

**NOVEMBER 21, 2017 ZONING HEARING
“OTHER BUSINESS”
COMMISSION DISTRICT 2**

ITEM OB-058

To consider amending the site plan and stipulations for Lion Gables Realty Limited Partnership regarding rezoning application Z-40 (D & A Investment Group LLC and Pereira Management LLC) of 2008, for property located on the north side of Paces Ferry Road, west of Overlook Parkway and on the south side of Bert Adams Road in Land Lot 885 of the 17th District.

BACKGROUND

The subject property was rezoned to Regional Retail Commercial (RRC) in 2008 for a proposed mixed use development consisting of over one-million square feet of mid and high rise office, high rise residential and retail. In 2008, the proposal included 78,000 square feet of retail, 600,000 square feet of office and 450 residential units. In 2015, the Board of Commissioners approved an Other Business item that substantially reduced the 2008 plan’s intensity and density. The 2015 plan has 366 residential units with 35,000 square feet of retail. The current site plan amendment proposes to further reduce the amount of commercial space to 30,000 square feet with no anticipated increase in the number of residential units. The stipulation amendment would seek to amend the master developer from JLB Partners to Lion Gables Realty Limited Partnership, Gables Residential, or a subsidiary or entity to be selected by the applicant. The applicant has submitted Exhibit “B” which explains the request in more detail (see attached). If approved, all previous stipulations not in conflict with this amendment would remain in effect.

STAFF COMMENTS

Stormwater Management: Subject to approval of stormwater management plat at Plan Review.

NOVEMBER 21, 2017 ZONING HEARING
“OTHER BUSINESS”
COMMISSION DISTRICT 2
PAGE 2

Cobb DOT: 1) Recommend a deceleration lane on Paces Ferry Road for the entrance; 2) Recommend applicant verify that minimum intersection sight distance on Bert Adams Road is available and if it is not, implement remedial measures, subject to the Department’s approval, to achieve the minimum requirement of 280’; 3) Recommend applicant be required to meet all Cobb County Development Standards and Ordinances related to project improvements; and 4) Recommend a traffic study. The traffic study should include existing and base year (full build out year) Build and No Build analysis; and horizon year (base year + 10 years) Build and No Build analysis. Study assumptions (such as study intersections, trip distribution and annual growth rate) should be agreed to by Cobb DOT before completing the study. Recommend the developer be responsible for any improvements identified in the traffic study that is a result of site-generated traffic.

RECOMMENDATION

The Board of Commissioners consider the request for the site plan and stipulation amendments.

ATTACHMENTS

Other Business application and stipulations.

(Site Plan Approval and Stipulation Amendment)

Application for "Other Business"

Cobb County, Georgia

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

OB Application No.: OB-058-2017

BOC Hearing Date Requested: November 21, 2017

Applicant: Lion Gables Realty Limited Partnership Phone #: (404) 923-5500
(applicant's name printed)

Address: Suite 600, 3399 Peachtree Road, N.E., Atlanta, GA 30324 E-Mail: jwilber@gables.com

MOORE INGRAM JOHNSON & STEELE, LLP

J. Kevin Moore Address: Emerson Overlook, Suite 100, 326 Roswell Street
(representative's name, printed) Marietta, GA 30060

BY: *J. Moore* Phone #: (770) 429-1499 E-Mail: jkm@mijs.com
(representative's signature) Georgia Bar No. 519728

Signed, sealed and delivered in presence of:

Carolyn E. Cook My commission expires: January 10, 2019
Notary Public

Titleholder(s): D&A Investment Group, LLC and Pereira Management, LLC Phone #: (404) 444-1010
(property owner's name printed)

Address: 3105 Bethany Bend, Milton, GA 30004 E-Mail: mkhah@dandaig.com

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

Signed, sealed and delivered in presence of:

_____ My commission expires: _____
Notary Public

Commission District: 2 (Ott) **Zoning Case:** Z-40 (2008)

Size of property in acres: 10.46+/- **Original Date of Hearing:** 08/19/2008; 11/17/2015
OB Hearing Date: 12/15/2015

Location: North side of Paces Ferry Road, west of Overlook Parkway; south side of Bert Adams Road,
(street address, if applicable; nearest intersection, etc.) south of Mount Wilkinson Parkway

Land Lot(s): 885 **District(s):** 17th

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

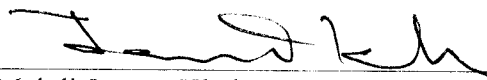
See Exhibit "B" attached hereto and incorporated herein by reference.

EXHIBIT "A" - ATTACHMENT TO APPLICATION FOR "OTHER BUSINESS"
(Site Plan Approval and Stipulation Amendment)

Application No.: Z-40 (2008)
Original Hearing Dates: August 19, 2008 (Zoning)
November 17, 2015 (OB)
Date of Zoning Decision: October 21, 2008
Date of OB Decision: December 15, 2015
Current Hearing Date: November 21, 2017

Applicant: Lion Gables Realty Limited Partnership
Titleholders: D&A Investment Group, LLC and
Pereira Management, LLC

D&A INVESTMENT GROUP, LLC

BY: 
Mehdi Jannat-Khah
Manager

Date Executed: October 16, 2017

Address: 3105 Bethany Bend
Milton, Georgia 30004

Telephone No.: (404) 444-1010

Signed, sealed, and delivered in the presence of:



Notary Public

Commission Expires: January 10, 2019

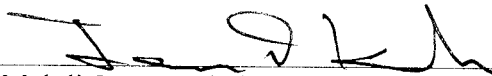
[Notary Seal]

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Titleholders: D&A Investment Group, LLC and
Pereira Management, LLC

PEREIRA MANAGEMENT, LLC

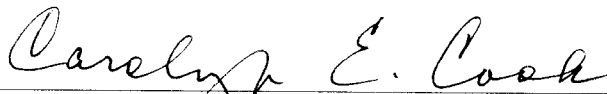
BY: 
Mehdi Jannat-Khah
Manager

Date Executed: October 16, 2017

Address: 3105 Bethany Bend
Milton, Georgia 30004

Telephone No.: (404) 444-1010

Signed, sealed, and delivered in the presence of:


Notary Public
Commission Expires: January 10, 2019

[Notary Seal]

EXHIBIT "B" - ATTACHMENT TO APPLICATION FOR "OTHER BUSINESS"
(Site Plan Approval and Stipulation Amendment)

Application No.: Z-40 (2008)
Original Hearing Dates: August 19, 2008 (Zoning)
November 17, 2015 (OB)
Date of Zoning Decision: October 21, 2008
Date of OB Decision: December 15, 2015
Current Hearing Date: November 21, 2017

Applicant: Lion Gables Realty Limited Partnership
Titleholders: D&A Investment Group, LLC and
Pereira Management, LLC

BEFORE THE COBB COUNTY BOARD OF COMMISSIONERS

The property which is the subject of this Application for "Other Business" is approximately a 10.425 acre tract located on the north side of Paces Ferry Road, west of Overlook Parkway, and on the south side of Bert Adams Road, south of Mount Wilkinson Parkway, Land Lot 885, 17th District, 2nd Section, Cobb County, Georgia (hereinafter "Property" or "Subject Property"). In 2008, the Property Owners, D&A Investment Group, LLC and Pereira Management, LLC (hereinafter collectively referred to as the "Owners"), filed an Application for Rezoning for the Subject Property seeking rezoning from the then existing zoning categories of Office and Institutional ("OI") and Neighborhood Shopping ("NS") to the Regional Retail Commercial ("RRC") for the purpose of developing the Property to a mixed-use development. On October 21, 2008, the Cobb County Board of Commissioners approved the rezoning sought by the Owners to the RRC zoning classification subject to the final site plan being approved by the Board of Commissioners through an "Other Business" agenda item; as well as a number of stipulations set forth within the final, official minutes. On December 15, 2015, the Board of Commissioners approved a Site Plan and stipulations for a mixed-use development of the Property.

The Applicant in this Application for "Other Business," Lion Gables Realty Limited Partnership (hereinafter "Applicant"), is now pursuing development of the Property to the RRC classification. Applicant seeks approval of a revised Site Plan and revised stipulations through this Application for "Other Business," which, if approved, as submitted, shall supersede and replace in full the previously approved Site Plan and those stipulations which are in conflict with previously approved stipulations by the Board of Commissioners on December 15, 2015, and shall be binding upon the Subject Property. The amendments proposed by Applicant are as follows:

- (1) Development of the Subject Property shall be to the Regional Retail Commercial ("RRC") zoning category, as previously approved by the Cobb County Board of Commissioners on December 15, 2015, and shall be site plan specific to the Site Plan prepared for Applicant by

Phillips Partnership, and filed contemporaneously herewith. A reduced copy of the proposed Site Plan is attached for ease of reference as Exhibit "1" and incorporated herein by reference.

- (2) Applicant requests the deletion of subparagraph (30) under "Stipulations Applicable to the Overall Development," as set forth in the December 14, 2015, supplemental stipulation letter, which reads as follows:

- (30) JLB Partners will be the Master Developer for the proposed overall development.

Applicant proposes the insertion of the following amended stipulation:

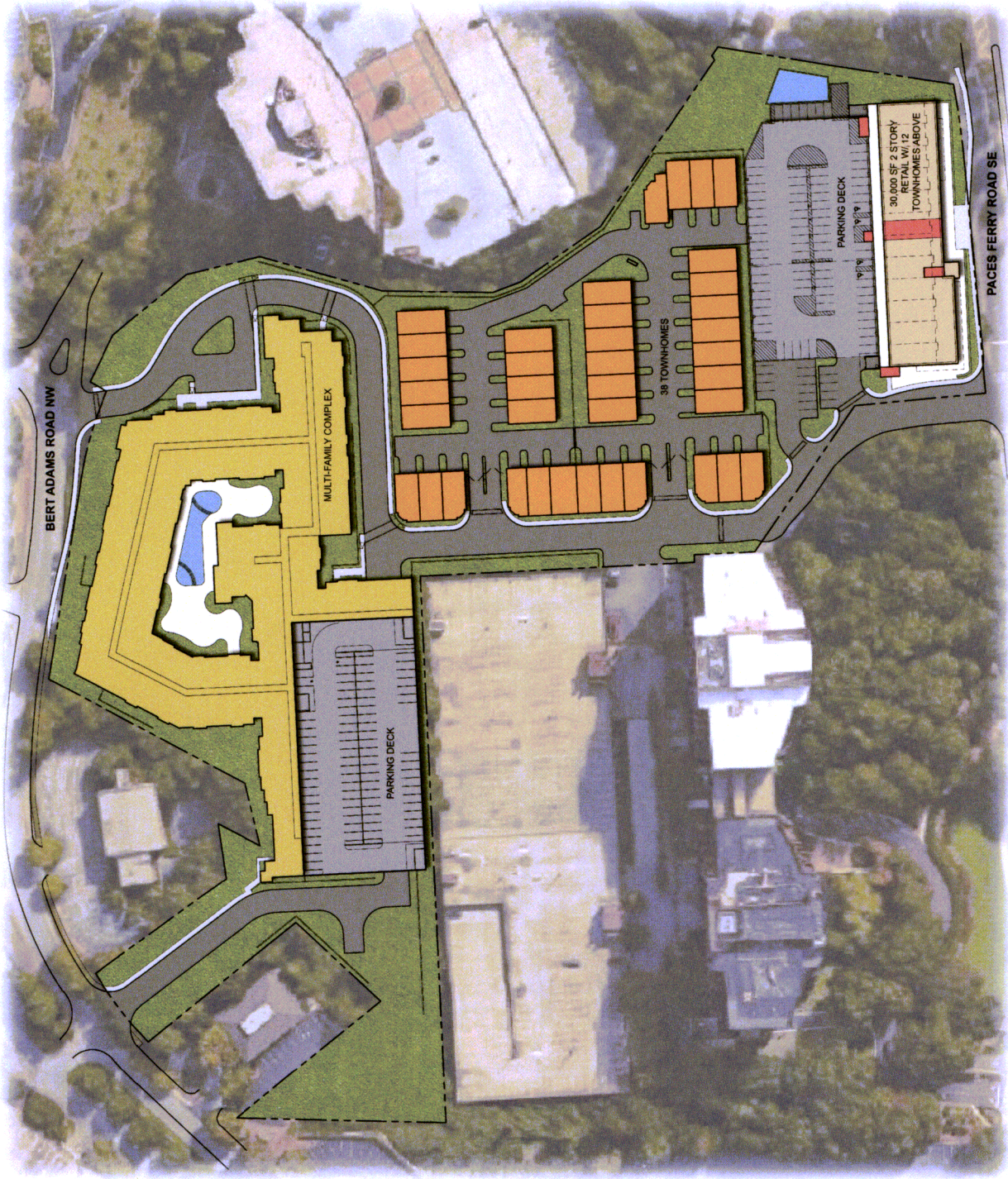
- (30) Lion Gables Realty Limited Partnership, Gables Residential, or a subsidiary or entity to be selected by the Gables Brand will be the Master Developer for the proposed overall development and will oversee all aspects of development of the Subject Property. Additionally, any reference to Applicant or Developer set forth in the December 15, 2015, official minutes and stipulations attached and incorporated into the minutes will be amended to be applicable to Lion Gables Realty Limited Partnership, Gables Residential, or a subsidiary or entity to be selected by the Gables Brand.

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, 2015, as to the "Other Business" approval for development of the Subject Property; as well as any amendments by Board of Commission approval or District Commissioner approval, which are not otherwise in conflict herein, are unaltered or unchanged by this request for Site Plan Approval and Stipulation Amendment.

The amendments proposed and presented herein in no way adversely impact or affect the quality or integrity of the overall development initially approved by the Cobb County Board of Commissioners. If the requested approval of the Site Plan and amendments to the stipulations are approved, as submitted, they shall become an additional part of the final rezoning and shall be binding upon the Subject Property.

RECEIVED
OCT 17 2017

COBB CO. COMM. DEV. AGENCY
ZONING DIVISION



PHILLIPS

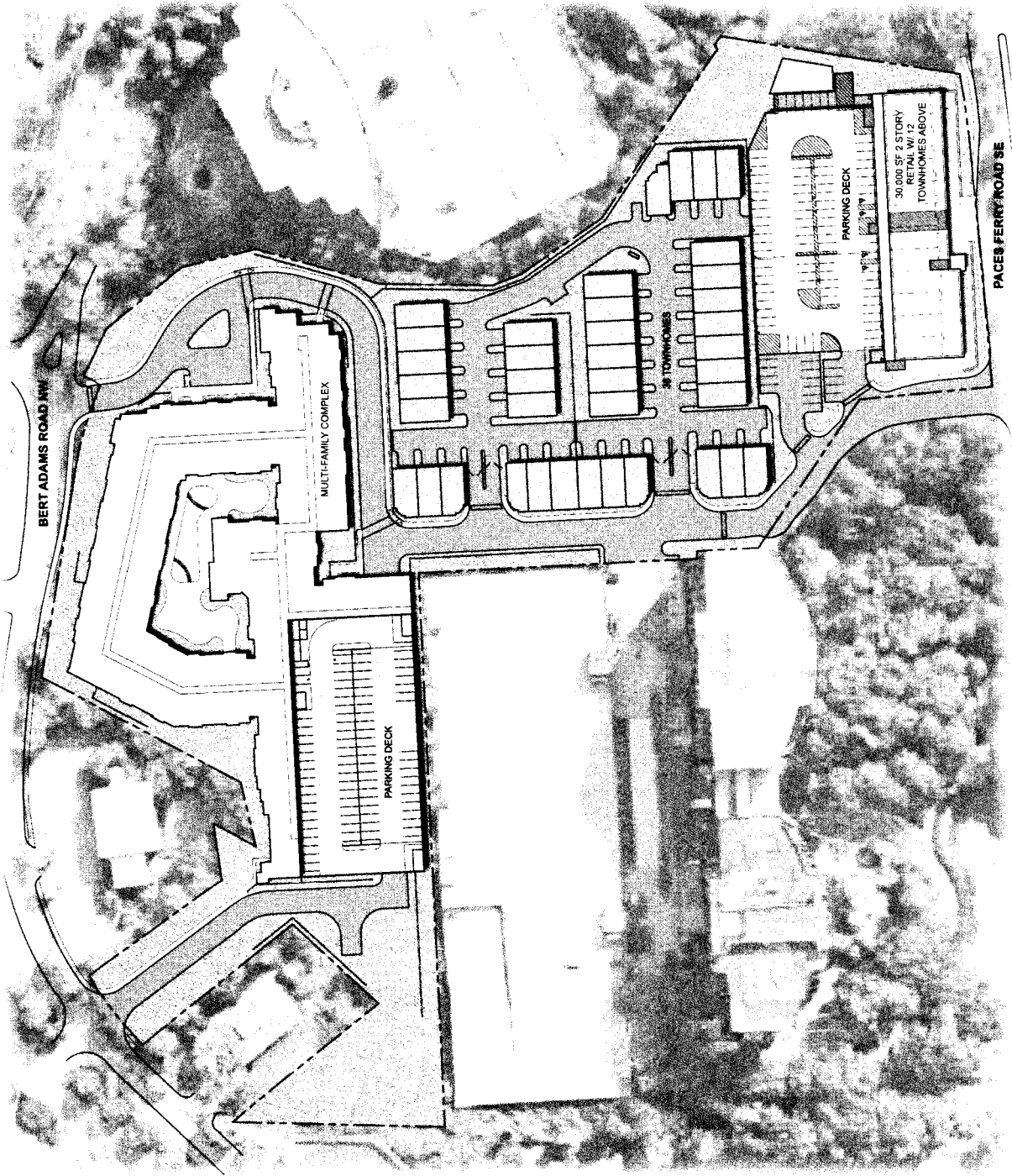
GABLES VININGS

VININGS, GA
SITE PLAN



EXHIBIT "1"

**SITE PLAN PRESENTED WITH
APPLICATION FOR “OTHER BUSINESS”
FOR CONSIDERATION AND APPROVAL
BY BOARD OF COMMISSIONERS
PURSUANT TO APPLICATION FOR
“OTHER BUSINESS” – NOVEMBER 21, 2017**



PHILLIPS

GABLES VININGS

VININGS, GA
SITE PLAN



PHILLIPS

**SITE PLAN APPROVED BY BOARD OF
COMMISSIONERS IN APPLICATION FOR
“OTHER BUSINESS” - DECEMBER 15, 2015**

Site Plan Rendering

Vinings, Georgia

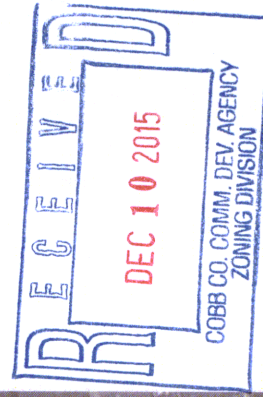
NOTES FROM ZONING SUBMITTAL PLAN BY SUMMIT ENG.

- ▶ TOTAL SITE AREA: 10.42 ACRES
- ▶ PROPOSED UNITS:
TOWNHOMES = 58 UNITS
MULTI-FAMILY RES = 295 UNITS
- ▶ PARKING REQUIRED PER USE (SECTION 134-272.5D)
TOWNHOMES - 2 SPACES/DWELLING UNIT
MIXED USE RESIDENTIAL BUILDING - 295 UNITS @ 1.75 SPACES/UNIT
RETAIL (COMMUNITY) - 1 SPACE / 200 SQUARE FEET
OTHER USES ALLOWED PER CODE
- ▶ REQUIRED SETBACKS*
FRONT = 50'
SIDE = 15'
REAR = 30' (NO REAR YARD EXISTS)

SETBACK VARIANCE REQUESTED:
SETBACK AT PACES FERRY RD, REDUCED TO 15'-0"
SETBACK AT BERT ADAMS RD, (EAST) REDUCED TO 20'-0"

- ▶ RRC DISTRICT MAX HEIGHT OF 100 FT :
MIXED USE RESIDENTIAL BUILDING, TYPE 3
CONSTRUCTION, MAX HEIGHT 85' ABOVE GRADE.
(5 STORY RESIDENTIAL OVER 3 STORY PARKING
PODIUM, PARKING STRUCTURE IS PARTIALLY
UNDERGROUND.)

NOTE: THERE ARE NO LAKES, STREAMS, STREAM
BUFFERS, WETLANDS, FLOOD PLAINS OR CEMETERIES
LOCATED ON OR ADJACENT TO THE SITE.



D & A Investment Group, LLC **AEG**

M I J S
MOORE JOHNSON & STEELE
summit
ENGINEERING

NILES BOLTON ASSOCIATES **JLB**

NORTH | 11.30.15 | SCALE: 1" = 50'



EXHIBIT "A"

**OFFICIAL MINUTES OF BOARD OF
COMMISSIONERS ZONING HEARING AS
TO APPLICATION FOR “OTHER BUSINESS”
FOR REZONING NO. Z-40 (2008) –
DECEMBER 15, 2015**

**MINUTES OF ZONING HEARING
COBB COUNTY BOARD OF COMMISSIONERS
DECEMBER 15, 2015
9:00 A.M.**

The Board of Commissioners Zoning Hearing was held on Tuesday, December 15, 2015 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
Vice Chair JoAnn Birrell
Commissioner Lisa Cupid
Commissioner Bob Ott
Commissioner Bob Weatherford

- O.B. 49** To consider amending the site plan and stipulations for JLB Realty LLC regarding rezoning application Z-40 (D & A Investment Group LLC and Pereira Management LLC) of 2008, for property located on the north side of Paces Ferry Road, west of Overlook Parkway and on the south side of Bert Adams Road in Land Lot 885 of the 17th District. *(Previously continued by Staff from the November 17, 2015 Board of Commissioners' hearing)*

Mr. Pederson provided information regarding stipulation and site plan amendments to amend square footage and number of units. The public hearing was opened, and Mr. John Moore addressed the Board. Following presentation and discussion, the following motion was made:

MOTION: Motion by Ott, second by Birrell, to **approve** O.B. 49 for stipulation and site plan amendments regarding application Z-40 (D & A Investment Group LLC and Pereira Management LLC) of 2008, for property located on the north side of Paces Ferry Road, west of Overlook Parkway and on the south side of Bert Adams Road in Land Lot 885 of the 17th District, **subject to:**

1. **Site plan included in Mr. John Moore's letter dated December 10, 2015, marked as "Exhibit A," with the District Commissioner approving minor modifications (attached and made a part of these minutes)**
2. **Letter of agreeable conditions from Mr. John Moore dated December 10, 2015 (attached and made a part of these minutes)**
3. **Letter of agreeable conditions from Mr. John Moore dated December 14, 2015 (attached and made a part of these minutes), with the following changes:**
 - A. **Page 2, I. Stipulations Applicable to the Overall Development; Item 3; Sub-Item 29 – strike in its entirety**
 - B. **Page 2, III. Townhome Component; Item 4 – add to end: "No side of a townhome shall be all hardi-plank or all cedar shake shingles."**
 - C. **Page 4, Add Item No. 13: "All units within the proposed townhome community shall be "for sale" units. The Declaration of Restrictive Covenants shall restrict the number of units which can be leased at any one time to ten percent of the units and restrict the lease term to a minimum of one year."**
4. **Renderings as presented by Mr. John Moore at today's hearing (attached and made a part of these minutes)**

5. **Cobb DOT comments'and recommendations: 1) Recommend Applicant consider entering into a development agreement pursuant to O.C.G.A. §36-71-13 for dedication of system improvements to mitigate traffic concerns: a) donation of right of way on the south side of Bert Adams Road, a minimum of 30' from the roadway centerline 2) Recommend a right turn lane along Paces Ferry Road at the development entrance 3) Recommend Applicant verify that minimum intersection sight distance on Bert Adams Road is available and if it is not, implement remedial measures, subject to Cobb DOT approval to achieve the minimum requirement 4) Recommend a FAA study 5) Recommend Applicant be required to meet all Cobb County Development Standards and Ordinances related to project improvements**
6. **All previous stipulations and conditions, *not otherwise in conflict*, to remain in effect**

VOTE. ADOPTED unanimously

Site Plan Rendering

Vinings, Georgia

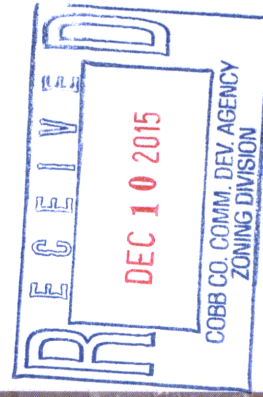
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PODIUM. PARKING STRUCTURE IS PARTIALLY
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BUFFERS, WETLANDS, FLOOD PLAINS OR CEMETERIES
LOCATED ON OR ADJACENT TO THE SITE.



D & A Investment Group, LLC **AEG**
 M I J S **summit** **PHILLIPS**
 MOORE JOHNSON & STEEL **NILES BOLTON ASSOCIATES** **JLB**
 NORTH 1 | 11.30.15 | SCALE: 1" = 50'

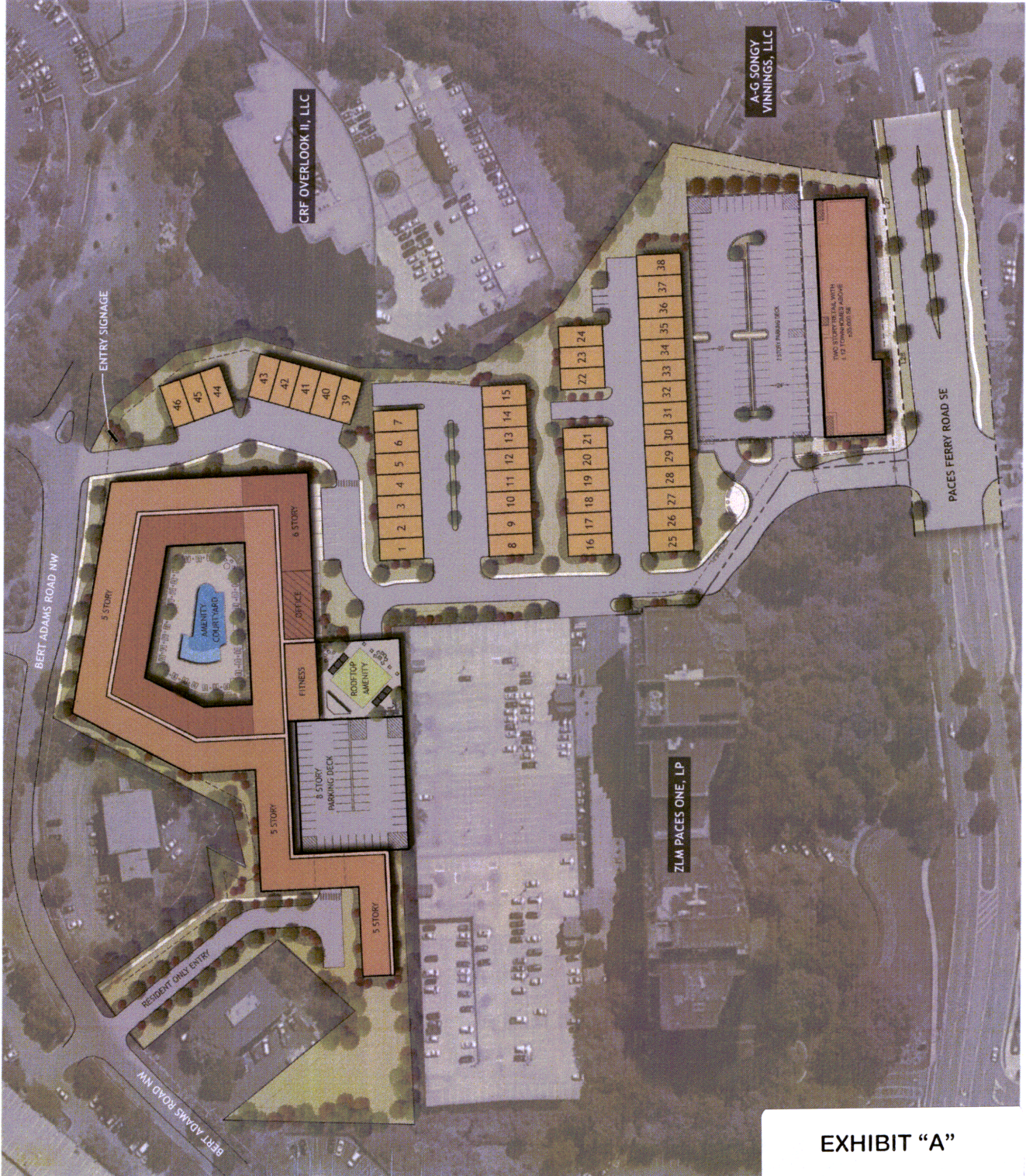


EXHIBIT "A"

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
ANGELA H. SMITH[†]
CHRISTOPHER C. MINGLEDDORFF
ANGELA D. TARTLINE
PHILIP C. THOMPSON

SHANE MAYES
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DOUGLAS W. BUTLER, JR.
JOYCE W. HARPER
GAREY E. OLBON[†]
CHARLES E. PIERCE[†]
WILMA R. BUSH
TODD I. HEIRD[†]
CARLA C. WESTER[†]
AMY L. JETT[†]
RYAN M. INGRAM
SHAWN G. SHELTON
D. AUSTIN GILLIS[†]
KRISTEN C. STEVENSON[†]
SARAH H. BEST[†]
RYAN C. EDENS[†]
JULIE C. FULLER[†]
JODI B. LODEN[†]
TAMMI L. BROWN
DAVID A. HURTADO
J. MARSHALL WEHUNT
JONATHAN J. SMITH
WILLIAM B. WARIHAY[†]
COLLEEN K. HORN[†]

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EMERSON OVERLOOK
326 ROSWELL ST • STE 100
MARIETTA, GEORGIA 30060
TELEPHONE (770) 429-1499

KNOXVILLE, TENNESSEE
408 N. CEDAR BLUFF RD • STE 500
KNOXVILLE, TENNESSEE 37923
TELEPHONE (865) 892-8038

JACKSONVILLE, FLORIDA
10151 DEERWOOD PARK BLVD • BLDG 200, STE 250
JACKSONVILLE, FLORIDA 32256
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3200 WEST END AVE • STE 500
NASHVILLE, TENNESSEE 37203
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LEXINGTON, KENTUCKY 40504
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CHARLESTON, SOUTH CAROLINA 29402
TELEPHONE (843) 302-0002

ORLANDO, FLORIDA
7380 W. SAND LAKE RD • STE 500
ORLANDO, FLORIDA 32819
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NORBERT D. HUMMEL, IV
DAVID P. CONLEY
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JOSEPH D. SHELLEY
LEBLIE S. NEUBAUER
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FREDERICK F. FISHER[†]
KENNETH D. HALL
RAHUL BHETH
GRANT S. TALL
KIMBERLY E. THOMPSON
BRENT R. LAMAN[†]
CHRISTOPHER R. BROOKS[†]
ADAM S. ROSENBERG

CHRISTOPHER D. TROUTMAN
ALLISON M. HELSINGER[†]
BENJAMIN T. BROTHERS[†]
MICHAEL R. BEANE[†]
M. CRAIG HOLLOWAY[†]
MICHAEL E. PATTERSON[†]
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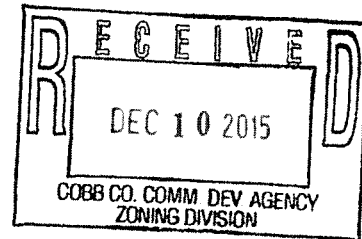
OF COUNSEL:
JOHN L. SKELTON, JR.[†]

[†] ALSO ADMITTED IN TN
^{**} ALSO ADMITTED IN FL
^{***} ALSO ADMITTED IN GA
[†] ALSO ADMITTED IN TX
[†] ALSO ADMITTED IN AL
[†] ALSO ADMITTED IN KY
[†] ALSO ADMITTED IN NC
^{**} ALSO ADMITTED IN MI
[†] ADMITTED ONLY IN TN
[†] ADMITTED ONLY IN IL
^{***} ADMITTED ONLY IN DC
[†] ADMITTED ONLY IN KY

December 10, 2015

Hand Delivered

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



Min. Bk. 77 Petition No. 0.B.49
Doc. Type letter

Meeting Date 12-15-15

RE: Application for "Other Business" - Application No. OB-049-2015
Applicant: JLB Realty LLC
Property Owners: D&A Investment Group, LLC and Pereira Management, LLC
Property: Property located on the north side of Paces Ferry Road, west of Overlook Parkway, and the south side of Bert Adams Road, south of Mount Wilkinson Parkway, Land Lot 885, 17th District, 2nd Section, Cobb County, Georgia

Dear John:

On behalf of the Applicant, JLB Realty LLC (hereinafter referred to as "Applicant"), and the Property Owners, D&A Investment Group, LLC and Pereira Management, LLC (hereinafter collectively referred to as "Owners"), please accept the following as agreeable stipulations and conditions, which, if the referenced Application for "Other Business" is approved, as submitted,

MOORE INGRAM JOHNSON & STEELE

Mr. John P. Pederson, AICP
Zoning Division Manager
Zoning Division
Cobb County Community Development Agency
Page 2 of 12
December 10, 2015

Petition No. 0.B.49
Meeting Date 12-15-15
Continued

shall become a part of the grant of the requested approvals and shall be binding upon the property located on the north side of Paces Ferry Road, west of Overlook Parkway, and the south side of Bert Adams Road, south of Mount Wilkinson Parkway, Land Lot 885, 17th District, 2nd Section, Cobb County, Georgia (hereinafter the "Property" or the "Subject Property"). The proposed 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 prior Departmental Comments and Staff Recommendations submitted by Planning, Fire, Water, Sewer, and Drainage, relating to the Subject Property from any previous zoning actions.
- (2) Applicant requests approval of development of the Subject Property, site plan specific, to the revised Site Plan Rendering prepared by Niles Bolton Associates, dated and last revised November 30, 2015, and filed with the Zoning Office contemporaneously with the filing of this letter of agreeable stipulations and conditions. A reduced copy of the revised Site Plan rendering is attached hereto as Exhibit "A" and incorporated herein by reference.
- (3) By this letter of agreeable stipulations and conditions, Applicant amends its Application for "Other Business" to include the revised Site Plan Rendering for the proposed development hereinabove referenced, same being prepared for Applicant and Owners by Niles Bolton Associates, dated and last revised November 30, 2015, and filed with the Zoning Office contemporaneously with the filing of this revised letter of agreeable stipulations and conditions.
- (4) The Subject Property consists of approximately 10.42 acres of total site area and shall be developed for a mixed-use development consisting of retail and residential.

I. STIPULATIONS APPLICABLE TO THE OVERALL DEVELOPMENT

- (1) The overall development will have three distinct components and types of products, as follows:
 - (a) The portion of the Subject Property, south of and adjacent to Bert Adams Road shall be developed for a multi-family residential building; and

MOORE INGRAM JOHNSON & STEELE

Mr. John P. Pederson, AICP
Zoning Division Manager
Zoning Division
Cobb County Community Development Agency
Page 3 of 12
December 10, 2015

Petition No. 0.B.49
Meeting Date 12-15-15
Continued

- (b) The portion of the Subject Property, north of and adjacent to Paces Ferry Road, shall be developed for residential townhomes; as well as retail with residential units above the retail.
- (2) Signage for the proposed overall development shall be ground-based, monument-style signage, with the finish, materials, and color being in conformity with the architecture and design of the various components. Such signage shall contain no flashing sign components.
- (3) The entrance areas, together with all islands and planted areas, shall be professionally designed, installed, and maintained. These areas shall be part of the overall landscape plan approved by Staff as part of the Plan Review Process.
- (4) Lighting within the overall development shall be environmentally sensitive, decorative, and themed to the architecture and style of the respective components of the development.
- (5) Additionally, hooded security lighting shall be utilized on the exteriors of the buildings and throughout the walkways, surface parking areas, and parking deck and ramp areas; excepting only, the individual townhomes within the development which shall utilize only decorative, themed lighting as described above.
- (6) There shall be master protective covenants for the entire development which will include all phases of the development; and concurrent therewith a master association, and possibly sub-associations, will be formed which will include all component parts of the proposed development. The master association shall be responsible for the oversight, upkeep, and maintenance of the entrance areas, common areas, open space areas, and the like contained within the overall development.
- (7) The master association, and any sub-associations, to be formed hereunder shall have architectural design regulations and other such usual and necessary covenants and restrictions to protect the quality and integrity of the overall development.
- (8) Required setbacks for the overall development shall be as more particularly shown and reflected on the revised Site Plan Rendering, as follows:

MOORE INGRAM JOHNSON & STEELE

Mr. John P. Pederson, AICP
Zoning Division Manager
Zoning Division
Cobb County Community Development Agency
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- (a) Front Setback: Fifteen (15) feet;
 - (b) Side Setback: Fifteen (15) feet; and
 - (c) Rear Setback: Fifteen (15) feet.
- (9) Minor modifications to the within stipulations, the referenced Site Plan Rendering, 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 a residential project or the overall square footage of a non-residential project;
 - (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.
- (10) 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.
- (11) 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.
- (12) 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.
- (13) Applicant may provide for a gated access pursuant to Cobb County standards.

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- (14) All landscaping referenced herein shall be approved by the Cobb County Arborist as part of the Plan Review Process and incorporated into the overall landscape plan for the proposed development.
- (15) All detention and water quality facilities for the proposed development shall be located underground and subject to the standards and approval of the Cobb County Stormwater Management Division.
- (16) Applicant agrees to comply with all Cobb County Stormwater Management requirements applicable to the Subject Property.
- (17) All utilities for the proposed, overall development shall be located underground.
- (18) The following uses shall be prohibited from the proposed, overall development:
 - (a) Video arcades as a primary use;
 - (b) Adult-themed bookstores as a primary use;
 - (c) Automotive sales, leasing, repair, and/or service facilities;
 - (d) Gas stations and self-service gas stations that sell gas and convenience stores;
 - (e) Truck and trailer leasing facilities;
 - (f) Automotive paint and body repair shops;
 - (g) Automotive upholstery shops;
 - (h) Billiards and pool halls which are the sole or predominant use;
 - (i) Bus stations (not to exclude bus stops);
 - (j) Fraternity and sorority house;
 - (k) Full-service gas stations;

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- (l) Light automotive repair;
 - (m) Rooming houses and boarding houses;
 - (n) Any form of adult entertainment business; and
 - (o) Nightclubs and bars, except that same would be permitted within a restaurant, provided they are an integral part of a restaurant operation.
- (19) As to the overall development, there shall be "zero lot lines" among the various components within the development so as to allow for the free flow of access parking, and the like.
- (20) There shall be interparcel access between the retail, townhome, and multi-family components, as more particularly shown on the revised Site Plan Rendering.
- (21) All construction and employee vehicles and equipment will be parked, and otherwise located on, the Subject Property during development of infrastructure, construction of the proposed components.
- (22) Hours for construction, demolition, and development of the Subject Property shall be as follows:
- (a) Monday through Friday - 7:00 a.m. to 8:00 p.m.;
 - (b) Saturday - 7:00 a.m. to 5:00 p.m.; and
 - (c) There will be no on-site construction on Sundays, holidays, Halloween, or the first day of school for the Cobb County School District, unless approved in advance by the District Commissioner.
- (23) There shall be no stacking of construction vehicles on or along Paces Ferry Road waiting for entry upon the Subject Property.
- (24) Applicant agrees to the installation of traffic calming devices throughout the proposed, overall development.
- (25) Applicant will work with Cobb County regarding the existing traffic signal at Paces Ferry Road and Vinings Slope. Applicant will urge Cobb County to time the signal to tie into the railroad crossing to allow residents of the Battery, Paces

MOORE INGRAM JOHNSON & STEELE

Mr. John P. Pederson, AICP
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View, etc., and the proposed development to turn west on Paces Ferry Road without delay.

- (26) There shall be a wide sidewalk along the development's frontage along Paces Ferry Road. The sidewalk shall extend into the development to access the retail area. Additionally, sidewalks shall be provided throughout the development to provide a walkable alternative.
- (27) All noise and items related to construction activity shall be pursuant to Cobb County Code.

II. MULTI-FAMILY RESIDENTIAL COMPONENT

- (1) The multi-story residential building shall be a maximum of six (6) stories in height, above grade, which shall contain a maximum of two hundred ninety-five (295) units, as shown and reflected on the revised Site Plan Rendering. Specifics as to the units are as follows:
 - (i) Units shall consist of one, two, and three bedrooms;
 - (ii) Unit size shall range from a minimum of 700 square feet, upwards to 1,200 square feet, and greater.
- (2) Units within the multi-story residential building shall be "for lease" units.
- (3) The building shall have a two-story main entrance area, and shall be constructed of stucco-type and other hard-surface, Cementous materials, glass, metal, brick, stone, stacked stone, or combinations thereof.
- (4) Floor plans and finishes for the residential units shall consist, at a minimum, of the following:
 - (a) Enhanced Corian, granite, or marble counter tops, or other solid surface materials;
 - (b) Minimum ceiling heights shall be ten (10) feet from floor to finished ceiling and greater.

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- (c) Upscale wooden face-frame cabinetry with overlay doors;
 - (d) Top-of-the line appliances, stainless steel or equivalent;
 - (e) Extra-deep stainless steel sinks and side-by-side refrigerators/freezers as upgrades;
 - (f) A selection of hardwood flooring, high-end carpet, and tile throughout;
 - (g) Spacious open floor plans which eliminate the necessity for typical hallways within the units;
 - (h) Brushed chrome, brushed nickel, or oiled rubbed bronze bathroom and kitchen fixtures;
 - (i) Ceramic tile bathrooms and laundry rooms;
 - (j) Brushed chrome bathroom and kitchen fixtures;
 - (k) Spacious walk-in closets;
 - (l) Energy-efficient construction which will exceed the Georgia Energy Code;
 - (m) Double-paned, insulated windows in all units;
 - (n) Controlled access building and amenity areas; and
 - (o) Interior conditioned corridors with carpet.
- (5) All residents of the proposed residential building shall have access to and use and enjoyment of the amenities and amenity areas, which will include the following:
- (a) Pool;
 - (b) Cabana;
 - (c) Roof-top amenity area;
 - (d) Fitness center;
 - (e) Clubroom;
 - (f) Business center and internet café; and
 - (g) Concierge type services for residents of the building only.

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- (6) The residents within the proposed residential building will utilize a compactor system for refuse.
- (7) There shall be eight levels of grade, above and below grade, structured parking for residents of the multi-story building.
- (8) The one hundred forty-two (142) parking spaces for the office building shall be contained within the parking deck.
- (9) The parking deck will be bifurcated so that residents are separate from office, and residents will only have access to Bert Adams Road from the parking deck. Office parking will also have access to Bert Adams Road. There will be a small area for potential tenants to park in front of the building office.

III. TOWNHOME COMPONENT

- (1) A portion of the Subject Property shall be for a townhome community, as more particularly shown and reflected upon the referenced Site Plan Rendering, containing a maximum of forty-six (46) residential, for sale units.
- (2) The proposed townhomes shall be traditional in style and architecture, shall be three (3) and four (4) stories in height, and shall have minimum two-car garages. The driveway pad in front of the garages shall be of sufficient size to park two (2) full-size automobiles.
- (3) The proposed townhomes shall have a minimum of 3,300 square feet, upwards to 3,800 square feet, and possibly greater, of heated and cooled living space.
- (4) The exterior of the townhomes shall have front and side facades of brick, stone, stacked stone, stucco-type, masonry siding, cedar shake shingles, hardi-plank, or combinations thereof, with complementary accents. No vinyl materials shall be used on the exterior of the proposed townhome residences.
- (5) Elevators will be offered as an option within the units.
- (6) All units within the proposed townhome community shall be "for sale" units. The Declaration of Restrictive Covenants shall restrict the number of units which can

MOORE INGRAM JOHNSON & STEELE

Mr. John P. Pederson, AICP
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be leased at any one time to ten (10) percent of the units and restrict the lease term to a minimum of one (1) year.

- (7) Applicant agrees to the recording and enforcement of a Declaration of Restrictive Covenants which shall contain covenants, rules, and regulations applicable to the proposed townhome community.
- (8) No parking shall be permitted on private streets, unless in designated parking areas; and further shall not apply during construction. Guest parking areas shall be provided, as more particularly shown and reflected on the referenced Site Plan Rendering.

IV. RETAIL AND RESIDENTIAL COMPONENT

- (1) Development of a portion of the Subject Property adjacent to and along Paces Ferry Road shall be for retail and residential.
- (2) There shall be a maximum of 30,000 net leasable square feet of retail and restaurant space located on two levels of the building immediately adjacent to Paces Ferry Road.
- (3) Neon accents will not be permitted on the outside of or in any window of the proposed retail space. 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, and signage indicating the coming development.
- (4) There shall be a maximum of twelve (12) residential, for sale, townhome units located above the retail and restaurant facilities. These residential units shall be two stories in height, and shall be a minimum of 1,900 square feet, ranging upward to 2,700 square feet, and greater.
- (5) The townhomes shall be offset from the front of the retail building to provide building relief.
- (6) Elevators shall be offered as options within the residential units. Additionally, elevators to reach the townhome units and upper retail areas will be provided.

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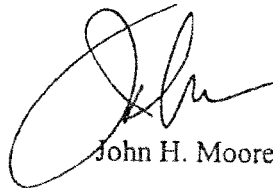
- (7) A two-story parking deck immediately behind the retail building and townhomes shall provide parking for the retail, restaurant patrons and townhome residents with the total spaces being pursuant to Cobb County Code.

We believe these requested approvals, as presented in the Application for "Other Business," are an appropriate modification for the Subject Property; and further, we believe this project will be an enhancement for the Vinings community and to Cobb County as a whole. Thank you for your consideration of this request.

With kindest regards, I remain

Very truly yours,

MOORE, INGRAM, JOHNSON & STEELE, LLP



John H. Moore

JHM:cc

Attachment

c: Cobb County Board of Commissioners:

Timothy D. Lee, Chairman

JoAnn Birrell

Lisa N. Cupid

Robert J. Ott

Bob Weatherford

(With Copy of Attachment)

Nancy Geisler, President

Vinings Village Homeowners Association

(With Copy of Attachment)

Kathy Hightower

The Battery on Paces Ferry

(With Copy of Attachment)

MOORE INGRAM JOHNSON & STEELE

Mr. John P. Pederson, AICP
Zoning Division Manager
Zoning Division
Cobb County Community Development Agency
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December 10, 2015

Petition No. 0.849
Meeting Date 12-15-15
Continued

c: Skeet Thomas
Steve Newton
Area Residents
(With Copy of Attachment)

JLB Realty, LLC
D&A Investment Group, LLC
Pereira Management, LLC
(With Copy of Attachment)

Site Plan Rendering

Vinings, Georgia

NOT TO SCALE

- ▶ TOTAL SITE AREA: 10.42 ACRES
- ▶ PROPOSED UNITS:
 - TOWNHOMES: 50 UNITS
 - MULTI-FAMILY RES: 285 UNITS
- ▶ PARKING REQUIRED PER USE (SECTION 154-272.5D)
 - TOWNHOMES - 2 SPACES/RESIDENTIAL UNIT
 - MIXED USE RESIDENTIAL BUILDING - 288 UNITS @ 1.25 SPACES/UNIT
 - RETAIL (COMMUNITY) - 1 SPACE / 200 SQUARE FEET
 - OTHER USES ALLOWED PER CODE
- ▶ REQUIRED SETBACKS*
 - FRONT = 50'
 - SIDE = 15'
 - REAR = 20' (NO REAR YARD EXISTS)

SETBACK VARIANCE REQUESTED:
 SETBACK AT PACES FERRY RD. REDUCED TO 15-0"
 SETBACK AT BERT ADAMS RD. (EAST) REDUCED TO 20-0"

* FRC DISTRICT MAX HEIGHT OF 100 FT.
 MIXED USE RESIDENTIAL BUILDING: TYPE 3
 CONSTRUCTION, MAX HEIGHT 80' ABOVE GRADE
 (5 STORY RESIDENTIAL OVER 3 STORY PARKING
 POOLING, PARKING STRUCTURE IS PARTIALLY
 UNDERGROUND.)

NOTE: THERE ARE NO LAKES, STREAMS, STREAM
 BUFFERS, WETLANDS, FLOOD PLAINS OR CEMETERIES
 LOCATED ON OR ADJACENT TO THE SITE.

Petition No. 0.B.47
 Meeting Date 12-15-15
 Continued



IVE
 2015 Investment Group, LLC
 REV. 9/2015
 DIVISION

AEG
 Summit
 PHILLIPS

NILES BOLTON ASSOCIATES

NORTH | 11.30.15 | SCALE: 1" = 50'

EXHIBIT "A"

MOORE INGRAM JOHNSON & STEELE

A LIMITED LIABILITY PARTNERSHIP
WWW.MIJS.COM

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STEPHEN G. STEELE
WILLIAM R. JOHNSON¹
ROBERT D. INGRAM²
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223 ROSWELL ST. • STE 100
MARIETTA, GEORGIA 30060
TELEPHONE (770) 429-1499

KNOXVILLE, TENNESSEE
408 N. CEDAR BLUFF RD. • STE 500
KNOXVILLE, TENNESSEE 37823
TELEPHONE (866) 882-8039

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10131 DEERWOOD PARK BLVD. • BLDG 889, STE 250
JACKSONVILLE, FLORIDA 32256
TELEPHONE (904) 428-1488

NASHVILLE, TENNESSEE
2200 WEST END AVE. • STE 500
NASHVILLE, TENNESSEE 37203
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LEXINGTON, KENTUCKY
2323 ALEXANDRIA DRIVE
LEXINGTON, KENTUCKY 40504
TELEPHONE (502) 410-5021

CHARLESTON, SOUTH CAROLINA
588 ISLAND PARK DR. • STE B
CHARLESTON, SOUTH CAROLINA 29492
TELEPHONE (843) 383-0002

ORLANDO, FLORIDA
7380 W. SAND LAKE RD. • STE 600
ORLANDO, FLORIDA 32819
TELEPHONE (407) 367-8233

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MATTHEW L. JONES
NELOFAR AGHARAHANI
ANTHONY J. TROMBIELLO

OF COUNSEL:
JOHN L. SKELTON, JR.¹

¹ ALSO ADMITTED IN TN
² ALSO ADMITTED IN FL
⁻⁻⁻ ALSO ADMITTED IN CA
⁴ ALSO ADMITTED IN TX
¹ ALSO ADMITTED IN AL
¹ ALSO ADMITTED IN NY
⁴ ALSO ADMITTED IN SC
⁴ ALSO ADMITTED IN NC
¹ ALSO ADMITTED IN IN
⁴ ADMITTED ONLY IN TN
⁻⁻⁻ ADMITTED ONLY IN FL
⁴ ADMITTED ONLY IN BC
⁴ ADMITTED ONLY IN KY

December 14, 2015

Hand Delivered

Min. Bk. 77 Petition No. 0.B.49
Doc. Type letter

Meeting Date 12-15-15

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

RE: Application for "Other Business" - Application No. OB-049-2015
Applicant: JLB Realty LLC
Property Owners: D&A Investment Group, LLC and
Pereira Management, LLC
Property: Property located on the north side of Paces
Ferry Road, west of Overlook Parkway, and
the south side of Bert Adams Road, south of
Mount Wilkinson Parkway, Land Lot 885,
17th District, 2nd Section, Cobb County,
Georgia

Dear John:

After continued communications with area residents and homeowner representatives, Applicant and Property Owners provide the following amended and supplemental stipulations and conditions, which are in addition to the stipulations and conditions set forth in the letter dated and filed December 10, 2015. The amended and supplemental stipulations are as follows:

MOORE INGRAM JOHNSON & STEELE

Mr. John P. Pederson, AICP
Zoning Division Manager
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I. STIPULATIONS APPLICABLE TO THE OVERALL DEVELOPMENT

- (1) The following will be added to end of paragraph (18) (pages 5-6) and shall be additional prohibited uses from the proposed, overall development:

- (p) Movie theatres;
- (q) Fast-food establishments (such as McDonald's, Wendy's, and the like);
and
- (r) Any drive-thru business.

- (2) The following sentence shall be added to the end of paragraph (25) (pages 6-7):

Applicant agrees to work with the Cobb County Department of Transportation regarding traffic sensors for the intersection of Paces Ferry Road and Vinings Slope. If the sensors are present, Applicant will request the Cobb County Department of Transportation check same to ensure they are in working properly. If there are no sensors installed, Applicant agrees to work with the Cobb County Department of Transportation to add a timing device for the traffic signal.

- (3) The following shall be additional stipulations:

- (28) Applicant agrees to comply with all Cobb County Department of Transportation requirements applicable to the proposed overall development.
- (29) Applicant agrees that water pressure for the communities in the surrounding area will continue to be supplied at current or better pressure.
- (30) JLB Partners will be the Master Developer for the proposed overall development.

III. TOWNHOME COMPONENT

- (1) Paragraph 4 (page 9) shall be amended as follows:

- (4) The exterior of the townhomes shall have four-sided architecture, being front, side, and rear facades of brick, stone, stacked stone, stucco-type,

MOORE INGRAM JOHNSON & STEELE

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Zoning Division Manager
Zoning Division
Cobb County Community Development Agency
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masonry siding, cedar shake shingles, hardi-plank, or combinations thereof, with complementary accents. No vinyl materials shall be used on the exterior of the proposed townhome residences.

- (2) The following shall be an additional stipulation:
 - (9) Floor plans and finishes for the proposed townhomes shall consist, at a minimum, of the following:
 - (a) Enhanced Corian, granite, or marble countertops or other solid surface materials;
 - (b) Minimum ceiling heights shall be ten (10) feet from floor to finished ceiling and greater;
 - (c) Crown molding;
 - (d) Upscale wooden face-frame cabinetry with overlay doors;
 - (e) Top-of-the line appliances, stainless steel or equivalent;
 - (f) A selection of hardwood flooring, high-end carpet, and tile throughout;
 - (g) Ceramic tile or solid surface such as granite or enhance Corian bathrooms and laundry rooms; and
 - (h) Spacious walk-in closets.

IV. RETAIL AND RESIDENTIAL COMPONENT

- (1) The following shall be additional stipulations:
 - (8) The retail component will be a high-end development.
 - (9) The exterior colors of the building shall be in harmony with and marry-well with Vinings Main, with a preference for earth-tone colors. There shall be no stark white colors used.

MOORE INGRAM JOHNSON & STEELE

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- (10) There shall be no flood lights on the front of the buildings.
- (11) There shall be no signage in the windows of the retail and residential units, and no flags, banners, clotheslines, and the like, shall be visible from Paces Ferry Road.
- (12) Floor plans and finishes for the proposed townhomes shall consist, at a minimum, of the following:
 - (a) Enhanced Corian, granite, or marble countertops or other solid surface materials;
 - (b) Minimum ceiling heights shall be ten (10) feet from floor to finished ceiling and greater;
 - (c) Crown molding;
 - (d) Upscale wooden face-frame cabinetry with overlay doors;
 - (e) Top-of-the line appliances, stainless steel or equivalent;
 - (f) A selection of hardwood flooring, high-end carpet, and tile throughout;
 - (g) Ceramic tile or solid surface such as granite or enhance Corian bathrooms and laundry rooms; and
 - (h) Spacious walk-in closets.

We believe the approvals sought in the Application for "Other Business," including the Site Plan Rendering and stipulations and conditions set forth in the December 10, 2015, letter; together with the amendments and additional stipulations set forth above, will make the development a quality development for the Vinings community and to Cobb County as a whole. Thank you for your consideration of this request.

MOORE INGRAM JOHNSON & STEELE

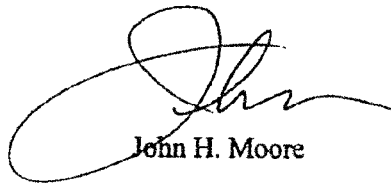
Mr. John P. Pederson, AICP
Zoning Division Manager
Zoning Division
Cobb County Community Development Agency
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Continued

With kindest regards, I remain

Very truly yours,

MOORE, INGRAM, JOHNSON & STEELE, LLP



John H. Moore

JHM:cc

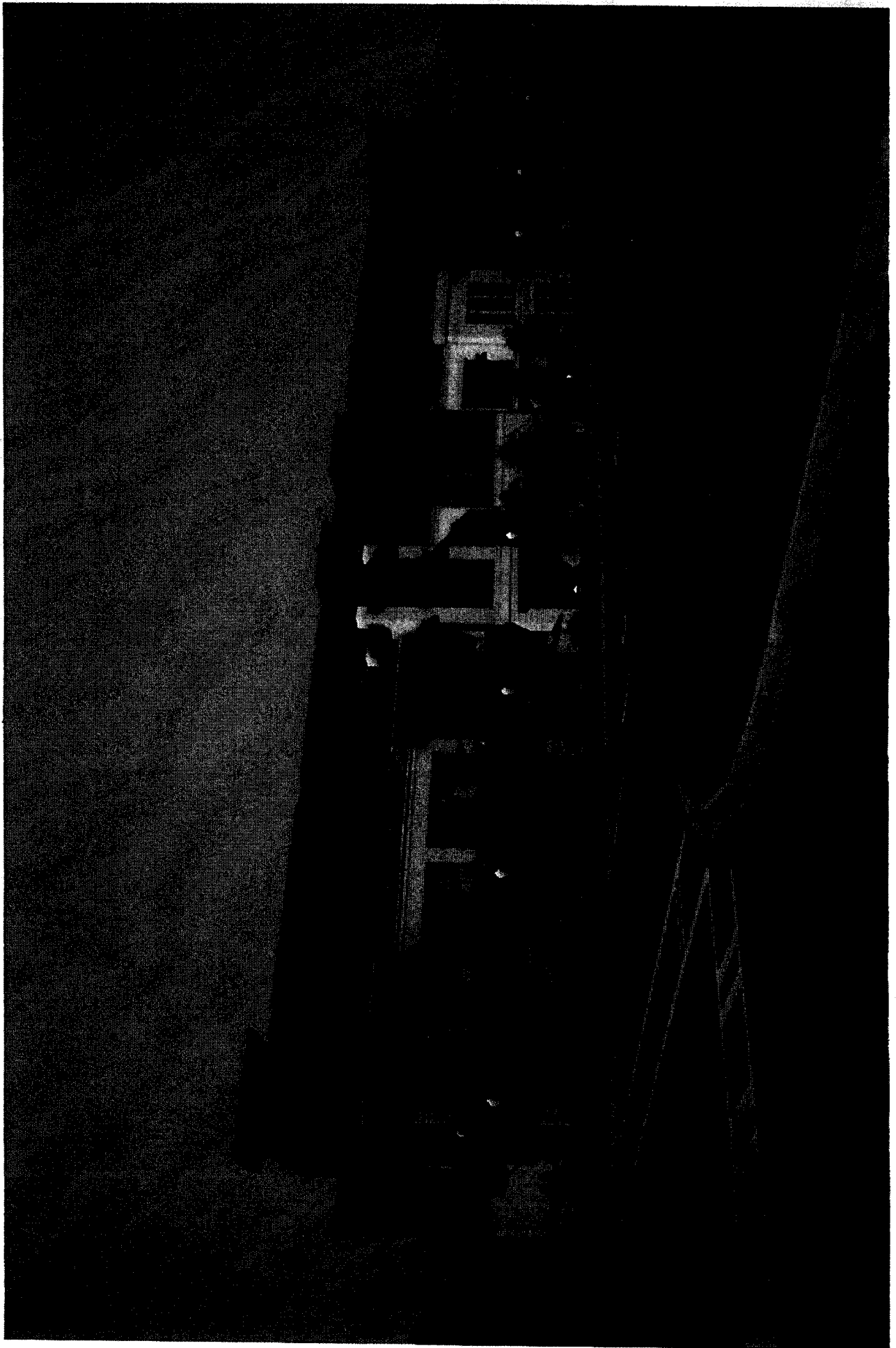
c: Cobb County Board of Commissioners:
Timothy D. Lee, Chairman
JoAnn Birrell
Lisa N. Cupid
Robert J. Ott
Bob Weatherford

Nancy Geisler, President
Vinings Village Homeowners Association

Kathy Hightower
The Battery on Paces Ferry

Skeet Thomas
Steve Newton
Area Residents

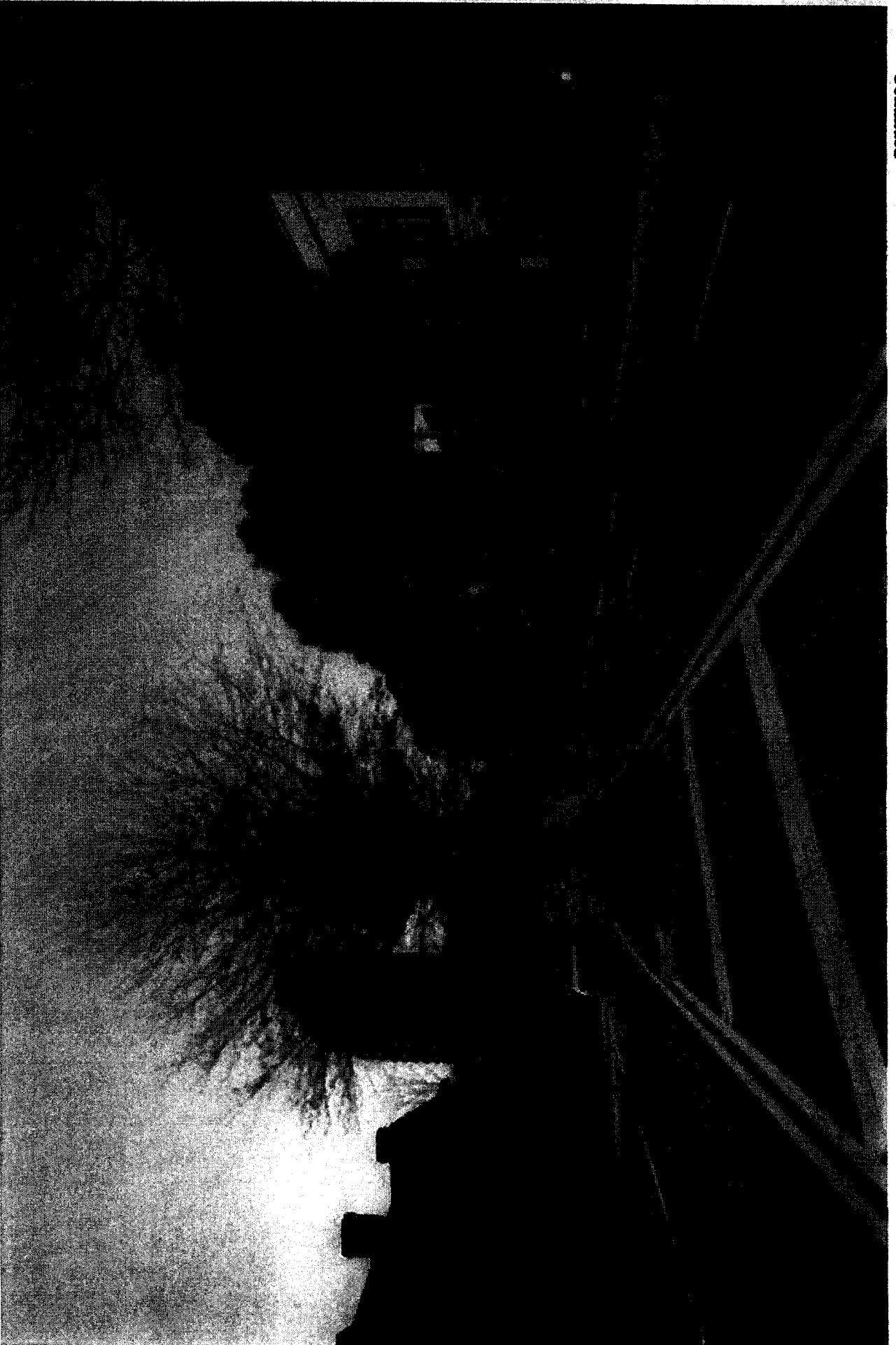
JLB Realty, LLC
D&A Investment Group, LLC
Pereira Management, LLC



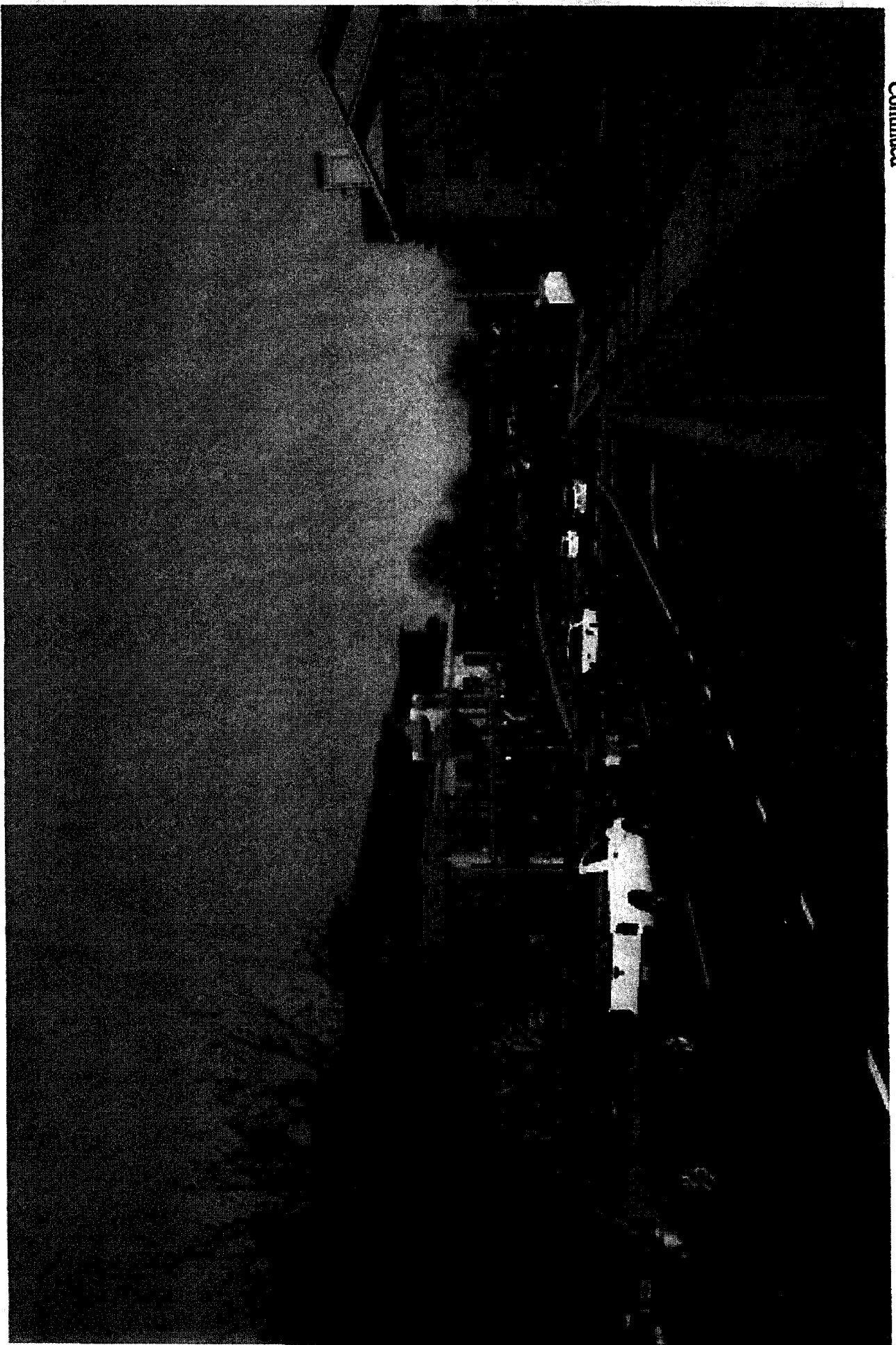
Petition No. 0.8.49
Meeting Date 12-15-15
Continued



Petition No. 0,8,49
Meeting Date 12-15-15
Continued



Petition No. 4,847
Meeting Date 12-15-15
Continued



**OFFICIAL MINUTES OF BOARD OF
COMMISSIONERS ZONING HEARING AS
TO APPLICATION FOR REZONING
NO. Z-40 (2008) – OCTOBER 21, 2008**

**MINUTES OF ZONING HEARING
COBB COUNTY BOARD OF COMMISSIONERS
OCTOBER 21, 2008
PAGE 7**

REQUEST TO WITHDRAW WITHOUT PREJUDICE:

SLUP-14 T-MOBILE C/O COMPASS TECHNOLOGY SERVICES (Tony K. and Mary Turner, owners) requesting a **Special Land Use Permit** for the purpose of a 199-Foot Telecommunications Tower and Equipment in Land Lots 77 and 78 of the 20th District. Located on the west side of Dallas Acworth Highway (Georgia Highway 92), north of Cheatham Road.

Mr. John Moore, Applicant's representative, stated request for the application to be **Withdrawn Without Prejudice**. There was no opposition to this request. Thereafter, the following motion was made:

MOTION: Motion by Goreham, second by Olens, to **authorize** Rezoning request to be **Withdrawn Without Prejudice**.

VOTE: **ADOPTED** unanimously

REGULAR CASES — NEW BUSINESS:

The order of business was amended by general consensus, and application #Z-40 was brought forward on the agenda.

Z-40 D & A INVESTMENT GROUP, LLC AND PEREIRA MANAGEMENT, LLC (owners) requesting Rezoning from **OI** and **NS** to **RRC** for the purpose of Mixed Use Development in Land Lot 885 of the 17th District. Located on the north side of Paces Ferry Road, west of Overlook Parkway and on the south side of Bert Adams Road, south of Mount Wilkinson Parkway.

The public hearing was opened and Mr. John Moore, Mr. Jim Ney, and Mr. Ron Sifen addressed the Board. Following presentation and discussion, the following motion was made:

MOTION: Motion by Thompson, second by Lee, to **approve** Rezoning to the **RRC** zoning district **subject to:**

- **site plan specific to RRC zoning district to be approved by the Board of Commissioners as "Other Business" agenda item**

**MINUTES OF ZONING HEARING
COBB COUNTY BOARD OF COMMISSIONERS
OCTOBER 21, 2008
PAGE 8**

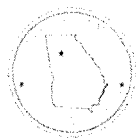
**Z-40 D & A INVESTMENT GROUP, LLC AND PEREIRA
MANAGEMENT, LLC (Continued)**

- there will be one “Senior Living Building” with maximum 12 stories in height to be approved by Board of Commissioners as “Other Business” agenda item
- a maximum of two (2) other buildings not to exceed 16 stories in height to be approved by Board of Commissioners as “Other Business” agenda item
- maximum of 78,000 square feet of retail/commercial in “The Village” (*retail/commercial square footage is contingent upon Cobb DOT confirming Paces Ferry Road can handle this traffic*)
- any “Other Business” documentation to be submitted at least thirty (30) days prior to the public hearing
- maximum F.A.R. of 1.6
- land located along Paces Ferry Road, referred to as “The Village” to be site plan specific and approved by Board of Commissioners as “Other Business” agenda item regarding landscaping, signage, architecture, DOT, Stormwater Management, and Water and Sewer issues
- berm on Paces Ferry Road right-of-way not to be removed until approved by Board of Commissioners as “Other Business” agenda item
- no permits are to be issued until the 142 parking spaces (exclusive parking for adjacent office buildings) are replaced (except for permits for the parking space)
- Cobb DOT to consider Paces Ferry Road as part of “The Village” concept and not as a major roadway in evaluating system improvements
- subject to the two “Development of Regional Impact” (DRI) studies performed by the Atlanta Regional Commission (ARC) and the Georgia Regional Transportation Authority (GRTA) (on file in the Zoning Division)
- Fire Department 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 concern

VOTE: ADOPTED unanimously

Following the vote on Z-40, a break was taken from 10:16 a.m. until 10:22 a.m.

**2017 PAID AD VALOREM PROPERTY TAX
RECEIPTS FOR TAX PARCELS
COMPRISING PROPOSED DEVELOPMENT**



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

Printed: 10/14/2017

Cobb County Online Tax Receipt

Thank you for your payment!

OLD ALABAMA CAMDEN PROJECT LLC

**D&A INVESTMENT GROUP LLC &
 PEREIRA MANAGEMENT LLC**

Payment Date: 10/12/2017

Tax Year	Parcel ID	Due Date	Appeal Amount	Taxes Due	
2017	17088500060	10/15/2017	Pay: N/A or	\$0.00	
Interest	Penalty	Fees	Total Due	Amount Paid	Balance
\$0.00	\$0.00	\$0.00	\$0.00	\$701.13	\$0.00



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Printed: 10/14/2017

Cobb County Online Tax Receipt

Thank you for your payment!

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

OLD ALABAMA CAMDEN PROJECT LLC

**D&A INVESTMENT GROUP LLC &
PEREIRA MANAGEMENT LLC**

Payment Date: 10/12/2017

Tax Year	Parcel ID	Due Date	Appeal Amount	Taxes Due	
2017	17088500130	10/15/2017	Pay: N/A or	\$0.00	
Interest	Penalty	Fees	Total Due	Amount Paid	Balance
\$0.00	\$0.00	\$0.00	\$0.00	\$15,186.63	\$0.00



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

OLD ALABAMA CAMDEN PROJECT LLC

**D&A INVESTMENT GROUP LLC &
PEREIRA MANAGEMENT LLC**

Payment Date: 10/12/2017

Tax Year	Parcel ID	Due Date	Appeal Amount	Taxes Due	
2017	17068500160	10/15/2017	Pay: N/A or	\$0.00	
Interest	Penalty	Fees	Total Due	Amount Paid	Balance
\$0.00	\$0.00	\$0.00	\$0.00	\$13,687.95	\$0.00



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

OLD ALABAMA CAMDEN PROJECT LLC

**D&A INVESTMENT GROUP LLC &
PEREIRA MANAGEMENT LLC**

Payment Date: 10/12/2017

Tax Year	Parcel ID	Due Date	Appeal Amount	Taxes Due	
2017	17088500510	10/15/2017	Pay: N/A or	\$0.00	
Interest	Penalty	Fees	Total Due	Amount Paid	Balance
\$0.00	\$0.00	\$0.00	\$0.00	\$3,685.60	\$0.00



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Fax 770-528-8679

OLD ALABAMA CAMDEN PROJECT LLC

**D&A INVESTMENT GROUP LLC &
PEREIRA MANAGEMENT LLC**

Payment Date: 10/12/2017

Tax Year	Parcel ID	Due Date	Appeal Amount	Taxes Due	
2017	17088500540	10/15/2017	Pay: N/A or	\$0.00	
Interest	Penalty	Fees	Total Due	Amount Paid	Balance
\$0.00	\$0.00	\$0.00	\$0.00	\$21,672.79	\$0.00



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Fax 770-528-8679

OLD ALABAMA CAMDEN PROJECT LLC

**D&A INVESTMENT GROUP LLC &
PEREIRA MANAGEMENT LLC**

Payment Date: 10/12/2017

Tax Year	Parcel ID	Due Date	Appeal Amount	Taxes Due	
2017	17088500550	10/15/2017	Pay: N/A or	\$0.00	
Interest	Penalty	Fees	Total Due	Amount Paid	Balance
\$0.00	\$0.00	\$0.00	\$0.00	\$3,784.20	\$0.00



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Fax 770-528-8679

OLD ALABAMA CAMDEN PROJECT LLC

**D&A INVESTMENT GROUP LLC &
PEREIRA MANAGEMENT LLC**

Payment Date: 10/12/2017

Tax Year	Parcel ID	Due Date	Appeal Amount	Taxes Due	
2017	17088500560	10/15/2017	Pay: N/A or	\$0.00	
Interest	Penalty	Fees	Total Due	Amount Paid	Balance
\$0.00	\$0.00	\$0.00	\$0.00	\$10,573.01	\$0.00



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