

**MINUTES OF ZONING HEARING
COBB COUNTY BOARD OF COMMISSIONERS
JULY 15, 2025
9:00 A.M.**

The Board of Commissioners' Zoning Hearing was held on Tuesday, July 15, 2025, in the second-floor public meeting room of the David Hankerson Building, 100 Cherokee Street, Marietta, Georgia. Present and comprising a quorum of the Board were:

Lisa Cupid, Chairwoman
Commissioner JoAnn Birrell
Commissioner Erick Allen
Commissioner Keli Gambrell
Commissioner Monique Sheffield

CALL TO ORDER – CHAIRWOMAN CUPID

Chairwoman Cupid called the hearing to order at 9:01 a.m.

Mr. John Pederson, Zoning Division Manager, reviewed the hearing procedures and announced the following cases which were *withdrawn, held, or continued*.

WITHDRAWN, HELD, AND CONTINUED CASES

- LUP-29** **HAYDELIS PERCHE** (Haydelis Coromoto Perche Sanchez, owner) requesting a **Temporary Land Use Permit** to allow more vehicles parked outside of a garage or carport than the code allows in land lot 773 of the 19th district. Property is located on the north side of King Arthur Drive, west of Sir Galahad Drive (3399 King Arthur Drive). ***WITHDRAWN WITHOUT PREJUDICE***
- O.B 32** To consider amending the stipulations and site plan for Kristen Morse regarding rezoning application Z-102 of 1998. Property is located on the west side of Lost Mountain Road, north of Macland Road in land lot 429 of the 19th district (2022 Lost Mountain Road). ***WITHDRAWN WITHOUT PREJUDICE***
- Z-2'²⁴** **FLOURNOY DEVELOPMENT GROUP, LLC** (Cobb County, owner) requesting rezoning from **GC** to **RRC** for multifamily residential in land lots 763 and 764 of the 17th district. Property is located on the west side of Atlanta Road and on the east side of I-285, south of the intersection of I-285 and Atlanta Road (4600 Atlanta Road). (*Previously continued by Staff from the February 6, 2024, through the July 1, 2025, Planning Commission (PC) hearings until the August 5, 2025, PC hearing; therefore, was not considered at this hearing*).
- Z-68'²⁴** **SAKSS AUSTELL, LLC** (Robert Alan Plott and Donna Dickson Plott and Yonas Bayou, owners) requesting rezoning from **R-20** to **NRC** for a convenience store with fuel sales, retail, and drive through restaurant in land lot 84 of the 17th district. Property is located on the west side of Austell Road,

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WITHDRAWN, HELD, AND CONTINUED CASES (CONT.)

Z-68'²⁴ SAKSS AUSTELL, LLC (CONT.)

north of Chamberlain Circle (2096 and 2106 Austell Road). *(Previously continued by Staff from the December 3, 2024, and February 4, 2025, Planning Commission (PC) hearings until the March 4, 2025, PC hearing; held by the PC from the March 4, 2025, through the May 6, 2025, PC hearings until the June 3, 2025, PC hearing; held by the Board of Commissioners (BOC) from the June 17, 2025, and July 15, 2025, BOC Zoning Hearings until the August 19, 2025, BOC Zoning Hearing; therefore, was not considered at this hearing).*

Z-9 WHATABURGER RESTAURANTS, LLC (West Village Associates, LLC, owner) requesting rezoning from **R-20** to **PVC** for a restaurant in land lot 748 of the 17th district. Property is located on the south side of Atlanta Road, east of West Village Way, and northwest of Pine Street (Atlanta Road). *(Previously continued by Staff from the May 6, 2025, through the July 1, 2025, Planning Commission (PC) hearings until the August 5, 2025, PC hearing; therefore, was not considered at this hearing).*

Z-14 MIKE HECK (David Marion Cantrell and Anthony Raymond Cantrell, as Trustees of the Doris Weatherford Cantrell Revocable Trust dated July 23, 2013, owners) requesting rezoning from **GC** and **NS** to **NRC** for neighborhood retail and a special contractor's office in land lot 296 of the 20th district. Property is located on the northwest side of Due West Road, northwest of Burnt Hickory Road, and at the terminus of Burnt Hickory Way (3808 Due West Road). *(Previously continued by Staff from the June 3, 2025, Planning Commission (PC) hearing until the July 1, 2025, PC hearing; held by the PC from the July 1, 2025, PC hearing until the August 5, 2025, PC hearing; therefore, was not considered at this hearing).*

Z-15 SIDNEI SILVA AND AMBER SILVA (Sidnei Silva and Amber R. Silva, owners) requesting rezoning from **LRO** to **NRC** for a flooring showroom in land lots 310 and 339 of the 16th district. Property is located on the southwest corner of Shallowford Road and Shallow Court (2280 Shallowford Road). *(Previously held by the Planning Commission (PC) from the July 1, 2025, PC hearing until the August 5, 2025, PC hearing; therefore, was not considered at this hearing).*

LUP-19 IANNEL SALAS (Felipe Manuel, owner) requesting a **Temporary Land Use Permit** to allow more vehicles than the code allows in land lot 207 of the 17th district. Property is located on the south side of Tatum Street, west of Olive Springs Road (53 Tatum Street). *(Previously held by the Planning Commission (PC) from the May 6, 2025, and June 3, 2025, PC hearings until the July 1, 2025, PC hearing; continued by the PC from the July 1, 2025, PC hearing until the August 5, 2025, PC hearing; therefore, was not considered at this hearing).*

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WITHDRAWN, HELD, AND CONTINUED CASES (CONT.)

- LUP-24** **BRANDON LORENZO** (Brandon Lorenzo, owner) requesting a **Temporary Land Use Permit** to allow occupancy of an accessory structure and to allow one extra vehicle in land lot 1100 of the 19th district. Property is located on the southwest corner of Janet Way and Hiram Lithia Springs Road (4943 Janet Way). *(Previously held by the Planning Commission (PC) from the June 3, 2025, and July 1, 2025, PC hearings until the August 5, 2025, PC hearing; therefore, was not considered at this hearing).*
- LUP-25** **LUCIANA MIDORI AOYAMA** (David da Silva Garcia and Luciana Midori Aoyama, owners) requesting a **Temporary Land Use Permit** to allow a dog grooming business in land lots 54 and 55 of the 20th district. Property is located on the south side of Lexford Court, southwest of Hickory Grove Road (4504 Lexford Court). *(Previously held by the Planning Commission (PC) from the July 1, 2025, PC hearing until the August 5, 2025, PC hearing; therefore, was not considered at this hearing).*
- LUP-26** **REYNALDO VALDEZ** (Jose M. Delgado and Reynaldo Valdez Bravo, owners) requesting a **Temporary Land Use Permit** to allow more people and vehicles than the code allows in land lot 56 of the 17th district. Property is located on the north side of Walnut Circle, west of Birchwood Way (1039 Walnut Circle). *(Previously continued by the Planning Commission (PC) from the July 1, 2025, PC hearing until the August 5, 2025, PC hearing; therefore, was not considered at this hearing).*
- SLUP-2** **FREE BIRD COMMUNICATIONS, LLC** (Dixie L. Stretch and Donald G. Stretch, owners) requesting a **Special Land Use Permit** for a 185-foot communications tower in land lot 160 of the 20th district. Property is located on the northeast corner of Acworth Due West Road and Jim Owens Road (2516 Acworth Due West Road). *(Previously continued by Staff from the February 4, 2025, through the April 1, 2025, Planning Commission (PC) hearings until the May 6, 2025, PC hearing; held by the PC from the May 6, 2025, PC hearing until the June 3, 2025, PC hearing; continued by the PC from the June 3, 2025, PC hearing until the July 1, 2025, PC hearing; continued by Staff from the July 1, 2025, PC hearing until the August 5, 2025, PC hearing; therefore, was not considered at this hearing).*
- O.B. 22** To consider amending the site plan and stipulations for Whataburger Restaurants, LLC regarding rezoning application Z-64 of 2017. Property is located on the northwest side of West Village Parkway, the south side of West Atlanta Road, the west side of Atlanta Road, and the westerly side of Pine Street in land lot 748 of the 17th district (4448 Atlanta Road). *(Previously continued by Staff from the May 20, 2025, through the July 15, 2025, Board of Commissioners' (BOC) Zoning hearings until the August 19, 2025, BOC Zoning hearing; therefore, was not considered at this hearing).*

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WITHDRAWN, HELD, AND CONTINUED CASES (CONT.)

- O.B. 33** To consider amending the stipulations and site plan for Adesuwa Faderin regarding rezoning application Z-13 of 2013. Property is located on the east side of Atlanta Road, south of Paces Ferry Road in land lot 743 of the 17th district (3691 Atlanta Road). *(Previously continued by Staff from the July 15, 2025, Board of Commissioners' (BOC) Zoning hearing until the August 19, 2025, BOC Zoning hearing; therefore, was not considered at this hearing).*

Mr. Pederson made the following announcement and read in the cases for the Consent Agenda.

INFORMATION REGARDING ZONING CASES

All information regarding zoning cases must be turned in to the Zoning Office on the Wednesday prior to the zoning hearing for consideration. If said information is turned in past the deadline, then it is at the Board's discretion as to whether the information will be considered.

CONSENT AGENDA

MOTION: Motion by Cupid, second by Birrell, to **approve** the following cases on the Consent Agenda, *as revised*:

- LUP-27** **HUNG NGUYEN** (Quy Hung Nguyen, owner) requesting a **Temporary Land Use Permit** to allow more unrelated people than the code allows in land lot 139 of the 16th district. Property is located on the west side of Timrose Road, south of Fay Drive (4501 Timrose Road).

To **approve** LUP-27 for **12 months (from today's date)**, subject to:

- 1. Allow one extra unrelated person**
- 2. Only allowed for the two unrelated people currently residing in the house**
- 3. Department of Transportation comments and recommendations, including no parking in the right-of-way**

- LUP-28** **BURNT HICKORY CHURCH OF CHRIST, INC.** (Burnt Hickory Church of Christ, Inc., owner) requesting a **Temporary Land Use Permit (RENEWAL)** to allow a daycare and preschool facility in land lot 291 of the 20th district. Property is located on the north side of Burnt Hickory Road, west of New Salem Road (2330 Burnt Hickory Road).

To **approve** LUP-28 for **24 months**, subject to:

- 1. Site Plan received by the Zoning Division on May 1, 2025 (attached and made a part of these minutes), with the District Commissioner approving minor modifications**

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CONSENT AGENDA (CONT.)

LUP-28 BURNT HICKORY CHURCH OF CHRIST, INC. (CONT.)

- 2. Daycare related banner sign to be no larger than three feet by five feet**

OTHER BUSINESS

O.B. 30 To consider amending the stipulations and site plan for Martin Ndungu regarding rezoning application #56 of 1988. Property is located on the east side of Killarney Drive, north of Hurt Road in land lot 783 of the 19th district (Killarney Drive).

To **approve** O.B. 30, subject to:

- 1. Site Plan contained in the Other Business packet (attached and made a part of these minutes)**
- 2. District Commissioner to approve the final house elevations**
- 3. Stormwater Management Division comments and recommendations contained in the Other Business packet**
- 4. Cobb DOT comments and recommendations contained in the Other Business packet**

O.B. 31 To consider a road frontage reduction from 75-feet to zero feet (existing) and other variances for Brian Barton for property located on the south side of Woodhill Drive, east of Shaw Road in land lot 376 of the 16th district (1440 Woodhill Drive).

To **approve** O.B. 31, subject to:

- 1. Road frontage reduced to zero feet**
- 2. Variances as stated in the background information of the Other Business packet**

CONSENT VOTE: ADOPTED 5-0

REGULAR AGENDA

Z-7 FORT & COLE STREET, LLC (Estate of Betty J. King (a/k/a Betty Hayes King) and Jerry Wayne Hayes, owners) requesting rezoning from **R-15** to **FST** for townhomes in land lot 639 of the 19th district. Property is located on the northwest corner of Powder Springs Road and Wood Meadows Drive (2318 Powder Springs Road). *(Previously held by the Planning Commission (PC) from the April 1, 2025, and May 6, 2025, PC hearings until the June 3, 2025, PC hearing; held by the Board of Commissioners (BOC) from the June 17, 2025, BOC Zoning hearing until the July 15, 2025, BOC Zoning hearing).*

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REGULAR AGENDA (CONT.)

Z-7 FORT & COLE STREET, LLC (CONT.)

The public hearing was opened; Kevin Moore, Travis McComb, Evan Richardson, and Stephen Swanson addressed the Board. Following the presentation and discussion, the following motion was made:

MOTION: Motion by Sheffield, second by Cupid, to **approve** Z-7 to the FST zoning district, subject to:

1. **Letter of agreeable conditions from Kevin Moore dated May 27, 2025 (attached and made a part of these minutes), with the following revisions/additions:**
 - A. **A black vinyl clad fence shall be installed around the detention ponds, with landscaping to provide visual screening of the detention ponds**
 - B. **Install lighting at the kiosk area**
 - C. **End units shall consist of 50% brick stone to compliment the façade**
 - D. **The fire pit shall be masonry and shall be inground**
 - E. **Benches and trash receptacles shall be installed near the amenity area**
 - F. **Matching entry monument shall be installed on both sides of the main entrance with hard-wired up lights**
 - G. **Sunday construction hours shall be from 9:00 a.m. until 5:00 p.m.**
2. **District Commissioner to review and sign-off on the Stormwater Plans**
3. **District Commissioner to review and approve the final elevations**
4. **District Commissioner to review and approve the Landscape Plan and final Site Plan**
5. **All other Staff comments and recommendations, *not otherwise in conflict***

VOTE: **ADOPTED** 3-2, Birrell and Gambrill opposed

Chairwoman Cupid called for a brief recess from 10:24 a.m. until 10:30 a.m.

- Z-10 THE REVIVE LAND GROUP, LLC** (Ricardo Laredo, James Copeland, Vernamarie Truan, Alfred Geoffrey Alex Truan, Joyce Fabrie, Judith Ann Howell, Jon M. Howell, Kymberly B. Matthews, and Jimmy D. Walker, owners) requesting rezoning from **R-20** to **RSL** for a residential senior living subdivision in land lots 498, 538, 539, 572, and 613 of the 19th district. Property is located on the south side of Macland Road, the east side of Hopkins Road, and the north side of John Petree Road (2495 Hopkins Road, 3455 Macland Road, 3445 Macland Road, 2505 Hopkins Road, 2531 Hopkins Road, 2445 Hopkins Road, and 2427 Hopkins Road). (*Previously*

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REGULAR AGENDA (CONT.)

Z-10 THE REVIVE LAND GROUP, LLC (CONT.)

held by the Planning Commission (PC) from the May 6, 2025, PC hearing until the June 3, 2025, PC hearing; held by the Board of Commissioners (BOC) from the June 17, 2025, BOC Zoning hearing until the July 15, 2025, BOC Zoning hearing).

The public hearing was opened; Kevin Moore and Frederick Chumley addressed the Board. Following the presentation and discussion, the following motion was made:

MOTION: Motion by Sheffield, second by Birrell, to **approve** Z-10 to the RSL zoning district, subject to:

1. As a resolution to the dam issue and who is responsible for the dam in the future, the following stipulation was read into the record by Kevin Moore: *“Applicant agrees during the plan review process that plans can be approved, stamped, and a land disturbance permit issued; however, the on-site permit will be withheld until the conveyance and transfer of the “shaded” area depicted on the Site Plan to the adjoining owner, Fred Chumley.”* (attached and made a part of these minutes)
2. Letter of agreeable conditions from Kevin Moore dated July 9, 2025 (attached and made a part of these minutes), with the following revisions:
 - A. Item No. 8 – monument sign shall be on both sides of the entrance
 - B. Item No. 12 – a black vinyl clad fence shall be installed to surround the detention pond
 - C. The elevations shall be substantially similar to the elevations submitted on June 16, 2025 (attached and made a part of these minutes), with the District Commissioner to approve the final elevations
 - D. District Commissioner to approve the final Site Plan
 - E. District Commissioner to approve the final Landscape Plan
3. All other Staff comments and recommendations, *not otherwise in conflict*

VOTE: **ADOPTED 5-0**

- Z-13 ALLIANCE RESIDENTIAL COMPANY** (AHG Galleria, LLC, owner) requesting rezoning from **RRC** to **RRC** for a multifamily residential development in land lots 949, 978, and 979 of the 17th district. Property is located on the southwesterly side of Cobb Parkway, northwest of Riverview Parkway (3200 South Cobb Parkway). *(Previously continued by the Board of Commissioners (BOC) from the June 17, 2025, BOC Zoning hearing until the July 15, 2025, BOC Zoning hearing).*

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REGULAR AGENDA (CONT.)

Z-13 ALLIANCE RESIDENTIAL COMPANY (CONT.)

The public hearing was opened; Parks Huff and Travis McComb addressed the Board. Following the presentation and discussion, the following motion was made:

MOTION: Motion by Allen, second by Cupid, to **approve** Z-13 to the RRC zoning district, subject to:

- 1. Letter of agreeable conditions from Parks Huff dated June 9, 2025 (attached and made a part of these minutes), with the following additions:**
 - A. No more than 35% of the units shall be two bedroom**
 - B. District Commissioner to review and approve the final Site Plan**
 - C. District Commissioner to review and approve the final elevation**

VOTE: **ADOPTED** 3-2, Birrell and Gambrill opposed

***Clerk's Note:** Commissioner Birrell wanted it noted that this property is within the Bird/Wildlife Air Strike Hazard Area (BASH) for Dobbins Air Reserve Base.*

***Clerk's Note:** Chairwoman Cupid requested that Mr. McComb convey to the School Board that the Board of Commissioners (BOC) would like to have more constructive dialogue in a meeting outside of Zoning to discuss the complex issues as to how we zone and how the School Board builds. There have been multiple communications to the School Board in requests for meetings specific to zonings and broadly with respect to zoning generally that have not occurred and have not been responded to. It would be beneficial for both parties to have a meeting to discuss these issues, and as we have zoning hearings, for us to talk about these zoning cases specifically outside of this process. Commissioner Sheffield requested that Mr. McComb provide additional information, i.e., state requirements or state data, in answering questions which would help the BOC in their decision-making process.*

- LUP-8 ANGELA BENITEZ** (Hector A. Benitez and Angela Marina B. Escamilla, owners) requesting a **Temporary Land Use Permit** to allow more vehicles and adults than the code allows in land lot 478 of the 19th district. Property is located on the west side of Chamirey Drive, southwest of Callaway Road (1478 Chamirey Drive). *(Previously held by the Planning Commission (PC) from the March 4, 2025, PC hearing until the May 6, 2025, PC hearing; continued by Staff from the May 20, 2025, Board of Commissioners' (BOC) Zoning hearing until the June 17, 2025, BOC Zoning hearing; continued by the BOC from the June 17, 2025, BOC Zoning hearing until the July 15, 2025, BOC Zoning hearing).*

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REGULAR AGENDA (CONT.)

LUP-8 ANGELA BENITEZ (CONT.)

At the call for LUP-8, the Applicant was not present, and there was no opposition present. Thereafter, the following motion was made:

MOTION: Motion by Allen, second by Birrell, to **deny** LUP-8.

VOTE: **ADOPTED** 5-0

ADJOURNMENT

The hearing adjourned at 11:24 a.m.



Robin L. Stone, Deputy County Clerk
Cobb County Board of Commissioners

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MOORE INGRAM JOHNSON & STEELE

A LIMITED LIABILITY PARTNERSHIP
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May 27, 2025

Via E-mail Only

Min. Bk. 100 Petition No. Z-7
Doc. Type Letter
Meeting Date 7-15-2025

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 Rezoning - Application No. Z-7 (2025)
Applicant: Fort & Cole Street, LLC
Property Owners: Estate of Betty Hayes King and
Jerry Wayne Hayes
Property: 4.886 acres, more or less, located on the
northwesterly side of Powder Springs Road
and the northerly side of Wood Meadows
Drive, being more particularly known as
2318 Powder Springs Road, Land Lot 639,
19th District, 2nd Section, Cobb County,
Georgia

Dear John:

The undersigned and this firm represent the Applicant, Fort & Cole Street, LLC (hereinafter referred to as "Applicant"), and the Property Owners, the Estate of Betty Hayes King and Jerry Wayne Hayes (hereinafter collectively referred to as "Owners" or "Property Owners"), in the above-referenced Application for Rezoning with regard to a total tract of 4.886 acres, more or less, located on the northwesterly side of Powder Springs Road and the northerly side of Wood Meadows Drive, being more particularly known as 2318 Powder Springs Road, Land Lot 639, 19th District, 2nd Section, Cobb County, Georgia (hereinafter the "Property" or the "Subject Property"). After meetings and conferences with Planning and Zoning Staff; as well as, other County Departmental Staff, reviewing the Departmental Comments and Staff Recommendations, reviewing the uses of surrounding properties, and following the presentation to and hearing before the Cobb County Planning Commission, we have been authorized by the Applicant to

Mr. John P. Pederson, AICP
Zoning Division Manager
Zoning Division
Cobb County Community Development Agency
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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 rezoning and shall be binding upon the Subject Property. This letter shall supersede and replace in full the previously submitted letter of agreeable stipulations and conditions dated March 24, 2025. The proposed, 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 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 seeks rezoning of the Subject Property from the current zoning classification of R-15 to the proposed zoning classification of Fee Simple Townhomes ("FST"), with reference to the revised Zoning Plan prepared for Applicant by LJA Engineering, undated, and filed contemporaneously with this revised letter of agreeable stipulations and conditions. A reduced copy of the revised Zoning Plan is attached as Exhibit "A" for reference.
- (3) The Subject Property consists of 4.886 acres, more or less, and shall be developed for a residential community, in the townhome style, containing a maximum of twenty-four (24) residences.
- (4) The proposed townhomes shall have a minimum of 1,800 square feet of heated and cooled area.
- (5) The proposed townhomes shall be Traditional and Craftsman in style and architecture and shall have exterior facades consisting of brick, stone, stacked stone, cedar shake shingles, board and batten, cementitious siding, /hardi-plank siding, or combinations thereof, with complementary accents.
- (6) The townhome units shall have two-car garages. No garage areas within the proposed townhome community shall be converted into heated living space for the units. All garages shall be used primarily for the parking of vehicles with only incidental storage that does not interfere with parking for vehicles. Such restriction shall be included in the Declaration of Covenants, Easements, and Restrictions and enforced by the mandatory Homeowners Association.

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Zoning Division Manager
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- (7) Applicant agrees to the recording and enforcement of Declaration of Covenants, Easements, and Restrictions ("Covenants") which shall contain covenants, rules, and regulations applicable to the proposed townhome community.
- (8) Additionally, and in conjunction with the Covenants, Applicant agrees to the creation of a mandatory homeowners association which shall be responsible for the upkeep and maintenance of the entrance area, signage, all common areas, open space areas, mail kiosk, fencing, private alley, and the like contained within the community.
- (9) All units within the proposed townhome community shall be "for sale" units. There shall be no more than a maximum of ten (10) percent of the units being leased at any one time, which restriction shall be included in the Covenants.
- (10) Entrance signage shall be ground based, monument-style signage, and shall consist of brick, stone, stacked stone, or combinations thereof. Entrance landscaping shall be professionally designed, implemented, and maintained. Maintenance of the entrance area shall be by the mandatory homeowners association as set forth in the Covenants.
- (11) The proposed community shall have private streets.
- (12) Applicant agrees the Declaration of Covenants, Easements, and Restrictions shall include a provision the community streets will remain private, in perpetuity.
- (13) Applicant agrees to establish and fund a separate account for the benefit of the future homeowners association for purposes of future private street maintenance. Prior to approval of the initial final plat, Applicant agrees to perform a third-party street maintenance reserve study, subject to review and approval by the Cobb County Department of Transportation, and Applicant shall fund the private street maintenance reserve fund with the prescribed amount as determined in the reserve study.
- (14) Applicant agrees the construction of the private streets shall be to public street standards with respect to the profile of the pavement sections.
- (15) Applicant shall be permitted to install mountable curb, rather than high-back curb, to provide better aesthetics and less transitions.

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- (16) Minor modifications to the within stipulations, the referenced, revised Zoning Plan, lighting, signage, landscaping, building 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;
 - (e) Change an access location to a different roadway;
 - (f) Would be in direct contradiction or conflict with any of the stipulations of this rezoning;
 - (g) Would be in direct contradiction or conflict with Cobb County Code and Ordinances; or
 - (h) Would be in direct contradiction or conflict with any Staff Recommendations that were adopted into the final zoning decision.
- (17) All setbacks, landscape, and buffer areas may be penetrated for purposes of access, utilities, and stormwater management, including, but not limited to, drainage facilities and any and all slopes or other required engineering features of the foregoing. Any disturbed areas must be replanted with like vegetation. Areas within the buffer that are not disturbed which have natural, existing vegetation may remain natural.
- (18) All landscaping referenced herein; including, but not limited to, the street frontage, entrance area, and landscape buffer areas, 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 community.

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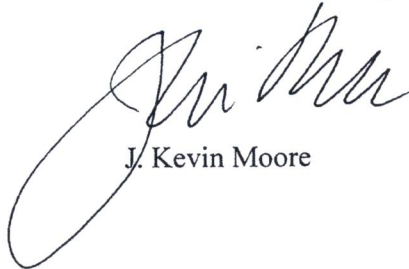
- (19) Detention and water quality facilities for the proposed community shall be as shown and reflected on the Zoning Plan, unless approved otherwise by Cobb County Stormwater Management. Said facilities shall be screened by fencing, a minimum of six (6) feet in height with landscaping to the exterior of the fencing for purposes of visual screening. The landscaping shall be approved by the Cobb County Arborist during the Plan Review Process. All landscaping and fencing surrounding the detention areas shall be maintained by the mandatory homeowners association.
- (20) All setback areas may be penetrated for purposes of access, utilities, and stormwater management, including, but not limited to, drainage facilities and any and all slopes or other required engineering features of the foregoing.

We believe the requested zoning, together with the revised Zoning Plan and the stipulations set forth herein, is an appropriate use of the Subject Property while taking into consideration the overall area, the location, and uses of properties located in close proximity. The proposed townhome community shall be a quality development, shall be compatible with and complementary to surrounding residential communities, businesses, and venues, and shall be an enhancement to the Subject Property and Cobb County as a whole. Thank you for your consideration in this request.

With kindest regards, I remain

Very truly yours,

MOORE, INGRAM, JOHNSON & STEELE, LLP



J. Kevin Moore

JKM:cc
Attachment

MOORE INGRAM JOHNSON & STEELE

Petition No. Z-7
Meeting Date 7-15-2025
Continued

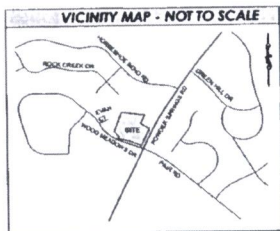
Mr. John P. Pederson, AICP
Zoning Division Manager
Zoning Division
Cobb County Community Development Agency
Page 6 of 6
May 27, 2025

c: Cobb County Board of Commissioners:
Lisa N. Cupid, Chairwoman
Erick Allen
JoAnn K. Birrell
Keli A. Gambrill
Monique Sheffield
(With Copy of Attachment)

Cobb County Planning Commission:
Michael Hughes, Chairman
Fred Beloin
Deborah Dance
Nadia Faucette
(With Copy of Attachment)

Terry L. Martin, AICP, CNU-A
Senior Planner
Zoning Division
Cobb County Community Development Agency
(With Copy of Attachment)

Fort & Cole Street, LLC
(With Copy of Attachment)



SITE DATA

INCREASE	4.00% AC
EXISTING ZONING	R-15
PROPOSED ZONING	FST
PROPOSED TOWNSHIP/UNIT	24 (24.037)
MAX DENSITY	10.0/A
PROPOSED DENSITY	4.91/A
MIN LOT WIDTH	20' 30' FOR END UNIT
EXTERNAL SETBACKS	
POWDER SPRINKLER RD	50'
WALL MEADOWS LN	20'
SIDE	40'
REAR	35'
INTERIOR SETBACKS	
FRONT	25'
7' (10' BETWEEN BUILDINGS)	
REAR	25'
MAX BUILDING HEIGHT	35'
OTHER	
PRIVATE STREET	2 E C B C 50' 40' A 4 E USEMENT
ADJACENT	5'
GRAVEL STRIP	3'

SITE LEGEND

MAIL KIOSK

STORMWATER MANAGEMENT (RETENTION OR DETENTION)

PARKING CALCS			TOTAL PER	TOTAL	TOTAL
TYPE	SPACES	PER DWELLING UNIT	UNIT	UNIT #	SPACES
1 CARHOME	2	2	4	74	48
TOTAL PARKING SPACES REQUIRED FOR RESIDENTIAL					48
(2 SPACES PER DWELLING UNIT)					
GUEST PARKING REQUIRED (2 SPACES PER DWELLING)					12
GUEST PARKING PROVIDED					12
MAX. RESID. PARKING (1 ACCESSIBLE SPACES)					1
TOTAL PARKING SPACES PROVIDED FOR RESIDENTIAL					61

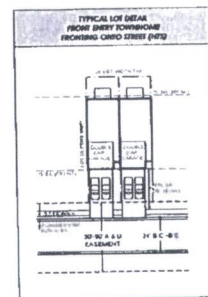
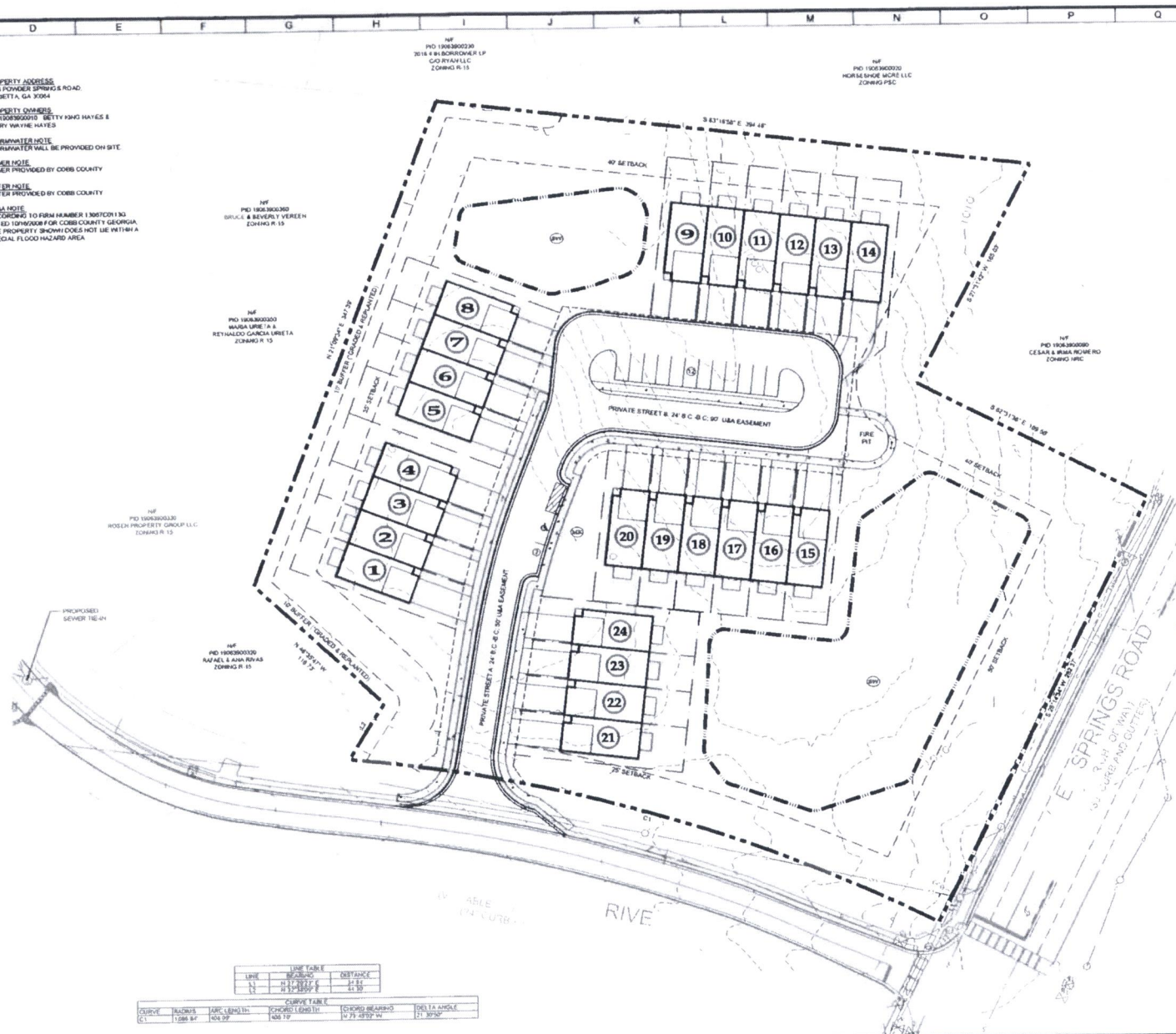


EXHIBIT "A"

[illegible]

Z-10 (2025)

Min. Bk. 100 Petition No. Z-10
Doc. Type Stipulation read in by
Kevin Moore w/attached Site Plan
Meeting Date 7-15-2025

Applicant agrees during the plan review process that plans can be approved, stamped, and a land disturbance permit issued; however, the on-site permit will be withheld until the conveyance and transfer of the "shaded" area depicted on the Site Plan to the adjoining owner, ~~who currently~~ ~~is~~ Fred Chunley.

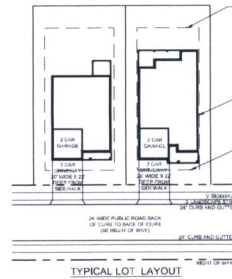
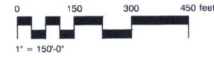
J. Moore
7-15-25



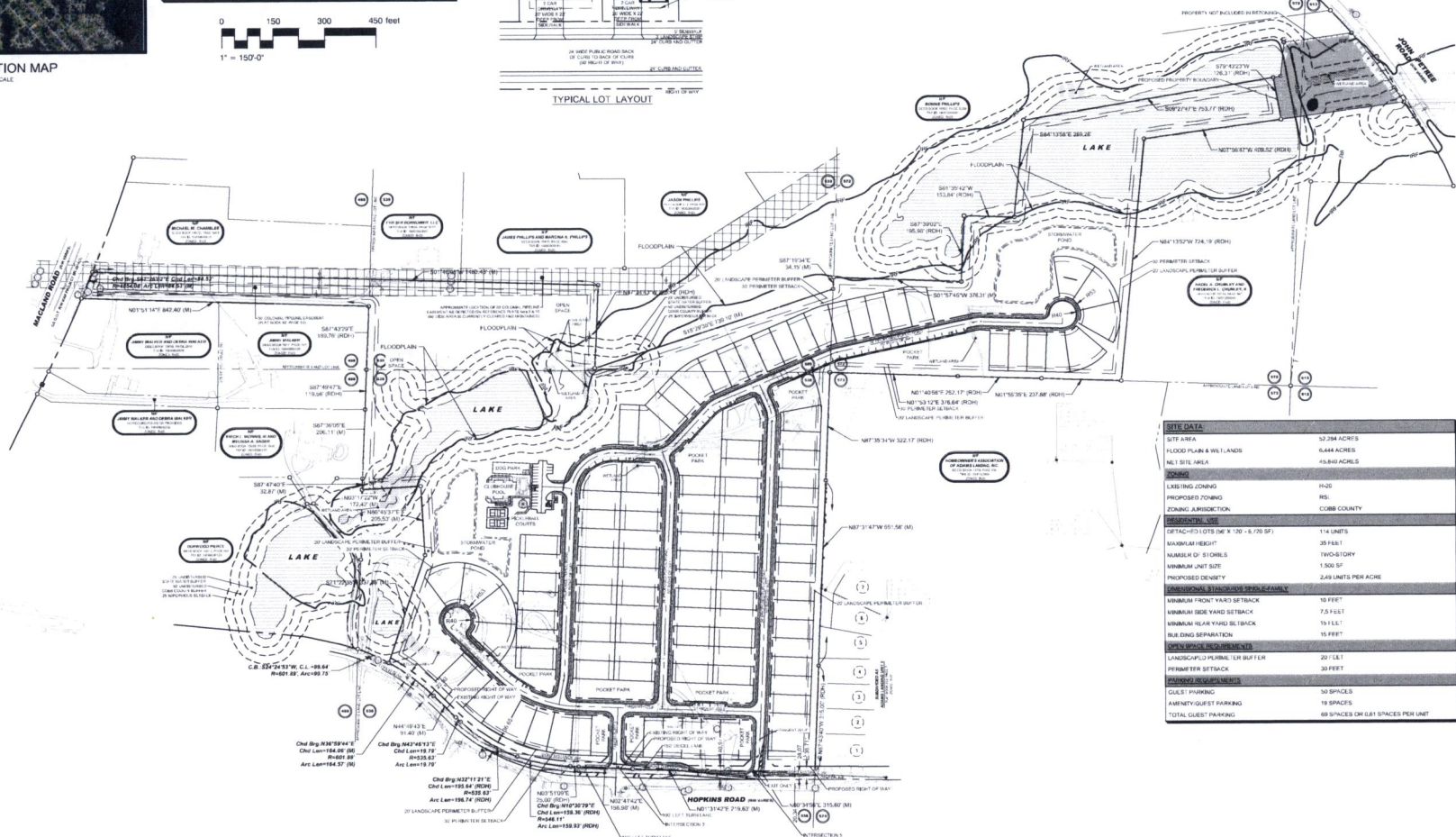
SITE LOCATION MAP
NOT TO SCALE

GENERAL NOTES:

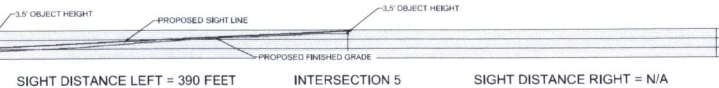
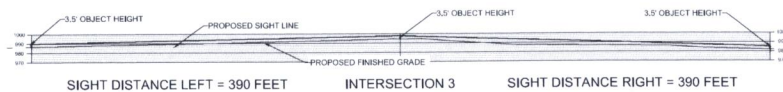
1. STREAMS AND WETLANDS ARE LOCATED ON THE SITE.
2. ALL DRAINAGE IS LOCATED ON THE SITE.
3. POWER TRANSMISSION LINE IS LOCATED ON THE SITE.
4. EXISTING UTILITIES ARE LOCATED ON THE SITE.
5. SEAS AND LOCATION OF PROPOSED STRUCTURES ARE INDICATED ON THE SITE PLAN.
6. SPEED LIMIT ON HOPKINS ROAD IS 35 MPH.
7. SPEED LIMIT ON MACCLAND ROAD IS 35 MPH.
8. WATER UTILITY PROVIDER IS COBB COUNTY.
9. SANITARY SEWER PROVIDER IS COBB COUNTY.
10. THIS CONCEPT PLAN VULNERABLE TO FLOOD HAZARD AREA. TOPOGRAPHY, SHADY, SANITARY SEWER.
11. THE HOUSES WILL MAINTAIN AND MANAGE ALL OF THE COMMON AREAS OF THE DRIVE, OPENING, INCLUDING FINANCIAL MANAGEMENT AND ENFORCEMENT OF COMMUNITY STANDARDS. ANY MODIFICATIONS OR NEW CONSTRUCTION WITHIN THE COMMUNITY MUST BE APPROVED BY AN ARCHITECTURAL REVIEW BOARD. THE BOARD WILL BE ESTABLISHED AND OPERATED BY THE DEVELOPER UNTIL SUCH TIME AS THE POWERS ARE TRANSFERRED TO THE HOUSING. PUBLIC STREETS WILL BE TURNED OVER TO THE COUNTY WHEREAS THE ALLEYS WILL BE PRIVATE AND WILL BE MAINTAINED BY THE HOUSES.
12. EXISTING STRUCTURES ON THE SITE ARE TO BE REMOVED.



24 HOUR CONTACT:
NEVILLE ALLISON
678-223-8978



SITE DATA	
SITE AREA	52.296 ACRES
FLOOD PLAIN & WETLANDS	6.444 ACRES
NET SITE AREA	45.852 ACRES
ZONING	
EXISTING ZONING	R-20
PROPOSED ZONING	R-20
ZONING JURISDICTION	COBB COUNTY
DEVELOPMENT	
DETACHED LOTS (MIN. 8' X 120' - 8' X 120' SF)	114 UNITS
MAXIMUM HEIGHT	25 FEET
NUMBER OF STORIES	TWO-STORY
MINIMUM UNIT SIZE	1,500 SF
PROPOSED DENSITY	2.69 UNITS PER ACRE
CONSTRUCTION STANDARDS SPECIFICALLY	
MINIMUM FRONT YARD SETBACK	10 FEET
MINIMUM SIDE YARD SETBACK	7.5 FEET
MINIMUM REAR YARD SETBACK	10 FEET
RULE DING SEPARATION	15 FEET
OPEN SPACE REQUIREMENTS	
LANDSCAPE PLANNING FOR BUFFER	20' SET
PERMANENT SETBACK	30 FEET
PARKING REQUIREMENTS	
GUEST PARKING	50 SPACES
AMENITY GUEST PARKING	10 SPACES
TOTAL GUEST PARKING	60 SPACES OR 60 SPACES PER UNIT



THE REVIVE LAND GROUP

SOURCE: ENTITLE, REVIVE.

ONE ALLIANCE CENTER
3500 LENOX ROAD
SUITE 625
ATLANTA, GEORGIA 30326
O: (678) 223-8978
WWW.THEREVIVELANDGROUP.COM

SOMERSET
AT
MACCLAND

A MASTER PLANNED
RESIDENTIAL DEVELOPMENT

3445 & 3455 MACCLAND
ROAD, 2442, 2445, 2448,
2505 & 2511 HOPKINS
ROAD
POWDER SPRINGS, GA
30127

LAND LOT: 498, 538, 539,
AND 572

DISTRICT: 19TH

COBB COUNTY
GEORGIA



SOURCE: ENTITLE, REVIVE.

ONE ALLIANCE CENTER
3500 LENOX ROAD
SUITE 625
ATLANTA, GEORGIA 30326
O: (678) 223-8978
WWW.THEREVIVELANDGROUP.COM

PROJECT NUMBER

24011



ALL INFORMATION IS FOR INFORMATION ONLY AND IS NOT TO BE USED FOR ANY OTHER PURPOSE.



JULY 9, 2025

CONCEPTUAL
SITE PLAN

PROJECT

Z-01

MOORE INGRAM JOHNSON & STEELE

A LIMITED LIABILITY PARTNERSHIP
WWW.MIJS.COM

MARIETTA, GEORGIA
EMERSON OVERLOOK
328 ROSWELL STREET
SUITE 100
MARIETTA, GEORGIA 30080
TELEPHONE (770) 429-1499

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

JACKSONVILLE, FLORIDA
10201 CENTURION PARKWAY N.
SUITE 401
JACKSONVILLE, FLORIDA 32256
TELEPHONE (904) 428-1485

BRENTWOOD, TENNESSEE
12 CADILLAC DRIVE
SUITE 200
BRENTWOOD, TENNESSEE 37027
TELEPHONE (615) 425-7347

LEXINGTON, KENTUCKY
2408 SIR BARTON WAY
SUITE 375
LEXINGTON, KENTUCKY 40509
TELEPHONE (859) 309-0026

ORLANDO, FLORIDA
1000 LEGION PLACE
SUITE 701
ORLANDO, FLORIDA 32801
TELEPHONE (407) 367-6233

HARRISBURG, PENNSYLVANIA
101 ERFORD ROAD
SUITE 300
CAMP HILL, PENNSYLVANIA 17011
TELEPHONE (717) 790-2854

FAIRFIELD, NEW JERSEY
185 PASSAIC AVENUE
SUITE 205
FAIRFIELD, NEW JERSEY 07004
TELEPHONE 201-602-4082

July 9, 2025

Via E-mail Only

Min. Bk. 100 Petition No. Z-10
Doc. Type letter
Meeting Date 7-15-2025

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 Rezoning - Application No. Z-10 (2025)
Applicant: The Revive Land Group, LLC
Property Owners: Ricardo Laredo; James Copeland;
 Judith Ann Howell; Vernamarie Truan;
 Alfred Geoffrey Alex Truan; Joyce Fabrie;
 Kymberly B. Matthews; Jon M. Howell; and
 Jimmy D. Walker
Property: 52.284 acres, more or less, located on the
 southerly side of Macland Road, easterly of
 Hopkins Road; the easterly side of Hopkins
 Road, southerly of Macland Road;
 northwesterly side of John Petree Road,
 easterly of Hopkins Road, being more
 particularly described as 2427, 2445, 2495,
 2505, and 2531 Hopkins Road and 3445 and
 3455 Macland Road, Land Lots 498, 538,
 539, 572, and 613, 19th District, 2nd Section,
 Cobb County, Georgia

Dear John:

The undersigned and this firm represent The Revive Land Group, LLC, as Applicant (hereinafter referred to as "Applicant"), and the Property Owners set forth in the Application for Rezoning and enumerated above (hereinafter collectively referred to as "Owners" or "Property Owners"), in their Application for Rezoning with regard to 52.284 acres, more or less, of real property located on the southerly side of Macland Road, easterly of Hopkins Road; the easterly side of Hopkins Road,

MOORE INGRAM JOHNSON & STEELE

Mr. John P. Pederson, AICP
Zoning Division Manager
Zoning Division
Cobb County Community Development Agency
Page 2 of 6
July 9, 2025

Petition No. Z-10
Meeting Date 7-15-2025
Continued

southerly of Macland Road; northwesterly side of John Petree Road, easterly of Hopkins Road, being more particularly described as 2427, 2445, 2495, 2505, and 2531 Hopkins Road and 3445 and 3455 Macland Road, Land Lots 498, 538, 539, 572, and 613, 19th District, 2nd Section, Cobb County, Georgia (hereinafter the "Property" or "Subject Property"). After meetings and discussions with Planning and Zoning Staff and various Cobb County Departmental Representatives, continuing discussions and meetings with area residents and homeowner representatives, reviewing the Departmental Comments and Staff Recommendations, reviewing the uses of surrounding properties, and following the presentation to and hearing before the Cobb County Planning Commission, 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 replace in full all prior letters of agreeable stipulations and conditions, and specifically those dated and submitted on April 28, 2025, and May 27, 2025. The proposed, revised stipulations are as follows:

- (1) Applicant seeks rezoning of the Subject Property from the current zoning category of R-20 to the proposed zoning category of Residential Senior Living ("RSL") (non-supportive), site plan specific to the revised Site Plan dated July 9, 2025, which is submitted as part of this revised stipulation letter. A reduced copy of the revised Site Plan is attached as Exhibit "A" and incorporated herein by reference.
- (2) The Subject Property consists of approximately 52.284 acres of total site area and shall contain a maximum of one hundred fourteen (114) homes for homeowners, age fifty-five (55) and older, pursuant to and in accordance with the Fair Housing Act.
- (3) The residences shall have a minimum of 1,500 square feet of heated and cooled living space.
- (4) The proposed residences shall be Traditional in style and architecture, with exterior façades consisting of brick, stone, stacked stone, cedar shake, board and batten, hardi-plank, cementitious siding, and/or combinations thereof with complementary accents.
- (5) Applicant agrees to the creation of a mandatory homeowners association consistent with RSL communities. The mandatory homeowners association shall be responsible for the upkeep and maintenance of all landscaping and landscaping maintenance of the amenity area, common areas, buffer areas, open space areas,

MOORE INGRAM JOHNSON & STEELE

Mr. John P. Pederson, AICP
Zoning Division Manager
Zoning Division
Cobb County Community Development Agency
Page 3 of 6
July 9, 2025

Petition No. 2-10
Meeting Date 7-15-2025
Continued

exterior yard areas around the residences, mail kiosk, gates, fencing, and the like contained within the proposed residential community.

- (6) Additionally, and in conjunction with the creation of the mandatory homeowners association, there shall be Declaration of Restrictive Covenants for the proposed community. The Restrictive Covenants shall be recorded in the Deed Records of Cobb County, Georgia, and shall contain covenants, rules, and regulations applicable to the residential community and consistent with the age restrictions of the RSL Ordinance. The mandatory association shall be responsible for the enforcement of the Covenants.
- (7) The yard areas around the residences shall be fully sodded by the Applicant and maintained by the mandatory homeowners association to be created through the Covenants applicable to the residential community.
- (8) Entrance signage for the proposed community shall be ground based, monument-style signage, and shall consist of brick, stone, stacked stone, stucco, or combinations thereof, with accents, complementary to materials used in the construction of the homes within the community. Lighting for the entrance signage shall be in-ground. The entrance landscaping shall be professionally designed and implemented, with final approval being included as part of the overall Landscape Plan. Maintenance of the entrance area shall be through the mandatory homeowners association as set forth in the Covenants.
- (9) The amenity areas will consist of, at a minimum, a clubhouse or pavilion, pool, activity courts, and open space/park areas.
- (10) Applicant agrees to install lighting in the mail kiosk shelter.
- (11) The setbacks for the proposed residential community shall be as more particularly shown and reflected on the Site Plan.
- (12) Detention areas shall be fenced, a minimum of six (6) feet in height. Landscaping for these areas shall be to the exterior of the fencing for purposes of visual screening. Final approval of the landscaping shall be included as part of the Landscape Plan for the proposed community.
- (13) All amenity lighting shall be environmentally sensitive, shoe-box luminaries so as to prevent light from penetrating outside Applicant's property.

MOORE INGRAM JOHNSON & STEELE

Mr. John P. Pederson, AICP
Zoning Division Manager
Zoning Division
Cobb County Community Development Agency
Page 4 of 6
July 9, 2025

Petition No. Z-10
Meeting Date 7-15-2025
Continued

- (14) Applicant agrees to a minimum twenty (20) foot landscaped or undisturbed buffer around the perimeter of the Property, excepting only on Hopkins Road, which shall have street frontage and entrance area landscaping. Areas not disturbed during development and construction may remain as undisturbed.
- (15) All landscaping referenced herein shall be approved by the Cobb County Arborist as part of the Plan Review and Permitting Process and incorporated into the overall landscape plan for the proposed community.
- (16) Minor modifications to the within stipulations, the referenced, revised Site Plan, lighting, signage, 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;
 - (e) Change an access location to a different roadway;
 - (f) Would be in direct contradiction or conflict with any of the stipulations of this rezoning;
 - (g) Would be in direct contradiction or conflict with Cobb County Code and Ordinances; or
 - (h) Would be in direct contradiction or conflict with any Staff Recommendations that were adopted into the final zoning decision.

MOORE INGRAM JOHNSON & STEELE

Mr. John P. Pederson, AICP
Zoning Division Manager
Zoning Division
Cobb County Community Development Agency
Page 5 of 6
July 9, 2025

Petition No. Z-10
Meeting Date 7-15-2025
Continued

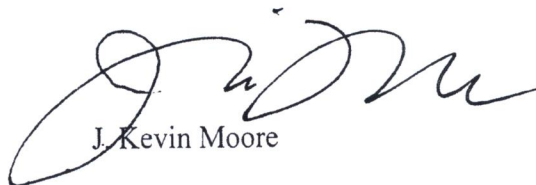
- (17) All setbacks, landscape, and buffer areas may be penetrated for purposes of fencing, access, utilities, and stormwater management; including, but not limited to, drainage and detention facilities, utilities, and any and all slopes or other required engineering features of the foregoing.
- (18) Applicant agrees to comply with all Cobb County Stormwater Management requirements applicable to the Subject Property.
- (19) Applicant agrees to comply with the Cobb County Water and Sewer Staff Comments and Recommendations.
- (20) After meetings and discussions with representatives of the Cobb County Department of Transportation, Applicant agrees to the most recent Comments and Recommendations of the Cobb County Department of Transportation, last revised June 16, 2025.

We believe the requested zoning, pursuant to the revised Site Plan and the revised stipulations set forth herein, is an appropriate use of the Subject Property while taking into consideration the existing conditions and use of the Property and the area neighborhoods. The proposed community shall be a quality development, providing a much needed and highly sought-after type of community within the Cobb County area. Additionally, the proposed community shall be compatible with surrounding developments and be an enhancement to the Subject Property. Thank you for your consideration in this request.

With kindest regards, I remain

Very truly yours,

MOORE, INGRAM, JOHNSON & STEELE, LLP



J. Kevin Moore

JKM:cc
Attachment

MOORE INGRAM JOHNSON & STEELE

Mr. John P. Pederson, AICP
Zoning Division Manager
Zoning Division
Cobb County Community Development Agency
Page 6 of 6
July 9, 2025

Petition No. Z-10
Meeting Date 7-15-2025
Continued

- c: Cobb County Board of Commissioners:
Lisa N. Cupid, Chairwoman
Erick Allen
JoAnn K. Birrell
Keli A. Gambrill
Monique Sheffield
(With Copy of Attachment)
- Terry L. Martin, AICP, CNU-A
Senior Planner
Zoning Division
Cobb County Community Development Agency
(With Copy of Attachment)
- The Revive Land Group, LLC
(With Copy of Attachment)



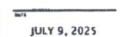
ONE ALLIANCE CENTER
3500 LENOX ROAD
SUITE 625
ATLANTA, GEORGIA 30326
O: (678) 223-8978
WWW.THEREVIVELANDGROUP.COM

A MASTER PLANNED
RESIDENTIAL DEVELOPMENT

LAND LOT 498, 538, 539,
AND 572
DISTRICT 19TH
COBB COUNTY
GEORGIA

SOURCE: ENTITLE: REVIVE.

05/16/20

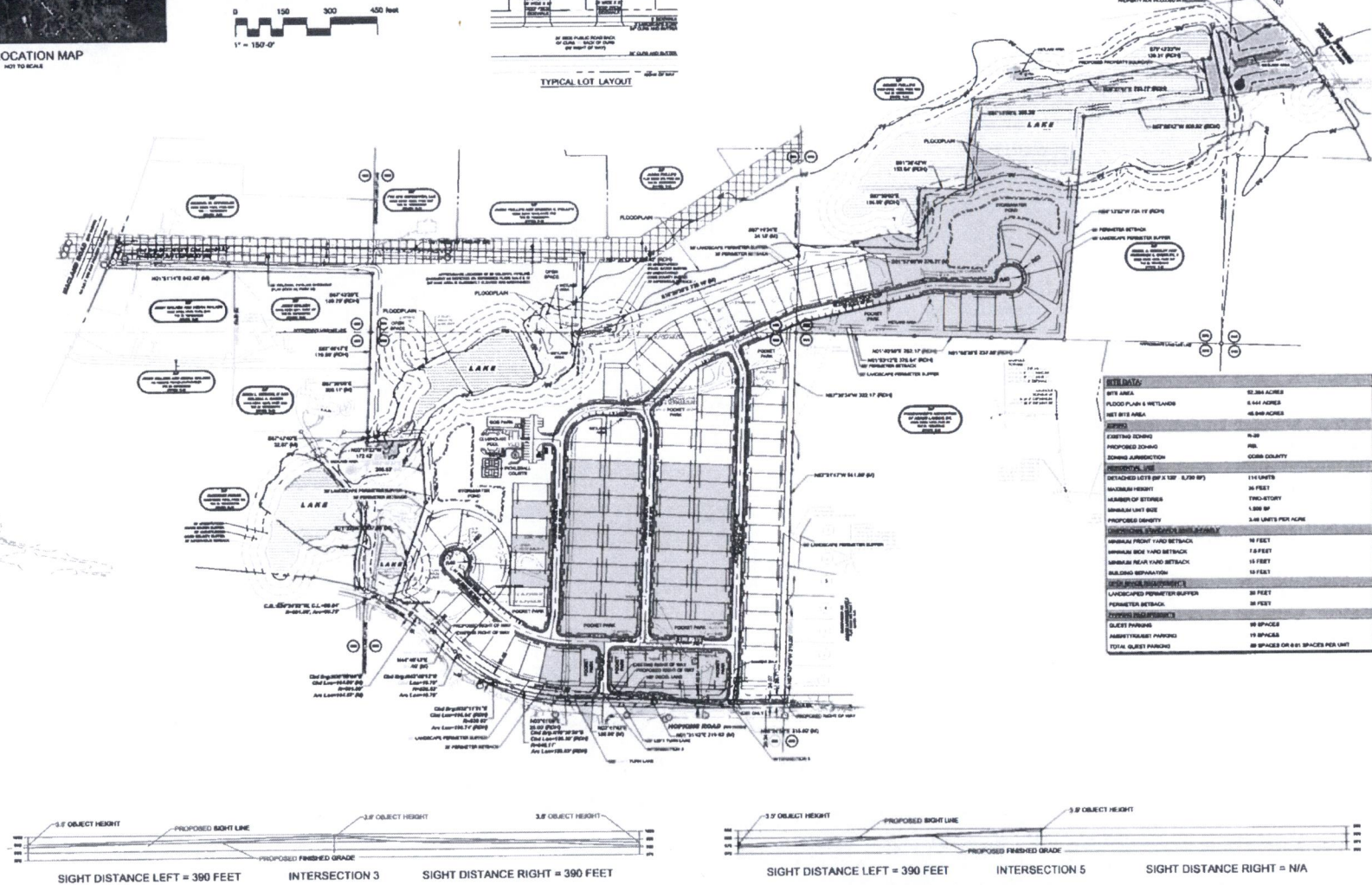
[illegible]

9-521

.....



1 STREAMS AND WETLANDS ARE LOCATED ON THE SITE.
2 FLOODPLAIN IS LOCATED ON THE SITE.
3 POWER TRANSMISSION LINE IS LOCATED ON THE SITE.
4 NO OBSTACLES ARE LOCATED ON THE SITE.
5 THE ROAD LOCATED ON THE SITE IS IDENTICAL AS INDICATED ON THE SITE PLAN.
6 SPEED LIMIT ON MAINLAND ROAD IS 80 MPH.
7 SPEED LIMIT ON HIGHWAY ROAD IS 20 MPH.
8 WATER UTILITIES PROVIDE TO THE COMMUNITY.
9 AIRPORT BEYOND PROPERTY IS CLOSE BY.
10 THE PROPERTY WILL UTILIZE ONE DATA FOR PLOTTING HAZARDOUS AREA, TOPOGRAPHY, SURVEY
11 THE HAZARDOUS WILL MAINTAIN AND ENFORCE ALL THE COMMON AREA OF THE
12 COMMUNITY AND ENFORCEMENT AND ENFORCEMENT OF COMMUNITY
13 STANDARDS. ANY MODIFICATIONS OR NEW CONSTRUCTION WITHIN THE COMMUNITY MUST
14 BE APPROVED BY THE COMMUNITY. THE COMMUNITY WILL BE RESPONSIBLE FOR THE
15 AND OPERATED BY THE DEVELOPERS. LOTS, SUCH AS THE POWER ARE TRANSPORTED
16 TO THE ROAD. PUBLIC STREETS WILL BE TURNED OVER TO THE COMMUNITY. THE
17 JUNCTIONS WILL BE RESPONSIBLE FOR THE HAZARDOUS AREA.
18 EXISTING STRUCTURES ON THE SITE ARE TO BE REMOVED.



Min. Bk. 100 Petition No. Z-10
Doc. Type Elevations

Meeting Date 7-15-2025



Petition No. Z-10
Meeting Date 7-15-2025
Continued



Petition No. Z-10
Meeting Date 7-15-2025
Continued



Petition No. Z-10
Meeting Date 7-15-2025
Continued



Petition No. Z-10
Meeting Date 7-15-2025
Continued





GARVIS L. SAMS, JR.
(1952-2025)
JOEL L. LARKIN
PARKS F. HUFF

SAMS, LARKIN & HUFF
A LIMITED LIABILITY PARTNERSHIP
SUITE 100
376 POWDER SPRINGS STREET
MARIETTA, GEORGIA 30064-3448

770•422•7016
TELEPHONE
770•426•6583
FACSIMILE

June 9, 2025

(STIPULATION LETTER)

VIA EMAIL

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

Min. Bk. 100 Petition No. Z-13
Doc. Type Letter
Meeting Date 7-15-2025

Re: Application of Alliance Residential Company to Rezone a 3.698-Acre Tract from RRC with Stipulations to RRC with Stipulations; Land Lots 949, 978 and 979 of the 17th District, 2nd Section, Cobb County, Georgia; (3200 Cobb Parkway); Z-13 of 2025

Dear John:

Alliance Residential Company ("Applicant") is proposing to redevelop an existing hotel property for a 300-unit multi-family apartment building on the southwesterly side of Cobb Parkway, northwest of Riverview Parkway (3200 Cobb Parkway). The proposal is to remove the existing hotel for the new multi-family residential building and parking deck. The application was heard and considered by the Cobb County Planning Commission on June 3, 2025 and they unanimously recommended approval. The case is scheduled to be heard and considered for final action by the Cobb County Board of Commissioners on June 17, 2025.

The Subject Property is a 3.698-acre tract of that has been utilized as a suite hotel since 1990. The Subject Property is within an area denominated as Regional Activity Center ("RAC") under Cobb County's Future Land Use Map ("FLUM") and it is currently zoned RRC. The property is developed as a hotel. A previous rezoning application was approved to convert the existing hotel into apartments. The current Applicant proposes to remove the hotel to construct a new multi-family apartment community. The Subject Property abuts property to the north zoned GC, property to the west zoned O&I, and properties to the south zoned RRC and O&I, all within the RAC future land use designation.

The county zoning staff has reviewed the application and recommended approval with stipulations that the applicant agrees to including all staff recommendations.



Petition No. Z-13
Meeting Date 7-15-2025
Continued

VIA EMAIL:

Mr. John P. Pederson, AICP, Manager
Cobb County Zoning Division
June 9, 2025
Page 2

During the pendency of this application, we have established a dialogue with the County's professional staff and area business and property owners. In that regard, this letter will serve as the Applicant's agreement to the following stipulations which shall become conditions and a part of the grant of the requested Rezoning and which shall be binding upon the Subject Property thereafter. The referenced stipulations are as follows, to wit:

1. The apartments will have all studio, one and two-bedroom units. There will be no three-bedroom or larger units.
2. The District Commissioner shall approve the final site plan and building elevations.
3. Compliance with recommendations from the Cobb County Department of Transportation that are contained in the staff analysis.
4. Compliance with directives from the Cobb County Fire Marshal's Office regarding Life, Safety and Fire Prevention issues.
5. Subject to recommendations from the Stormwater Management Division with respect to detention, hydrology, stormwater management, water quality and downstream considerations. This stipulation includes recommendations regarding the ultimate location and configuration of on-site detention and water quality.
6. Variance for parking ratio of 1.5 per unit as noted in the staff analysis.
7. Applicant agrees that 10% of the parking spaces will be prewired for a level 2 or higher level automobile charging.
8. The existing trees along the northern property line shall be preserved if possible given engineering limitations and after an evaluation of the trees by an arborist.
9. Minimum unit size of 500 square feet.
10. The driveway closest to Cobb Parkway will be limited to emergency access only with control via a Knox Box or other approved device.
11. The District Commissioner shall have the authority to approve minor modifications as this development proposal proceeds through the Plan Review process and thereafter, except for those that:



Petition No. Z-13
Meeting Date 7-15-2025
Continued

VIA EMAIL:

Mr. John P. Pederson, AICP, Manager
Cobb County Zoning Division
June 9, 2025
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- a. Reduce the size of an approved buffer adjacent to property which is zoned in a more restrictive zoning district.
- b. Relocate a structure closer to the property line to an adjacent property which is zoned in a more restrictive zoning district.
- c. Increase the height of a building adjacent to property which is zoned in a more restrictive zoning district.
- d. Change access location to different roadways.
- e. Seek Variances to provisions of the Cobb County Zoning Ordinance.

Please do not hesitate to contact me should you have any questions or need any additional documentation prior to this application being heard and considered by the Planning Commission and the Board of Commissioners next month.

With kind regards, I am

Sincerely,

SAMS, LARKIN & HUFF, LLP

A handwritten signature in black ink, appearing to read "Parks F. Huff".

Parks F. Huff

PFH/dsj

cc: ON FOLLOWING PAGE



Petition No. Z-13
Meeting Date 7-15-2025
Continued

VIA EMAIL:

Mr. John P. Pederson, AICP, Manager
Cobb County Zoning Division
June 9, 2025
Page 4

cc: Members, Cobb County Board of Commissioners (via email)
Members, Cobb County Planning Commission (via email)
Dr. Jackie McMorris, County Manager (via email)
Board of Commissioners Assistants (via email)
Ms. Jessica Guinn, AICP, Director (via email)
Mr. Terry Martin, AICP, CNU-A, Senior Planner (via email)
Mr. Cameron Jones, MCRP, CNU-A, Planner III (via email)
Ms. Jessica Berman, Planner I (via email)
Ms. Pam Mabry, County Clerk (via email)
Ms. Robin Stone, Deputy County Clerk (via email)
Ms. Leila Washington, Deputy County Clerk (via email)
Mr. Jeff Byrd, Fire Marshal's Office (via email)
Ms. Ligia Florim, Cobb DOT (via email)
Mr. Andrew Heath, P.E., Stormwater Management Division (via email)
Mr. Wilson Collins, P.E., Engineer, Water System (via email)
Mr. Carter Brehm, Alliance Residential Company (via email)
Mr. Noah Randall, Alliance Residential Company (via email)
Mr. Austin Steele, Alliance Residential Company (via email)
Mr. Chris Harrell, Summit Engineering Consultants, Inc. (via email)
Mr. Derek Groninger, Summit Engineering Consultants, Inc. (via email)

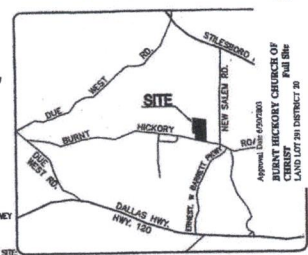
24 HOUR CONTACT: DAVID SULLIVAN (404) 294-0599

Construction Narrative

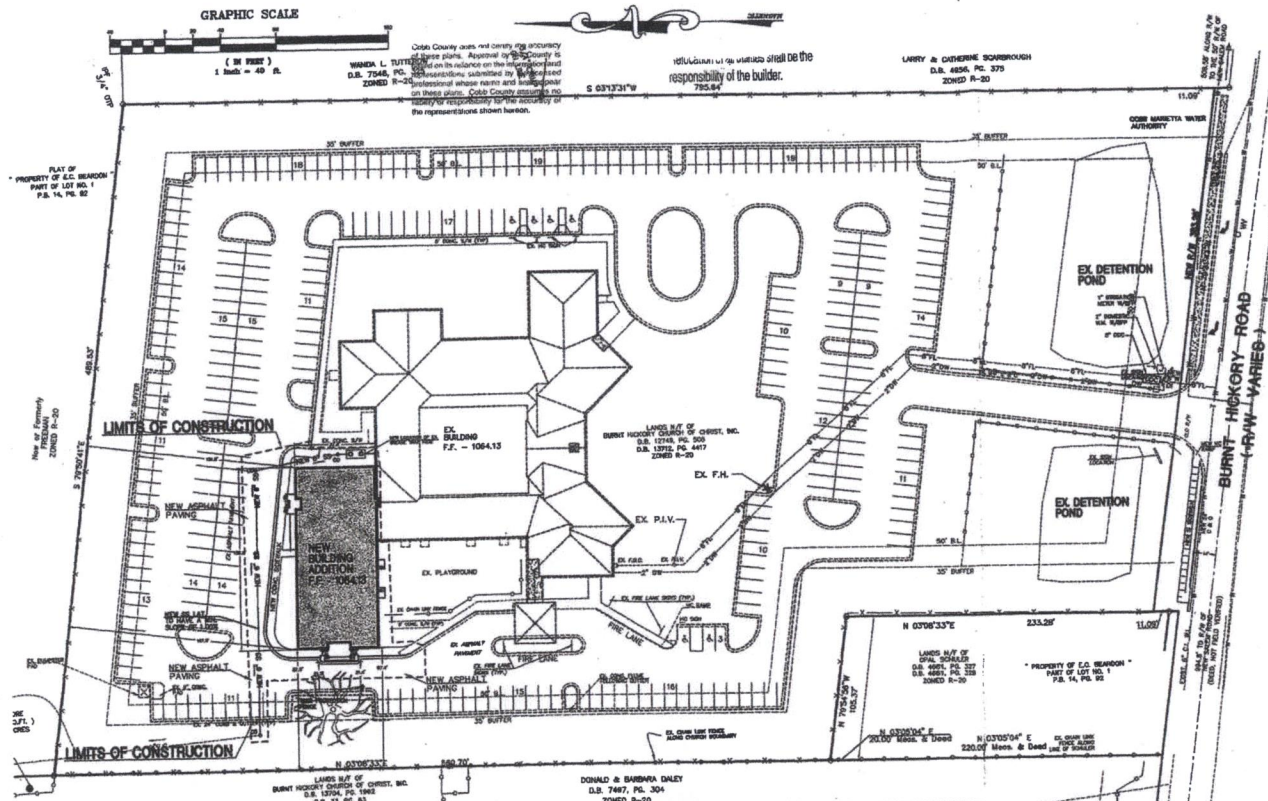
THE PROPOSED CONSTRUCTION PLANS CALL FOR THE CONSTRUCTION OF A NEW ADDITION OF APPROXIMATELY 7,000 S.F.

Site Notes:

1. THE SITE CONTAINS 8.3 ACRES AND IS ZONED: R-20 (TYP. LOT SIZE: 1/2 ACRE).
2. THE PROPOSED PLANS CALL FOR THE CONSTRUCTION OF: A BUILDING ADDITION WITH REMOVAL OF SOME PAVING.
3. THE BOUNDARY AND TOPOGRAPHIC INFORMATION SHOWN BASED ON SURVEY PERFORMED BY: [Redacted] & Associates FOR: Burnt Hickory Church of Christ.
4. THE SOURCE OF TOPOGRAPHIC ELEVATION BENCHMARK INFORMATION FOR SITE CONSTRUCTION DATUM IS: 1070.0 (AS 2025.0) TO ELEVATIONS SHOWN ON THESE PLANS. DATUM BASED ON: USGS 100' Cont. Cont. Intersection of Highway 100 & Burnt Hickory Rd. 2025.0
5. THE SITE IS NOT LOCATED WITHIN A 100 YEAR FLOOD HAZARD AREA FOR FLOOD, COBB COUNTY, GEORGIA. INCORPORATED INTO COMMUNITY PANEL NO. 1300070000. F. PANEL NO. 50 OF 100. PANEL BEARS AN EFFECTIVE DATE OF AUGUST 16, 1992. THIS SITE LIES WITHIN THE LIMITS OF ZONE "V".
6. THE UTILITIES SHOWN ON THE PLANS ARE SHOWN FOR THE CONTRACTOR'S CONSIDERATION. THE ENGINEER ASSUMES NO RESPONSIBILITY FOR THE LOCATION, DEPTH, MATERIALS OR DEPTH FOR THE UTILITIES SHOWN ON THE UTILITIES WHICH MAY EXIST ON THE SITE BUT ARE NOT SHOWN. THE CONTRACTOR SHALL HAVE THE RESPONSIBILITY TO VERIFY THE LOCATION OF ALL UTILITIES SHOWN ON THE PLANS AND REPORT ANY DISCREPANCIES TO THE ENGINEER OF RECORD. THE CONTRACTOR SHALL ALSO HAVE THE RESPONSIBILITY BEFORE STARTING ANY WORK TO HAVE SUCH EXPLORATIONS AND PROCEED NECESSARY TO ACCOMMODATE ANY SINKER LINES, WATER SUPPLY LINES, GAS LINES, ELECTRICAL LINES, CABLE LINES, TELEPHONE LINES, OR OTHER UTILITY LINES.
7. CONTRACTOR SHALL CONTACT THE UTILITY LOCATOR AS REQUIRED BY GEORGIA LAW AND HAVE ALL UTILITIES MARKED PRIOR TO ANY CONSTRUCTION ACTIVITY. CONTRACTOR WILL HAVE PRIVATE UTILITY LOCATOR LOCATE ALL UTILITIES WITHIN THE CONSTRUCTION LIMITS NOT COVERED BY THE UTILITY PROTECTION CENTER.
8. THE CONTRACTOR SHALL IMMEDIATELY NOTIFY THE OWNER OF ANY DISCREPANCIES OR ERRORS THAT HE MAY DISCOVER IN THESE PLANS.
9. CONTRACTOR TO PROVIDE ALL NECESSARY BARBERS, CHAINS, LIGHTS, AND OTHER INSTALLATIONS REQUIRED TO PROTECT PERSONS AND PROPERTY DURING THE ENTIRE CONSTRUCTION PROCESS.
10. ALL CONSTRUCTION MUST CONFORM TO THE APPROPRIATE CITY, COUNTY, AND STATE STANDARDS.
11. PARKING REQUIREMENTS FOR THE SITE ARE AS FOLLOWS:
TOTAL EX. PARKING PROVIDED: 313 INCLUDING 8 HANDICAP
540 SQUARE FEET PER 100 S.F.
12. ALL DIMENSIONS ARE TO THE FACE OF CURB UNLESS OTHERWISE NOTED.
13. BUILDING FOUNDATION & LAYOUT SHALL BE COORDINATED USING ARCHITECTURAL ARCHITECTURAL DRAWINGS.
14. ARCHITECTURAL DRAWINGS TAKE PRECEDENCE OVER CIVIL DRAWINGS CONCERNING FOUNDATIONS AND ALIGNMENT WITH EXISTING STRUCTURES.
15. ALL LANDSCAPE ISLANDS WITH CURB & GUTTER SHALL BE FORMED & CONSTRUCTED PRIOR TO ANY BASE & ASPHALT DRIVE PLACEMENT. LANDSCAPE ISLANDS WILL NOT BE FORMED BY CUTTING OUT ASPHALT & AGGREGATE BASE.
16. ON SITE DRAINAGE TO BE PROVIDED BY OWNER.
17. PAVEMENT MARKING PAINT TO MEET GA. DOT SPECIFICATIONS FOR CENTERLINE, TRAFFIC LINES, DIRECTION ARROWS, STOP MARKS, PARKING STRIPS, ETC.
18. CONTRACTOR TO COORDINATE W/ APPROPRIATE ELECTRICAL SERVICE PROVIDER FOR INSTALLATION OF SITE LIGHTING.
19. UNDERGROUND UTILITIES SERVING OR CROSSING THE PROPOSED MAY EXIST THAT ARE NOT SHOWN. ENGINEER ENGINEERING IS UNABLE TO DETERMINE THE LOCATION OR COMPLETENESS OF THE UTILITIES INFORMATION SHOWN. ALL UNDERGROUND UTILITY LOCATIONS MUST BE FIELD VERIFIED PRIOR TO ANY CONSTRUCTION ACTIVITY BY THE UTILITY PROTECTION CENTER AT 1-800-282-7411 FOR PRIOR OF ANY AREA AND BY A PRIVATE UTILITY LOCATOR FOR UTILITIES NOT LOCATED WITHIN THE RIGHT OF WAY.
20. THE CONSTRUCTION MUST OBTAIN ALL NECESSARY LAKE OR ROAD CLOSURE PERMITS BEFORE ANY WORK DONE IN THE RIGHT OF WAY AFFECTING TRAFFIC.



Location Map
N.T.S.



Fire Notes

1. FIRE LANE SIGNS SHALL BE PAINTED TO READ "TWO PARKING FIRE LANE" LETTERS SHALL NOT BE LESS THAN 2 INCHES IN HEIGHT. ONE SIGN SHALL BE POSTED AT THE BEGINNING OF THE FIRE LANE AND ONE AT THE END OF THE FIRE LANE WITH SIGNS NOT MORE THAN 50 FEET APART. SIGNS SHALL NOT BE MORE THAN 4 FEET FROM EDGE OF CURB AND SHALL BE VISIBLE FROM BOTH DIRECTIONS OF TRAVEL. HEIGHT OF SIGN FACE AS MEASURED FROM BOTTOM OF SIGN DIRECTION OF TRAVEL SHALL BE LESS THAN 4 FEET FOR MORE THAN 7 FEET FROM GROUND LEVEL. TOP LINES 20 TO 30 FEET IN HEIGHTS AND SIGNS WILL BE REQUIRED BOTH SIDES. CURBING OR LINEAGE DELINEATING FIRE LANE SHALL BE PAINTED RED. THE TOP AND FACE OF THE CURB SHALL BE PAINTED.
2. NO DRIVING WILL BE ALLOWED ON SITE.

NOTES

1. PRIVATE ROADS - ANY HYDRAULIC OR OTHER SIDE OF WATER METER MUST BE INSPECTED BY FIRE MARSHAL'S OFFICE.
2. THE COBB COUNTY CEMETERY PRESERVATION COMMISSION RESERVES THE RIGHT TO EXAMINE THIS PROPERTY FOR ETHNIC, CULTURAL, AND RELIGIOUS EVIDENCE LOCATED THEREIN. IF ANY ETHNIC, CULTURAL, OR RELIGIOUS EVIDENCE IS FOUND DURING DEVELOPMENT, THEN THE COBB COUNTY CEMETERY PRESERVATION COMMISSION MUST BE NOTIFIED AT ONCE AT (770) 523-2025. FAILURE TO DO SO MAY RESULT IN A STOP-WORK ORDER.

Legend

OVERALL SITE PLAN
DEMOLITION PLAN
GRADING & DRAINAGE PLAN
UTILITY PLAN
EROSION CONTROL PLAN
EROSION CONTROL DETAILS
SEWER PROFILES
DETAILS
THREE PROTECTION PLAN

Sheet

0-1
0-2
0-3
0-4
0-5
0-6
0-7
0-8
0-9

REVISIONS

NO.	DATE	DESCRIPTION
1	6-30-23	AS SHOWN
2	6-30-23	AS SHOWN
3	6-30-23	AS SHOWN
4	6-30-23	AS SHOWN
5	6-30-23	AS SHOWN
6	6-30-23	AS SHOWN
7	6-30-23	AS SHOWN
8	6-30-23	AS SHOWN
9	6-30-23	AS SHOWN
10	6-30-23	AS SHOWN

Owner / Developer

BURNT HICKORY CHURCH OF CHRIST
2330 Burnt Hickory Rd.
Marietta, GA 30064
678-354-2814

Civil Engineer

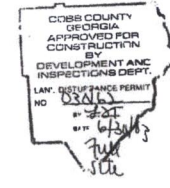
brewer engineering
1275 English Road
Kennesaw, GA 30144
770-794-7913 fax

SHEET NO.

C-1

TREE / LANDSCAPE PLAN APPROVAL

This plan is in compliance with all tree preservation and landscaping requirements of the Cobb County Ord. If any changes must be made due to plant availability, the contractor or other person in a similar position to submit a tree preservation plan to the Cobb County Planning Department for review and approval before the contractor can commence work. Failure to obtain this approval will result in a delay in the project and a fine of \$100 per day.



COBB COUNTY FIRE MARSHAL'S OFFICE
APPROVED
DATE: 6-30-23
ANY VARIATION FROM THIS PLAN SHALL REQUIRE REVISED DRAWINGS AND RESUBMIT FOR APPROVAL

COBB COUNTY WATER SYSTEM

DATE: 6-30-23

APPROVED: [Signature]

DATE: 6-30-23

ANY VARIATION FROM THIS PLAN SHALL REQUIRE REVISED DRAWINGS AND RESUBMIT FOR APPROVAL

