

**JULY 19, 2016 ZONING HEARING  
“OTHER BUSINESS”  
COMMISSION DISTRICT 2**

**ITEM 033**

**PURPOSE**

To consider a site plan amendment for Scot Clark regarding rezoning applications Z-112 of 1999 (Hawkins Development Corporation), for property located on the west side of Cumberland Parkway, and on the east side of I-285, in Land Lots 816 and 817 of the 17<sup>th</sup> District. **(Continued by staff from the June 21, 2016 hearing)**

**BACKGROUND**

The subject property was rezoned to O&I in 1999 for office use. One of the zoning conditions zoned this property site plan specific. The applicant would like to revise the approved site plan to allow a small 13 space parking lot to be added along Cumberland Parkway. This would help to alleviate a parking shortage for the applicant’s office building. No other improvements are being proposed. If approved, all previous stipulations not in conflict with this amendment should remain in effect.

**STAFF COMMENTS**

**Stormwater management:** Subject to Plan Review comments for proposed site plan revision.

**RECOMMENDATION**

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

**ATTACHMENTS**

Other Business application and zoning stipulations.

# Application for "Other Business"

OB-033-2016

## Cobb County, Georgia

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

BOC Hearing Date Requested: 6-21-16

Applicant: Scot Clark (applicant's name printed) Phone #: 404-951-6546

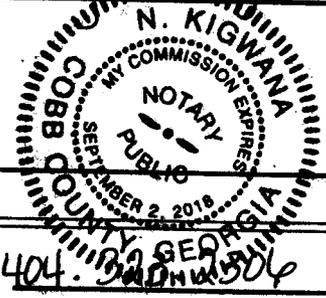
Address: 2303 Cumberland Parkway SE E-Mail: S.Clark@cahomes.com

Scot Clark Address: 1301 Shiloh Rd. Ste. 1210 Kennesaw Ga 30144  
(representative's name, printed)

[Signature] Phone #: 770-424-0028 E-Mail: bholbway.cshp@gmail.com  
(representative's signature)

Signed, sealed and delivered in presence of:

N. Kigwana My commission expires: \_\_\_\_\_  
Notary Public



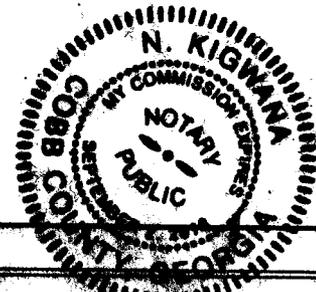
Titleholder(s): Glenridge, LLC (property owner's name printed) Phone #: 404-300-504

Address: PO Box 1724 E-Mail: mwrabalais@earthlink.net

[Signature]  
(Property owner's signature)

Signed, sealed and delivered in presence of:

N. Kigwana My commission expires: \_\_\_\_\_  
Notary Public



Commission District: 2 Zoning Case: 2112 (OB#4)

Size of property in acres: 2.47 Original Date of Hearing: 8/15/05 (2/15/05)

Location: 2303 Cumberland Pkwy. SE Atlanta, Ga 30339  
(street address, if applicable; nearest intersection, etc.)

Land Lot(s): 816 & 817 District(s): 17th

State specifically the need or reason(s) for Other Business: Parking LOT Addition  
OB #4 (2/15/05) removed some parking spaces, this application  
will try to add some of the spaces back.



PAGE 3 OF 8

APPLICATION NO. Z-112

ORIGINAL DATE OF APPLICATION: 08-17-99

APPLICANTS NAME: HAWKINS DEVELOPMENT CORPORATION

THE FOLLOWING REPRESENTS THE FINAL DECISIONS OF THE  
COBB COUNTY BOARD OF COMMISSIONERS

**BOC DECISION OF 08-17-99 ZONING HEARING:**

**HAWKINS DEVELOPMENT CORPORATION** (Chemical Office Associates, a Georgia Limited Partnership, owner) for Rezoning from **OS** to **OI** for the purpose of Offices in Land Lots 816 and 817 of the 17<sup>th</sup> District. 2.495 acres. Located on the west side of Cumberland Parkway, the east side of I-285, south of Paces Ferry Road. The Board, by general consensus, added as stipulation the letter of agreeable conditions dated August 13, 1999. Consequently, the Board of Commissioners, as part of the Consent Agenda, approved Rezoning to the **OI zoning district subject to: 1) project subject to Cobb DOT comments and recommendations *excluding* donation of right of way and installation of sidewalk; 2) project subject to Stormwater Management Division comments and recommendations; 3) building facade to be brick; 4) project meeting all required Cobb County Development Standards and Ordinances related to project improvements; 5) letter of agreeable conditions dated August 13, 1999 (attached and made a part hereof).** Motion by W. Thompson, carried 5-0.

# MOORE INGRAM JOHNSON & STEELE

A LIMITED LIABILITY PARTNERSHIP

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DANIEL A. LANDIS\*  
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HARRY R. TEAR III  
W. TROY HART  
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JEFFREY A. DAXE  
MELISSA W. GILBERT  
DEAN C. BUCCI\*\*  
JOHN R. MCCOWN\*\*  
JOYCE W. HARPER  
THOMAS L. SCHAEFER  
JONATHAN J. TUGGLE  
TRACY K. DAVIS

\* ALSO ADMITTED IN NC  
\*\* ALSO ADMITTED IN TN

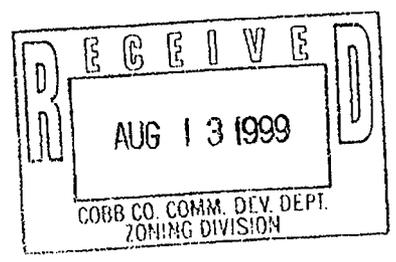
WRITER'S DIRECT DIAL NUMBER

August 13, 1999

Min. Bk. 12 Petition No. Z-112  
Doc. Type Stipulated letter of  
conditions  
Meeting Date 8/11/99

Hand Delivered

Mrs. Linda A. Richardson  
Zoning Analyst  
Zoning Division  
Cobb County Community  
Development Department  
Suite 300  
191 Lawrence Street  
Marietta, Georgia 30060-1661



RE: Application for Rezoning  
Application No.: Z-112 (1999)  
Applicant: Hawkins Development Corporation  
Owner: Chemical Office Associates,  
A Georgia Limited Partnership  
Property: 2.495 acres located at  
2303 Cumberland Parkway,  
Land Lots 816 and 817,  
17<sup>th</sup> District, 2<sup>nd</sup> Section,  
Cobb County, Georgia

Dear Linda:

As you know, this firm represents Hawkins Development Corporation, the Applicant (hereinafter referred to as "Applicant"), and Chemical Office Associates, A Georgia Limited Partnership, the Property Owner (hereinafter referred to as "Owner"), in their Application for Rezoning with regard to the above-referenced property. After meeting with planning and zoning staff and reviewing the staff comments and recommendations and the uses of surrounding properties, we have been authorized by the Applicant and Owner to submit this letter of agreed stipulations which, if the Application for Rezoning is approved, as submitted, shall

**MOORE INGRAM JOHNSON & STEELE**

Mrs. Linda A. Richardson  
Zoning Analyst  
Zoning Division  
Cobb County Community  
Development Department  
Page Two  
August 13, 1999

Petition No. 2-11a  
Meeting Date 8/17/99  
**Continued**

become a part of the grant of the requested zoning and shall be binding upon the 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 will be from the Office Services ("OS") zoning category to the Office and Institutional ("OI") zoning category pursuant and specific to that certain site plan prepared for The Hawkins Companies by Doulgerakis Consulting Engineers, Inc. dated May 21, 1999, last revised June 1, 1999, with regard to the total acreage of 2.495 acres.
- (3) Applicant proposes an upscale office development which shall be constructed in two (2) phases as follows:
  - (a) Phase I shall be the renovation of the existing structure. These renovations shall enhance and upgrade the interior and exterior of the existing structure. The exterior of the existing structure shall be redesigned to blend and complement in architecture and styling the proposed structure.
  - (b) Phase II of the proposed development shall be the construction of one (1) building, two-stories in height, as shown and reflected on the referenced site plan. The exterior design and facade of the proposed building shall be substantially similar to the existing structure once renovations have been completed.

**MOORE INGRAM JOHNSON & STEELE**

Mrs. Linda A. Richardson  
Zoning Analyst  
Zoning Division  
Cobb County Community  
Development Department  
Page Three  
August 13, 1999

Petition No. 2-11a  
Meeting Date 8/17/99  
Continued

- (c) The exterior facade and components of the proposed structure shall consist of brick and glass.
- (d) Phasing referenced herein does not imply any particular order of construction.
- (4) Entrance signage for the proposed development shall be ground based, monument style signage.
- (5) Applicant agrees to comply with all Cobb County Stormwater Management requirements.
- (6) Applicant agrees to comply with all Cobb County development standards and ordinances relating to project improvements.
- (7) Applicant agrees to the following system improvements to mitigate traffic concerns:
  - (a) Construction of a one hundred fifty (150) foot deceleration lane for ingress into the proposed development along the westerly side of Cumberland Parkway; and
  - (b) All work encroaching upon state right-of-way shall require Georgia Department of Transportation approval and if the Georgia Department of Transportation requirements are different from the within stipulations, then the Georgia Department of Transportation requirements shall prevail.

We believe that the requested zoning, pursuant to the referenced site plan and the stipulations contained herein, is an appropriate use of the subject property while taking into consideration the

**MOORE INGRAM JOHNSON & STEELE**

Mrs. Linda A. Richardson  
Zoning Analyst  
Zoning Division  
Cobb County Community  
Development Department  
Page Four  
August 13, 1999

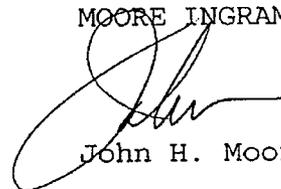
Petition No. 2-112  
Meeting Date 8/17/99  
Continued

properties and owners thereof surrounding the proposed development. The proposed development, as presented herein, shall be of the highest caliber and shall not only utilize and enhance the existing structure but also blend the proposed structure and overall development with existing developments within the area. Thank you for your consideration in this request.

With kindest regards, I remain

Very truly yours,

MOORE INGRAM JOHNSON & STEELE, LLP

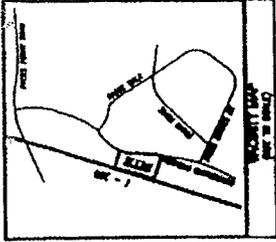


John H. Moore

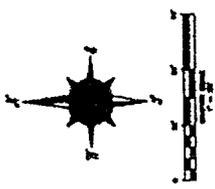
JHM:cc

- c: Cobb County Board of Commissioners:
- William J. Byrne, Chairman
- George Woody Thompson, Jr.
- Louie Hunter
- Joe L. Thompson
- Samuel S. Olens

# REZONING PLAN



24 HR CONTACT  
 BOB BLACKWELL  
 (770)-436-6675  
 BROKER/AGENT CONTACT  
 JOHN DOULGERAKIS  
 (770)-753-8800



Min. Bk. 12 Petition No. 2-112  
 Doc. Type site plan referenced  
 in stipulated order  
 Meeting Date 8/11/99

## SITE INFORMATION

CURRENT ZONING	OS
PROPOSED ZONING	OS
USE	OFFICE
TOTAL AREA	2,495 acres
TOTAL BUILDING	30,000 s.f.
EXISTING BUILDING	15,000 s.f.
PROPOSED BUILDING	15,000 s.f.
PARKING REQUIRED	105 spaces
PARKING PROVIDED	132 spaces
HANDICAP PARKING	4 spaces

## OFFICE BUILDING

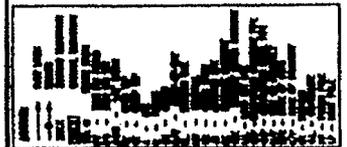
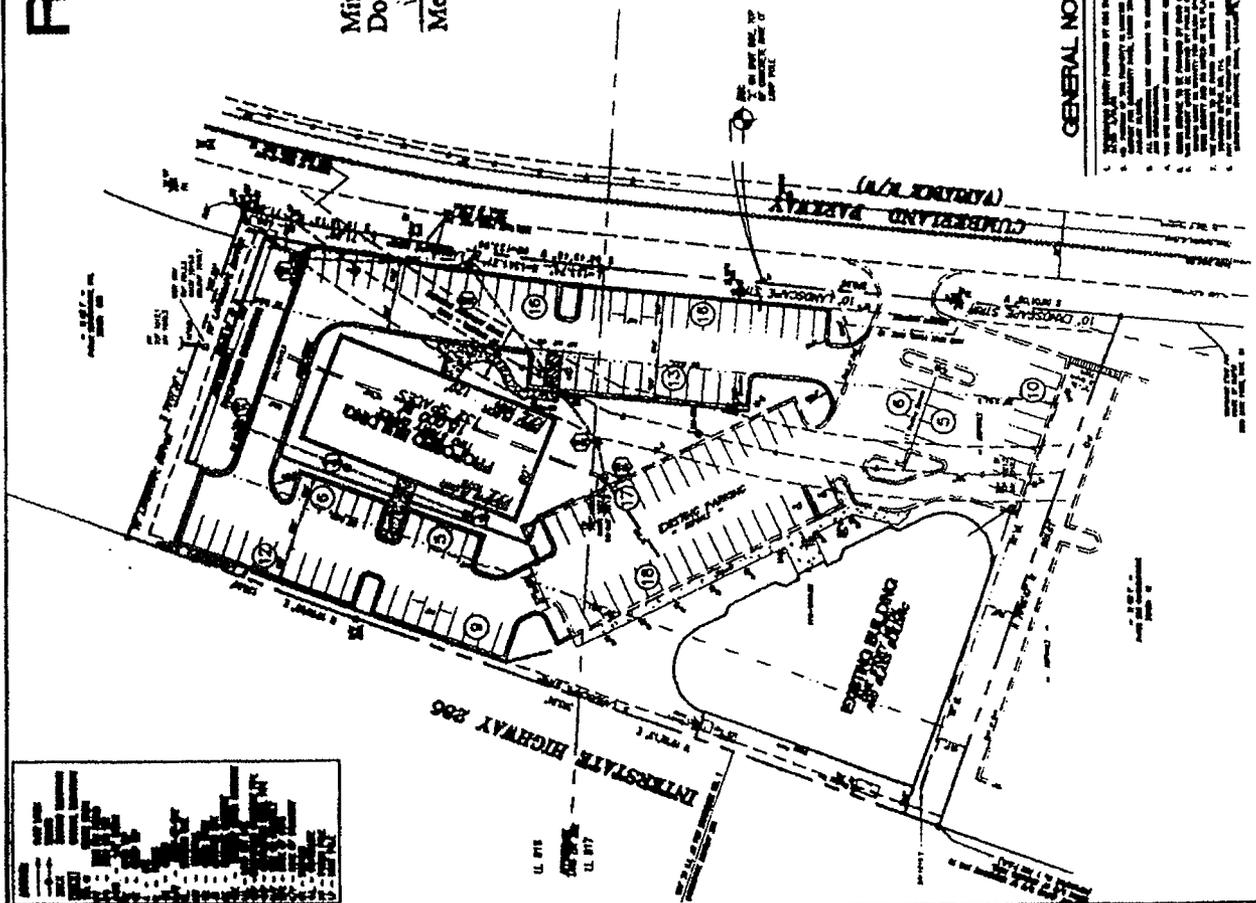
LOCATED BY  
 LAND 2075 1/4 SEC. 34, T. 10 N., R. 10 W., DISTRICT  
 2868 COMBERLAND PARKWAY

OWNER & DEVELOPER  
**THE HAWKINS COMPANIES**  
 2868 COMBERLAND PARKWAY, SUITE 200-A, ATLANTA, GEORGIA 30338  
 (770) 436-6676

DESIGNED BY  
  
**DOULGERAKIS CONSULTING ENGINEERS, INC.**  
 2665 OLD MCTON PARKWAY, ALPHARETTA, GA 30004 770-753-8800

### GENERAL NOTES

1. ALL NOTES REFER TO THE PLAN SHEET.
2. THE PROPOSED DEVELOPMENT IS SUBJECT TO THE APPROVAL OF THE CITY OF ATLANTA.
3. THE PROPOSED DEVELOPMENT IS SUBJECT TO THE APPROVAL OF THE STATE OF GEORGIA.
4. THE PROPOSED DEVELOPMENT IS SUBJECT TO THE APPROVAL OF THE FEDERAL GOVERNMENT.
5. THE PROPOSED DEVELOPMENT IS SUBJECT TO THE APPROVAL OF THE LOCAL GOVERNMENT.
6. THE PROPOSED DEVELOPMENT IS SUBJECT TO THE APPROVAL OF THE STATE GOVERNMENT.
7. THE PROPOSED DEVELOPMENT IS SUBJECT TO THE APPROVAL OF THE FEDERAL GOVERNMENT.
8. THE PROPOSED DEVELOPMENT IS SUBJECT TO THE APPROVAL OF THE LOCAL GOVERNMENT.
9. THE PROPOSED DEVELOPMENT IS SUBJECT TO THE APPROVAL OF THE STATE GOVERNMENT.
10. THE PROPOSED DEVELOPMENT IS SUBJECT TO THE APPROVAL OF THE FEDERAL GOVERNMENT.



Large plan in zoning file

DATE: 6/10/99  
 SHEET: 1 OF 2  
 DATE: 5/21/99  
 SHEET: 9923  
 DATE: 1 OF 1

PAGE 9 OF 14

APPLICATION NO. Z-112

ORIGINAL DATE OF APPLICATION: 08-17-99

APPLICANTS NAME: HAWKINS DEVELOPMENT CORPORATION

THE FOLLOWING REPRESENTS THE FINAL DECISIONS OF THE  
COBB COUNTY BOARD OF COMMISSIONERS

**BOC DECISION OF 02-15-05 ZONING HEARING:**

**OTHER BUSINESS ITEM #4 - TO CONSIDER A SITE PLAN AND  
STIPULATION AMENDMENTS REGARDING Z-112 (HAWKINS  
DEVELOPMENT CORPORATION) OF AUGUST 17, 1999**

To consider a site plan and stipulation amendments regarding Z-112 (Hawkins Development Corporation) of August 17, 1999, for property located on the west side of Cumberland Parkway, the east side of I-285, south of Paces Ferry Road in Land Lots 816 and 817 of the 17<sup>th</sup> District.

Mr. Mark Danneman, Zoning Division Manager, provided information regarding request to amend site plan and stipulations. Following presentation and discussion, the following motion was made:

MOTION: Motion by J. Thompson, second by Goreham, to **approve** site plan and stipulation amendments regarding Z-112 (Hawkins Development Corporation) of August 17, 1999, for property located on the west side of Cumberland Parkway, the east side of I-285, south of Paces Ferry Road in Land Lots 816 and 817 of the 17<sup>th</sup> District **subject to:**

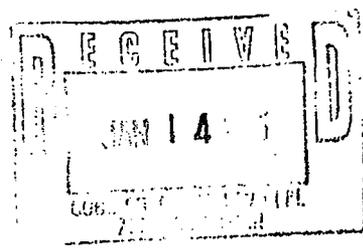
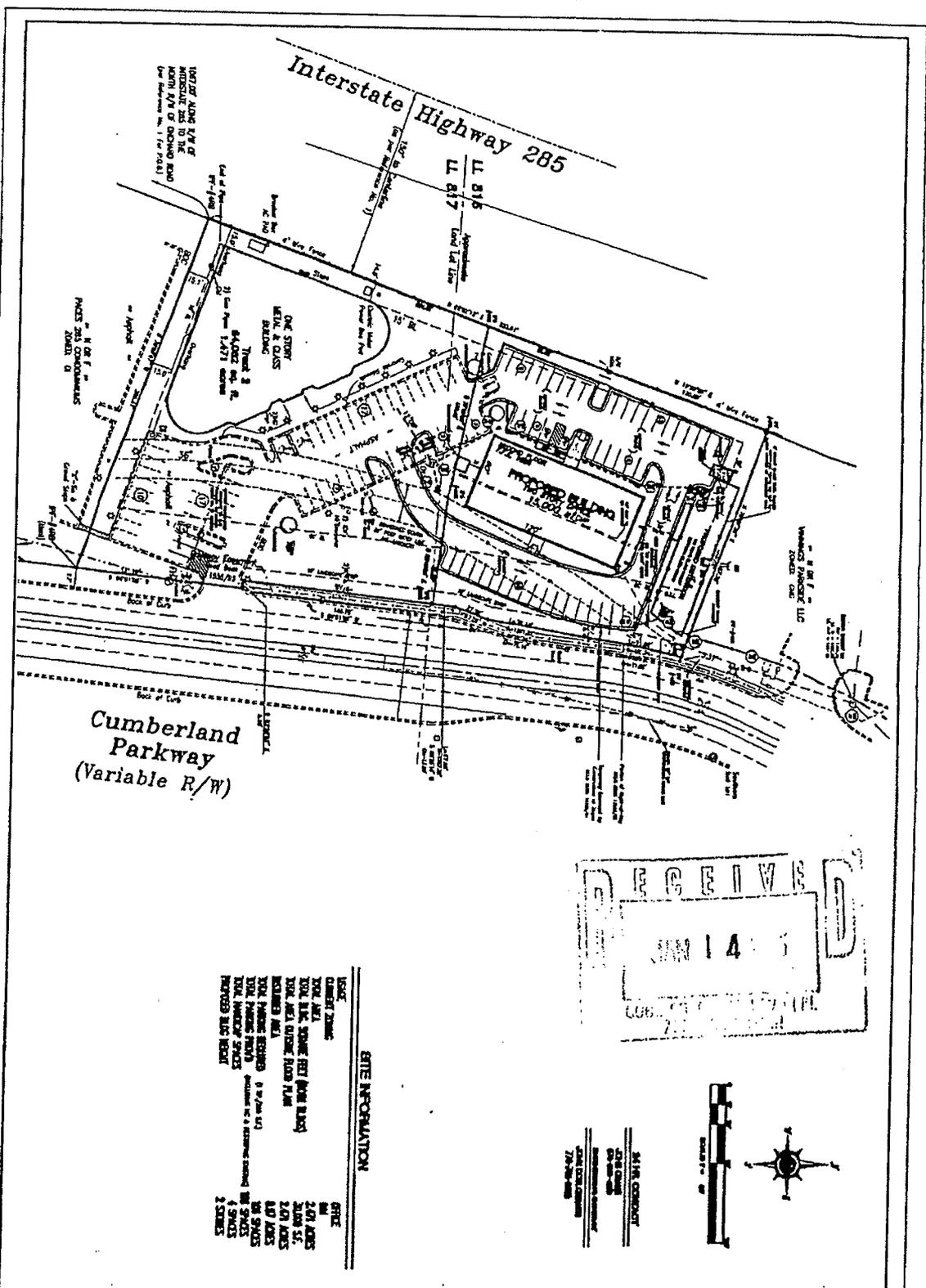
- site plan received in the Zoning Division on January 14, 2005 (copy attached and made a part of these minutes)
- request letter from Mr. John Moore dated February 15, 2005 (copy attached and made a part of these minutes)
- all other previously approved conditions/stipulations to remain in full force and effect

VOTE: **ADOPTED** unanimously

OB # 4

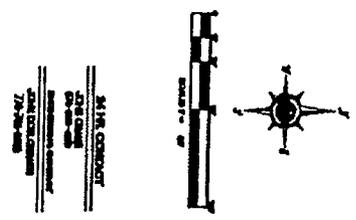
Min. Bk. 33 Petition No. Z-112 of 2/17/99  
 Doc. Type Site Plan

Meeting Date 2/15/05



**SITE INFORMATION**

LOCATION: 2303 CUMBERLAND PHASE II  
 CLIENT: THE HAWKINS COMPANIES  
 PROJECT: 2303 CUMBERLAND PHASE II  
 DATE: 2/15/05  
 DRAWN BY: J. H. HAWKINS  
 CHECKED BY: J. H. HAWKINS  
 APPROVED BY: J. H. HAWKINS  
 SCALE: AS SHOWN  
 SHEET NO. 10 OF 10



# MOORE INGRAM JOHNSON & STEELE

A LIMITED LIABILITY PARTNERSHIP  
192 ANDERSON STREET

MARIETTA, GEORGIA 30060

WWW.MIJS.COM

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J. BRIAN O'NEAL  
G. PHILLIP BEGG  
ELDON L. BASHAM  
MATTHEW J. HOWARD  
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ALEXANDER T. GALLOWAY III  
J. KEVIN MOORE  
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SUSAN S. STUART  
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MELISSA W. GILBERT  
TIMOTHY W. BAILEY  
JOYCE W. HARPER  
AMY K. WEBER  
COURTNEY H. MOORE  
KIM A. ROPER  
TARA C. RIDDLE  
JOSHUA M. BOOTH  
KELLI L. WOLK  
C. LEE DAVIS  
TANYA L. CROSSE  
ROBERT W. BROWN II  
VICTOR P. VALMUS  
JEFFERY L. DICKERSON

### MAIN OFFICE

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MARIETTA, GEORGIA 30061

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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

T. SHANE MAYES  
F. MICHAEL VISCUSE\*\*  
ANGELA M. SMITH  
OPHELIA W. CHAN  
STACEY L. STEWART  
MEREDITH M. MILBY  
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  
ELIZABETH ANN GUERRANT  
JAMES D. WALKER III  
CHRISTOPHER D. GUNNELS\*

CHRISTOPHER L. MOORE  
JENNIFER S. WHITE\*  
KRISTIE L. KELLY  
RYAN G. PRESCOTT  
RICARDO J. DAMEDEIRDS  
L. LAKE JORDAN

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

\* ALSO ADMITTED IN TN  
\* ALSO ADMITTED IN FL  
\*\* ALSO ADMITTED IN SC  
\*\* ALSO ADMITTED IN NC  
\* ADMITTED ONLY IN TN

WRITER'S DIRECT  
DIAL NUMBER

February 15, 2005

Mr. Mark A. Danneman  
Zoning Administrator  
Zoning Division  
Cobb County Community Development  
Suite 300  
191 Lawrence Street  
Marietta, Georgia 30060-1661

FILED WITH COUNTY CLERK THIS 15<sup>th</sup> DAY  
OF Feb 2005 BY Hand Delivered  
RE D.B.#4  
Mark Danneman  
Deputy County Clerk  
COBB COUNTY, GEORGIA

Min. Bk. 33 Petition No. (2-112 of 8/17/99)  
Doc. Type Letter of Request

Meeting Date 2/15/05

RE: Application for Site Plan Amendment  
Application No.: Z-112 (1999)  
Applicant: Hawkins Development Corporation  
Property: 2.471 acres located at  
2303 Cumberland Parkway,  
Land Lots 816 and 817,  
17<sup>th</sup> District, 2<sup>nd</sup> Section,  
Cobb County, Georgia

Dear Mark:

As you may recall, the undersigned and this firm represented Hawkins Development Corporation, who was the Applicant in the initial Application for Rezoning, same being Application No. Z-112 (1999), regarding rezoning of approximately 2.471 acres located at 2303 Cumberland Parkway, Land Lots 816 and 817, 17<sup>th</sup> District, 2<sup>nd</sup> Section, Cobb County, Georgia (hereinafter referred to as the "Property" or the "Subject Property"). The Subject Property was rezoned to the Office and Institutional ("OI") zoning category by the Board of Commissioners at its Zoning Hearing held on August 17, 1999.

Hawkins Development Corporation (hereinafter referred to as "Applicant") desires to modify the previously approved site plan and submits herein a revised Site Plan with respect to the previously approved rezoning request. The requested amendments hereinafter set forth, if approved by the Board of Commissioners,

MOORE INGRAM JOHNSON & STEELE

Mr. Mark A. Danneman  
Zoning Administrator  
Zoning Division  
Cobb County Community Development Agency  
Page Two  
February 15, 2005

Petition No. OB#4(2-12 of 8/17/99)  
Meeting Date 2/15/05  
Continued

as presented herein, shall become binding upon the Subject Property and part of the overall rezoning. This letter shall supersede and replace in full that certain Application for Site Plan Amendment, excepting only the revised Site Plan submitted therewith, dated and filed January 14, 2005. The revised amendments are as follows:

- (1) Applicant seeks an amendment to the previously approved Site Plan to substitute the General Site Plan submitted on January 14, 2005, same being dated October 6, 2004, last revised January 11, 2005, prepared for Hawkins Development Corporation by Doulgerakis Consulting Engineers, Inc., a reduced copy of which is attached hereto for ease of reference.
- (2) Applicant requests a reduction in the total number of parking spaces from the previously approved one hundred thirty-two (132) spaces to one hundred six (106) spaces. These parking spaces will serve two (2) buildings totaling 30,000 square feet. The new spaces would equate to 3.53 spaces per 1,000 square feet of office space.
- (3) Applicant agrees to prepare, execute, and file in the Deed Records of the Superior Court of Cobb County, Georgia, a shared parking agreement between the two (2) buildings so that each building may utilize parking over the entire site; together with necessary ingress and egress easements; said filing to be prior to permitting.
- (4) There shall be no building expansion unless Applicant complies with Code Parking requirements.
- (5) 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, 1999, in Z-112 (1999) are unaltered by this request for site plan and stipulation amendment.

**MOORE INGRAM JOHNSON & STEELE**

Petition No. OB#4 (2-112 of 8/17/99)  
Meeting Date 2/15/05  
Continued

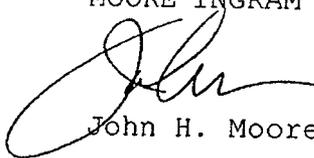
Mr. Mark A. Danneman  
Zoning Administrator  
Zoning Division  
Cobb County Community Development Agency  
Page Three  
February 15, 2005

We respectfully request this Application for Site Plan Amendment be placed on the Board of Commissioners' "Other Business Agenda" for the scheduled Zoning Hearing on February 15, 2005. Thank you for your consideration in this matter. We look forward to confirmation of this item on the requested Zoning Hearing agenda and receipt of the signs in order to meet the requisite posting date.

With kindest regards, I remain

Very truly yours,

MOORE INGRAM JOHNSON & STEELE, LLP

  
John H. Moore

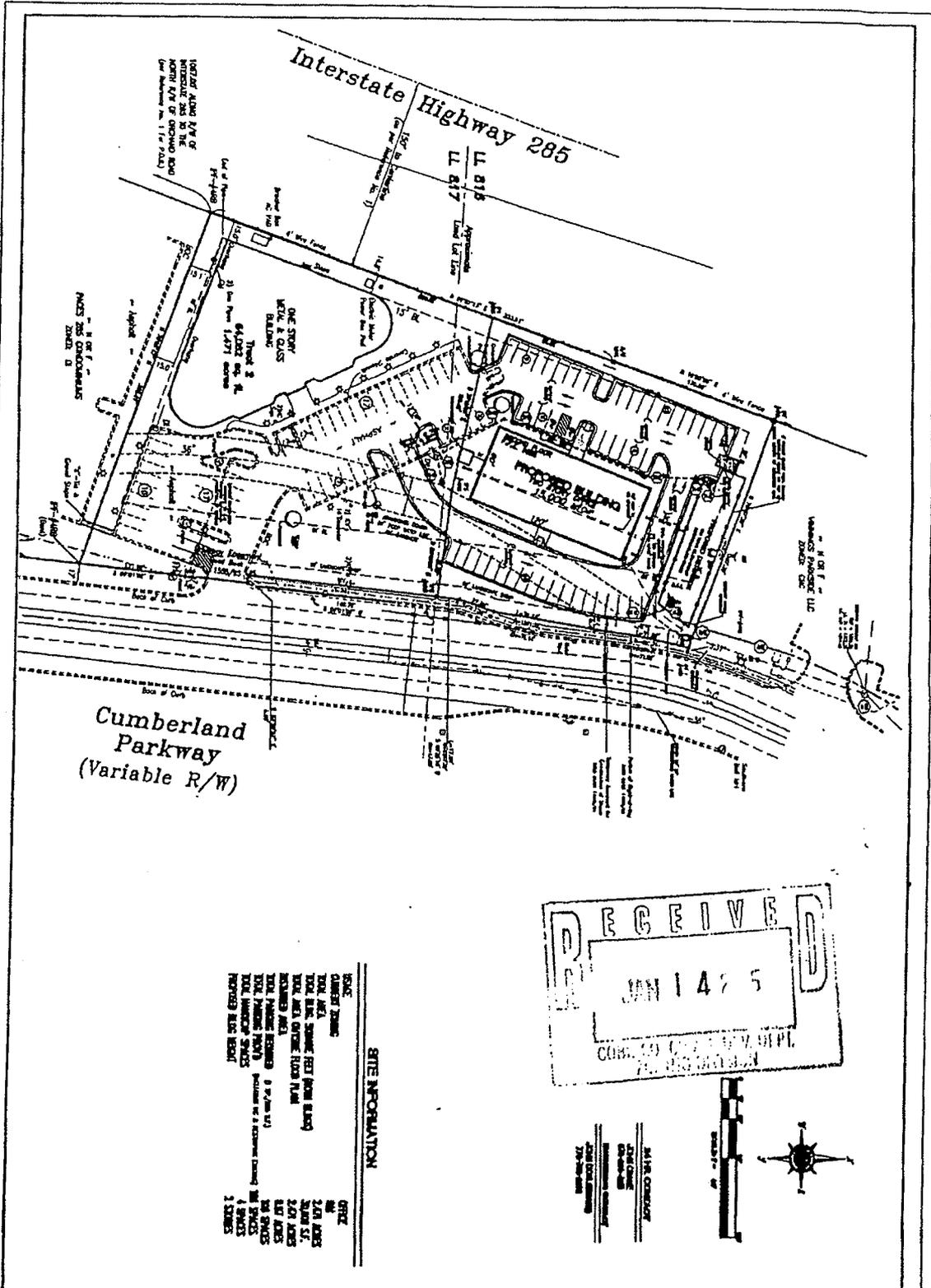
JHM:cc

Enclosure

- c: Cobb County Board of Commissioners:
- Samuel S. Olens, Chairman
- Helen C. Goreham
- Annette Kesting
- Joe L. Thompson
- Tim Lee
- (With Copy of Enclosure)

Hawkins Development Corporation  
(With Copy of Enclosure)

Petition No. OB#4(2-112 of 8/17/99)  
 Meeting Date 2/15/05  
 Continued Site plan referenced in letter.



**RECEIVED**  
 JAN 14 2005  
 CURTIS CO. CLERK OF SUPERIOR COURT

**SITE INFORMATION**

**OWNER:**  
 THE HAWKINS COMPANIES  
 2303 CUMBERLAND PARKWAY  
 SUITE 100  
 WASHINGTON, DC 20004

**DESIGNER:**  
 DOLDEKAKIS CONSULTING ENGINEERS, INC.  
 2045 Old Mill Lane  
 Fairfax, VA 22031

<p><b>2303 Cumberland Phase II</b>                  GENERAL SITE PLAN</p>		
<p><b>The Hawkins Companies</b>                  2303 Cumberland Parkway, Suite 100, Arlington, Virginia 22209-4325</p>		
<p><b>DOLDEKAKIS CONSULTING ENGINEERS, INC.</b>                  2045 Old Mill Lane, Fairfax, Virginia 22031-7700                  Phone: 703-261-8875</p>		