

MOORE INGRAM JOHNSON & STEELE

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FAIRFIELD, NEW JERSEY 07004
TELEPHONE 201-602-4082

August 26, 2026

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 30064

RE: Application for Rezoning - Application No. Z-22 (2026)
 Applicant: The Haven at Eastside, Incorporated
 Property Owner: Eastside Baptist Church, Inc.
 Property: 8.65 acres, more or less, located along a portion
 of the southwesterly side of Lower Roswell
 Road, along a portion of the easterly side of
 Little Road, and the terminus of Lucky Court,
 being a portion of 2450 Lower Roswell Road,
 unnumbered Little Road, and 385 and 386 Lucky
 Court, Land Lot 793, 17th District, 2nd Section,
 Cobb County, Georgia

Dear John:

The undersigned and this firm represent The Haven at Eastside, Incorporated, the Applicant (hereinafter referred to as "Applicant"), and Eastside Baptist Church, Inc., the Property Owner (hereinafter referred to as "Owner" or "Property Owner"), in this Application for Rezoning with regard to an amended total tract of 8.65 acres, more or less, located along a portion of the southwesterly side of Lower Roswell Road, along a portion of the easterly side of Little Road, and the terminus of Lucky Court, being a portion of 2450 Lower Roswell Road, unnumbered Little Road, and 385 and 386 Lucky Court, located in Land Lot 793, 17th District, 2nd Section, Cobb County, Georgia (hereinafter collectively referred to as the "Property" or the "Subject Property"). After meetings and communications with Planning and Zoning Staff and various Cobb County Departmental Representatives, ongoing meetings and discussions with area residents and homeowner representatives, and reviewing the Departmental Comments and Staff

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Recommendations and 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:

AMENDMENT TO APPLICATION FOR REZONING **FILED ON APRIL 2, 2026**

- (1) Applicant deletes the property denoted as Cobb County Tax Parcel No. 17079300310, being more particularly identified as 2495 Freydale Road, from the original Application for Rezoning filed on April 2, 2026;
- (2) Applicant further deletes a portion of the property located within Cobb County Tax Parcel No. 17079300040, and within property located at 2450 Lower Roswell Road, located immediately adjacent to 2495 Freydale Road and having approximately 47.2 feet of frontage on Freydale Road, from the original Application for Rezoning filed on April 2, 2026;
- (3) Applicant further amends the overall acreage of the Property to be rezoned from 10.10 acres, as shown in the original Application for Rezoning filed on April 2, 2026, to 8.65 acres as shown on the revised Site Plan submitted herewith;
- (4) Applicant submits an amended Legal Description reflecting the revised acreage of 8.65 acres; and
- (5) Submitted is the revised Site Plan consisting of two sheets, prepared for Applicant by Stephenson Engineering, Inc., dated March 25, 2026, for the proposed Residential Senior Living (assisted and independent) with regard to the Amended Application for Rezoning. The revised Preliminary Site Plan reflects development pursuant to the amendments set forth above and supersedes the Site Plan submitted with the original Application for Rezoning on April 2, 2026.
- (6) The balance and remainder of the original, pending Application for Rezoning filed on April 2, 2026, is unchanged by the amendments requested above.

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STIPULATIONS APPLICABLE TO PROPOSED DEVELOPMENT

- (1) Rezoning of the Subject Property shall be from the existing zoning category of R-20 to the proposed zoning category of Residential Senior Living (“RSL”) (both independent and assisted living), with reference to the revised Site Plan prepared for Applicant by Stephenson Engineering, Inc., dated March 25, 2026, and filed contemporaneously with this letter of agreeable stipulations and conditions. A reduced copy of the revised Site Plan, consisting of two sheets, is attached collectively as Exhibit “A” and incorporated herein by reference.
- (2) The Subject Property consists of approximately 8.65 acres of site area and shall be developed for a residential senior living community, including independent and assisted living facilities.
- (3) The main senior living structure shall consist of a maximum of one hundred five (105) units, as follows:
 - (a) Independent Living: 10 units;
 - (b) Assisted Living: 95 units.
- (4) There shall also be a maximum of eight (8) independent living cottages, separate from the main senior living facility, as more particularly shown and reflected on the referenced, revised Site Plan.
- (5) The main 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 senior residential building and cottages. Any signage lighting shall be low-level, and shall not contain any flashing, glaring, LED, or automation components. Any signage lighting shall be turned off between the hours of 10:00 p.m. to 8:00 a.m. daily.
- (6) The entrance areas, together with all islands and planted areas, park area, plaza areas, and streetscape areas along Lower Roswell Road and Little Road will be professionally designed, landscaped, and maintained, and shall be incorporated into the overall Landscape Plan to be presented to the Cobb County Arborist for final approval.

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- (7) There shall be no vehicles of any type parked on any road frontage of the proposed facilities containing identification signage or advertising signage. Additionally, there shall be no vehicles parked on or along any road frontages of the facilities with “for sale” signs, or any type of advertising or solicitation signage posted thereon.
- (8) The dumpsters servicing the proposed senior living community shall be enclosed within a minimum six (6) foot high enclosure on three sides with a solid wooden screen gate or doors on the access side. All dumpsters shall contain rubber lids to minimize noise.
- (9) Dumpsters may only be emptied Monday through Friday from between the hours of 8:00 a.m. and 6:00 p.m.
- (10) Applicant agrees there shall be no outside storage at either the main senior living facility or the independent living cottages.
- (11) Lighting fixtures for parking areas shall be environmentally sensitive, shoe-box style and shall be fitted with non-glare lenses and cut off shields to prevent light from extending beyond the property line, with all downlighting limited to no more than twenty (20) feet. Any light poles used in parking areas shall not exceed eight (8) feet in height.
- (12) Security lighting on the proposed senior living facility and independent living cottages shall be wall packs, hooded, environmentally sensitive and shall be fitted with non-glare lenses and cut off shields to prevent light from extending beyond the property line.
- (13) There shall be no parking of construction vehicles or equipment of any kind along public streets surrounding or in close proximity to the Subject Property. There shall be no stacking of construction trucks on or along Lower Roswell Road, Little Road, Lucky Court, or Freydale Road. All construction trucks, equipment, and employee subcontractor vehicles shall be kept on Applicant’s property at all times.
- (14) Demolition, development, and construction hours for the project shall be limited to the following:

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- (a) 7:00 a.m. to 8:00 p.m. - Monday – Friday,
 - (b) 9:00 a.m. to 6:00 p.m. - Saturday; and
 - (c) No work will be permitted on Sunday unless approved by the District Commissioner.
- (15) Applicant agrees that a truck/vehicle tire washing station will be provided at all exits from the Property during development and construction of the project.
 - (16) Applicant agrees grounds, including buffers, grass, irrigation, and fencing, will be landscaped and maintained by the Owner at all times and dead plants and/or trees will be replaced with new ones in a timely manner.
 - (17) Applicant agrees to comply with all Cobb County Stormwater Management requirements applicable to the Subject Property.
 - (18) 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.
 - (19) Applicant agrees to the Cobb County Department of Transportation Comments and Recommendations.
 - (20) Minor modifications to the within stipulations, the 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;

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- (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.
- (21) The above stipulations shall bind the Subject Property and the Applicant, and any other future or potential developer of the Subject Property; however, in the event development (defined as the issuance of a Land Disturbance Permit) has not commenced within sixty (60) months of the final rezoning, the zoning category shall revert to its existing R-20 zoning classification.
- (22) The assisted living building identified on the Site Plan shall be a maximum of two (2) stories in height, with a partially underground basement level.

We believe the requested zoning, together with the revised Site Plan and the stipulations set forth herein, is an appropriate use of the Subject Property while taking into consideration the area and existing neighborhoods and residents surrounding the proposed development. The proposed senior living community shall be a quality development in every respect and shall provide a much-needed and sought-after service to residents of Cobb County. Applicant has made many concessions to minimize any impact on the surrounding residents and neighborhoods and to have the proposed senior living facility compatible with surrounding neighborhoods and an enhancement to the Subject Property and the community as a whole. Thank you for your consideration in this request.

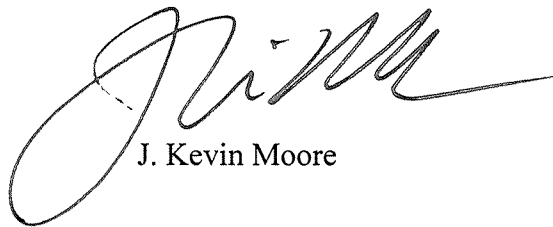
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With kindest regards, I remain

Very truly yours,

MOORE, INGRAM, JOHNSON & STEELE, LLP



J. Kevin Moore

JKM:cc

Attachment

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

Cobb County Planning Commission:
Nadia Faucette, Chairwoman
Fred Beloin
Deborah Dance
Deidra Massey
Sara Micheletto
(With Copy of Attachment)

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

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c: Cameron Jones, CNU-A
Planner III
Zoning Division
Cobb County Community Development Agency
(With Copy of Attachment)

Ric Grome, President
East Cobb Civic Association, Inc.
(With Copy of Attachment)

The Haven at Eastside, Incorporated
(With Copy of Attachment)



811 call before you dig

GEORGIA 811 call before you dig

CONTACT 811
BEFORE YOU DIG
811 or 1-800-282-7411

24 Hr Emergency Contact:
Craig Thomas
678-618-1022

*** ELEVATION NOTE ***

*** CAUTION ***

WHITE PLAN REQUIREMENTS NOT APPLICABLE TO SITE

THE FOLLOWING LIST OF STEPS AND DOCUMENT DOWNSHIP DATES PRESENTED

ENTER AREAS

TAKE AND REPAIR

LIMIT OF FOOTING TO EXPLAIN A CATCH OF HANDS

WITH AN

ACRIBITION ON A PHOTOGRAPH OF LANDS

ACRIBITION WITH AN

	PROPOSED LIGHT DUTY PAYMENT PARKING AREA PAVEMENT
	RESIDENTIAL VENDOR LISTING (RSL) PROPERTY LINE AND CALLS SHOWN IN BLUE

TOTAL IMPERVIOUS AREA (RSI.) / PROPERTY:
3.78 acres impervious
2.0 impervious + 3.78 ac. / 8.65 ac. = 370% OF SITE

TOTAL NUMBER OF UNITS: 113
INDEPENDENT LIVING: 18
ASSISTED LIVING: 95
TOTAL UNITS: 113 UNITS

INDEPENDANT LIVING INTERNAL SETBACK
INDEPENDANT LIVING SETBACK SHALL BE 20
FOOT FROM THE PROPOSED RSL ZONING LINE

EXHIBIT "A"

