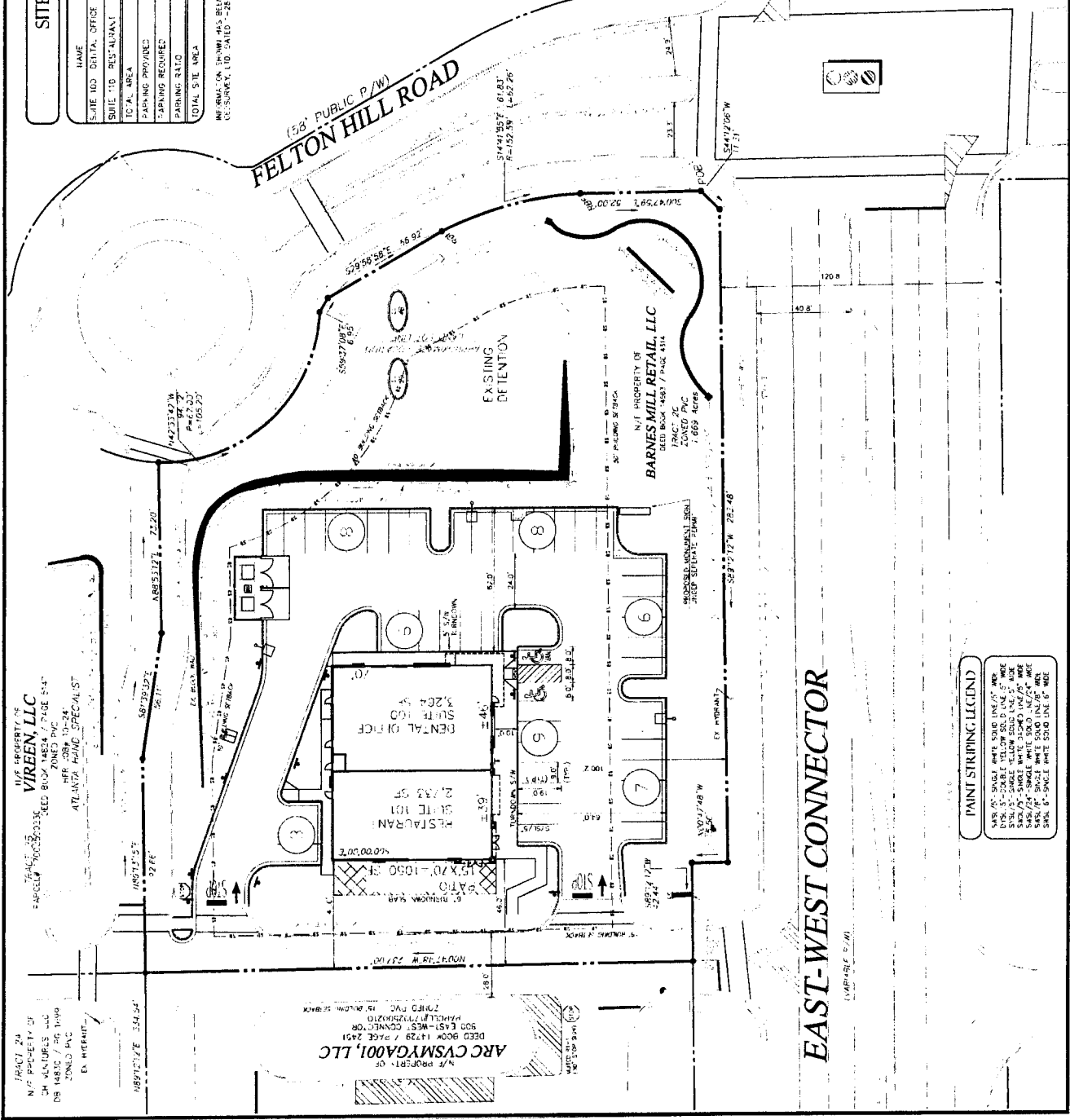
- PROPOSED BUILDING
- PROPOSED CURB & GUTTER
- PROPOSED WALL
- PROPERTY LINE
- PROPOSED MOUMENT
- EXISTING MOUMENT
- CONCRETE PAVING
- ASPHALT PAVING
- 66' SIDEWALK

site plan

SCALE: 1" = 20' (1" = 20')

GRAPHIC SCALE: 0 20 40 80

N
 S
 W
 E

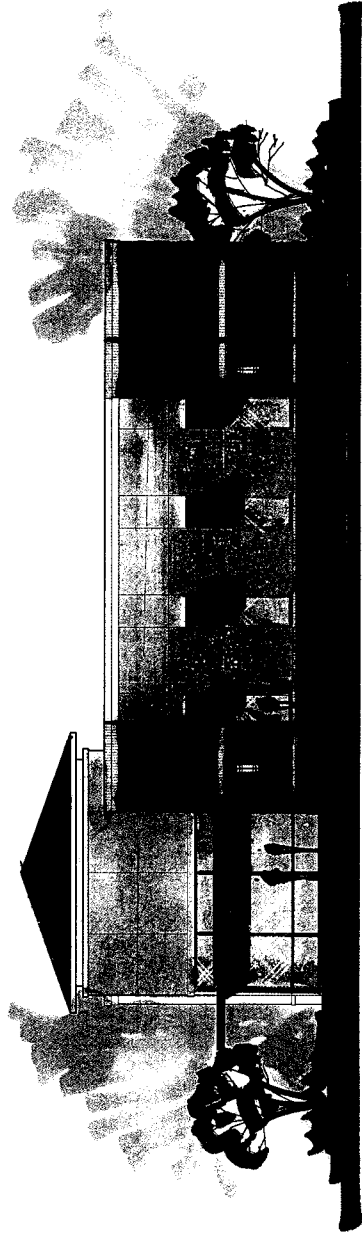


PAINT STRIPING LEGEND

- 3" - SINGLE WHITE SOLID LINE 6" WIDE
- 3" - SINGLE YELLOW SOLID LINE 6" WIDE
- 3" - SINGLE WHITE DASHED LINE 6" WIDE
- 3" - SINGLE WHITE SOLID LINE 6" WIDE
- 3" - SINGLE WHITE SOLID LINE 6" WIDE

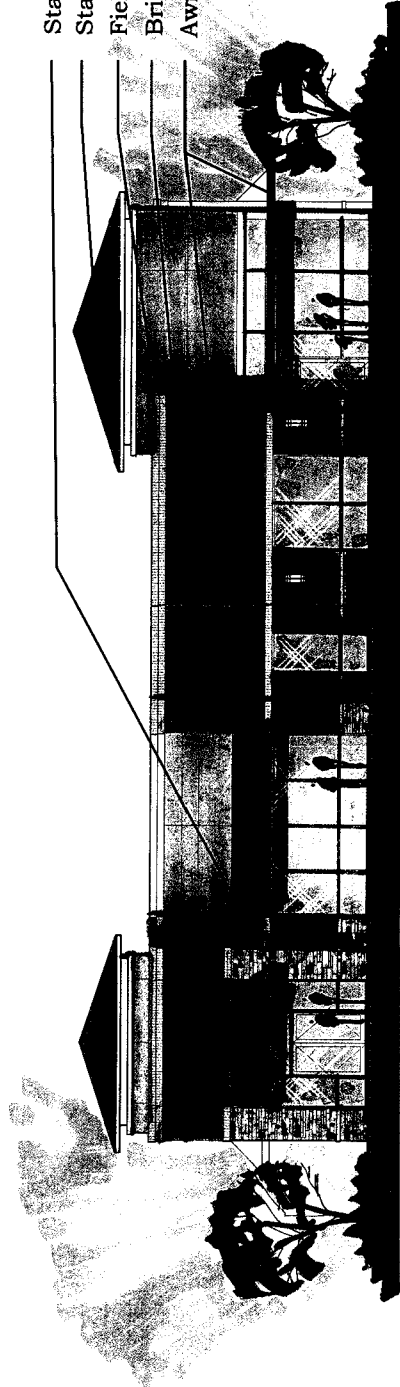
EXHIBIT "2"

MAR 17 2015
HILL, FOLEY, ROSSI AND ASSOCIATES, LLC
ARCHITECTURE, ENGINEERING, SPACE PLANNING



RIGHT SIDE ELEVATION 3/16"=1'-0"

- Stacked Stone Veneer
- Standing Seam Metal Roof - Black
- Field & Cornice Stucco - Earthtones (TBD)
- Brick - Earthtones (TBD)
- Awnings & Canopies - Black



FRONT ELEVATION 3/16"=1'-0"

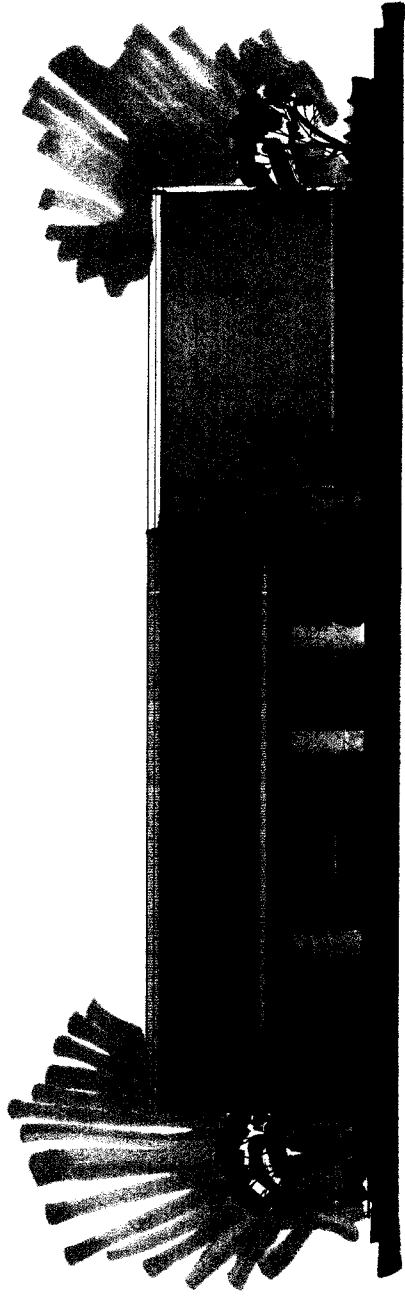
PRDI
PROFESSIONAL RESOURCE DEVELOPMENT, INC.

Austell Business/Restaurant Building

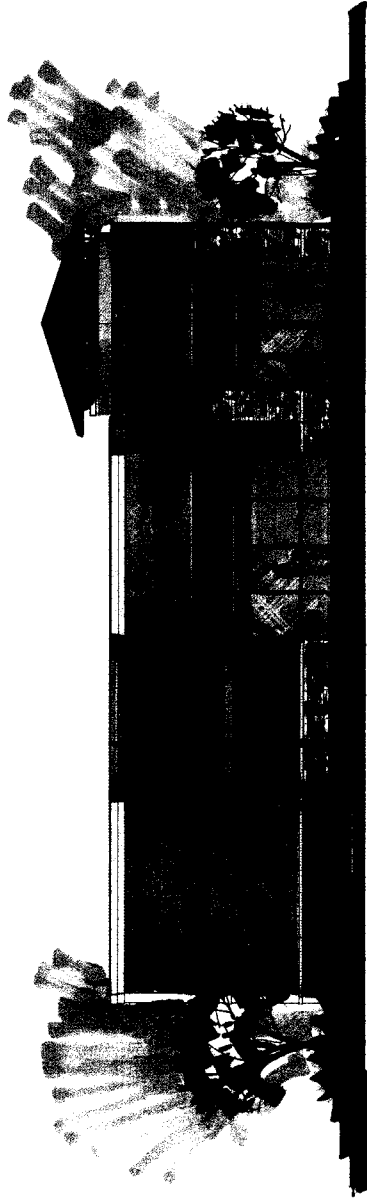
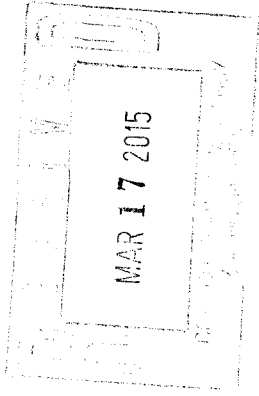
SCHEMATIC EXTERIOR ELEVATIONS
COBB COUNTY - AUSTELL, GEORGIA

HFR

HILL, FOLEY, ROSSI AND ASSOCIATES, LLC
ARCHITECTURE · ENGINEERING · SPACE PLANNING



REAR ELEVATION 3/16-10"



LEFT SIDE ELEVATION 3/16-10"

PRDI
PROFESSIONAL RESOURCE
DEVELOPMENT, INC.

Austell Business/Restaurant Building

SCHMATIC EXTERIOR ELEVATIONS
COBB COUNTY - AUSTELL, GEORGIA



HILL · FOLEY · ROSSI AND ASSOCIATES, LLC
ARCHITECTURE · ENGINEERING · SPACE PLANNING

MAR 17 2015

ATTACHMENT TO APPLICATION FOR "OTHER BUSINESS"
(SITE PLAN AND STIPULATION AMENDMENT)

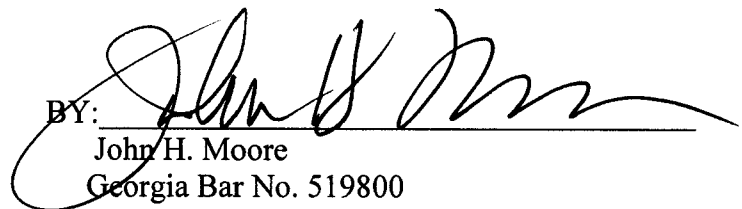
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BEFORE THE COBB COUNTY BOARD OF COMMISSIONERS

Applicant: Professional Resource Development, Inc.
Property Owner: Synovus Bank

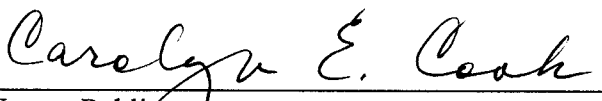
Executed this 17th day of March, 2015.

MOORE INGRAM JOHNSON & STEELE, LLP

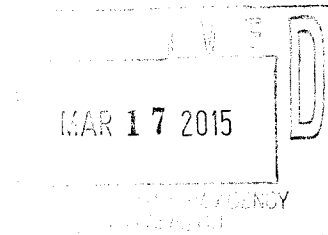
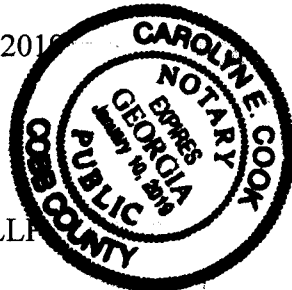
BY: 
John H. Moore
Georgia Bar No. 519800

Attorneys for Applicant and Property Owner

Signed, sealed, and delivered in the presence of:



Notary Public
Commission Expires: January 10, 2016
(Notarial Seal)



Moore Ingram Johnson & Steele, LLP
Attorneys at Law
Emerson Overlook
326 Roswell Street
Marietta, Georgia 30060
(770) 429-1499
(770) 429-8631 (Telefax)
E-mail: jmoore@mijs.com

**OFFICIAL MINUTES OF BOARD OF
COMMISSIONERS ZONING HEARING
AS TO APPLICATION FOR REZONING
NO. Z-39 (2004) – AUGUST 17, 2004**

MINUTES OF ZONING HEARING
COBB COUNTY BOARD OF COMMISSIONERS
AUGUST 17, 2004
9:11 A.M.

The Board of Commissioners' Zoning Hearing was held on Tuesday, August 17, 2004, at 9:11 a.m. in the second floor public meeting room of the Cobb County building. Present and comprising a quorum of the Commission were:

Chairman Samuel S. Olens
Commissioner Helen Goreham
Commissioner Tim Lee
Commissioner Joe L. Thompson
Commissioner G. Woody Thompson, Jr.

Z-39 TRATON CORP. AND W & H PROPERTIES, LLC (The Estate of Lucy Glore Barnes and Carla Jean Barnes Snavely, owners) for Rezoning from R-20 to PVC for the purpose of Mixed Use with Office, Commercial and Residential in Land Lots 24, 25, 46, 47, 48, 49, 97, 98, 99, 119 and 120 of the 17th District. Located at the northeast intersection of Hicks Road and the East-West Connector, and at the southeast intersection of Hicks Road and Fisher Drive, and at the end of Donald Road and Russell Street, and at the southwest intersection of the East-West Connector and South Hurt Road, and at the southeast intersection of Covered Bridge Road and South Hurt Road, and at the southeast intersection of South Hurt Road and the Silver Comet Trail, and at the northwest intersection of the East-West Connector and South Hurt Road.

The public hearing opened and Mr. John Moore and Mr. Gary Bordelon addressed the Board. Following presentations and discussion, the following motion was made:

MOTION: Motion by W. Thompson, second by Olens, to approve rezoning to the PVC zoning district subject to:

- site plan received by the Zoning Division June 3, 2004, with the District Commissioner approving minor modifications to the site layout (copy attached and made a part of these minutes)
- letter of agreeable stipulations from Mr. John Moore dated July 28, 2004 (copy attached and made a part of these minutes)
- letters of agreeable stipulations from Mr. William H. Harper, Jr. dated July 13, 2004 and August 12, 2004 (copy attached and made a part of these minutes)
- donation of greenspace on the south and east sides of South Hurt Road to the Cobb Land Trust to be made a part of Heritage Park and acceptance of same on behalf of Cobb County
- decisions from the Atlanta Regional Commission (ARC) dated July 14, 2004 and the Georgia Regional Transportation Authority (GRTA) dated August 2, 2004, relevant to the Development of Regional Impact (DRI) (copies attached and made a part of these minutes)
- Developer to work with Staff relevant to the installation of sidewalks along South Hurt Road
- District Commissioner to approve issues relevant to access to the project
- Historic Preservation comments and recommendations
- Water and Sewer Division comments and recommendations
- Stormwater Management Division comments and recommendations
- Cobb DOT comments and recommendations
- 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

VOTE: ADOPTED unanimously

Preliminary Plan

The Mill at Covered Bridge

Cobb County, Georgia

Land Lots 24, 25, 46, 47, 48, 49, 97, 98, 99, 119, & 120, 17th District, 2nd Section

prepared for:

Harper/Poston



May 11, 2004

Revisions:



Intersection Key

1. Right-in/Right-out with accel/decel lanes
2. Signalized Intersection with turning lanes

Parcel Breakdown

Parcel A - Neighborhood Village Office/Commercial
Total Area: 6.3 AC

Parcel B - Live/Work Fee Simple Townhomes
Total Units Shown: 15

Parcel C - Active Adult Condominiums
Total Units Shown: 70

Parcel D - Fee Simple Townhomes
Total Units Shown: 141

Parcel E - Single-Family Residential
Total Units Shown: 201

Building setbacks:
Front: 30'
Side: 5' (15' between structures)
Rear: 30'

1/2" = 10'



Boulevard Detail
(1/8" = 10')

site for 08-20-2015

Site Data

Total Site Area: 181.96 AC

Total Area in Floodplain: 30.2 AC

Typical Units Shown: 427

Overall Net Density: 2.93 UN/AC

(181.96 - 30.2) / (427 / 2.93)

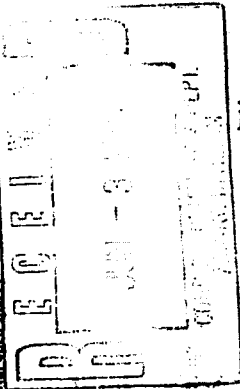
Present Zoning: R-20

Proposed Zoning: PVC

Total Open Space: 56.33 AC

(31% of total site area)

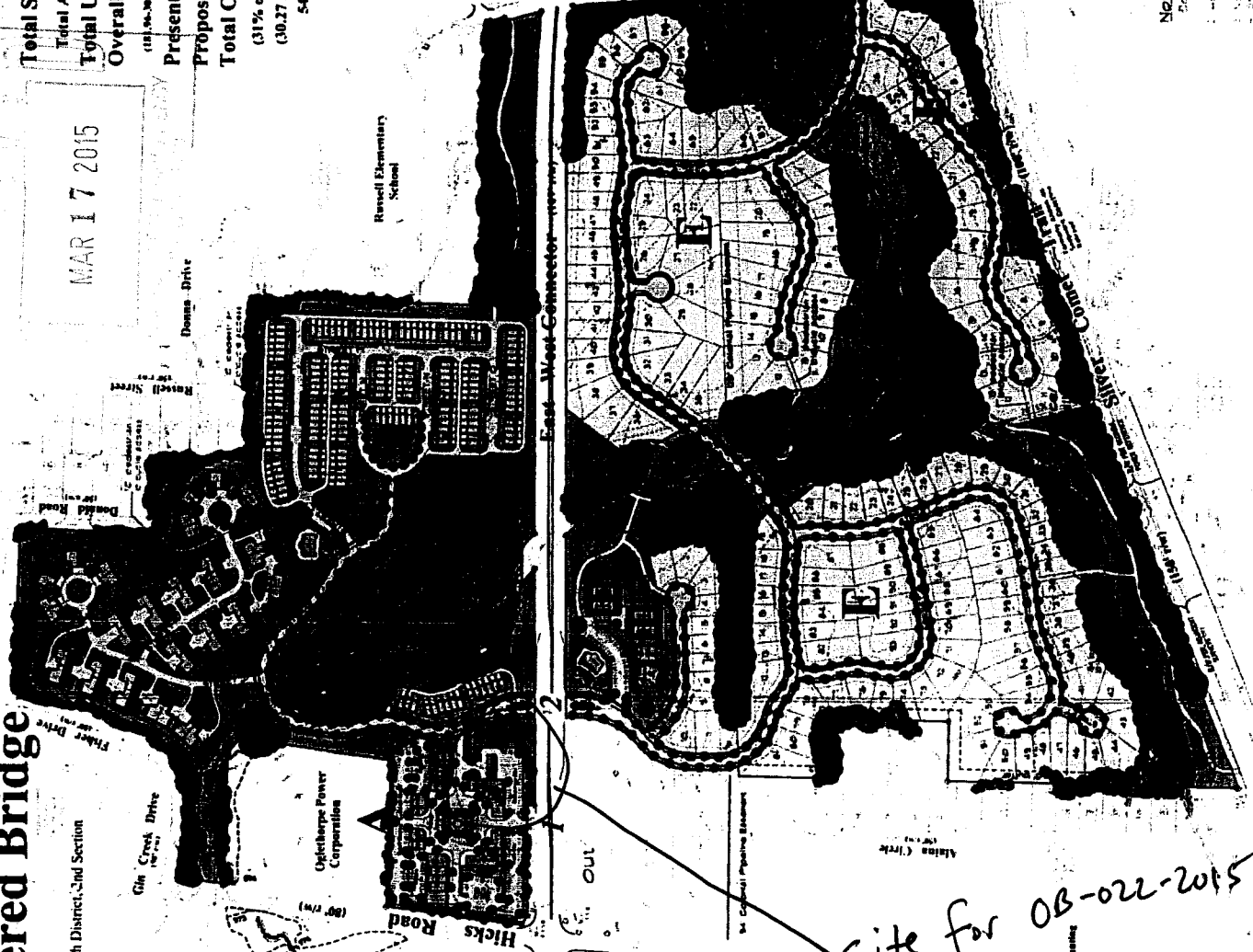
(30.27 AC of open space is out of floodplain,
54% of total open space)



Min. Bk. 29 Petition No: Z-39
Doc. Type Site Plan
Meeting Date 8/17/04

Notes:

1. Review notes and conditions shown on all sheets.
2. All work shall be in accordance with the approved plans.
3. All work shall be in accordance with the approved specifications.
4. All work shall be in accordance with the approved schedule.
5. All work shall be in accordance with the approved budget.
6. All work shall be in accordance with the approved quality control plan.
7. All work shall be in accordance with the approved safety plan.
8. All work shall be in accordance with the approved environmental plan.
9. All work shall be in accordance with the approved traffic plan.
10. All work shall be in accordance with the approved utility plan.



MOORE INGRAM JOHNSON & STEELE

A LIMITED LIABILITY PARTNERSHIP
192 ANDERSON STREET

MARIETTA, GEORGIA 30060

WWW.MIJS.COM

JOHN H. MOORE
STEPHEN C. STEELE
WILLIAM R. JOHNSON†
ROBERT D. INGRAM†
J. BRIAN O'NEIL
G. PHILLIP BEGGS
ELDON L. BASHAM
MATTHEW J. HOWARD
JERE C. SMITH
CLAYTON D. CARMACK
KEVIN B. CARLOCK†
ALEXANDER T. GALLOWAY III†
J. KEVIN MOORE
RODNEY R. MCCOLLOCH
SUSAN S. STUART
DANIEL A. LANDIS*

BRIAN D. SMITH
HARRY R. TEAR III
W. TROY HART†
JEFFREY A. DAXE
MELISSA W. GILBERT
TIMOTHY W. BAILEY
JOYCE W. HARPER
JONATHAN H. PETCU
AMY K. WEBER
COURTNEY H. MOORE
KIM A. ROPER
TARA C. RIDDLE
JOSHUA M. BOOTH***
KELLI L. CROSS
C. LEE DAVIS
TANYA L. CROSSE***

MAIN OFFICE

POST OFFICE BOX 3305
MARIETTA, GEORGIA 30061

TELEPHONE (770) 429-1499
TELECOPIER (770) 429-8631

TENNESSEE OFFICE

CEDAR RIDGE OFFICE PARK
SUITE 463
408 N. CEDAR BLUFF ROAD
KNOXVILLE, TENNESSEE 37923

TELEPHONE (865) 692-9039
TELECOPIER (865) 692-9071

ROBERT W. BROWN II
JASON L. FOSS
VICTOR P. VALMUS
JEFFERY L. DICKERSON
T. SHANE MAYES
DALLAS R. IVEY
SUZY A. LIFE
F. MICHAEL VISCUSE**
ALLISON B. FAUST
ANGELA H. SMITH
OPHELIA W. CHAN
STACEY L. STEWART†
MEREDITH M. MILBY
DOUGLAS B. ROHAN
DAVID M. VAN SANT
DARRELL L. SUTTON

KASI R. WHITAKER
AUTUMN L. VEAZEY
NICHOLAS J. PETERSON***
JEFFREY K. STINSON
BENJAMIN A. WALDEN
DAVID A. COX

OF COUNSEL:
MICHELLE S. DAVENPORT
JOHN L. SKELTON, JR.

† ALSO ADMITTED IN TN
* ALSO ADMITTED IN NC
** ALSO ADMITTED IN SC
*** ADMITTED ONLY IN TN

WRITER'S DIRECT
DIAL NUMBER

July 28, 2004

Mr. John P. Pederson
Planner III
Zoning Division
Cobb County Community Development Agency
Suite 300
191 Lawrence Street
Marietta, Georgia 30060-1661

Hand Delivered

Min. Bk. 29 Petition No. Z-39
Doc. Type Letter of Agreeable
Stipulations
Meeting Date 8/17/04

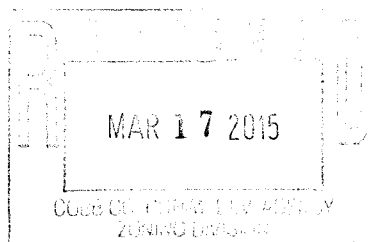
RE: Application for Rezoning

Application No.: Z-39 (2004)

Applicants: Traton Corp. and W & H
Properties, LLC

Owners: The Estate of Lucy Glore
Barnes and Carla Jean
Barnes Snavely

Property: 181.96 acres located on the
northerly and southerly sides
of the East-West Connector
(generally known as the
"Barnes Estate Property");
Land Lots 24, 25, 46, 47, 48,
49, 97, 98, 99, 119, and 120,
17th District, 2nd Section,
Cobb County, Georgia



Dear John:

As you know, the undersigned and this firm represent Traton Corp. and W & H Properties, the Applicants (hereinafter collectively referred to as "Applicants"), and The Estate of Lucy Glore Barnes and Carla Jean Barnes Snavely, the Property Owners (hereinafter collectively referred to as "Owners"), in their Application for Rezoning with regard to a total tract of 181.96 acres located on the northerly and southerly sides of the East-West Connector, Land Lots 24, 25, 46, 47, 48, 49, 97, 98, 99, 119, and 120, 17th District, 2nd Section, Cobb County, Georgia (hereinafter the

MOORE INGRAM JOHNSON & STEELE

Mr. John P. Pederson
Planner III
Zoning Division
Cobb County Community Development Agency
Page Two
July 28, 2004

Petition No. 2-39
Meeting Date 8/17/04
Continued

"Subject Property"). After meeting with planning and zoning staff, discussions and meetings with area residents and homeowner representatives, and reviewing the staff comments and recommendations, and reviewing the uses of surrounding properties, we have been authorized by the Applicants and Owners to submit this letter of agreeable stipulations and conditions, which, if the Application for Rezoning is approved, as submitted, shall become a part of the grant of the requested zoning and shall be binding upon the Subject Property. The referenced stipulations are as follows:

- (1) The stipulations and conditions set forth herein shall replace and supersede in full any and all prior stipulations and conditions, in whatsoever form, which are currently in place on the Subject Property.
- (2) Rezoning of the Subject Property shall be from the R-20 zoning category to the Planned Village Concept ("PVC") zoning classification, site plan specific to that certain Preliminary Plan prepared for Traton Corp. and W & H Properties, LLC by DGM Land Planning Consultants, Inc. dated May 11, 2004.
- (3) The Subject Property consists of 181.96 acres of total site area.

STIPULATIONS APPLICABLE TO THE OVERALL COMMUNITY

- (4) Residences and office and retail buildings shall be similar in architectural design as more particularly shown and reflected on the renderings filed with the Zoning Office on or about June 3, 2004, and presented to the Cobb County Planning Commission and Cobb County Board of Commissioners at the respective Zoning Hearings.
- (5) Entrances to the proposed overall community shall be as more particularly shown and reflected on the referenced Preliminary Plan.

MOORE INGRAM JOHNSON & STEELE

Mr. John P. Pederson
Planner III
Zoning Division
Cobb County Community Development Agency
Page Three
July 28, 2004

Petition No. Z-39
Meeting Date 8/17/04
Continued

- (6) Signage at each entrance point shall be ground based, monument style. The entrance areas shall be professionally designed, landscaped, maintained, and themed to the architecture and style of the overall community.
- (7) There shall be a forty (40) foot landscape buffer adjacent to all residentially occupied properties.
- (8) There shall be two amenity areas for the residential component of the overall community. One amenity area within the single-family residential community shall consist of a pool, cabana, tennis courts, and clubhouse. Additionally, a pool and cabana shall be located within the adult condominium community.
- (9) There shall also be a network of walking trails and bicycle paths located within the open space area of the proposed overall community which shall link the various components of the development in order to promote the "live where you work" concept.
- (10) Lighting within the proposed overall community shall be environmentally sensitive, decorative, and themed to the architecture and style of the respective components of the development.
- (11) There shall be open space of approximately 56.33 acres, which comprises approximately 31 percent of the overall development. Of this open space, approximately 26 acres is located within flood plain or wetlands.
- (12) While not required to do so as a part of this rezoning request, Applicants agree to convey by deed of gift to Cobb County a tract consisting of approximately 3 acres located in the extreme southwesterly corner of the Subject Property adjacent to the Silver Comet Trail, as more particularly shown and reflected on the referenced Preliminary Plan. This gift is made for purposes of conservation.

MOORE INGRAM JOHNSON & STEELE

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Page Four
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Meeting Date 8/17/04
Continued

- (13) While not required to do so as a part of this rezoning request, Applicants agree to convey to the Cobb County Board of Education a tract containing approximately 4 acres located immediately adjacent to Russell Elementary School, as more particularly shown and reflected on the referenced Preliminary Plan; provided that Applicant shall have the right to relocate the power line along the edge of this property prior to conveyance. This gift is made to assist the Cobb County Board of Education and Russell Elementary School in issues dealing with betterment of the adjacent school for such uses as the Cobb County Board of Education and Russell Elementary School may deem appropriate.
- (14) Each section of the overall development will have its own set of protective covenants which shall be mandatory and which shall be responsible for the oversight of upkeep and maintenance of the entrance areas, common areas, open space areas, and the like contained within the overall community, which different sets of covenants shall combine to provide necessary common issues for the overall development (i.e., bike paths, sidewalks, open space, walking trails, and the like).
- (15) Minor modifications to the referenced Preliminary Plan, including, but not limited to, lot layout, stormwater control measures, and the like may be approved by the District Commissioner, as needed or necessary.
- (16) All setbacks and buffer areas may be penetrated for purposes of detention, utilities, and stormwater management.
- (17) Applicant agrees to comply with all Cobb County development standards and ordinances relating to project improvements, except as approved by the Board of Commissioners or by the Department of Transportation or Community Development Agency, as their authority may allow.

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Single-Family Residential Component

- (18) The Single-Family Residential Component shall consist of two hundred one (201) residences.
- (19) The minimum square footage of the residential homes shall be 2,200 square feet ranging upwards to 5,000 square feet and greater.
- (20) The exterior facades of the proposed residential homes shall be brick, stone, stacked stone, and hardi-plank siding, or combinations thereof.
- (21) Architectural style of the proposed residential homes shall be as reflected on the renderings to be presented to the Cobb County Planning Commission and the Cobb County Board of Commissioners at the respective Zoning Hearings.
- (22) Applicants agree to the creation of a mandatory homeowners association. The mandatory homeowners association shall be responsible for the upkeep and maintenance of the entrance area, common areas, and the like contained within the proposed Single-Family Residential Community.
- (23) Additionally, and in conjunction with the creation of the mandatory homeowners association, Applicant agrees to the recording and enforcement of protective covenants which will contain covenants, rules, and regulations applicable to the proposed Single-Family Residential Community.
- (24) Setbacks for the proposed Single-Family Residential Community shall be as follows:
 - Front setback - Twenty (20) feet;
 - Rear setback - Twenty (20) feet; and

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Mr. John P. Pederson
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Side setback - Five (5) feet (Fifteen (15) feet between structures).

Single-Family Townhome Component

- (25) The Single-Family Townhome Component shall consist of one hundred forty-one (141) condominium residences, in the townhome style, which shall be three-stories in height and shall have rear-loaded, two-car garage, as more particularly shown and reflected on the renderings to be presented to the Planning Commission and Board of Commissioners at their respective hearings.
- (26) The minimum square footage of the residential townhomes shall be 1,650 square feet ranging upwards to 2,400 square feet and greater.
- (27) The exterior facades of the proposed residential townhomes shall be brick, stone, stacked stone, cedar shake-type, hardi-plank siding, or combinations thereof.
- (28) The proposed community shall be a condominium development as that term is used and defined under the Cobb County Zoning Ordinance and complying in all respects with the Cobb County Zoning Ordinance.
- (29) All units within the proposed Single-Family Townhome Community shall be "for sale" units only.
- (30) Applicants agree to the recording and enforcement of a Declaration of Restrictive Covenants which will contain covenants, rules, and regulations applicable to the proposed Single-Family Townhome Community.
- (31) Additionally, and in conjunction with the Declaration of Restrictive Covenants, Applicants agree to the creation

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of a mandatory homeowners association which shall be responsible for the upkeep and maintenance of the entrance ways, all common areas, and private streets contained within the proposed community.

- (32) Lighting within the proposed Single-Family Townhome Community shall be environmentally sensitive, decorative, and themed to the architecture and style of the residences.
- (33) All streets located within the Single-Family Townhome Component shall be private streets.

Ranch Condominium Component

- (34) The Ranch Condominium Component shall consist of seventy (70) residential units under the Cobb County Condominium Ordinance. The units shall be one (1) story to one and one-half (1½) stories in height.
- (35) The condominium residences shall be targeted for the "active adult" community.
- (36) The condominium residences shall be a minimum of 1,650 square feet, ranging to 2,400 square feet and potentially greater.
- (37) The architectural style of the condominium residences shall be of a "craftsman-style" architecture, substantially similar to and consistent with those architectural elevations shown on the renderings to be presented to the Planning Commission and Board of Commissioners at the respective Zoning Hearings.
- (38) Exterior facades of the proposed condominium residences shall be composed of brick, stone, stacked stone, cedar-shake type, or combinations thereof, on three sides.

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Continued

- (39) The proposed condominium residences shall have two-car, front and side-loaded garages.
- (40) The proposed Single-Family Condominium Community shall be a condominium development as that term is used and defined under the Cobb County Zoning Ordinance and complying in all respects with the Cobb County Zoning Ordinance.
- (41) All units within the proposed Single-Family Condominium Community shall be "for sale" units only.
- (42) Applicants agree to the recording and enforcement of a Declaration of Restrictive Covenants which will contain covenants, rules, and regulations applicable to the proposed Single-Family Condominium Community.
- (43) Additionally, and in conjunction with the Declaration of Restrictive Covenants, Applicants agree to the creation of a mandatory homeowners association which shall be responsible for the upkeep and maintenance of the entrance ways, all common areas, and private streets contained within the proposed community.
- (44) Lighting within the proposed Single-Family Condominium Community shall be environmentally sensitive, decorative, and themed to the architecture and style of the residences.

Single-Family Live/Work Townhome Component

- (45) The Single-Family Live/Work Townhome Component shall consist of fifteen (15) residences under the Cobb County Condominium Ordinance, in the townhome style which shall be three-stories in height and shall have rear-loaded, two-car garage, as more particularly shown and reflected on the renderings to be presented to the Planning Commission and Board of Commissioners at their respective hearings.

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Continued

- (46) The residential townhomes shall be located adjacent to the proposed Village Square within the overall development and shall further promote the "live where you work" concept.
- (47) The minimum square footage of the residential townhomes shall be 1,650 square feet ranging upwards to 2,400 square feet and greater.
- (48) The exterior facades shall be brick, stone, stacked stone, cedar shake-type, hardi-plank siding, or combinations thereof on three sides of the residential townhomes.
- (49) The proposed community shall be a condominium development as that term is used and defined under the Cobb County Zoning Ordinance and complying in all respects with the Cobb County Zoning Ordinance.
- (50) All units within the proposed Single-Family Live/Work Townhome Community shall be "for sale" units only.
- (51) Applicants agree to the recording and enforcement of a Declaration of Restrictive Covenants which will contain covenants, rules, and regulations applicable to the proposed Single-Family Live/Work Townhome Community.
- (52) Additionally, and in conjunction with the Declaration of Restrictive Covenants, Applicants agree to the creation of a mandatory homeowners association which shall be responsible for the upkeep and maintenance of the entrance ways, all common areas, and private streets contained within the proposed community.
- (53) Lighting within the proposed Single-Family Live/Work Townhome Community shall be environmentally sensitive, decorative, and themed to the architecture and style of the residences.

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Continued

Proposed Village Square Component

- (54) The Village Square Component shall be comprised of 6.3 acres of total site area and shall be utilized for office, retail, and restaurant uses servicing primarily the residents of the overall community.
- (55) Structures within the Village Square Component shall be complementary to the overall development and shall be as more fully set forth on the renderings to be presented to the Cobb County Planning Commission and Cobb County Board of Commissioners at their respective Zoning Hearings.
- (56) Applicant agrees that the proposed Village Square Component shall include a landscaped park as shown on the referenced Preliminary Plan.
- (57) The Village Square Component shall also include extensive tree plantings as part of a landscaped streetscape.

We believe the requested zoning, pursuant to the referenced Preliminary Plan and the stipulations set forth herein, is an appropriate use of the Subject Property. The proposed overall community is an exciting concept which fits together numerous types of product into one development. The Applicants have gone to great detail in planning the development. The proposed community shall be of the highest quality; shall be compatible with surrounding retail developments and neighborhoods; and shall be an enhancement to the Subject Property. Thank you for your consideration in this request.

MOORE INGRAM JOHNSON & STEELE

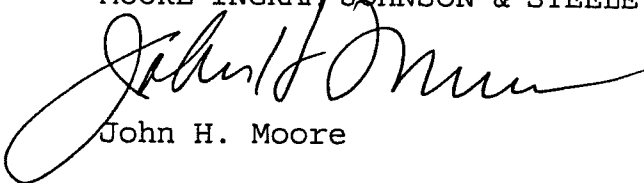
Mr. John P. Pederson
Planner III
Zoning Division
Cobb County Community Development Agency
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Continued

With kindest regards, I remain

Very truly yours,

MOORE INGRAM JOHNSON & STEELE, LLP



John H. Moore

JHM:cc

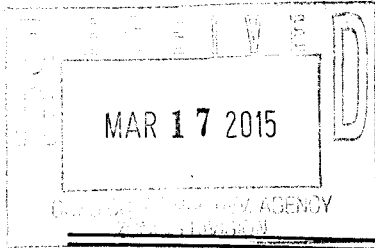
c: Cobb County Board of Commissioners:
Samuel L. Olens, Chairman
George Woody Thompson, Jr.
Helen C. Goreham
Joe L. Thompson
Tim Lee

Cobb County Planning Commission:
Murray Homan, Chairman
Judy Williams
Bob Hovey
Christi S. Trombetti
Bob Ott

Ms. Mary Rose Barnes

Ms. Clarice Barber Page
Southwest Austell Neighbors

Traton Corp.
W & H Properties, LLC



Red Oak
CONSTRUCTION

Office 770-424-1819

W & H PROPERTIES, LLC
701 Whitlock Ave., Suite K-46
Marietta Georgia 30064

Fax 770-424-2263

July 13, 2004

Min. Bk. 29 Petition No. Z-39
Doc. Type Letter of Agreeable
Stipulations
Meeting Date 8/17/04

Dear Covered Bridge homeowners:

In March of this year, we met with representatives from Russell Elementary, Covered Bridge subdivision, and other nearby neighborhoods to discuss the proposed Mill at Covered Bridge planned village community. We presented our plan and sought your input. Your representatives acknowledged the fact that the property will be developed and expressed a desire to work with us to create a truly outstanding high-end community. They did express some concerns and asked us to address seven aspects of the proposed plan. They were as follows, in the general order of priority:

1. Increased traffic on South Hurt Road/Safety of access point closest to the East-West Connector bridge
2. Proximity of townhomes to South Hurt Road residential areas/potential for degradation of established single family neighborhoods
3. Impact on Russell Elementary (traffic, capital improvements)
4. Power line relocation/potential adverse impact/proximity to Covered Bridge subdivision
5. Sidewalk along South Hurt Road
6. Viability of the community village
7. Access to our amenities for Covered Bridge residents

At the end of that meeting, we pledged to the representatives to reconsider our land plan and attempt to address as many of those points as we possibly could. We worked with our land planner to consider alternative layouts. From that meeting emerged the concept of moving all of the attached housing to the north side of the East-West Connector, all of the detached single family to the south side of the Connector, and eliminate our northern most connection to South Hurt Road (the one closest to the bridge). This concept successfully reduces the homes with access to South Hurt Road from 320 to 201, and completely eliminates any access from townhomes/condos to South Hurt Road. This conceptual change, which is reflected on the new plat attached hereto, directly addresses points 1, 2, and part of #3. To further address the impact on Russell Elementary, we have agreed to donate 4 +/- acres to the school board.

With respect to the proposed power line relocation (#4), we agree to minimize any relocation and keep it entirely on our property. We have agreed to work with Cobb County to construct curb, gutter, and a sidewalk along South Hurt Road, which addresses point #5. Regarding the viability of our commercial office village, we have no reservations about that. We have had a tremendous amount of unsolicited interest from banks, office tenants, and others. We intend to qualify tenants and accept only well qualified users with sound business plans. We believe that the upscale product design and high level of finish will attract quality tenants. To address point #6, we will agree to offer a one-time opportunity for residents of Covered Bridge to join the swim/tennis associations. Notice will be given to the neighborhood for sign up as we near the completion of the construction of the amenities.

We hope that our efforts to address your concerns meet with your approval. Although these changes have cost us in terms of time and money, we trust that you will acknowledge our good faith effort to involve you in the design process. We are confident that The Mill at Covered Bridge will be a catalyst for quality development and appreciation in the area.

Please contact us or visit our website at www.redoakconst.com for more information.

Sincerely,



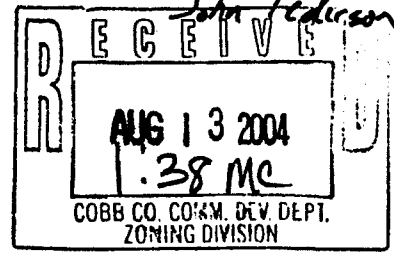
William H. Harper, Jr.

WHH/jv

Cc: Cobb County Clerk
Cobb County Planning Commissioners
Cobb County Board of Commissioners
John Moore, Moore, Ingram, Johnson, & Steele
John Pederson, Cobb County Zoning Department

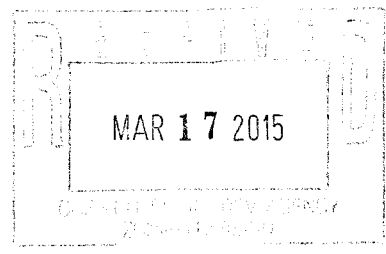
2-39

John Pederson



Red Oak
CONSTRUCTION

Office (770) 424-1819 W & H Properties, LLC 701 Whitlock Ave., Suite K-46 Fax (770) 424-2263
Marietta, GA 30064



Min. Bk. 29 Petition No. Z-39
Doc. Type Letter of Agreeable
Stipulations
Meeting Date 8/17/04

August 12, 2004

Mr. Jim Cavedo
President
Mableton Improvement Coalition

Dear Jim:

Thank you very much for your support and encouragement with regards to The Mill at Covered Bridge (zoning case Z-39). The purpose of this letter is to address your concerns outlined to Murray Homan in your letter of July 30, 2004.

1. Concerning buffering along the East-West Connector, we agree to leave natural vegetative buffers in place. We do not intend to grade into the cut slope on the Connector. The slopes currently planted in pine trees and landscape performed during the construction of the Connector will remain. In those areas where no grade differential or vegetative buffer exists, we will create landscaped berms planted with high growing evergreen plant material. Additionally, we will brick the lower level on the rear of any townhomes that abut the Connector. This creates a much more substantial appearance.
2. We agree to market the townhomes to owner occupants and will stipulate in the covenants that no more than 10% of the townhomes be available as rentals at any time.

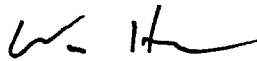
Page 2
Mr. Cavado
August 12, 2004

Petition No. 2-39
Meeting Date 8/17/04
Continued

3. The "berm" (slope) along the eastbound lane of the Connector will not be removed and the planting of heavy trees on the slope will remain.
4. We agree to provide an attractive cross walk with an architecturally pleasing traffic slowing structure in the area between the live/work units and the village square, as allowed by Cobb County.
5. We would like to defer our decision about fencing the north and east perimeter of the northern tract until we are able to evaluate the density of the existing underbrush along those borders. We agree in concept that all pedestrian and bicycle traffic should be directed to the designated pathways. We prefer dense vegetative buffers to wooden fences that are rarely maintained properly.
6. We do not agree to brick the rear of single-family homes. We believe this request is excessive and would put us at a competitive disadvantage, since no other competing homes in the area have this requirement. We do agree in concept with providing visual buffers along the East-West Connector.
7. We agree that we will design our storm drain system so that no flooding or pooling of water will be directed to the Silver Comet Trail.

We appreciate your input over the past several months, and trust that we have addressed your last few concerns. Please let me know if you have any questions or comments.

Sincerely,



William H. Harper, Jr.

WHH/jv

Cc: Cobb County Board of Commissioners
Carol Granger, Cobb County Clerk
John Pederson, Cobb County Zoning Department

**OFFICIAL MINUTES OF BOARD OF
COMMISSIONERS ZONING HEARING
AS TO APPLICATION FOR "OTHER BUSINESS"
RELATING TO NO. Z-39 (2004) -
SEPTEMBER 21, 2010**

**MINUTES OF ZONING HEARING
COBB COUNTY BOARD OF COMMISSIONERS
SEPTEMBER 21, 2010
9:00 A.M.**

The Board of Commissioners' Zoning Hearing was held on Tuesday, September 21, 2010 at 9:00 a.m. in the second floor public meeting room of the Cobb County building, Marietta, Georgia. Present and comprising a quorum of the Board were:

Chairman Tim Lee
Commissioner Helen Goreham
Commissioner Robert Ott
Commissioner Thea Powell
Commissioner Woody Thompson

ITEM #2

To consider a site plan and stipulation amendment for Metro Development Group II, LLC regarding application Z-39 (Traton Corp. and W & H Properties, LLC) of 2004, for property located on the north side of the East-West Connector, between Hicks Road and Felton Hill Road in Land Lots 25 and 48 of the 17th District.

Mr. John Pederson, Zoning Division Manager, provided information on request by Metro Development Group II, LLC regarding application Z-39 (Traton Corp. and W & H Properties, LLC) of 2004. The public hearing was opened and Mr. John Moore and Mr. Ned Crystal addressed the Board. Following presentation and discussions, the following motion was made:

MOTION: Motion by Thompson, second by Ott, to **approve** Other Business Item No. 2 for Metro Development Group II, LLC regarding application Z-39 (Traton Corp. and W & H Properties, LLC) of 2004, for property located on the north side of the East-West Connector, between Hicks Road and Felton Hill Road in Land Lots 25 and 48 of the 17th District, **subject to:**

- site plan received by the Zoning Division September 8, 2010, which includes replacement of landscaped park with 18 foot landscape strip along the northern property line (attached and made a part of these minutes)
- architectural renderings for the Daycare Facility and the Medical Facility submitted at the public hearing *except that stipulation letter provides for muted, earth tone brick* (attached and made a part of these minutes)
- letter of agreeable conditions dated September 20, 2010 *with the following additions/changes* (attached and made a part of these minutes):
 - Item No. 1 Daycare Facility (c) – Remove reference to “white picket fence”
 - Item No. 1 Daycare Facility – Add (e) “There will be no vinyl shutters.”
 - Item No. 2 Medical Facility (c) – Remove reference to “cedar shake type siding”

**MINUTES OF ZONING HEARING
COBB COUNTY BOARD OF COMMISSIONERS
SEPTEMBER 21, 2010
9:00 A.M.**

The Board of Commissioners' Zoning Hearing was held on Tuesday, September 21, 2010 at 9:00 a.m. in the second floor public meeting room of the Cobb County building, Marietta, Georgia. Present and comprising a quorum of the Board were:

Chairman Tim Lee
Commissioner Helen Goreham
Commissioner Robert Ott
Commissioner Thea Powell
Commissioner Woody Thompson

ITEM #2 (Continued)

- ***Add Item No. 3 – “Creation of a three (3) member architectural review committee (for the undeveloped portion of the 4.7 acre commercial tract) consisting of the Applicant or representative, one (1) member of the Barnes Mill Subdivision HOA, and either the Zoning Division Manager or the Community Development Director.”***
- **all other previous stipulations and conditions, not otherwise in conflict, to remain in effect**

VOTE: ADOPTED unanimously

**EAST WEST
MASTER PLAN**

EAST WEST CONNECTOR
AND HICKS ROAD
COBB COUNTY, GEORGIA



MetroGroup
U.S. REAL ESTATE
CORPORATION
1000 METRO CENTER DRIVE
ATLANTA, GA 30308
TEL: (770) 564-1000
WWW.METROGROUP.COM



**foreSITE
group**
ForeSite Group, Inc.
1000 Peachtree Street, N.E.
Atlanta, GA 30309
Tel: (770) 564-1000
www.foresitegroup.com

NO.	DATE	DESCRIPTION
1	07/10/10	PRELIMINARY LAYOUT
2	07/10/10	FINAL LAYOUT

OVERALL LAYOUT
1 OF 1

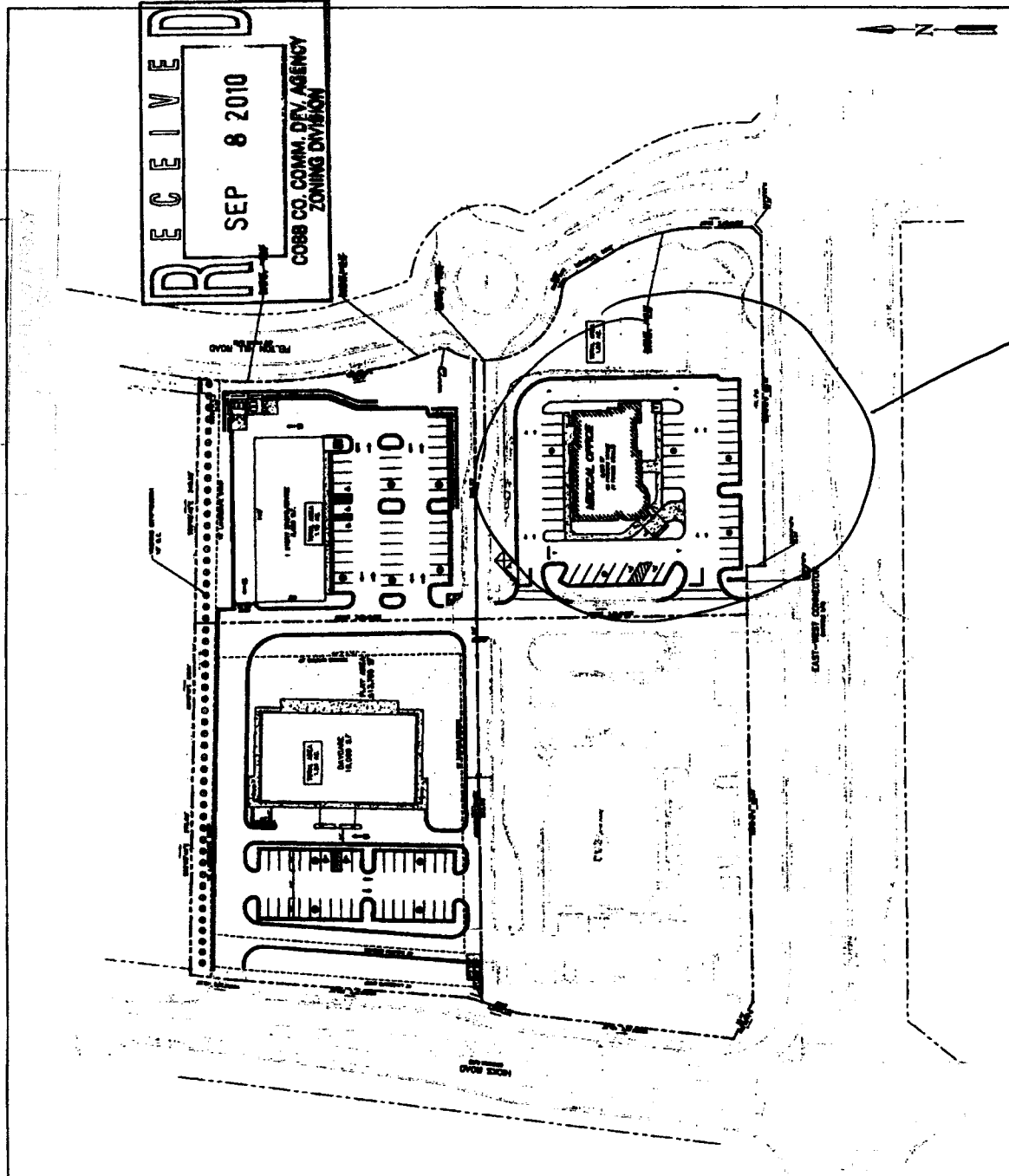
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MAR 17 2015

RECEIVED

SEP 8 2010

COBB CO. COMM. DEV. AGENCY
ZONING DIVISION



Site for
OB-022-2015

PROJECT DATA

NO.	DATE	DESCRIPTION
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2	07/10/10	FINAL LAYOUT

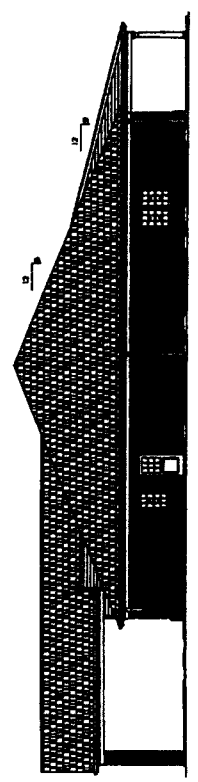
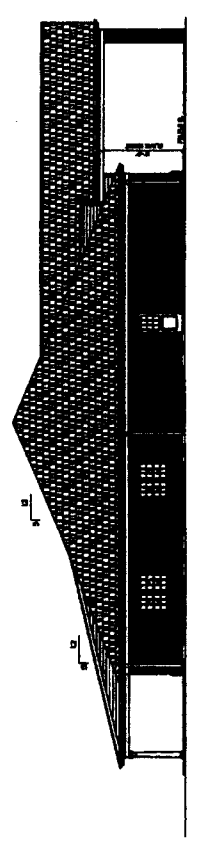
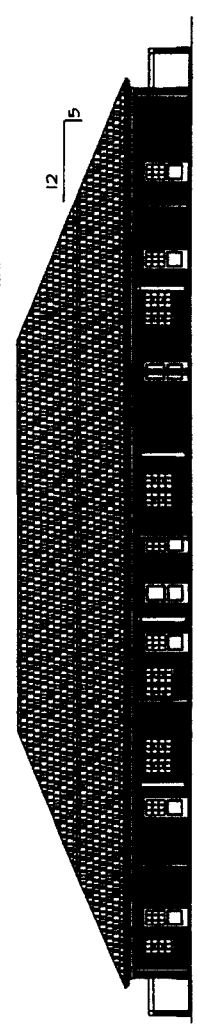
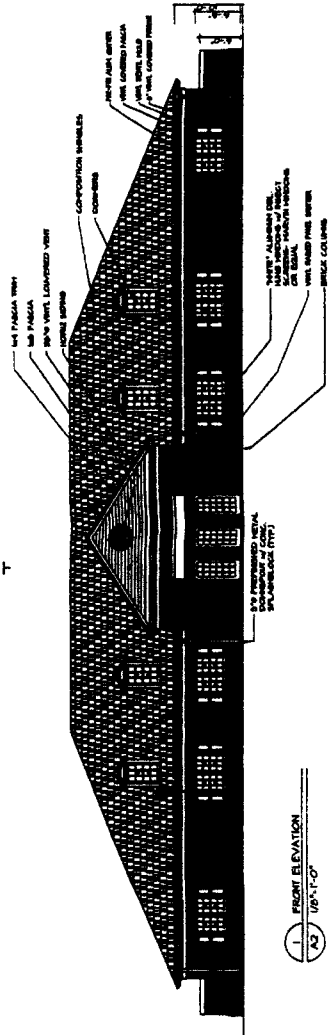
U.S. REAL ESTATE CORPORATION
1000 METRO CENTER DRIVE
ATLANTA, GA 30308
TEL: (770) 564-1000
WWW.METROGROUP.COM

Min. Bk. 61 Petition No. OB2
Doc. Type site plan
Meeting Date _____

NO. 1	NO. 2	NO. 3	NO. 4	NO. 5	NO. 6	NO. 7	NO. 8	NO. 9	NO. 10

Not Released for Construction Date: 02/10/15
 ELEVATIONS
 Drawing Title

Project Title: PERBROOKE CHILD DEVELOPMENT
 HICKS ROAD
 COBB COUNTY, GEORGIA
 Sheet of: A-2

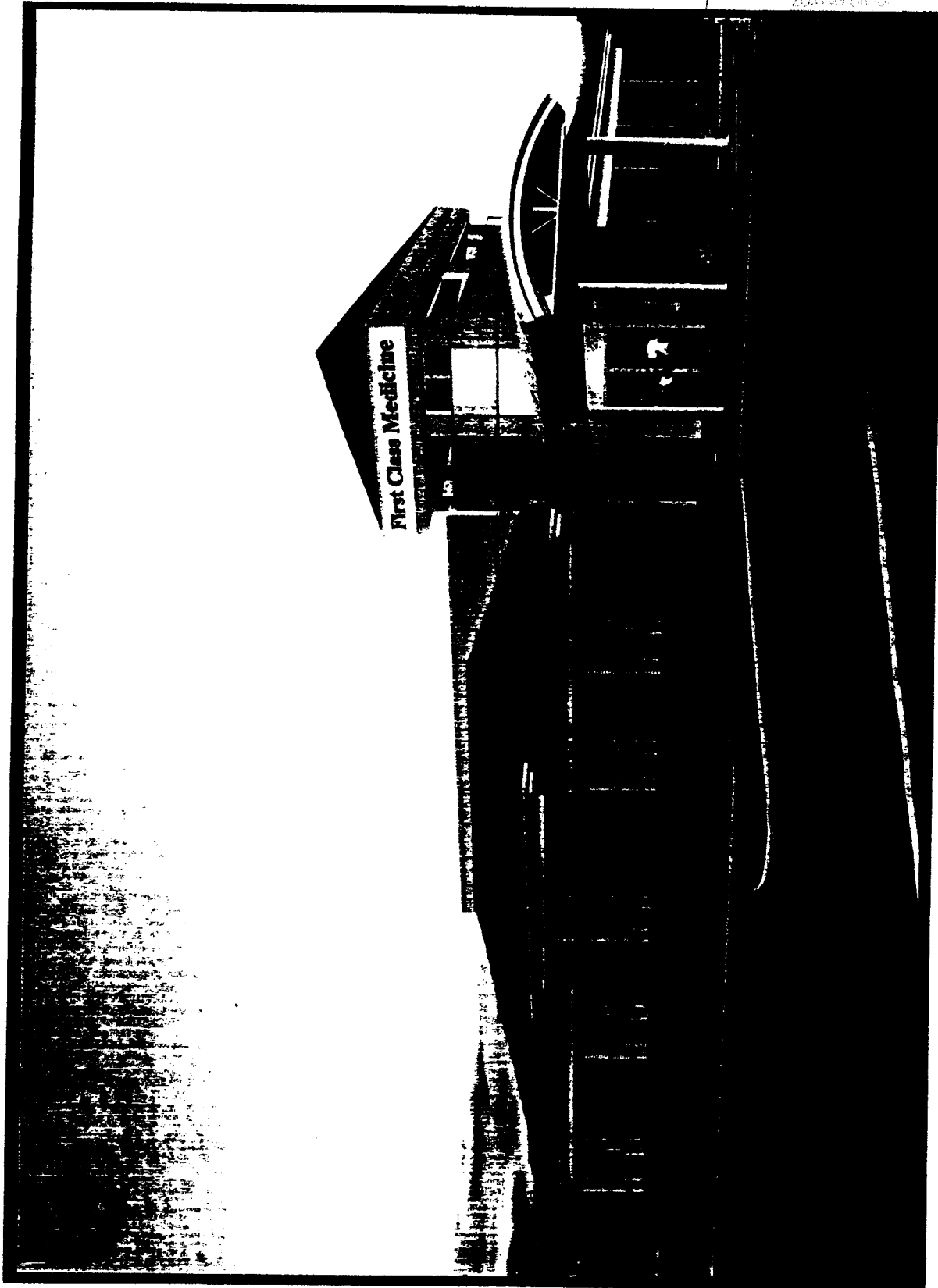


MAR 17 2015

Min. Et. to L. Position No. 032
 Doc. Type Architectural
 Rendering - Day Case
 Meeting Date 3/17/15

MAR 17 2015

0000 01 31 2015
2015-03-17



Min. Bk. 61 Petition No. DB2
Doc. Type Architectural
Rendering - medical facility
Meeting Date 9/2/15

MOORE INGRAM JOHNSON & STEELE

A LIMITED LIABILITY PARTNERSHIP
WWW.MIJS.COM

JOHN H. MOORE
STEPHEN C. STEELE
WILLIAM R. JOHNSON†
ROBERT D. INGRAM†
J. BRIAN O'NEIL
G. PHILLIP BEGGS
ELDON L. BASHAM
MATTHEW J. HOWARD
JERE C. SMITH
CLAYTON O. CARMACK
KEVIN B. CARLOCK†
ALEXANDER T. GALLOWAY III†
J. KEVIN MOORE
RODNEY R. MCCOLLOCH
SUSAN S. STUART
BRIAN D. SMITH
HARRY R. TEAR III
W. TROY HART†

JEFFREY A. DAXE
KIM A. ROPER
VICTOR P. VALMUS
T. SHANE MAYES
JOYCE W. HARPER
ANGELA H. SMITH
NICHOLAS J. PETERSON*
JAMES D. WALKER III
CHRISTOPHER D. GUNNELS*
JENNIFER S. WHITE*
RYAN G. PRESCOTT*
CHRISTOPHER C. MINGLEDORFF
COLE B. STINSON**
ANGELA D. TARTLINE
CAREY E. OLSON*
CHARLES E. PIERCE*
CLAY S. O'DANIEL
GRAHAM E. MCDONALD

MARIETTA, GEORGIA
EMERSON OVERLOOK
326 ROSWELL STREET
MARIETTA, GEORGIA 30060
TELEPHONE (770) 429-1499
TELECOPIER (770) 429-8631

KNOXVILLE, TENNESSEE
408 N. CEDAR BLUFF ROAD
SUITE 500
KNOXVILLE, TENNESSEE 37923
TELEPHONE (865) 692-9039
TELECOPIER (865) 692-9071

JACKSONVILLE, FLORIDA
AETNA BUILDING
841 PRUDENTIAL DRIVE
12TH FLOOR
JACKSONVILLE, FLORIDA 32207
TELEPHONE (904) 371-1953
TELECOPIER (904) 872-4238

NASHVILLE, TENNESSEE
3200 WEST END AVENUE
SUITE 500
NASHVILLE, TENNESSEE 37203
TELEPHONE (615) 425-7347
TELECOPIER (615) 783-1665

PHILLIP G. GOMBAR*
SARAH E. STOTTEMYER
PRESTON D. HOLLOWAY
JENNIFER B. SIMPSON
ASPEN S. RAINS*
MARC E. SIROTKIN
BETH GEARHART****
S. NIKOL RICHARDSON*
JENNIFER L. LAFOUNTAINE*
TIMOTHY H. STALLINGS
WILMA R. BUSH
GREGORY H. FULLER†
VERONICA L. RICHARDSON
CALANIT HAYES
TODD I. HEIRD*
DANIEL W. STARNES*
ALEXANDER B. MORRISON*
DOUGLAS W. BUTLER, JR.

APRIL R. HOLLOWAY
CARLA C. WESTER*
PATRICK J. MCCORMICK*
JAIME E. KNOBEL*
ADON J. SOLOMON*
AMY L. JETT*

OF COUNSEL:
JOHN L. SKELTON, JR.†

† ALSO ADMITTED IN TN
* ALSO ADMITTED IN FL
** ALSO ADMITTED IN NM
**** ALSO ADMITTED IN CA
= ALSO ADMITTED IN PA
‡ ADMITTED ONLY IN TN
◊ ADMITTED ONLY IN FL

September 20, 2010

FILED WITH COUNTY CLERK THIS 21st DAY
OF SEPT 2010 BY Jha Moore
RE OB 2
John Pederson
COUNTY CLERK/ASST. COUNTY CLERK/DEPUTY COUNTY CLERK
COBB COUNTY, GEORGIA

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

Min. Bk. 61 Petition No. OB 2
Doc. Type Letter of agree-
able conditions
Meeting Date 9/21/10

RE: Application for "Other Business" - Application No. Z-39 (2004)
Applicant: Metro Development Group II, LLC
Owner: Barnes Mill Retail, LLC
Property: Retail Development located on the northerly side of East-West Connector and the easterly side of Hicks Road, Land Lots 25 and 48, 17th District, 2nd Section, Cobb County, Georgia

Dear John:

The undersigned and this firm represent Metro Development Group II, LLC, the Applicant (hereinafter referred to as "Applicant"), and Barnes Mill Retail, LLC, the Property Owner (hereinafter referred to as "Property Owner"), in their Application for "Other Business" with respect to the retail development located on the northerly side of the East-West Connector and the easterly side of Hicks Road, Land Lots 25 and 48, 17th District, 2nd Section, Cobb County, Georgia (hereinafter the "Property" or the "Subject Property"). After meeting and discussions with the Barnes Mill Subdivision homeowners, Applicant has agreed to certain additional stipulations to the existing zoning, which will become a part of the zoning of the Subject Property if the zoning amendment currently pending is approved, as submitted. These additional stipulations shall become effective only in the event the proposed users of the

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Mr. John P. Pederson, AICP
Zoning Administrator
Zoning Division
Cobb County Community Development Agency
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specified tracts close and construct the proposed facilities as set forth in the proposed zoning amendment.

The additional stipulations are as follows:

(1) Daycare Facility:

- (a) The proposed daycare facility shall be constructed substantially in conformance with those certain photographs presented to the Board of Commissioners at its Zoning Hearing on September 21, 2010.
- (b) The brick used on the proposed facility shall be muted, earth tone brick.
- (c) The fence around the playground area shall be either a white picket fence or a black wrought-iron type fence.
- (d) No neon signage shall be permitted.

(2) Medical Facility:

- (a) The proposed medical facility shall be constructed substantially in conformance with that certain photograph presented to the Board of Commissioners at its Zoning Hearing on September 21, 2010.
- (b) The brick used on the proposed facility shall be muted, earth tone brick.
- (c) The accent feature around the tower and upper area, as shown and reflected on the referenced photograph, shall be smooth, hard-coat stucco, or cedar shake type siding.
- (d) No neon signage shall be permitted.

We believe the requested amendment, together with the previously approved stipulations applicable to this portion of the overall project and the stipulations set forth above, are appropriate for the proposed development of the Subject Property. Thank you for your consideration in this request.

MOORE INGRAM JOHNSON & STEELE

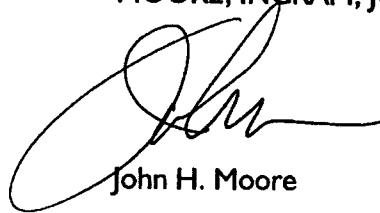
Mr. John P. Pederson, AICP
Zoning Administrator
Zoning Division
Cobb County Community Development Agency
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With kindest regards, I remain

Very truly yours,

MOORE, INGRAM, JOHNSON & STEELE, LLP



John H. Moore

JHM:cc

c: Cobb County Board of Commissioners:

Tim Lee, Chairman
George W. "Woody" Thompson
Helen C. Goreham
Robert Ott
Thea Powell

Ben Clopper
Mableton Improvement Coalition

Ned Crystal
Jane Beasley
Barnes Mill Residents

Metro Development Group II, LLC