

**DECEMBER 20, 2016 ZONING HEARING  
“OTHER BUSINESS”  
COMMISSION DISTRICT 3**

**ITEM 077**

**PURPOSE**

To consider a stipulation amendment and site plan amendment for Crisp Athletic Holdings, Inc. regarding rezoning application Z-32 of 2009 (Rex E. Horney), for property located on the northwest intersection of Canton Road and Hawkins Store Road, in Land Lots 228 and 277 of the 16<sup>th</sup> District (775 Hawkins Store Road).

**BACKGROUND**

The subject property was zoned CRC with stipulations for a gymnastics training facility in 2009 subject to many stipulations. One of the zoning stipulations requires any change in use be approved by the Board of Commissioners as an Other Business Item. Since the 2009 rezoning, the property has in several times to amend the use. Most recently, the Board of Commissioners approved church facility in April 2014, which did not work out. The applicant is requesting a change in use to allow a softball and baseball training facility to use the property. The interior of the building will be remodeled for the use. On the exterior, the applicant will add batting cages, a practice field and will add some additional parking spaces. If approved, all other zoning stipulations would remain in effect. The Board of Commissioners' decision is attached.

**STAFF COMMENTS**

**Stormwater Management:** Subject to no additional floodplain fill and no additional impervious coverage.

**RECOMMENDATION**

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

**ATTACHMENTS**

Other Business application, proposed site plan and rezoning stipulations.

OB-077-2016

# Application for "Other Business" Cobb County, Georgia

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

BOC Hearing Date Requested: 12-20-16  
~~11-15-16~~

**Applicant:** Crisp Athletic Holdings, Inc Phone #: \_\_\_\_\_  
(applicant's name printed)

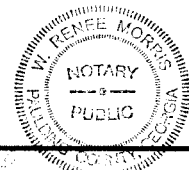
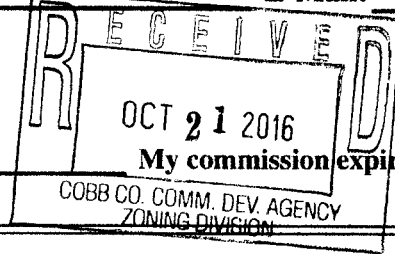
**Address:** 345 Anders Path Marietta, GA 30064 E-Mail: matt@vestment.com

**Rob Hosack, Black Eagle Strategies** Address: 2875 Colony Point Marietta, GA 30062  
(representative's name, printed)

Phone #: 770-235-5662 E-Mail: Rob@blackeaglestrategies.com  
(representative's signature)

Signed, sealed and delivered in presence of:

[Signature]  
Notary Public



My Commission Expires  
May 13, 2017

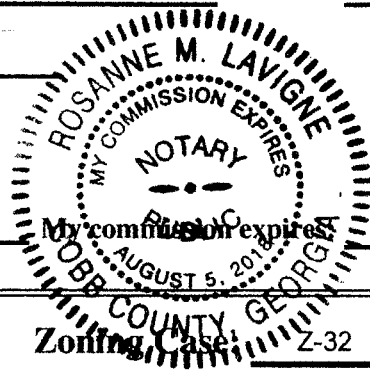
**Titleholder(s) :** Rex Horney Phone #: 678-409-4898  
(property owner's name printed)

**Address:** 3141 Rockmont Lane Marietta, GA 30066 E-Mail: RexHorney@yahoo.com

[Signature]  
(Property owner's signature)

Signed, sealed and delivered in presence of:

[Signature]  
Notary Public



My commission expires

8-5-18

**Commission District:** 3

**Size of property in acres:** 4.68 **Original Date of Hearing:** 11-17-09

**Location:** 775 Hawkins Store Road  
(street address, if applicable; nearest intersection, etc.)

**Land Lot(s):** 228 and 277 **District(s):** 16th

**State specifically the need or reason(s) for Other Business:** \_\_\_\_\_

Amend stipulations to allow for new tenant-softball training and instruction.

(List or attach additional information if needed)



BLACK EAGLE  
STRATEGIES

**P.O. Box 670674  
Marietta, Georgia 30062**

December 6, 2016

**VIA HAND DELIVERY**

**AND EMAIL: [John.Pederson@cobbcounty.org](mailto:John.Pederson@cobbcounty.org)**

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

Re: Other Business Application of Crisp Athletic Holdings, Inc. to amend site plan and stipulations for Z-32 of 2009 at the intersection of Canton Road and Hawkins Store Road (775 Hawkins Store Road) in unincorporated Cobb County for a Baseball/Softball/Athletic Training Facility known as Titan Sports Academy

Dear John:

On behalf of Crisp Athletic Holdings, Inc., I am submitting this letter of agreeable stipulations/conditions which will become a part of the grant of the requested stipulations and site plan amendment:

1. Approval will be subject to the revised site plan submitted including concurrent parking variance, with final site plan to be approved by the District Commissioner. Any change in use to be approved by the Board of Commissioners via an Other Business Application.
2. All parking to be provided on site as noted on revised site plan. Applicant agrees that there will be no on street parking.
3. There will be no changes to the exterior architecture of the building, nor will there be any increase in building height. Applicant agrees to comply with all required building and life safety codes associated with construction of a second floor within the existing building, including an additional stairway for fire safety purposes, if necessary. Applicant agrees to obtaining a Certificate of Occupancy in accordance with Cobb County requirements.

**VIA HAND DELIVERY**

**AND EMAIL: [John.Pederson@cobbcounty.org](mailto:John.Pederson@cobbcounty.org)**

Mr. John P. Pederson, AICP, Manager

Cobb County Community Development Agency

December 5, 2016

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4. Applicant agrees that the proposed facility shall not operate past 9 p.m. and that any outdoor lighting shall not operate past 9:30 p.m.
5. Applicant agrees that Practice Field shown on revised site plan submitted will include dugouts like those found in Cobb County Parks for safety purposes and that fencing as shown will be "breakaway fencing". Applicant further agrees to employ buffer averaging for any minor disturbance related to fence installation along northern property line.
6. Applicant agrees that there shall be no outdoor storage on site.
7. 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.
8. Any security lighting on the existing building 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.
9. Applicant agrees that there shall be no overnight parking on site.
10. Any signage for the project will be architecturally compatible with the existing building and comply with all requirements of the Cobb County Sign Ordinance, including the installation of a ground based, monument type sign for the project entrance in conformance with the Canton Road Design Guidelines.
11. Applicant agrees that there shall be no outdoor speakers on site.
12. Existing landscaping on site to be professionally maintained and enhanced if necessary per Cobb County requirements and the Canton Road Design Guidelines. Final landscape plan to be approved by County Arborist and District Commissioner.
13. Cobb County Professional Staff comments and recommendations not in conflict with these stipulations.
14. Applicant agrees that property shall be included in the creation of a pedestrian light district for Canton Road. Once approvals of quarter mile of property owners are obtained, the pedestrian light district will be in effect. A pedestrian light district special revenue fund shall be collected from the involved owner. Such revenues shall be used exclusively



**VIA HAND DELIVERY**

**AND EMAIL: [John.Pederson@cobbcounty.org](mailto:John.Pederson@cobbcounty.org)**

Mr. John P. Pederson, AICP, Manager

Cobb County Community Development Agency

December 5, 2016

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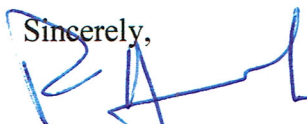
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for any direct costs and expenses related to the pedestrian light district program.

15. The District Commissioner shall have the authority to make minor modifications to the site plan and these stipulations/conditions during the Plan Review process except for those that:
- a. Reduce the size of an approved buffer adjacent to property that is zoned the same or in a more restrictive zoning district.
  - b. Relocate a structure closer to the property line of an adjacent property that is zoned the same or in a more restrictive zoning district.
  - c. Increase the height of a building that is adjacent to property that is zoned the same or in a more restrictive zoning district.
  - d. Change access location to a different roadway.
  - e. Violate the Cobb County Zoning Ordinance applicable to the property.

Please do not hesitate to contact me should you or the staff require any further information or documentation prior to the Application being heard and considered by the Board of Commissioners.

Sincerely,



Rob Hosack, Manager  
Black Eagle Strategies, LLC  
[rob@blackeaglestrategies.com](mailto:rob@blackeaglestrategies.com)

cc: Board of Commissioners  
Cobb County Clerk's office  
Dana Johnson, AICP, Director of Community Development  
Jason Gaines, AICP, Planning Manager  
Carol Brown, Canton Road Neighbors  
Crisp Athletic Holdings, Inc.



ORIGINAL DATE OF APPLICATION: 11-17-09APPLICANTS NAME: REX E. HORNEYTHE FOLLOWING REPRESENTS THE FINAL DECISIONS OF THE  
COBB COUNTY BOARD OF COMMISSIONERS**BOC DECISION OF 11-17-09 ZONING HEARING:**

REX E. HORNEY (owner) requesting Rezoning from **CRC with Stipulations** to **CRC with Stipulations** for the purpose of a Teaching Academy for Gymnastics, Cheering, Tumbling and the Like in Land Lots 228 and 277 of the 16<sup>th</sup> District. Located at the northwest intersection of Canton Road and Hawkins Store Road.

The public hearing was opened and Mr. John Moore, Ms. Carol Brown and Ms. Cynthia Worrell addressed the Board. Following presentation and discussion, the following motion was made:

MOTION: Motion by Lee, second by Goreham, to **approve** Rezoning to the **CRC with stipulations** zoning district **subject to:**

- **site plan received by the Zoning Division September, 3, 2009 with District Commissioner approving minor modifications (attached and made a part of these minutes)**
- **letter of agreeable conditions from Mr. John Moore dated November 17, 2009 with the following additions/clarifications (attached and made a part of these minutes):**
  - **Item No. 1 - Clarification that language in this paragraph applies to previous rezoning conditions and stipulations. And to further clarify that for this rezoning that all current staff comments and recommendations apply to this rezoning, but in the event there is a conflict between the staff recommendations and the stipulations in this letter, the letter will prevail.**
  - **Item No. 4 – Add to the end of paragraph: “Any use change must be approved by the Board of Commissioners as an Other Business Item”**
- **Southern Athletics, Inc. letter of intent signed September 8, 2009 with clarification that total square footage of the building is 11,314 square feet (attached and made a part of these minutes)**
- **the following staff comments and recommendations where not in conflict with the stipulated letter of agreeable conditions**
  - **compliance with Canton Road Corridor guidelines**
  - **Fire Department comments and recommendations**
  - **Water and Sewer Division comments and recommendations**
  - **Stormwater Management Division comments and recommendations**
  - **Cobb DOT comments and recommendations**

VOTE: **ADOPTED** unanimously

*Clerk's Note:* Commissioner Lee instructed the DOT representative to coordinate with DOT Planning Division Manager, Laraine Vance, to investigate the possibility of building sidewalks along this portion of Canton Road.





# MOORE INGRAM JOHNSON & STEELE

A LIMITED LIABILITY PARTNERSHIP  
WWW.MIJS.COM

JOHN H. MOORE  
STEPHEN C. STEELE  
WILLIAM R. JOHNSON<sup>†</sup>  
ROBERT D. INGRAM<sup>†</sup>  
J. BRIAN O'NEIL  
G. PHILLIP BEGGS  
ELDON L. BASHAM  
MATTHEW J. HOWARD  
JERE C. SMITH  
CLAYTON D. CAFFRACK  
KEVIN B. CARLOCK<sup>†</sup>  
ALEXANDER T. GALLOWAY III<sup>†</sup>  
J. KEVIN MOORE  
RODNEY R. McCOLLUCH  
SUSAN B. STUART  
DANIEL A. LANDIS<sup>\*\*\*</sup>  
BRIAN D. SMITH  
HARRY R. TEAR II<sup>†</sup>

W. TROY HART<sup>†</sup>  
JEFFREY A. DAVE  
KIM A. ROPER  
AMY K. WEBER  
VICTOR P. VALMUS  
JOYCE W. HARPER  
TARA C. RIDDLE  
T. BHANE MAYES  
ANGELA H. SMITH  
NICHOLAS J. PETERSON<sup>\*</sup>  
JAMES D. WALKER III  
CHRISTOPHER D. GUNNELS<sup>\*</sup>  
JENNIFER S. WHITE<sup>\*</sup>  
RYAN G. PRESCOTT<sup>\*</sup>  
CHRISTOPHER C. MINGLEDORFF  
COLE B. STINSON<sup>\*\*</sup>  
ANGELA D. CHEATHAM  
CAREY E. OLSON<sup>\*</sup>

EMERSON OVERLOOK  
326 ROSWELL STREET  
MARIETTA, GEORGIA 30060

TELEPHONE (770) 429-1489  
TELECOPIER (770) 429-8851

**BILLING ADDRESS**  
P.O. BOX 3305 • MARIETTA, GEORGIA 30061

**TENNESSEE OFFICE**  
CEDAR RIDGE OFFICE PARK, SUITE 500  
408 N. CEDAR BLUFF ROAD • KNOXVILLE, TENNESSEE 37923

TELEPHONE (865) 892-8089  
TELECOPIER (865) 892-9071

CHARLES E. PIERCE<sup>\*</sup>  
STAYCE M. BURKHART<sup>\*</sup>  
CLAY S. O'DANIEL  
GRAHAM E. McDONALD  
KARINE M. POLIS  
PHILLIP G. GOMBAR<sup>\*</sup>  
SARAH E. STOTTLEMYER  
JENNIFER A. RINGSMUTH<sup>\*</sup>  
PRESTON D. HOLLOWAY  
JENNIFER B. SIMPSON  
ASPEN B. HAIN<sup>\*</sup>  
MARC E. BIROTKIN  
BETH GEARHART<sup>\*\*\*\*</sup>  
S. NIKOL RICHARDSON<sup>\*</sup>  
JENNIFER L. LAFONTAINE<sup>\*</sup>  
TIMOTHY H. STALLINGS  
WILMA R. BUSH  
GREGORY H. FULLER<sup>\*</sup>

CHERYL A. STAUGATTIS  
JENNIFER R. TOMMASELLO  
VERONICA L. RICHARDSON  
CALANIT HAYES  
TODD I. HEIRD<sup>\*</sup>  
DANIEL W. STARNES<sup>\*</sup>

OF COUNSEL:  
JOHN L. SKELTON, JR.<sup>†</sup>

<sup>†</sup> ALSO ADMITTED IN TN  
<sup>\*</sup> ALSO ADMITTED IN FL  
<sup>\*\*</sup> ALSO ADMITTED IN AL  
<sup>\*\*\*</sup> ALSO ADMITTED IN NC  
<sup>\*\*\*\*</sup> ALSO ADMITTED IN CA  
<sup>•</sup> ADMITTED ONLY IN TN

November 17, 2009

Hand Delivered

Min. Pk. 59 Petition No. Z-32  
Doc. Type letter of agreeable  
conditions  
Meeting Date 11/17/09

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

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RE: Application for Rezoning - Application No. Z-32 (2009)  
Applicant/Owner: Rex E. Horney  
Property: 4.68 acres located at the northwest  
intersection of Canton Road and  
Hawkins Store Road, Land Lots 228 and  
277, 16<sup>th</sup> District, 2<sup>nd</sup> Section,  
Cobb County, Georgia

Dear John:

As you know, the undersigned and this firm represent Mr. Rex E. Horney, the Applicant and Property Owner (hereinafter collectively referred to as "Applicant"), in his Application for Rezoning with respect to property located at the northwest intersection of Canton Road and Hawkins Store Road, being approximately 4.68 acres, Land Lots 228 and 277, 16<sup>th</sup> District, 2<sup>nd</sup> Section, Cobb County, Georgia (hereinafter the "Property" or the "Subject Property"). After meeting with planning and zoning staff and various Cobb County departmental representatives, additional discussions and meetings with area civic and homeowner representatives, reviewing the staff comments and recommendations and the uses of surrounding properties, as well as the Planning Commission Zoning Hearing held on November 3, 2009, we have been authorized by the Applicant to submit this revised 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. This letter shall supersede and

**MOORE INGRAM JOHNSON & STEELE**

Mr. John P. Pederson, AICP  
Planner III  
Zoning Division  
Cobb County Community Development Agency  
Page 2 of 5  
November 17, 2009

Petition No. 2-32  
Meeting Date 11/17/09  
Continued

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replace in full the letters of agreeable stipulations and conditions dated and filed October 28, 2009, and November 11, 2009. The revised 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; together with any and all Departmental Comments and Staff Recommendations submitted by Planning, Fire, Water, Sewer, and Drainage, relating to the Subject Property.
- (2) Rezoning of the Subject Property shall be from the existing zoning category of Community Retail Commercial ("CRC"), with stipulations, to the proposed zoning category of Community Retail Commercial ("CRC"), with stipulations, site plan specific to that certain Site Plan, prepared by William Floyd & Co. dated November 6, 2008, and submitted with the Application for Rezoning.
- (3) Applicant brings this Application for Rezoning to obtain Board of Commission approval of the Site Plan submitted with this Application for Rezoning, as more particularly set forth in the official Board of Commission minutes pursuant to Z-174 (2005); as well as for a change in certain stipulations relating to the use of the structure constructed upon the Subject Property.
- (4) Applicant proposes the construction of a one-story structure, having a maximum of 11,314 square feet, upon the approximately 4.68 acre tract. The Property shall be used as a teaching academy for gymnastics, cheerleading, tumbling, and the like.
- (5) The exterior of the proposed structure shall be all brick with accents in the gables and shall be substantially similar to the rendering attached hereto as Exhibit "A" and incorporated herein by reference.
- (6) Additionally, there will be no hardi-plank materials used for the exterior finish, excepting only accents.
- (7) All standard windows within the proposed facility shall have interior window treatments. Any windows which have decorative glass, stained glass, beveled glass, or the like shall not be required to have window treatments.
- (8) Applicant agrees that the proposed facility shall not operate past 9 p.m.

**MOORE INGRAM JOHNSON & STEELE**

Mr. John P. Pederson, AICP  
Planner III  
Zoning Division  
Cobb County Community Development Agency  
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Meeting Date 11 | 17 | 09  
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- (9) Entrance signage for the facility shall be ground based, monument style signage. The finish, materials, and colors for the signage shall be compatible with the facility. Further, such signage shall contain no digital or flashing sign components. There shall be no roof signs and no exterior, temporary signs excepting only grand opening signage, leasing signage, and signage indicating the coming development.
- (10) 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.
- (11) Security lighting on the proposed facility 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.
- (12) Additionally, Applicant shall install a lamp post-type light at the monument signage area. The light post and fixture shall be in conformance with Canton Design Guidelines.
- (13) Landscaping for the Subject Property shall be professionally designed, installed, and maintained. All landscaping along Canton Road shall conform to Canton Design Guidelines.
- (14) Applicant agrees that if the exterior finish of the proposed center is not completed within ninety (90) days of final zoning approval, then the Subject Property shall revert to the original zoning of November 15, 2005; excepting only, if Applicant is prevented from timely completion due to force majeure, the time for completion may be extended accordingly; and, if any delays are encountered in the permitting process not caused by Applicant, the ninety-day period shall be tolled until the cause for such delay or delays has been resolved.
- (15) Applicant agrees to employ the following parking surfaces for the on-site parking area:
  - (a) Standard asphalt paving for the entrance, the turnaround to the right of the entrance, and the parking aisle; and

**MOORE INGRAM JOHNSON & STEELE**

Mr. John P. Pederson, AICP  
Planner III  
Zoning Division  
Cobb County Community Development Agency  
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Meeting Date 11/17/09  
Continued

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- (b) Pervious pavers (similar to the pavers used at BrandSmart) will be utilized in the actual parking spaces.
  
- (16) Minor modifications to the within stipulations, the referenced Site Plan, landscaping, architecture, site features, and the like, may be approved by the District Commissioner, as needed or necessary.
  
- (17) Attached hereto as Exhibit "B" and incorporated herein by reference is a letter agreement from Noonday Baptist Church regarding use of its parking facilities by Applicant. Applicant agrees to provide a shuttle service for those utilizing this area for parking.
  
- (18) Applicant agrees that he will not be entitled to a Certificate of Occupancy until the stipulations set forth herein, which are required to be performed prior to issuance of a Certificate of Occupancy, have been honored.
  
- (19) Applicant agrees to remove the greenhouse currently existing upon the Property.
  
- (20) Applicant, or Applicant's tenant, shall provide shuttle service from the designated Noonday Baptist Church parking area to the site as needed and necessary.
  
- (21) Applicant, during the construction process, agrees to close that portion of the old driveway/access located upon the Subject Property.
  
- (22) There shall be no outdoor storage.
  
- (23) There shall be no overnight parking.
  
- (24) There shall be no tenant vehicles or vehicles of any type parked in front of the proposed facility containing tenant identification signage or advertising signage. This provision shall be contained within any lease between Applicant and any prospective tenant, and Applicant agrees to enforce these provisions against any tenant which violates the foregoing. Additionally, there shall be no vehicles parked in front of the facility with "for sale" signs posted thereon.
  
- (25) Staff recommendations will be followed except where in conflict with the above-stated stipulations.

**MOORE INGRAM JOHNSON & STEELE**

Mr. John P. Pederson, AICP  
Planner III  
Zoning Division  
Cobb County Community Development Agency  
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November 17, 2009

Petition No. 2-3a  
Meeting Date 11/17/09  
Continued

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We believe the requested zoning and use, pursuant to the Site Plan and the revised agreeable stipulations and the attachments set forth herein, is appropriate for the Subject Property. The rezoning will allow the completion of the facility which will be used for the benefit of the surrounding community. We very much appreciate your assistance and the consideration of the Planning Commission and Board of Commissioners in this matter.

With kindest regards, I remain

Very truly yours,

MOORE, INGRAM, JOHNSON & STEELE, LLP



John H. Moore

JHM:cc

Attachments

c: Cobb County Board of Commissioners:

Samuel S. Olens, Chairman  
Helen C. Goreham  
George W. (Woody) Thompson  
Tim Lee  
Robert J. (Bob) Ott  
(With Copies of Attachments)

Carol Brown, Chairman  
Canton Road Neighbors, Inc.  
(With Copies of Attachments)

Rex E. Horney  
(With Copies of Attachments)



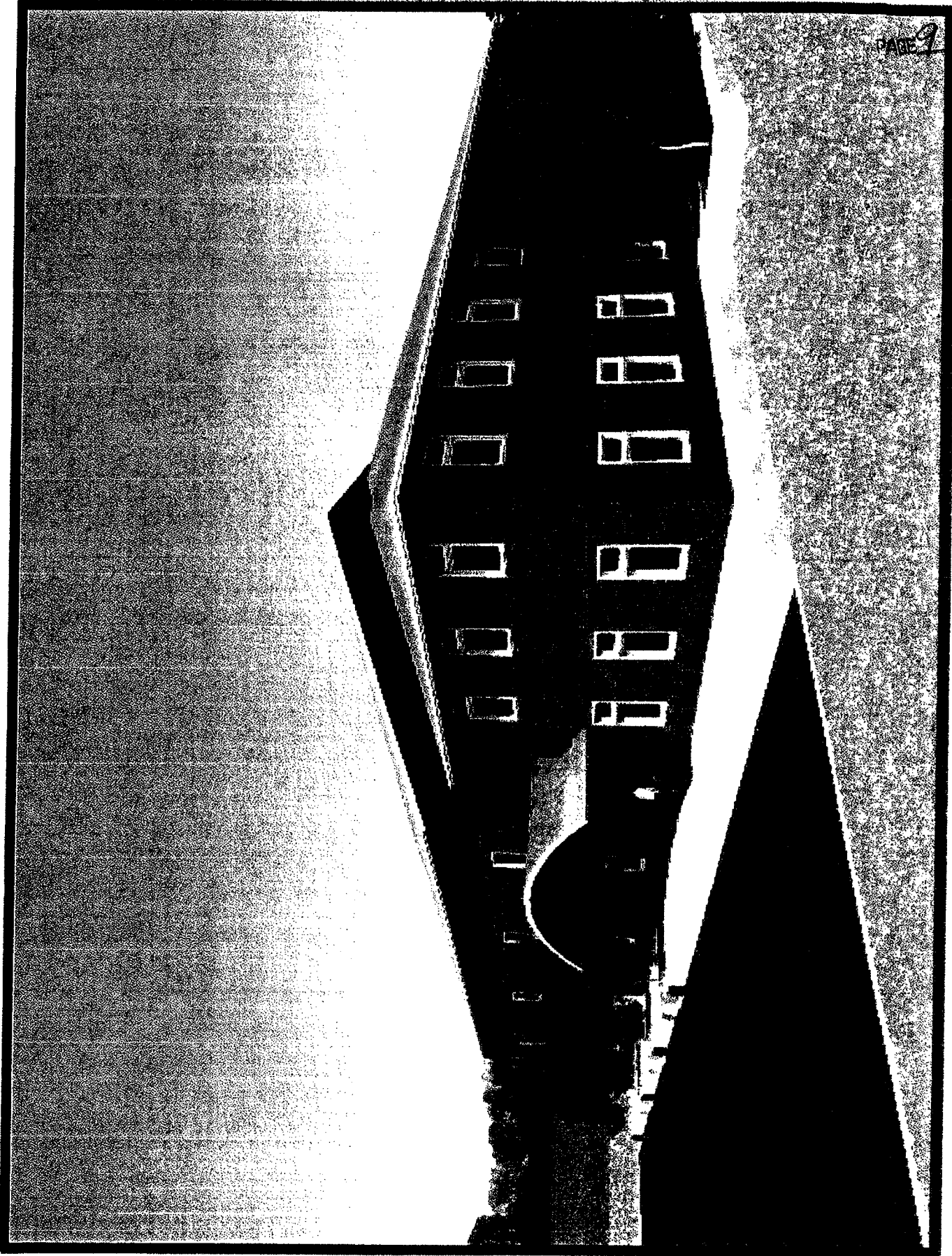


EXHIBIT "A"

# Noonday

BAPTIST CHURCH

Petition No. 2-32  
Meeting Date 11/17/09  
Continued

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October 23, 2009

Kim Sawyer  
Cobb County Planning and Zoning  
191 Lawrence Street  
Marietta, GA - 30060-1689

Re: Additional Parking


Dear Ms. Sawyer,

Based on conversations with Mr. Rex Horney, it is my understanding that the Gardens of Latimer Mill project is up for additional review. We have been in regular communication throughout this process and have eagerly awaited the project completion. The entire congregation of Noonday Baptist Church supports Mr. Horney and the construction plans that were submitted some time ago. We are also aware that the facility may be used for gymnastics and other such events. Please be advised that we do support and encourage such activities.

According to Mr. Horney, the county requires that he have access to additional parking as "overflow". This letter will serve as authorization and permission for the Gardens of Latimer Mill to use the Noonday Baptist Church, West Campus, Lower Level Parking Lots as overflow parking. There are approximately 160 parking spaces that may be utilized by Mr. Horney at any time that does not conflict with regularly scheduled church events. Mr. Horney has agreed to be responsible for any clean-up necessary.

If I may be of any further assistance, please do not hesitate to contact me. Thank you for your cooperation.

Sincerely,

  
Henry Couser  
Executive Pastor



# Southern Athletics, Inc

This agreement between Mr. Rex Horney(RH) and Southern Athletics(SA) dated this 4th day of September 2009 as follows: SA hereby proposes to lease space for the under construction properly residing at and approximately on the corner of Canton Rd and Hawkins Store Rd in Marietta, GA.

This letter to serve as an initial intent to Lease providing general information; Exact and more specific build out requirements to be later determined.

### General Terms and Conditions:

- 4 year Lease with an Option to renew.
- RH agrees to lease said premises, and finance the completion of the exterior and interior construction build out of said property. It is noted that a preliminary drawing has been executed and presented to RH with SA's build out requirements to calculate the lease rate. Exact build out specifications for SA to be determined in the final lease agreement.
- The proposed 2 level building architectural drawing calls for approximately 14,000 total square ft.
- RH agrees to lease the completed built out space at a rate of [REDACTED] per square foot. This rate will include all taxes, CAM and all associated fees. Based on an approximated 14,000 square foot final built out facility, the total monthly lease rate would be [REDACTED]

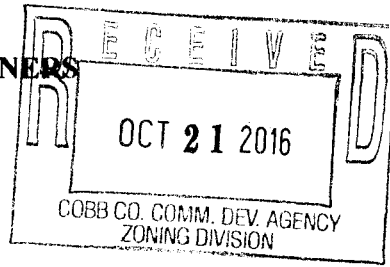
The afore mentioned information is intended as a letter to lease property, although does not serve as a final agreement and that all final terms and conditions are to follow in a fully executed lease agreement.

Signed this 8th day of September, 2009

*Matt Cremers*

Matt Cremers  
Southern Athletics/President/Owner

FILED WITH COUNTY CLERK THIS 3rd DAY  
OF November 2009 BY John Moore  
RE 2-32  
Joni Prunell  
COUNTY CLERK/ASST. COUNTY CLERK/DEPUTY COUNTY CLERK  
COBB COUNTY, GEORGIA



**OTHER BUSINESS (CONT.)**

~~O.B. 9 To consider house moving application HM 1-14 for M.J. Loudermilk regarding a house to be moved to 4631 Todd Court, in Land Lots 132 and 133 of the 16<sup>th</sup> District, which is currently located at 4565 Sandy Plains Road in Land Lot 112 of the 16<sup>th</sup> District.~~

~~Mr. Pederson provided information regarding the house moving application. The public hearing was opened and Mr. Mike Loudermilk addressed the Board. Following presentation and discussion, the following motion was made:~~

~~MOTION: Motion by Birrell, second by Ott, to **approve** Other Business Item No. 9 for M.J. Loudermilk regarding a house to be moved to 4631 Todd Court, in Land Lots 132 and 133 of the 16<sup>th</sup> District, which is currently located at 4565 Sandy Plains Road in Land Lot 112 of the 16<sup>th</sup> District **subject to:**~~

- ~~• **Water and Sewer Division comments: CCWS records show a sewer main along the SW property line of 4631 Todd Court; no permanent structures are allowed within 12' of the centerline of the sewer pipe**~~
- ~~• **Cobb DOT comments: recommend Applicant contact Traffic Operations Division at 770-528-1600 to coordinate the relocation of the structure**~~
- ~~•~~

~~VOTE: **ADOPTED** 4-0, Lee absent~~

~~*Clerk's Note: Commissioner Birrell requested that the Applicant notify the neighbors on Todd Court and Gettysburg Trail of day of the house moving.*~~

**O.B. 10**

To consider a stipulation amendment for Mr. Rex Horney regarding rezoning application Z-32 (Rex Horney) of 2009, for property located at the northwesterly intersection of Canton Road and Hawkins Store Road in Land Lots 228, 277 and 278 of the 16<sup>th</sup> District.

Mr. Pederson provided information regarding a stipulation amendment. The public hearing was opened and Mr. Olufemi Sotanya addressed the Board. Following presentation and discussion, the following motion was made:

MOTION: Motion by Birrell, second by Goreham, to **approve** Other Business Item No. 10 for stipulation amendment for Mr. Rex Horney regarding rezoning application Z-32 (Rex Horney) of 2009, for property located at the northwesterly intersection of Canton Road and Hawkins Store Road in Land Lots 228, 277 and 278 of the 16<sup>th</sup> District **subject to:**

**MINUTES OF ZONING HEARING  
COBB COUNTY BOARD OF COMMISSIONERS  
APRIL 15, 2014  
PAGE 13**

**OTHER BUSINESS (CONT.)**

**O.B. 10 (CONT.)**

- **Specific to site plan presented at this hearing (attached and made a part of these minutes) with playground location to be the northwest side of building (gazebo location) and final approval by District Commissioner and Plan Review**
- **Specific to floor plan dated February 17, 2014 (attached and made a part of these minutes)**
- **No on-street parking or parking in the surrounding neighborhoods (all parking contained on-site)**
- **All improvements to be completed within 120 days of this decision**
- **All previous stipulations and conditions, *not otherwise in conflict*, to remain in effect**

**VOTE: ADOPTED 3-1-0, Ott opposed, Lee absent**

**ADJOURNMENT**

The meeting was adjourned at 10:58 a.m.

  
\_\_\_\_\_  
Lori Barton, Deputy County Clerk  
Cobb County Board of Commissioners



**WFC**  
WILLIAM FLOYD & CO.

AMERICA, GA 30082  
P.O. BOX 2000  
MARIETTA, GA 30067  
TEL: 770/477-3888

**HAWKINS CENTER**  
776 HAWKINS STORE ROAD  
PLANNING, ZONING & SITE PLAN  
LAND LOT 228, 271 & 276, 16TH DISTRICT  
CANTON, COBB COUNTY, GEORGIA

OWNER

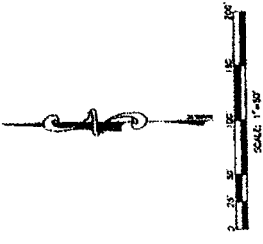
WILLIAM FLOYD & CO  
316 JOHNSON FERRY RD  
SUITE 200  
MARIETTA, GA 30067

24-HOUR CONTACT

WILLIAM FLOYD - 678-300-8713



PROJECT NO.	10000
DATE	10/15/03
BY	WILLIAM FLOYD
CHECKED BY	WILLIAM FLOYD
DATE	10/15/03
PROJECT NAME	HAWKINS CENTER
PROJECT ADDRESS	776 HAWKINS STORE ROAD
CITY	MARIETTA, GA
COUNTY	COBB
STATE	GA
SCALE	1"=50'
PROJECT STATUS	PLANNING, ZONING & SITE PLAN
PROJECT PHASE	PLANNING, ZONING & SITE PLAN
PROJECT NUMBER	10000
PROJECT DATE	10/15/03

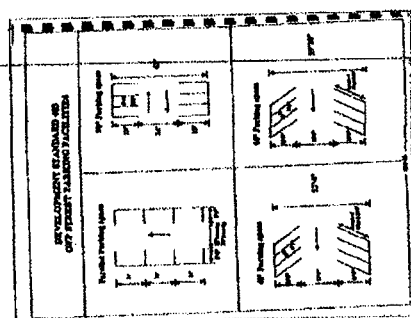
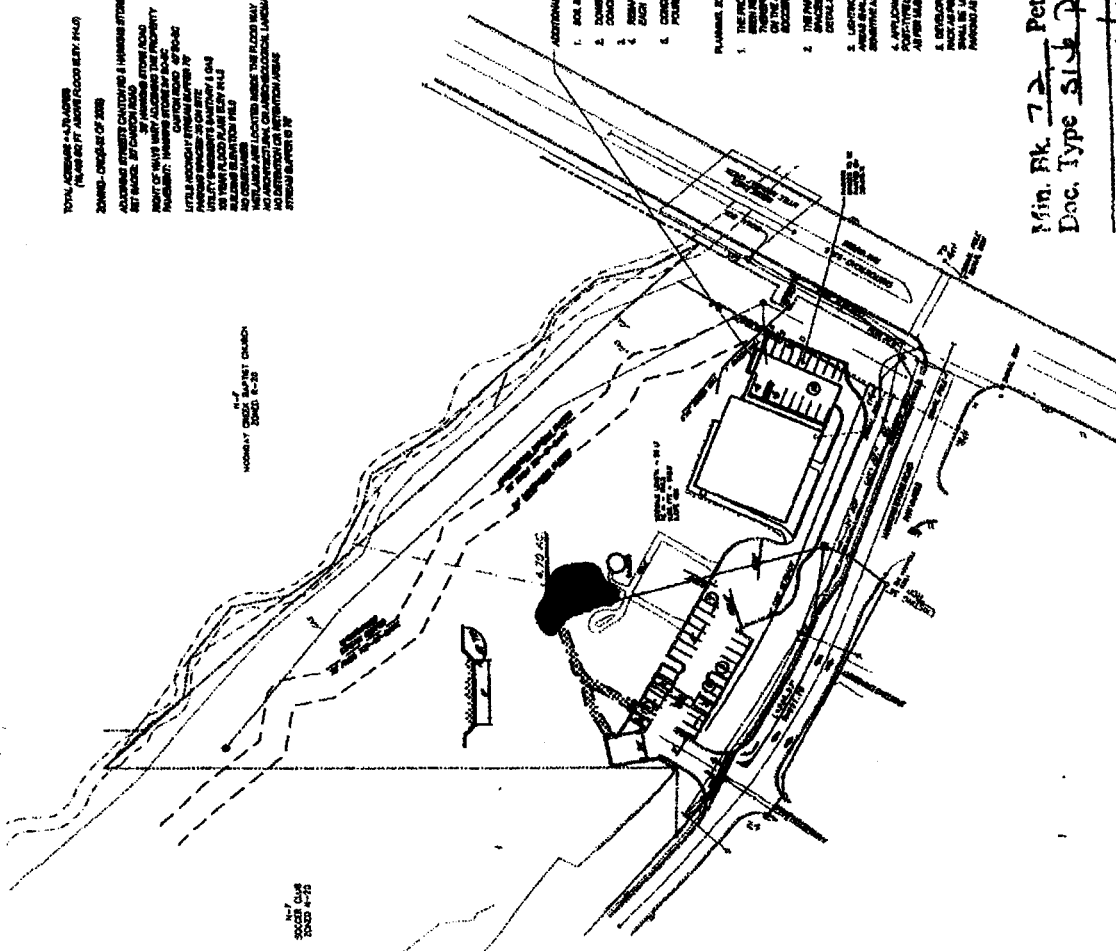


NOTE: ALL DIMENSIONS ARE IN FEET AND DECIMALS THEREOF.  
ZONING: COMMERCIAL (C-1)  
ADDITIONAL SPECIFIC CONDITIONS AT HAWKINS STORE RD  
BY MARIETTA, GA 30067  
REQUIREMENTS: 1. ALL BUILDINGS SHALL BE SET BACK FROM THE FRONT YARD BY A MINIMUM OF 10 FEET.  
2. ALL BUILDINGS SHALL BE SET BACK FROM THE SIDE YARD BY A MINIMUM OF 5 FEET.  
3. ALL BUILDINGS SHALL BE SET BACK FROM THE REAR YARD BY A MINIMUM OF 10 FEET.  
4. ALL BUILDINGS SHALL BE SET BACK FROM THE CORNER BY A MINIMUM OF 10 FEET.  
5. ALL BUILDINGS SHALL BE SET BACK FROM THE ADJACENT LOT BY A MINIMUM OF 10 FEET.  
6. ALL BUILDINGS SHALL BE SET BACK FROM THE STREET BY A MINIMUM OF 10 FEET.  
7. ALL BUILDINGS SHALL BE SET BACK FROM THE SIDEWALK BY A MINIMUM OF 5 FEET.  
8. ALL BUILDINGS SHALL BE SET BACK FROM THE DRIVEWAY BY A MINIMUM OF 5 FEET.  
9. ALL BUILDINGS SHALL BE SET BACK FROM THE UTILITY LINES BY A MINIMUM OF 5 FEET.  
10. ALL BUILDINGS SHALL BE SET BACK FROM THE FENCE LINE BY A MINIMUM OF 5 FEET.  
11. ALL BUILDINGS SHALL BE SET BACK FROM THE NEIGHBORHOOD BY A MINIMUM OF 10 FEET.  
12. ALL BUILDINGS SHALL BE SET BACK FROM THE COMMUNITY BY A MINIMUM OF 10 FEET.  
13. ALL BUILDINGS SHALL BE SET BACK FROM THE ENVIRONMENT BY A MINIMUM OF 10 FEET.  
14. ALL BUILDINGS SHALL BE SET BACK FROM THE FUTURE BY A MINIMUM OF 10 FEET.  
15. ALL BUILDINGS SHALL BE SET BACK FROM THE PAST BY A MINIMUM OF 10 FEET.

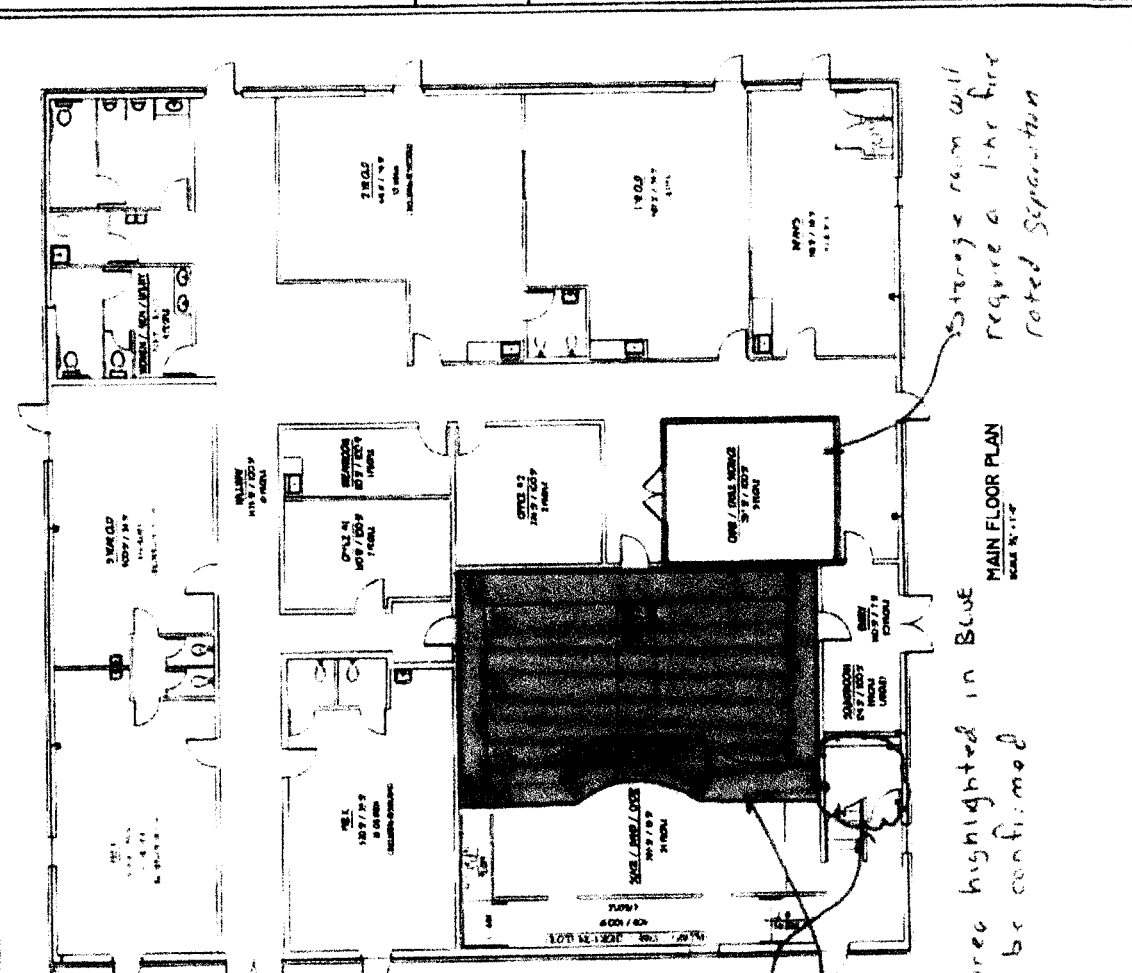
- ADDITIONAL FINISHING SHALL MEET THE FOLLOWING:
1. SOIL SHALL BE COMPACTED TO 95% PROCTOR
  2. CURBS SHALL BE PLACED INTO THE EXISTING CONCRETE ON 18 INCH CENTER
  3. DRIVEWAY SHALL BE 18 INCH AS SHOWN ON EXISTING PLAN AND SHALL BE PLACED IN THE NEW CONCRETE CURB SHALL BE SET PER THE CURB SHALL BE PLACED IN A STANDARD PLAN

- PLANNING, ZONING & SITE NOTES:
1. THE PROPOSED ACCESS DRIVE SHALL BE SET BACK FROM THE FRONT YARD BY A MINIMUM OF 10 FEET. THE DRIVEWAY SHALL BE 18 INCH AS SHOWN ON EXISTING PLAN AND SHALL BE PLACED IN THE NEW CONCRETE CURB SHALL BE SET PER THE CURB SHALL BE PLACED IN A STANDARD PLAN
  2. THE PROPOSED DRIVEWAY SHALL BE SET BACK FROM THE FRONT YARD BY A MINIMUM OF 10 FEET. THE DRIVEWAY SHALL BE 18 INCH AS SHOWN ON EXISTING PLAN AND SHALL BE PLACED IN THE NEW CONCRETE CURB SHALL BE SET PER THE CURB SHALL BE PLACED IN A STANDARD PLAN
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  4. THE PROPOSED DRIVEWAY SHALL BE SET BACK FROM THE FRONT YARD BY A MINIMUM OF 10 FEET. THE DRIVEWAY SHALL BE 18 INCH AS SHOWN ON EXISTING PLAN AND SHALL BE PLACED IN THE NEW CONCRETE CURB SHALL BE SET PER THE CURB SHALL BE PLACED IN A STANDARD PLAN
  5. THE PROPOSED DRIVEWAY SHALL BE SET BACK FROM THE FRONT YARD BY A MINIMUM OF 10 FEET. THE DRIVEWAY SHALL BE 18 INCH AS SHOWN ON EXISTING PLAN AND SHALL BE PLACED IN THE NEW CONCRETE CURB SHALL BE SET PER THE CURB SHALL BE PLACED IN A STANDARD PLAN

Min. Rk. 7.2 Petition No. 0310  
Doc. Type Site Plan  
Meeting Date 11/15/03



NOTED: ALL DIMENSIONS ARE IN FEET AND DECIMALS THEREOF. THE CONTRACTOR SHALL BE RESPONSIBLE FOR THE CHANGE.



\*1: If the sound booth is an elevated area of 134 SF the total occupied would be 9,234 SF. Total area of the building must be confirmed.

\*2 Please clarify the use of walls/doors/windows in the calculations

ROOM	AREA (SF)	20 PEOPLE	#
ENTRANCE	1000	1	1
SOLOBOOTH	134	1	1
HALLWAY/STAIR/CLUB CLOS	1000	1	1
STAGE / LOBBY / BARD	3033	1	1
SANCTUARY	9857	1	1
OFFICE #1	1000	1	1
OFFICE #2	2765	1	1
BREAKROOM	1000	1	1
HALLWAY	1475	1	1
INFANTS	3915	1	1
1 YEAR OLD	5875	1	1
2 YEAR OLD	6457	1	1
3 YEAR OLD	5057	1	1
PREK	5057	1	1
WOMEN / MEN / UTILITY	1000	1	1
WALLS / DOORS / WISMAN	1000	1	1
TOTAL	20000	1	1

FILED WITH COUNTY CLERK THIS 15 DAY  
 OF April 20 14 BY Applicant  
 OB 10  
 Jari Barber  
 COUNTY CLERK/ASST. COUNTY CLERK/DEPUTY COUNTY CLERK  
 COBB COUNTY, GEORGIA

PROJECT NO. 0810  
 FLOOR PLAN  
 DATE: 4/15/14