

# MOORE INGRAM JOHNSON & STEELE

A LIMITED LIABILITY PARTNERSHIP  
WWW.MIJS.COM

**MARIETTA, GEORGIA**  
EMERSON OVERLOOK  
326 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**  
5300 MARYLAND WAY  
SUITE 200  
BRENTWOOD, TENNESSEE 37027  
TELEPHONE (615) 425-7347

**LEXINGTON, KENTUCKY**  
771 CORPORATE DRIVE  
SUITE 430  
LEXINGTON, KENTUCKY 40503  
TELEPHONE (859) 309-0026

**ORLANDO, FLORIDA**  
7380 WEST SAND LAKE ROAD  
SUITE 500  
ORLANDO, FLORIDA 32819  
TELEPHONE (407) 367-6233

**HARRISBURG, PENNSYLVANIA**  
3909 HARTZDALE DRIVE  
SUITE 901  
CAMP HILL, PENNSYLVANIA 17011  
TELEPHONE (717) 790-2854

March 31, 2021

*Via E-mail Only*

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

RE:           Application for Rezoning - Application No.: Z-72 (2020)  
                  Applicant:       North Point Ministries, Inc.  
                  Property Owners:   The 'True Vine' Experience Foundation,  
  Inc.; Hanna Land Company, Inc.; and  
  Sara M. Sweeney  
                  Property:       33.13 acres, more or less, located on the  
  southerly side of Shallowford Road, the  
  westerly side of Johnson Ferry Road, the  
  northerly and southerly sides of Waterfront  
  Drive, and the easterly side of Waterfront  
  Circle, Land Lots 466, 467, 470, and 471,  
  16<sup>th</sup> District, 2<sup>nd</sup> Section, Cobb County,  
  Georgia

Dear John:

The undersigned and this firm represent North Point Ministries, Inc., the Applicant (hereinafter referred to as "Applicant"), and the Property Owners, The 'True Vine' Experience Foundation, Inc.; Hanna Land Company, Inc.; and Sara M. Sweeney (hereinafter collectively referred to as "Owners" or "Property Owners"), in the above-referenced Application for Rezoning with regard to combined tracts totaling 33.13 acres, more or less, located on the southerly side of Shallowford Road, the westerly side of Johnson Ferry Road, the northerly and southerly sides of Waterfront Drive, and the easterly side of Waterfront Circle, Land Lots 466, 467, 470, and 471,

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16<sup>th</sup> District, 2<sup>nd</sup> Section, Cobb County, Georgia (hereinafter referred to as the “Property” or the “Subject Property”). After meetings and continuing discussions with County Staff, following ongoing meetings and discussions with area residents and homeowner representatives, reviewing the Departmental Comments and Staff Recommendations; and reviewing the uses of surrounding properties, we have been authorized by the Applicant to submit this 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. 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 Departmental Comments and Staff Recommendations relating to the Subject Property from any prior zoning actions.
- (2) Rezoning of the Subject Property shall be from the existing zoning classifications of Neighborhood Retail Commercial (“NRC”), Low Rise Office (“LRO”), and R-20 to the proposed zoning classifications of Low Rise Office (“LRO”), Neighborhood Retail Commercial (“NRC”), and Fee Simple Townhome (“FST”), site plan specific to the revised Concept Rezoning Plan (“Zoning Plan”) prepared for Applicant by AEC, Inc. dated October 1, 2020, last revised February 19, 2021, and previously submitted electronically to the Cobb Zoning Division. A reduced copy of the revised Zoning Plan is attached as Exhibit “A” and incorporated by reference.
- (3) The Subject Property is comprised of a total of 33.13 acres, more or less, with the proposed rezoning of the Property as follows:
  - (a) Approximately 11.23 acres proposed for rezoning to the LRO zoning classification;
  - (b) Approximately 3.79 acres proposed for rezoning to the NRC zoning classification; and
  - (c) Approximately 18.11 acres proposed for rezoning to the FST zoning classification for use as residential townhomes.

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## **PROPOSED LRO DEVELOPMENT**

- (1) Approximately 11.23 acres of the Subject Property shall be rezoned from its existing zoning classifications to the proposed Low Rise Office (“LRO”) zoning classification.
- (2) Applicant proposes construction of a maximum 150,000 square foot Church building, to include a worship center; classrooms and offices related to the Church ministry; multi-purpose rooms for Church activities and functions.
- (3) Lighting for the Church campus shall be environmentally sensitive, decorative, and themed to the architecture and style of the buildings, as allowed by the power provider.
- (4) The entrance areas, together with all islands and planted areas, park area, plaza areas, and streetscape areas along Shallowford Road will be professionally designed, landscaped, and maintained, and shall be substantially similar to the perspective attached as Exhibit “B.”
- (5) Setbacks for the Church campus shall be as more particularly shown and delineated on the referenced, revised Zoning Plan.
- (6) As shown on the revised Zoning Plan, there shall be established a Park Area for the enjoyment of guests and the community. The Park Area shall be passive, but functional, with appropriate landscaping and hardscape features such as benches.
- (7) 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.
- (8) 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.
- (9) All landscaping referenced herein; including, but not limited to, the frontage, entrance area, and open space areas, shall be approved by the Cobb County

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Arborist as part of the Plan Review Process and incorporated into the overall landscape plan for the proposed community.

- (i0) All construction and employee vehicles and equipment will be parked, and otherwise located on, the Subject Property during development of infrastructure and construction of buildings, and shall not be parked on or along Shallowford Road, Johnson Ferry Road, or any nearby residential streets.
- (11) Applicant proposes the construction of a professional office building, as shown and reflected on the referenced Site Plan, at the westernmost end of the LRO portion of the proposed development. Architectural elevations shall compatible and consistent with the architectural design and theme of the proposed Church building.

## **PROPOSED FST DEVELOPMENT**

- (1) Approximately 18.11 acres of the Subject Property shall be rezoned from its existing zoning classifications to the proposed zoning classification of FST, site plan specific to the Zoning Plan previously referenced, and shall be developed for a residential community containing a maximum of one hundred ten (110) residences.
- (2) Proposed lots 23 and 24, located on Waterfront Circle, as shown and reflected on the referenced Zoning Plan, shall remain as “single-family” residential lots and development of the proposed lots shall be adjusted as follows:
  - (a) Reconfiguration of side lot lines for realignment of right-of-way;
  - (b) Setbacks for proposed lots 23 and 24 to be maintained at current R-20 standards for consistency with existing neighborhood; and
  - (c) Existing residences, if to remain, are grandfathered for current conditions and setbacks.
- (3) The proposed townhomes shall be Traditional and Craftsman in style and architecture, shall be a maximum of three (3) stories in height, and shall have

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facades consisting of brick, stone, stacked stone, cedar shake shingles, board and batten, cementitious siding, and combinations thereof, with complementary accents.

- (4) The units shall have two-car garages. No garage areas within the proposed townhome community shall be converted into heated living space for the units. The driveway pads in front of the garages shall be of sufficient size to park two (2) full-size automobiles. Such restriction shall also be included within the Declaration of Covenants, Easements, and Restrictions for the proposed community.
- (5) The proposed townhomes shall have a minimum of 2,000 square feet.
- (6) 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 Declaration of Covenants, Easements, and Restrictions.
- (7) Applicant agrees to the recording and enforcement of a Declaration of Covenants, Easements, and Restrictions which shall contain covenants, rules, and regulations applicable to the proposed townhome community.
- (8) Additionally, and in conjunction with the Declaration of Covenants, Easements, and Restrictions, 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, amenity, parks and open space, stormwater management landscape areas, general landscaped areas, mail kiosk, private streets, fencing, and the like contained within the community.
- (9) The yard areas around each unit shall be fully sodded, except for landscape areas, and maintained by the mandatory homeowners association to be created through the Declaration of Restrictive Covenants applicable to the proposed community.
- (10) Street lighting within the proposed community shall be environmentally sensitive, decorative, and themed to the architecture and style of the proposed townhomes, as allowed by the power provider.

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- (11) Setbacks for the proposed community shall be as shown and delineated on the referenced, revised Zoning Plan.
- (12) Amenities for the proposed community shall consist of a pool and cabana. Additionally, there shall be a central green and pocket park areas; together with linear parks and walking paths, which shall be for passive recreational uses and enjoyment of all residents.
- (13) There shall be internal sidewalks within the proposed townhome community, as more particularly shown and reflected on the referenced, revised Zoning Plan, which shall provide connectivity to existing sidewalks along Johnson Ferry Road.
- (14) The proposed townhome community shall have private streets and Applicant shall have the option of installing gates at the entrances in accordance with Cobb County Ordinances and Regulations. Construction of the private streets shall comply in all respects as to materials and base with Cobb County Code.
- (15) All construction and employee vehicles and equipment will be parked, and otherwise located, on the Subject Property during development of infrastructure and construction of residences, and shall not be parked on or along Johnson Ferry Road, Waterfront Circle, or streets located within neighboring subdivisions. There will be no stacking of vehicles along any roadway waiting for entry onto the Subject Property.
- (16) There shall be an additional ten (10) foot landscape buffer along the Property adjoining all residentially zoned properties, as shown and reflected on the referenced, revised Zoning Plan.
- (17) All landscaping referenced herein; including, but not limited to, the frontage, entrance area, island areas, pocket parks, amenity areas, and open space 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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## **PROPOSED NRC DEVELOPMENT**

- (1) Approximately 3.79 acres of the Subject Property shall be developed to the NRC zoning category, as shown and reflected on the referenced, revised Zoning Plan.
- (2) Specific stipulations shall be reserved until such time as the use of such parcels is specified.
- (3) The proposed use and stipulations related to the NRC portion of the proposed overall development shall be returned to the Board of Commissioners for approval through an "Other Business" Application.

## **STIPULATIONS FOR OVERALL DEVELOPMENT**

- (1) Minor modifications to the within stipulations, the referenced, revised Zoning Plan, lighting, landscaping, architecture, site features, signage, 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;

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- (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.
- (2) The existing stormwater management area on the Subject Property, as shown and reflected on the Zoning Site Plan, shall be utilized for the proposed overall development. Additionally, a fifty (50) foot Cobb County undisturbed stream bank buffer and a twenty-five (25) foot State of Georgia undisturbed stream buffer; as well as, a seventy-five (75) foot impervious buffer, shall be established, as shown and reflected on the referenced, revised Zoning Site Plan.
  - (3) Applicant agrees to comply with all Cobb County Stormwater Management requirements applicable to the Subject Property; except as may be modified or waived by the Director of Cobb County Stormwater Management Division.
  - (4) 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.
  - (5) All setbacks, landscape, and buffer areas may be penetrated for purposes of access, utilities, and stormwater management; including, but not limited to, drainage and detention facilities and any and all slopes or other required engineering features of the foregoing. Any disturbed area shall be restored with comparable plantings as allowed by Cobb County or any utility provider.
  - (6) Applicant agrees to the Cobb County Department of Transportation Comments and Recommendations, except as may be waived or modified by the Director of the Cobb County Department of Transportation.
  - (7) Applicant agrees its stormwater management plans shall include analysis of two-year, five-year, ten-year, twenty-five-year, fifty-year and one hundred-year (24-hour) storms and ensure that peak discharge from the site during each of these storms will not exceed undeveloped conditions (forest/woods condition) from the site.



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- (8) During the Plan Review Process, and prior to issuance of the Land Disturbance permit, Applicant shall provide the stormwater management plans to the East Spring Subdivision Homeowners Association, to include calculations and specific assumptions incorporated into the plans, erosion control plans, and the detailed hydrological report. Such plans will be provided for review and an opportunity for input only.
- (9) Applicant agrees that it will be responsible for any downstream impacts occurring in the East Spring Subdivision resulting directly from its development activities in accordance with applicable law, statutes, and ordinances.
- (10) Applicant agrees to conduct a pre-and post-development siltation study of the downstream lake located in the East Spring Subdivision. The results of both studies shall be provided to the East Spring Homeowners Association.

We believe the development of the components of this project, pursuant to the revised Zoning Plan and the stipulations set forth herein, is an appropriate use of the Subject Property. Applicant has worked tirelessly with not only County Staff, but also with surrounding neighborhoods and community representatives, to address and mitigate concerns related to the project, which is evident in the revised Site Plan. North Point Church will offer North and East Cobb residents opportunities for worship and learning, both in person and remotely, and will certainly be a “good neighbor” and stellar example of service to the North and East Cobb communities. Additionally, the proposed residential community will allow for redevelopment of aged, rental properties to a quality, attractive residential community. Improvements proposed for infrastructure and the design and connectivity of sidewalks and roadways for the overall development addressed concerns and allow for the components of the project to blend and harmonize with the surrounding commercial and residential neighborhoods. The overall development will certainly be an enhancement to the Subject Property and the East Cobb Community as a whole. Thank you for your consideration in this request.

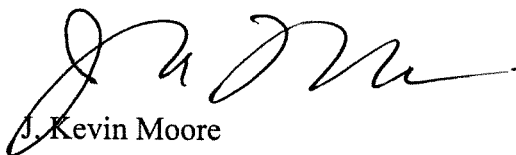
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Mr. John P. Pederson, AICP  
Zoning Division Manager  
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March 31, 2021

With kindest regards, I remain

Very truly yours,

MOORE, INGRAM, JOHNSON & STEELE, LLP



J. Kevin Moore

JKM:cc

Attachments

c: Cobb County Board of Commissioners:

Lisa N. Cupid, Chairwoman

JoAnn Birrell

Keli A. Gambrill

Jerica Richardson

Monique Sheffield

(With Copies of Attachments)

Cobb County Planning Commission

Galt Porter, Chairman

Fred Beloin

Deborah Dance

Alice Summerour

Anthony Waybright

(With Copies of Attachments)

Jessica Guinn, Director

Cobb County Community Development Agency

(With Copies of Attachments)

Jeannie Peyton

Senior Planner

Zoning Division

Cobb County Community Development Agency

(With Copies of Attachments)

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Mr. John P. Pederson, AICP  
Zoning Division Manager  
Zoning Division  
Cobb County Community Development Agency  
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c: North Point Ministries, Inc.  
(With Copies of Attachments)



**AEC**  
ARCHITECTURAL ENGINEERING CONSULTANTS  
1000 N. W. Peachtree Street, N.W.  
Atlanta, Georgia 30309  
Tel: 404.525.1234  
Fax: 404.525.1235

NO.	DATE	DESCRIPTION
1	02/15/11	PRELIMINARY PLANS
2	04/15/11	REVISIONS
3	06/15/11	REVISIONS
4	08/15/11	REVISIONS
5	10/15/11	REVISIONS
6	12/15/11	REVISIONS
7	02/15/12	REVISIONS
8	04/15/12	REVISIONS
9	06/15/12	REVISIONS
10	08/15/12	REVISIONS
11	10/15/12	REVISIONS
12	12/15/12	REVISIONS
13	02/15/13	REVISIONS
14	04/15/13	REVISIONS
15	06/15/13	REVISIONS
16	08/15/13	REVISIONS
17	10/15/13	REVISIONS
18	12/15/13	REVISIONS
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21	06/15/14	REVISIONS
22	08/15/14	REVISIONS
23	10/15/14	REVISIONS
24	12/15/14	REVISIONS
25	02/15/15	REVISIONS
26	04/15/15	REVISIONS
27	06/15/15	REVISIONS
28	08/15/15	REVISIONS
29	10/15/15	REVISIONS
30	12/15/15	REVISIONS

**CONTRACT NO.** 1111  
**PROJECT NO.** 1111  
**PROJECT NAME** NORTH POINT MINISTRIES  
**OWNER** NORTH POINT MINISTRIES, LLC  
**DESIGNED BY** BRADFIELD & ASSOCIATES, INC.  
**DATE** 08/15/14

**CONCEPT REZONING PLAN**  
NORTH POINT MINISTRIES  
NORTH POINT MINISTRIES, LLC  
EAST COBB CAMPUS  
COBB COUNTY, GEORGIA

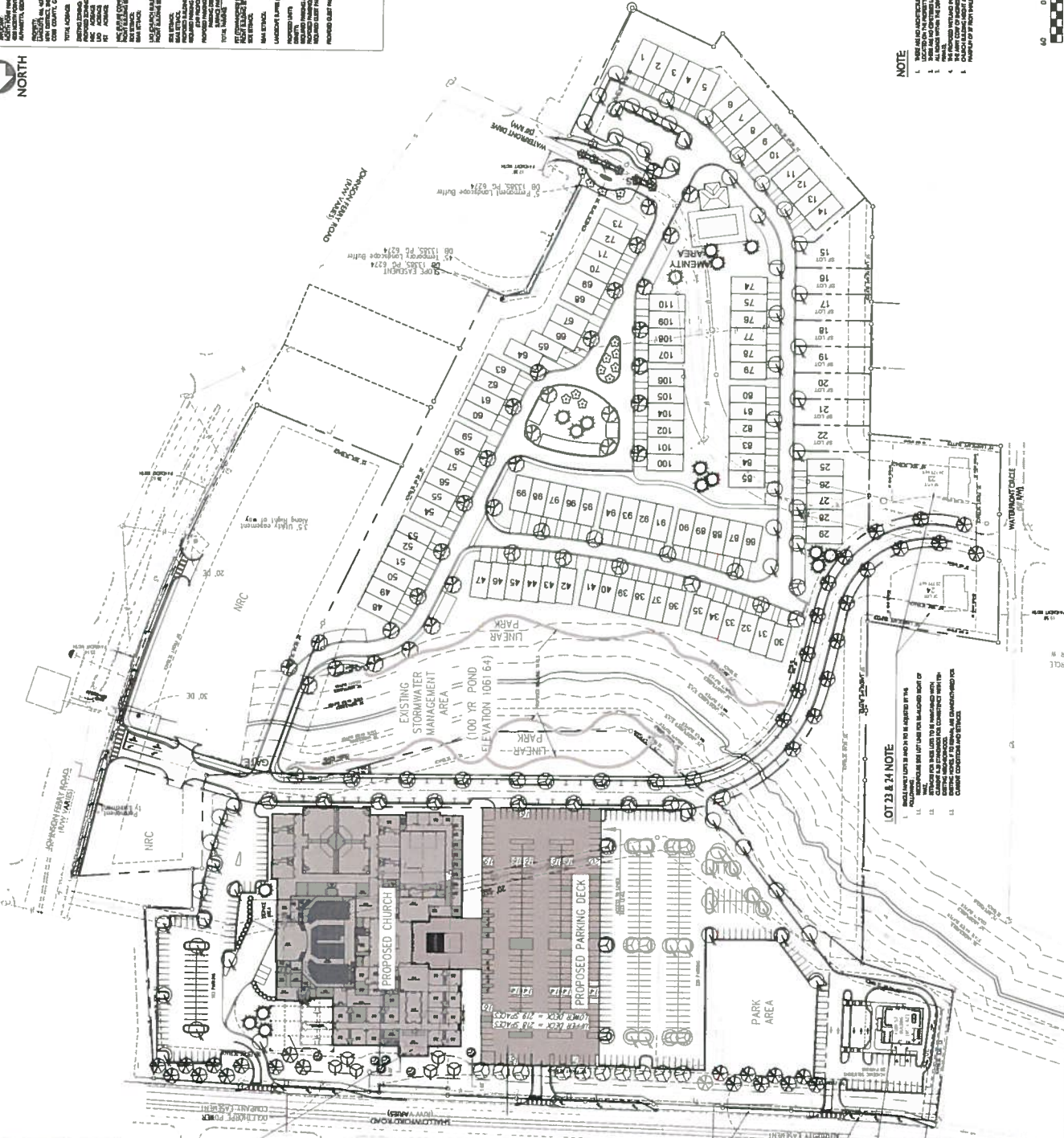
**BRADFIELD & ASSOCIATES, INC.**  
1000 N. W. PEACHTREE STREET, N. W.  
ATLANTA, GEORGIA 30309  
TEL: 404.525.1234  
FAX: 404.525.1235

**Z-1.0**

**SITE DATA:**  
PROJECT: NORTH POINT MINISTRIES EAST COBB CAMPUS  
OWNER: NORTH POINT MINISTRIES, LLC  
ADDRESS: 1000 N. W. PEACHTREE STREET, N. W.  
ATLANTA, GEORGIA 30309  
TOTAL ACRES: 101.64  
LOT AREA: 101.64  
ZONING: Z-1.0  
PLANNING COMMISSION: 08/15/14  
CITY COUNCIL: 08/15/14



**NOTE:**  
1. THIS PLAN IS PRELIMINARY AND SUBJECT TO THE APPROVAL OF THE PLANNING COMMISSION AND THE CITY COUNCIL.  
2. THE ZONING COMMISSION HAS REVIEWED THE PLAN AND HAS RECOMMENDED APPROVAL.  
3. THE CITY COUNCIL HAS REVIEWED THE PLAN AND HAS RECOMMENDED APPROVAL.  
4. THE PLANNING COMMISSION AND THE CITY COUNCIL HAVE REVIEWED THE PLAN AND HAVE RECOMMENDED APPROVAL.  
5. THE PLANNING COMMISSION AND THE CITY COUNCIL HAVE REVIEWED THE PLAN AND HAVE RECOMMENDED APPROVAL.



**AS-BUILT TABLE**

LINE #	BEARING	DISTANCE
1	S 87°21'00"W	106.07
2	S 87°21'00"W	104.54
3	S 87°21'00"W	105.53
4	S 87°21'00"W	104.37
5	S 87°21'00"W	104.84
6	S 87°21'00"W	104.89
7	S 87°21'00"W	104.60
8	S 87°21'00"W	105.00
9	S 87°21'00"W	104.89
10	S 87°21'00"W	104.77
11	S 87°21'00"W	104.07
12	S 87°21'00"W	104.89
13	S 87°21'00"W	104.89
14	S 87°21'00"W	104.89
15	S 87°21'00"W	104.89
16	S 87°21'00"W	104.89
17	S 87°21'00"W	104.89
18	S 87°21'00"W	104.89
19	S 87°21'00"W	104.89
20	S 87°21'00"W	104.89
21	S 87°21'00"W	104.89
22	S 87°21'00"W	104.89
23	S 87°21'00"W	104.89
24	S 87°21'00"W	104.89
25	S 87°21'00"W	104.89
26	S 87°21'00"W	104.89
27	S 87°21'00"W	104.89
28	S 87°21'00"W	104.89
29	S 87°21'00"W	104.89
30	S 87°21'00"W	104.89

**LOT TABLE**

LOT #	BEARING	ONWARD	ANGLE	ARC
1	S 87°21'00"W	105.00	180°	105.00
2	S 87°21'00"W	104.89	24.62	60.84
3	N 01°53'36"W	176.83	176.83	176.83

**EXHIBIT "A"**



EXHIBIT "B"









