

(Site Plan and Stipulation Amendment)

# Application for "Other Business"

## Cobb County, Georgia

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

Application No.: OB- 082 -2016

BOC Hearing Date Requested: December 20, 2016

**Applicant:** Pope & Land Enterprises, Inc. **Phone #:** (770) 980-0808  
(applicant's name printed)

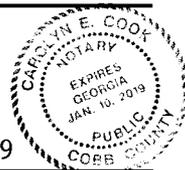
**Address:** Suite 300, 3330 Cumberland Boulevard, **E-Mail:** dspears@popeandland.com  
Moore Ingram Johnson & Steele, LLP Atlanta, GA 30339

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

**BY:** [Signature] **Phone #:** (770) 429-1499 **E-Mail:** jmoore@mijs.com  
(representative's signature) Georgia Bar No. 519800

Signed, sealed and delivered in presence of:  
[Signature]  
Notary Public

My commission expires: January 10, 2019



**Titleholder(s):** Regent Riverwood, LLC **Phone #:** (404) 364-1400  
(property owner's name printed)

**Address:** Suite 1400, 3340 Peachtree Road, N.E., **E-Mail:** \_\_\_\_\_  
Atlanta, GA 30326

See Attached Exhibit "A"  
(Property owner's signature)

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Signed, sealed and delivered in presence of:  
\_\_\_\_\_  
Notary Public

My commission expires: \_\_\_\_\_

**Commission District:** 2 (Ott) **Zoning Case:** Z-181 (1998)

**Size of property in acres:** 3.095± **Original Date of Hearing:** 12/15/1998

**Location:** Southwesterly side of Cumberland Boulevard; at its intersection with  
(street address, if applicable; nearest intersection, etc.) Riverwood Parkway

**Land Lot(s):** 949, 977, 978 **District(s):** 17th

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

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

(List or attach additional information if needed)

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

OB Application No.: OB- 082 -2016  
Application No.: Z-181 (1998)  
Original Hearing Date: December 15, 1998  
Date of Zoning Decision: December 15, 1998  
OB Zoning Decision: April 29, 1999  
Current Hearing Date: December 20, 2016

**BEFORE THE COBB COUNTY BOARD OF COMMISSIONERS**

Applicant: Pope & Land Enterprises, Inc.  
Property Owner: Regent Riverwood, LLC  
a Georgia limited liability company

REGENT RIVERWOOD, LLC  
a Georgia limited liability company

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BY: Allman Regent, LLC, a Georgia limited liability company, its Sole Member

BY: David B Allman  
TITLE: President

Printed Name: David B. Allman

Date Executed: November 11, 2016

Address: Suite 1400  
3340 Peachtree Road, N.E.  
Atlanta, Georgia 30326

Telephone No.: (404) 364-1400

Signed, sealed, and delivered in the presence of:

Elizabeth Gilley  
Notary Public  
Commission Expires: April 3, 2020

[Notary Seal]



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

<b>OB Application No.:</b>	<b>OB- <u>082</u> -2016</b>
<b>Application No.:</b>	<b>Z-181 (1998)</b>
<b>Original Hearing Date:</b>	<b>December 15, 1998</b>
<b>Date of Zoning Decision:</b>	<b>December 15, 1998</b>
<b>OB Zoning Decision:</b>	<b>April 29, 1999</b>
<b>Current Hearing Date:</b>	<b>December 20, 2016</b>

**BEFORE THE COBB COUNTY BOARD OF COMMISSIONERS**

<b>Applicant:</b>	<b>Pope &amp; Land Enterprises, Inc.</b>
<b>Property Owner:</b>	<b>Regent Riverwood, LLC</b>
	<b>a Georgia limited liability company</b>

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On December 15, 1998, the Cobb County Board of Commissioners approved the rezoning of an approximate 6.303 acre tract located on the roadways then known as Cumberland Circle and River Oaks Drive to the proposed Office High Rise ("OHR") zoning category. This approval was conditioned upon the final site plan being approved by the Board of Commissioners prior to development permits being issued. On April 29, 1999, the Board of Commissioners approved a site plan and stipulations for Riverwood Development, which included the 6.303 acre tract from the December 1998 zoning approval. This approval was conditioned upon the "roadway [Cumberland Boulevard] actually being constructed and all other previously approved conditions/stipulations. . . ." The property for consideration in this Application for "Other Business" is a portion of the property approved in Application No. Z-181 (1998) and considered and approved in the amendment in April 1999, being 3.095 acres, more or less, located on the southwesterly side of Cumberland Boulevard, at its intersection with Riverwood Parkway, Land Lots 949, 977, and 978, 17<sup>th</sup> District, 2<sup>nd</sup> Section, Cobb County, Georgia (hereinafter the "Property" or the "Subject Property").

Pope & Land Enterprises, Inc., as Applicant in this Application for "Other Business" (hereinafter "Applicant"), seeks to amend the previously approved site plan and stipulations applicable to the Subject Property by deleting same in their entirety and substituting in lieu thereof the following:

- (1) Applicant seeks approval of the Zoning Plan dated November 8, 2016, prepared for Applicant by Cooper Carry, site specific as to the development of the Subject Property. A reduced copy of the Zoning Plan as to the Subject Property is attached hereto as Exhibit "1" for ease of review and incorporated herein by reference.

- (2) Applicant seeks to amend any stipulations applicable to the Subject Property which were approved by the Board of Commissioners on December 15, 1998, and April 29, 1999, by deleting said stipulations in their entirety and inserting in lieu thereof the following:
  - (1) The Property is 3.095 acres, more or less. Applicant seeks development of the Property for office, retail, and related parking, site plan specific to the Zoning Plan dated November 8, 2016, prepared by Cooper Carry and submitted with this Application for “Other Business.”
  - (2) Development of the Subject Property shall consist of the following:
    - (a) One office building, a maximum of six (6) stories in height and containing a maximum of 100,000 net square feet; and
    - (b) Retail, containing a maximum of 7,500 net square feet.
  - (3) Parking for tenants of the proposed development shall be accomplished by a separate parking garage, adjacent to the single-story building, having a maximum of four (4) levels and containing a maximum of three hundred sixty (360) parking spaces.
  - (4) Up to twenty (20) percent of the parking spaces may be “compact spaces.” Compact spaces will be a minimum of eight (8) feet by sixteen (16) feet. Regular parking spaces will be a minimum of nine (9) feet by nineteen (19) feet.
  - (5) The exterior finish of the proposed office buildings shall consist of glass, concrete, and steel, or combinations thereof; and may consist of partial brick and/or stone.
  - (6) Detention for the development shall be in accordance with Cobb County Stormwater Management standards and regulations.
  - (7) The entrance to the proposed office tower shall be at the signalized intersection of Cumberland Boulevard and Riverwood Parkway, as more particularly shown and reflected on the referenced Zoning Plan. Applicant agrees to pay for the cost of any signal modifications and its design.
  - (8) Additionally, there shall be a right-out/exit only onto Cumberland Boulevard at the most easterly point of the Subject Property, as more particularly shown and reflected on the referenced Zoning Plan.

- (9) Entrance signage for the proposed development shall be ground-based, monument-style signage, with the finish, materials, and color being in conformity with the architecture and design of the office tower. Such signage shall contain no flashing sign components.
- (10) The entrance area, together with all islands and planted areas, shall be professionally designed, landscaped, and maintained.
- (11) Lighting within the proposed development shall be environmentally sensitive, decorative, and themed to the architecture and style of the office buildings, and as allowed by the power provider.
- (12) Additionally, hooded security lighting shall be utilized on the exterior of the buildings and throughout the walkways, surface parking areas, and parking garage areas.
- (13) Applicant shall construct a deceleration lane for access at the entrance to the proposed development, as required by the Cobb County Department of Transportation.
- (14) Setbacks for the proposed development shall be as more fully shown and reflected on the referenced Zoning Plan.
- (15) Minor modifications to the within stipulations, the referenced Zoning Plan, signage, lighting, landscaping, architecture, site features, and the like, may be approved by the District Commissioner, as needed or necessary, except for those that:
  - (a) Increase the density of the overall square footage of the development;
  - (b) Reduce the size of an approved buffer adjacent to a property that is zoned the same or in a more restrictive zoning district;
  - (c) Relocate a structure closer to the property line of an adjacent property that is zoned the same or in a more restrictive zoning district;
  - (d) Increase the height of a building that is adjacent to a property that is zoned the same or in a more restrictive zoning district; or
  - (e) Change an access location to a different roadway.

- (16) All setbacks and buffer areas may be penetrated for purposes of access, utilities, and stormwater management, including, but not limited to, detention/retention facilities, drainage facilities, and any and all slopes or other required engineering features of the foregoing.
- (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.
- (18) All streets within the proposed development shall be private with the construction therefor complying in all respects as to materials, base, and other requirements to the Cobb County Code.
- (19) All utilities for the proposed development shall be located underground.

The amendments proposed and presented herein in no way adversely impact or affect the quality or integrity of the development. If the requested amendments for the proposed Zoning Plan and stipulations are approved, as submitted, they shall become an additional part of the final rezoning and shall be binding upon the Subject Property.

Unless otherwise specifically set forth herein, the balance and remainder of the stipulations and conditions enumerated in the official minutes, and any attachments thereto, of the Board of Commissioners Zoning Hearing held on December 15, 1998, as to the original rezoning of the Subject Property; as well as, the balance and remainder of the Subject Property affected by the amendments approved by the Board of Commissioners on April 29, 1999, or by District Commissioner approval, which are not otherwise in conflict herein, are unaltered or unchanged by this request for Site Plan and Stipulation Amendment.

NO.	REVISIONS	DATE
1	Issued for Construction	11/14/16

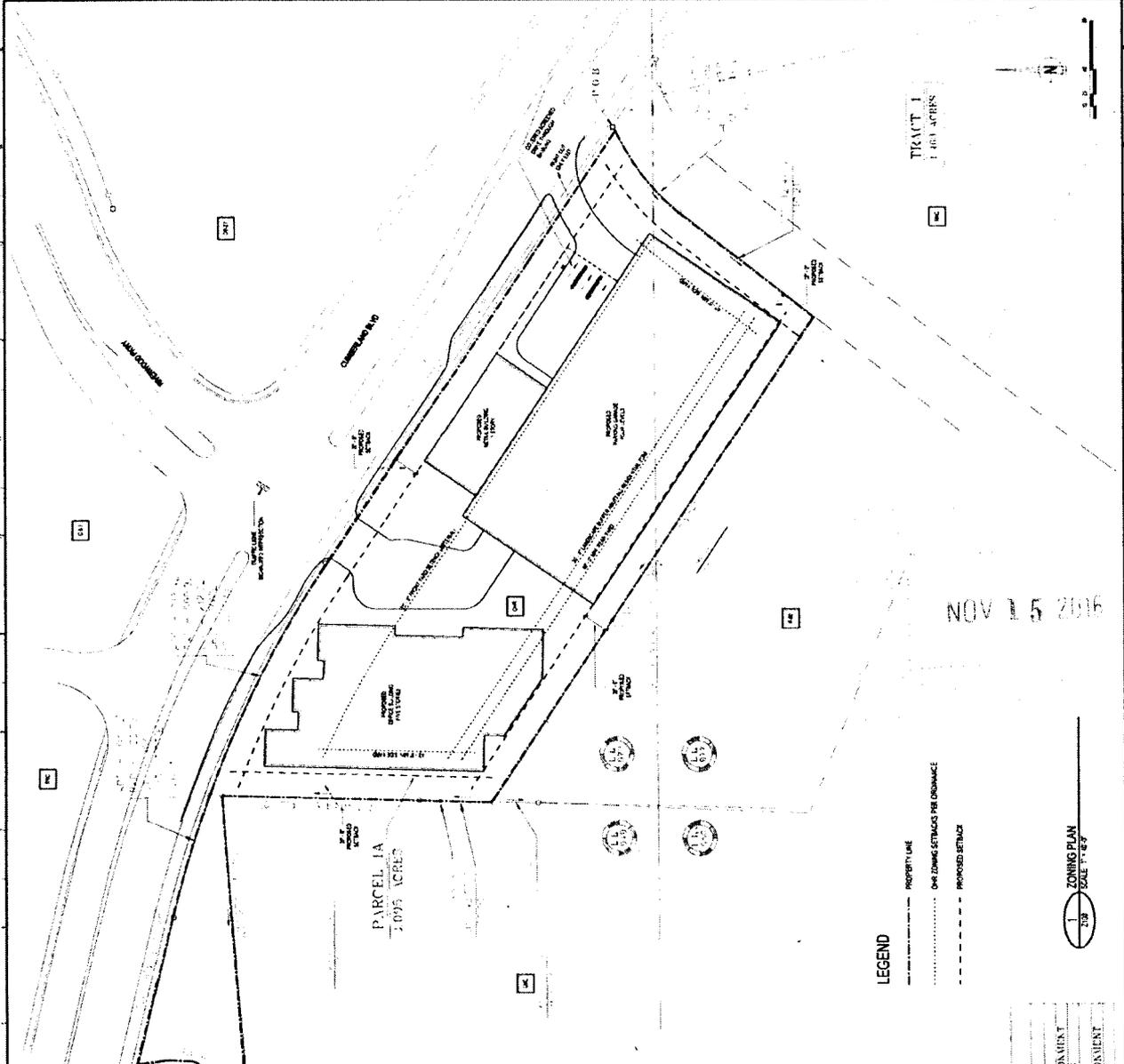
CUMBERLAND BLVD  
BOULTOQUE OFFICE

COBB COUNTY, GEORGIA 30339  
POPE & LAND ENTERPRISES

**ZONING PLAN**

PROJECT NO.	110716
DATE	11/14/16
SCALE	1" = 200'
ZONING DISTRICT	Z100

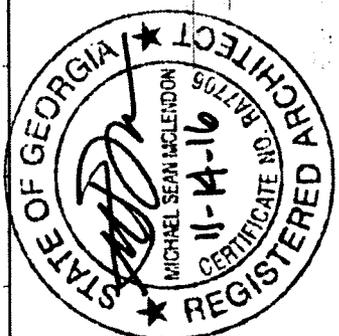
NOT BEARD FOR CONSTRUCTION



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**LEGEND**

- PROPERTY LINE
- ONE ZONING SETBACK PER ENDORSEMENT
- PROPOSED SETBACK



PARCEL	AREA	USE	PERMITTED	REMARKS
1	2.095 ACRES	RESIDENTIAL	RESIDENTIAL	

**CALL TABLE**

CALL	BEARING	DIST	CHORD	REMARKS
1	N 0° 00' 00" E	100.00	100.00	...
2	S 0° 00' 00" E	100.00	100.00	...

PARCEL	AREA	DESCRIPTION
1	2.095 ACRES	RESIDENTIAL
2	0.000 ACRES	...
3	0.000 ACRES	...
4	0.000 ACRES	...
5	0.000 ACRES	...
6	0.000 ACRES	...
7	0.000 ACRES	...
8	0.000 ACRES	...
9	0.000 ACRES	...
10	0.000 ACRES	...

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**ZONING PLAN SUBMITTED FOR  
APPROVAL BY BOARD OF  
COMMISSIONERS PURSUANT TO  
APPLICATION FOR “OTHER BUSINESS” –  
DECEMBER 20, 2016**



**SITE PLAN AMENDMENT  
APPROVED BY BOARD OF  
COMMISSIONERS PURSUANT TO  
AMENDMENT OF  
APPLICATION NO. 288 (1987) AND  
NO. Z-181 (1998) –  
APRIL 29, 1999**

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**OFFICIAL MINUTES OF COBB COUNTY  
BOARD OF COMMISSIONERS ZONING  
HEARING FOR Z-181 (1998) –  
DECEMBER 15, 1998**

# Application for Rezoning Cobb County

Application No. 2-181

PC Hearing: 12-1-98

BOC Hearing: 12-15-98

Applicant R&A Land Holdings, Inc. Business Phone 404-364-1400 Home Phone \_\_\_\_\_

Peter M. Degan Address 1201 West Peachtree Street  
Atlanta, GA 30309-3424  
(representative's name, printed)

Business Phone 404-881-7743  
(representative's signature)

Signed, sealed and delivered in presence of:

My commission expires: \_\_\_\_\_

Notary Public

Titleholder R&A Land Holdings, Inc. Business Phone 404-364-1400 Home Phone \_\_\_\_\_  
404-842-7736

Signature By: David Allen Address Suite 1500, 3340 Peachtree Road  
Atlanta, GA 30326-4078  
(attach additional signatures, if needed)

Signed, sealed and delivered in presence of:

Notary Public

My commission expires: \_\_\_\_\_

Zoning Request From 0-1 w/ strips to OHR  
(present zoning) (proposed zoning)

For the Purpose of Removal of 250 ft. buffer Size of Tract 6.303 Acre(s)  
(subdivision, restaurant, warehouse, apt., etc.)

Location Cumberland Circle and River Oaks Dr. (proposed Kennedy Pkwy.)  
(street address, if applicable; nearest intersection, etc.)

Land Lot(s) 977 and 978 District 17th

We have investigated the site as to the existence of archeological and/or architectural landmarks. I hereby certify that there ~~are~~ are no such assets. If any, they are as follows:

R&A Land Holdings, Inc.

By: David Allen  
(applicant's signature)

We have investigated the site as to the existence of any cemetery located on the above property. I hereby certify that there ~~is~~ is not such a cemetery. If any, they are as follows:

R&A Land Holdings, Inc.

By: David Allen  
(applicant's signature)

ORIGINAL DATE OF APPLICATION: 12-98APPLICANTS NAME: R. & A. LAND HOLDINGS, INC.THE FOLLOWING REPRESENTS THE FINAL DECISIONS OF THE  
COBB COUNTY BOARD OF COMMISSIONERS**BOC DECISION OF 12-15-98 ZONING HEARING:**

**R & A LAND HOLDINGS, INC.** (R & A Land Holdings, Inc., owner) for Rezoning from **OI with stipulations** to **OHR** for the purpose of Office High Rise in Land Lots 977 and 978 of the 17<sup>th</sup> District. 6.303 acres. Located on the south side of Cumberland Circle and the west side of Riverwood Parkway. Mr. Peter M. Degan, Representative for R&A Land Holdings, Inc., made a presentation on behalf of the applicant. Mr. Bradford Arp, Ms. Jody Smith, Mr. Sky Rector, and Mr. Richard Calhoun spoke in opposition to the petition. Following discussion, the Board of Commissioners **approved** Rezoning to the **OHR zoning district subject to:** **1) site plan to be approved by the Board of Commissioners prior to any development permits being issued; 2) Stormwater Management Division comments and recommendations; 3) Cobb DOT comments and recommendations; 4) owner/developer to enter into a Development Agreement pursuant to O.C.G.A. §36-71-13 for dedication of system improvements to mitigate traffic concerns.** Motion by J. Thompson, second by Wysong, carried 5-0.

**OFFICIAL MINUTES OF COBB COUNTY  
BOARD OF COMMISSIONERS ZONING  
HEARING FOR SITE PLAN AMENDMENT -  
APRIL 29, 1999**

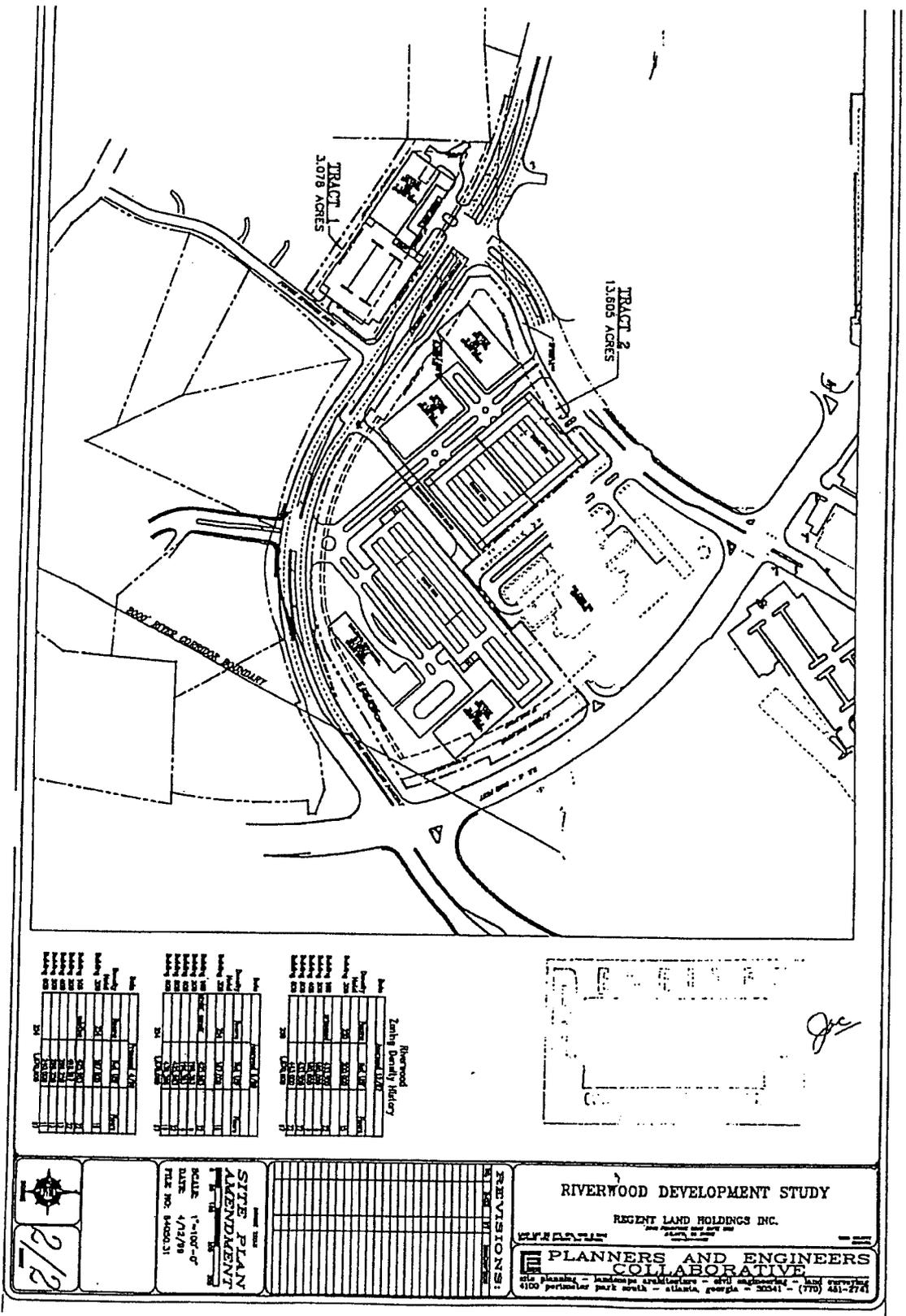
ORIGINAL DATE OF APPLICATION: 12-98APPLICANTS NAME: R&A LAND HOLDINGSTHE FOLLOWING REPRESENTS THE FINAL DECISIONS OF THE  
COBB COUNTY BOARD OF COMMISSIONERS**BOARD OF COMMISSIONERS REGULAR MEETING OF 04-29-99:****SITE PLAN APPROVAL AND AMENDMENT FOR RIVERWOOD DEVELOPMENT RELATIVE TO ZONING APPLICATIONS #288 (PORTMAN-BARRY INVESTMENTS) OF DECEMBER 15, 1987 AND Z-181 (R&A LAND HOLDINGS) OF DECEMBER 15, 1998 FOR PROPERTY LOCATED ON THE WEST SIDE OF COBB PARKWAY, NORTH AND WEST OF RIVER OAKS DRIVE IN LAND LOTS 949, 950, 977, 978, 1015, AND 1016 OF THE 17<sup>TH</sup> DISTRICT – COMMUNITY DEVELOPMENT:**

Mr. Mark Danneman, Zoning Division Manager, presented a request for site plan approval and amendment for Riverwood Development regarding Application #288 (Portman-Barry Investments) of December 15, 1987 and Z-181 (R&A Land Holdings) of December 15, 1988 for property located on the west side of Cobb Parkway, north and west of River Oaks Drive in Land Lots 949, 950, 977, 1015, and 1016 of the 17<sup>th</sup> District.

Following Mr. Danneman's presentation, the following motion was made:

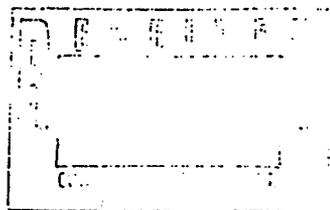
**MOTION:** Motion by J. Thompson to approve the site plan and amendments to same as presented for Riverwood Development regarding Application #288 (Portman-Barry Investments) of December 15, 1987 and Z-181 (R&A Land Holdings) of December 15, 1998 for property located on the west side of Cobb Parkway, north and west of River Oaks Drive in Land Lots 949, 950, 977, 978, 1015, and 1016 of the 17<sup>th</sup> District, **subject to the roadway actually being constructed and all other previously approved conditions/stipulations relative to #288 and Z-181 to remain in effect. Reduced copy of the site plan attached and made a part of these minutes.** Large site plan on file in the office of the County Clerk.

**VOTE: ADOPTED** unanimously



*Large plan on file in the Zoning Division*

Riverwood Zoning District History	
1987	RM-10
1988	RM-10
1989	RM-10
1990	RM-10
1991	RM-10
1992	RM-10
1993	RM-10
1994	RM-10
1995	RM-10
1996	RM-10
1997	RM-10
1998	RM-10
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2011	RM-10
2012	RM-10
2013	RM-10
2014	RM-10
2015	RM-10
2016	RM-10
2017	RM-10
2018	RM-10
2019	RM-10
2020	RM-10
2021	RM-10
2022	RM-10
2023	RM-10
2024	RM-10
2025	RM-10



*je*

	2/2	SCALE: 1"=100'-0" DATE: 4/29/99 FILE NO: 8400.31	REVISIONS: NO. DATE BY	RIVERWOOD DEVELOPMENT STUDY REGENT LAND HOLDINGS INC. PLANNERS AND ENGINEERS COLLABORATIVE <small>site planning - landscape architecture - civil engineering - land surveying          5100 perimeter park south - atlanta, georgia - 30341 - (770) 431-2741</small>
				SITE PLAN AMENDMENT

*Reduced copy of site plan dated  
 4/12/99 as amended by BOC action on  
 REFERENCE MINUTE BOOK 76 4/29/99  
 SECTION 19 DATED 4/29/99  
 Application #288 (Portman-Barry  
 Investments of 1987; 2-181  
 (R:A Land Holdings) of 1998.*

**2016 PAID AD VALOREM PROPERTY TAX  
RECIPT FOR SUBJECT PROPERTY  
(TAX PARCEL NO. 17097800360)**

NOV 15 2016



CARLA JACKSON TAX COMMISSIONER  
CHELLY MCDUFFIE CHIEF DEPUTY  
Phone: 770-528-8600  
Fax: 770-528-8679

Printed: 11/15/2016

Cobb County Online Tax Receipt

Thank you for your payment!

Payer:  
REGENT ATLANTA LLC

REGENT RIVERWOOD LLC

Payment Date: 8/29/2016

Tax Year	Parcel ID	Due Date	Appeal Amount	Taxes Due	
2016	17097800360	10/17/2016	Pay: N/A or	\$0.00	
Interest	Penalty	Fees	Total Due	Amount Paid	Balance
\$0.00	\$0.00	\$0.00	\$0.00	\$24,992.47	\$0.00



Scan this code with your mobile phone to view this bill!

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