



Rezoning Request Application Packet

Applicant's Public Notice Requirements

The Code requires public notice of your Rezoning request, Special Use and Variance requests. The Community Development Department will tell you when and where the Planning and Zoning Commission and the Mayor and Council meetings will be held.

Newspaper: The City will publish a legal notice in the newspaper regarding your application and announcing the time and place of the public hearing. At least 15 days before the Mayor and Council but no more than 45 days prior to the date of the public hearing.

Sign Posting, Public Hearing Notice & Affidavit

Sign Posting: The applicant shall be required to post and maintain signs supplied by the City on or near the right-of way of the nearest public street, so as to be visible from the street for at least 15 days and not more than 45 days immediately preceding the date for the governing body's public hearing on the rezoning or special use application. It is your responsibility to post the signs and to maintain the signs during the posting period. Failure to post and maintain the signs continuously may prohibit consideration of the application at any scheduled public hearing. In the event the signs are not posted continuously, the City, in its sole discretion, may require the reposting and re-advertising prior to any future public hearing, for which the applicant shall pay an additional re-advertising fee. The City may also in its sole discretion, continue, hold, approve, or dismiss the application. Any dismissal under the provisions of this paragraph shall be with prejudice unless specifically noted as being without prejudice by the City.

Public Hearing Notice: At least 15 days before the Planning & Zoning Commission's public hearing, you are to mail a notice to all persons owning property within 200 feet of the property that is the subject matter of the zoning change. The notice is to state the time, place and purpose of the hearings, and include a page size copy of the sketch plan submitted with the application.

Affidavit: Prior to the public hearing you must also submit an affidavit with a copy of the notice to the Community Development Director listing the property owners and certifying the date that the notices were mailed (form attached)

City Actions

The Community Development Department will date your application when it is received. The Community Development Department has five (5) working days in which to determine that your application is complete or to return it to you for additional information. The application will not be scheduled for public hearing until it is complete. The Planning Commission's public hearing will be held at the time advertised. At the public hearing, you will be allowed to speak first in order to present the application. Others in support of the application may then speak, followed by those in opposition to the application. You may then be allowed time for rebuttal if adequate time remains. Rebuttal must be limited to points or issues raised by opponents to the application at the hearing. After the Planning Commission has made their recommendation, the Mayor and City Council will consider approval or denial of the application at their own public hearing. You or a representative thereof with authority to make binding commitments to the City with respect to any stipulations that may be offered in connection with such application shall attend the meetings, and make a presentation following the same procedure as the Planning Commission hearing. The final action taken by the Mayor and City Council will be indicated on the application form, along with any stipulations that they impose on the property if approved, and a copy will be given to you as official notice of their final action.

Contact Information

The Community Development Dept.
4181 Atlanta Street
Powder Springs GA 30127.
commdev@cityofpowdersprings.org
770-943-1666

Zoning Administrator
Shaun Myers
Planning and Zoning Manager
smyers@cityofpowdersprings.org
770-943-1666



Rezoning Request Application Checklist

Applicant Information

Name	Phone
Mailing Address	Email

Application Checklist

The following information will be required:

- Application
- Notice of Intent
- Applicant's Written Analysis
- Campaign Contribution Disclosure
- Owner's Authorization, if applicable.
- Legal Description and Survey Plat of the property
- Application Fee (summary of fees attached)
- Copy of the Deed that reflects the current owners name
- Vicinity Map outlining the parcel/s in relation to the surrounding area
- Site plan, plat or survey prepared by an architect, engineer. The following information **must** be included:
Specific use or uses proposed for the site. Acreage, bearing and distances, other dimensions, and location of the tract(s). Locations, sizes and setbacks of proposed structures, including the number of stories and total floor area, height, for residential number of units, Square footage of heated floor area. Detention/retention areas, and utility easements. Location of dumpsters. Public or private street(s) - right of way and roadway widths, approximate grades
Location and size of parking area with proposed ingress and egress. Specific types and dimensions of protective measures, such as buffers. Landscaping. Wetlands, stream buffers, and 100 year floodplain.
- Sketch Plan/ Architectural Rendering, if applicable
- Traffic Study required for development with 500,000 sf of nonresidential floor area or 350 dwelling units or more.

List additional attachments:

Note Carefully

If your application qualifies as a "Development of Regional Impact" (see Article 13) then you must follow additional procedures BEFORE your application can be considered. The Community Development Department will assist you with the DRI process, which is mandated by State and GRTA requirements.

Indicate the current zoning district of the property, and the zoning district you are requesting. File a separate application for each Rezoning request naming a different zoning district. A Special Use request, Variance request can be filed concurrently with a Rezoning request on the same property by separate application.



city of powder springs
Rezoning Request
Application Form

Applicant Information

Name Vision Development & Construction Services, LLC Phone [REDACTED]
 Mailing Address 120 Interstate North Parkway, Suite 130, Atlanta, GA 30339 Email [REDACTED]

Rezoning Request Property Information

Address No Address-Brownsville Road and Hiram Litha Springs Road Parcel ID / Lot# 19104600270 Acreage 1.836 ac.
 Present Zoning CRC Proposed Zoning CRC with Stipulations
 Source of Water Supply Public Source of Sewage Disposal Public
 Proposed Use Peak Hour Trips Generated _____ Source _____

Additional Information, If Applicable

Elementary School and School's Capacity _____ Middle School and School's Capacity _____
 High School and School's Capacity _____

Notary Attestation

Executed in Marietta (City), GA (State)
 Signature of Applicant Brian A. Hasch Printed Name Brian S. Hasch Date 2/23/2026
 Subscribed and sworn before me this 23rd day of Feb month, 2026
 Signature of Notary Public Harrison Waldrip Name of Notary Public Harrison Waldrip My Commission Expires 7/15/2029



For Official Use Only

PZ # _____
 Planning Commission Hearing _____ City Council Hearing _____
 Withdrawal Date _____ Reason for Withdrawal _____



city of powder springs

Rezoning Request

Owner's Authorization Form

Owner's Authorization

Applicant Name Vision Development & Construction Services, LLC

Applicant's Address 120 Interstate North Parkway, Suite 130, Atlanta, GA 30339

Property Address No Address-Brownsville Road and Hiram Litha Springs Road Powder Springs, GA

Property PIN 19104600270

This is to certify that I am or We are or I am the Authorized Representative of a Corporation that is the owner of a majority interest in the subject property of the attached application. By execution of this form, this is to authorize the person names as "applicant" below, acting on behalf of the owner, to file for and pursue a request for approval of the following:

Check all that apply:

Rezoning

Special Use

Hardship Variance

Special Exception

Flood Protection Variance

Appeal of Administrative Decision

Signature of Property Owner(s)

Sally Lambert
Signature of Owner

Manager

RXNOW, LLC

Printed Name

Date

2/24/2026

State of Alabama, County of Madison

This instrument was acknowledged before me this 20th day of February

20 24, by Sally S. Lambert, Manager Identification Presented: Driver's License/Known

Suzanne D. Currie
Signature of Notary Public

Suzanne D. Currie
Name of Notary Public

06/26/2027
My Commission Expires



Signature of Owner

Printed Name

Date

State of _____, County of _____

This instrument was acknowledged before me this _____ day of _____

20 _____ by _____ Identification Presented: _____

Signature of Notary Public

Name of Notary Public

My Commission Expires



CERTIFICATE REGARDING CORPORATE AUTHORITY- APPLICATION FOR REZONING

1.

My name is Sally S. Lambert. I am the officer who is delegated the responsibility for authenticating records of *RXNOW, LLC*, a Foreign Limited Liability Company (Titleholder Company). I am of legal age and suffer from no disabilities which would affect my competence to give this Certificate which is being given on my own personal knowledge for use with respect to the Applicant's Application for Rezoning regarding certain real property owned by the Titleholder Company located in the City of Powder Springs, Cobb County, Georgia.

2.

In accordance with the Requirements for completing a Powder Springs Application for Rezoning, I hereby attest on behalf of the Titleholder Company that an authorized representative of the Titleholder Company has reviewed the Application for Rezoning and related documents which are being filed simultaneously therewith on behalf of the Titleholder Company to which this Certificate is attached and hereby certify:

- (a) That corporate seal or facsimile affixed hereto is in fact the seal of the Titleholder Company or a true facsimile thereof; and
- (b) That the officer or other representative of the Titleholder Company who executed the Application for Rezoning does in fact occupy the official position indicated, that the position that the signer occupies has the authority to execute the Application for Rezoning on behalf of the Titleholder Company, and that the signature of said officer or other representative is genuine; and
- (c) That the execution of the Application for Rezoning and the filing of the Application for Rezoning on behalf of the Titleholder Company by the officer or other representative of the Applicant Company has been duly authorized by the Titleholder Company.

RXNOW, LLC

By: _____

Sally S. Lambert

Print Name _____

Sally S. Lambert

Its: _____

Manager

(SEAL)



**city of
powder springs**
Rezoning Request
Notice of Intent

Applicant Information

Name JOEL L. LARKIN/Attorney for Applicant	Phone [REDACTED]
Mailing Address 120 Interstate North Parkway, Suite 130, Atlanta, GA 30339	Email [REDACTED]

Notice of Intent

PART I. Please indicate the purpose of this application :

Rezoning the property in order to amend the previously approved site plan and to allow a daycare facility instead of the site plan specific pharmacy use approved in the previous rezoning in 2005.

PART II. Please list all requested variances:

Part III. Existing use of subject property:

Undeveloped.

Part IV. Proposed use of subject property:

10,000 square-foot, one-story daycare facility with playground.

Part V. Other Pertinent Information (List or attach additional information if needed):

The property was rezoned in 2005 to a site plan that indicated this parcel was to be a pharmacy. The property has remained undeveloped and the current proposal is to amend the site plan and stipulations to allow the Applicant to develop a daycare facility on this parcel substantially in accordance with the site plan and architectural renderings submitted by the Applicant.

Applicant Signature

Signature of Applicant	JOEL L. LARKIN/Attorney for Applicant Printed Name	 Date 2-24-2026
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NOTICE OF INTENT

1. **PART 1 Please indicate the purpose of this application:**

The Subject Property was one of three parcels rezoned to the CRC zoning district in 2005. At that time, the property was rezoned subject to a site plan that indicated the Subject Property was to be developed as a pharmacy, with a bank and a restaurant indicated on the two parcels located on either side of the subject parcel. Although the site was graded and all of the necessary infrastructure installed, including curb cuts, drive aisles, underground detention and the like, no buildings were ever constructed on the three properties. Despite continued marketing efforts, these properties have remained vacant for more than twenty years since they were rezoned. Applicant seeks to develop the center parcel with a 10,000 square-foot daycare facility instead of the previously approved pharmacy. To do so, Applicant requests that the prior rezoning be amended to substitute Applicants submitted site plan for the central tract and to replace the prior stipulation regarding architecture with a stipulation providing that the daycare facility will be developed substantially in accordance with the renderings that are being submitted as a part of this Application. Applicant further seeks such other revisions to the conditions of zoning as are identified and/or requested by the City's Professional Planning Staff.

2. **PART II Please list all requested variances:**

The Applicant is not aware of any variances that are required but requests that the City grant it any variances that the City's Professional Planning Staff identify on the site plan that is being submitted by the Applicant.

3. **PART III Existing use of the subject property:**

The property is an undeveloped building pad site that was initially developed for a Walgreens Pharmacy that was never built.

4. **PART IV Proposed use of subject property:**

Applicant intends to develop the property with a 10,000 square-foot daycare facility.

5. **PART V Other Pertinent Information:**

The proposed development will provide daycare for the immediate area. The proposed use of the property for a daycare is consistent with the City's planning documents and with the existing uses and zonings in and around the Property. This proposed use will be less intense than other commercial retail businesses that could be allowed under the CRC zoning district.

Based upon the foregoing reasons, the Applicant respectfully requests that the Application for Rezoning be approved to allow development of the proposed daycare facility substantially in accordance with the site plan and architectural renderings that are being submitted as a part of this Application. Applicant welcomes any comments from City's Professional Planning Staff or other officials of the City of Powder Springs so that such recommendations or input may be incorporated as conditions of approval of these Applications.

Respectfully submitted, this the 24th day of February 2026.

SAMS, LARKIN, & HUFF, LLP

By: 

JOEL L. LARKIN

Attorney for Applicant

Georgia Bar No. 438415



city of powder springs

Rezoning Request

Applicant's Written Analysis

Applicant Information

Name	JOEL L. LARKIN/Attorney for Applicant	Phone	[REDACTED]
Mailing Address	120 Interstate North Parkway, Suite 130, Atlanta, GA 30339	Email	[REDACTED]

Written Analysis

 In details please address these Rezoning Criteria: SEE ATTACHED ANALYSIS

a. Whether the proposed zoning district and uses within that district are compatible with the purpose and intent of the comprehensive plan. The future development map and the future land use plan map of the city's comprehensive plan shall be used in decision making relative to amendments to the official zoning map.

b. Whether the proposed zoning district and uses permitted within that district are suitable in view of the zoning and development of adjacent and nearby property.

c. Whether the existing use or usability of adjacent or nearby property will be adversely affected by one or more uses permitted in the requested zoning district.

d. Whether there are substantial reasons why the property cannot or should not be used as currently zoned;

e. Whether public facilities such as roads, schools, water and sewer utilities, and police and fire protection will be adequate to serve the proposed zoning district and uses permitted.

f. Whether the proposed zoning district and uses permitted within that zoning district are supported by new or changing conditions not anticipated by the comprehensive plan or reflected in the existing zoning on the property or surrounding properties.

g. Whether the proposed zoning district and uses permitted within that zoning district reflect a reasonable balance between the promotion of the public health, safety, morality or general welfare and the right to unrestricted use of property.

Applicant Signature

Signature of Applicant		JOEL L. LARKIN/Attorney for Applicant	2.24.2024
		Printed Name	Date

**STATE OF GEORGIA
CITY OF POWDER SPRINGS**

ZONING ANALYSIS

**Vision Development & Construction Services, LLC – Application for
Change in Previously Approved Conditions of PZ2005-1**

- a. Whether the proposed zoning district and uses within that district are compatible with the purpose and intent of the comprehensive plan. The future development map and the future land use plan map of the city’s comprehensive plan shall be used in decision making relative to amendments to the official zoning map.**

The Subject Property is located in the City of Powder Springs as is noted as being in the NAC land use category on the City’s Future Land Use Map (“FLUM”). The City of Powder Springs FLUM indicates nearby properties in the City of Powder Springs along this section of the Brownsville Road and Hiram Lithia Springs Road are delineated as being in the NAC land use categories. The proposed changes to the previously approved CRC zoning district and the proposed use contained and embodied within the Application will allow the Subject Property to be developed on a tract of land that is one of three undeveloped properties previously rezoned together in 2005. Applicant’s proposed changes to the site plan and adopted stipulations relating to the 2005 rezoning are consistent with the prior rezoning and the applicable land use plan and map.

- b. Whether the proposed zoning district and uses permitted within that district are suitable in view of the zoning and development of adjacent and nearby property.**

The zoning proposal will permit a use of the property that is suitable in the context of development and existing zonings which are in direct contiguity or adjacent to the Subject Property that had originally been approved for the CRC zoning district. This proposal is to amend the previously approved site plan and stipulations to allow the parcel to be developed for a daycare facility that was originally approved for a pharmacy between a proposed restaurant and a proposed bank, none of which have been developed.

- c. Whether the existing use or usability of adjacent or nearby property will adversely affected by one or more uses permitted in the requested zoning district.**

The zoning proposal will have no adverse effect or impact upon the existing uses or usability of adjacent or nearby properties, the preponderance of which are commercially zoned in the City of Powder Springs and residential in Cobb County. Nearby properties within the City of Powder Springs have varying commercial uses.

- d. Whether there are substantial reasons why the property cannot or should not be used as currently zoned.**

The previously approved site plan had indicated the parcel would be developed for a Walgreens pharmacy. Economic conditions are no longer conducive to development of the Subject Property in that manner. The current proposal will instead allow the development of a 10,000 square-foot daycare facility, which is also allowed under the CRC zoning district. All of the three parcels that were part of the previous rezoning in 2005 remain undeveloped with the exception of the private driveway connecting to Hiram Lithia Springs Road and Brownsville Road.

- e. Whether public facilities such as roads, schools, water and sewer utilities, and police and fire protection will be adequate to serve the proposed zoning district and uses permitted.**

The zoning proposal will have no adverse impact upon the existing infrastructure including, but not limited to, existing streets, fire and police protection, transportation facilities, utilities or schools.

- f. Whether the proposed zoning district and uses permitted within that zoning district are supported by new or changing conditions not anticipated by the comprehensive plan or reflected in the existing zoning on the property or surrounding properties.**

From a land use and zoning standpoint, the proposed use of the Subject Property is entirely consistent with the prior rezoning of the Subject Property. Applicant seeks only to revise the approved site plan and other conditions of zoning that were specific to the proposed use of the Property as a Walgreens Pharmacy.

- g. Whether the proposed zoning district of CRC and uses permitted within that zoning district reflect a reasonable balance between the promotion of the public health, safety, morality or general welfare and the right to unrestricted use of property.**

The proposed changes to the previously approved site plan and zoning conditions are substantially similar to the prior approvals and strike a similar balance between the promotion of the public health, safety, morality or general welfare and the right to unrestricted use of property. The effect of the changes on the public will be negligible.

Respectfully submitted, this the 24th day of February 2026.

SAMS, LARKIN, & HUFF, LLP

By: 

JOEL L. LARKIN

Attorney for Applicant

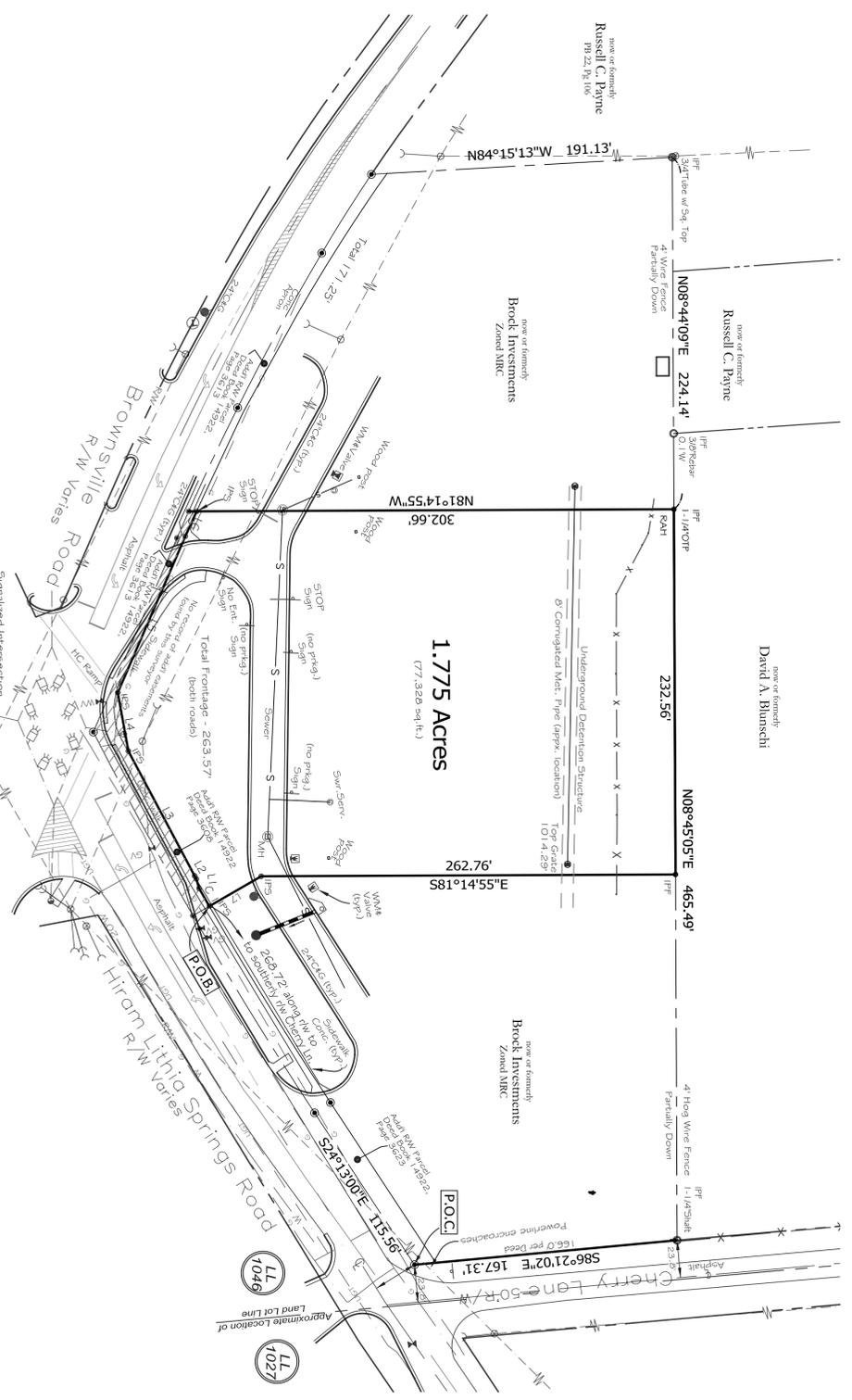
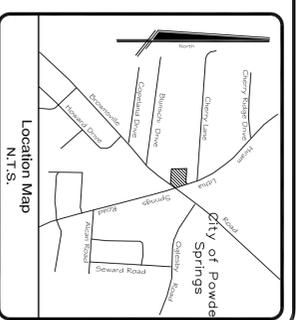
Georgia Bar No. 438415

376 Powder Springs Street, Suite 100
Marietta, GA 30064



Title Report Notes

1. Deed Book 14621, recorded January 15, 2015, Schedule B, Section 2 Special Easements, (Items through 4 are either not formally addressed by a property survey)
2. The permanent 279 square feet drainage easement from F. C. Long to Cobb County, Georgia, dated July 30, 1997, recorded at Deed Book 10606, Page 397, Cobb County Georgia records formerly affected subject property but the former easement parcel is now contained inside the road right of way.
3. Reciprocal Easement Agreement with Covenants, Conditions and Restrictions between Cedarcrest LLC and Walgreen Co., and recorded August 15, 2006 in Deed Book 14373 pages 4492 through 4513, aforesaid records, affects subject property. Provisions are essentially buried in nature and are not readily apparent.
4. Reciprocal Easement Agreement with Covenants, Conditions and Restrictions between Cedarcrest LLC and Walgreen Co., and recorded August 15, 2006 in Deed Book 14373 pages 4492 through 4513, aforesaid records, affects subject property. Provisions are essentially buried in nature and are not readily apparent.
5. The Right of Way Deed from Walgreen Co., to Cobb County Department of Transportation dated January 31, 2012, filed February 27, 2012, recorded in Deed Book 14922, Page 3618 aforesaid records affects subject property in that the instrument conveys additional road right of way. The instrument does not appear to convey additional easement or other additional rights beyond fee simple ownership of the additional road right of way (shown on survey)
6. The Right of Way Deed from Walgreen Co., to Cobb County Department of Transportation dated January 31, 2012, filed February 27, 2012, recorded in Deed Book 14922, Page 3608 aforesaid records affects subject property in that the instrument conveys additional road right of way. The instrument does not appear to convey additional easement or other rights beyond fee simple ownership of the additional road right of way (shown on survey)
7. Maintenance Agreement for Detention Ponds, between Walgreen Co., and the City of Powder Springs, dated January 31, 2012, filed February 18, 2014, recorded in Deed Book 15138, page 4897, aforesaid records, affects subject in that the property owner(s) are obligated to maintain the drainage and detention system as long as the system exists.



Curve	Radius	Length	Chord	Chord Bear.
C1	2523.64'	13.10'	13.10'	S 20°43'50" E

Course	Bearing	Distance
L1	S 07°14'33" E	6.24'
L2	S 20°30'43" E	2.30'
L3	S 18°51'25" E	89.78'
L4	S 07°13'55" E	37.86'
L5	S 32°40'28" W	129.26'
L7	N 69°55'43" E	38.00'

LEGAL DESCRIPTION

ALL THAT TRACT OR PARCEL OF LAND lying and being in Land L4 lots of the 10th District 2nd Section, Cobb County, Georgia and being more particularly described as follows:

COMMENCING at the point at the intersection of the southerly right-of-way of Cherry Lane (50' R/W) and the westerly right-of-way of Hiram Lithia Springs Road (100' R/W) and proceeding as follows:

Then continue along the variable width rights of way of Hiram-Lithia Springs Road and Brownsville Road the following courses:

Along a curve to the right an arc distance of 13.10 feet, said arc having a radius of 2523.64 feet, bearing S 20°43'50" E, a distance of 13.10 feet to a point;

Then South 07 degrees 14 minutes 33 seconds East for 6.24 feet to a point;

Then South 20 degrees 30 minutes 43 seconds East for 2.30 feet to a point;

Then South 18 degrees 51 minutes 25 seconds East for 89.78 feet to a point;

Then South 07 degrees 13 minutes 55 seconds East for 37.86 feet to a point;

Then South 32 degrees 40 minutes 28 seconds West for 129.26 feet to a point;

Then leaving the right of way of Brownsville Road, proceed North 81 degrees 14 minutes 55 seconds West for 302.66 feet to a 1-1/4 inch pipe found;

Then South 08 degrees 45 minutes 05 seconds East for 292.56 feet to a 1/2 inch rebar found;

Then South 81 degrees 14 minutes 55 seconds East for 282.76 feet to a point;

Then North 68 degrees 55 minutes 43 seconds East for 38.00 feet to the westerly right of way of Hiram-Lithia Springs, said point being the POINT OF BEGINNING.

Then continue along the variable width rights of way of Hiram-Lithia Springs Road and Brownsville Road the following courses:

NOTE: Information regarding the exacted presence, size, character, and location of existing underground utilities and structures is shown hereon. There is no certainty of the accuracy of this information and it shall be considered in that light by those using this drawing. The location and arrangement of underground utilities and structures shown hereon may be questioned. The utilities indicated hereon may be electric, gas, water, sewer, and higher contractors shall hereby distinctly understand that the engineer / surveyor is not responsible for the correctness or sufficiency of this information.

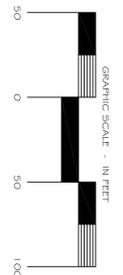
SURVEY NOTES

1. Total Site Area = 1.775 acres (77,328 sq.ft.)
2. This map or plat has been calculated for closure and is found to be accurate within 1 foot in 364,260 feet, ORCON, GTS, 8003 Robotic Total Station for angle and distance measurements.
- The field data upon which this map or plat is based has a closure precision of one (1) foot in 28,405 feet and an average angular error of 77 seconds per angle point, and was adjusted using Least Squares Adjustment.
3. This property does not lie within a 100-year flood hazard zone as defined by the F.E.M.A. Insurance Rate Map of Cobb County, Georgia, Community Flood Number 13067C0065 F, dated Aug. 18, 1992.
4. For the zoning verification refer dated July 10, 2015 from the Cobb County Planning Department, the property is zoned as (Community Retail Commercial.) This property was zoned to City of Powder Springs during the January 18, 2005 regular meeting of the City Council of Powder Springs.

NO.	DATE	REVISION	BY
1.	7/13/15	Zoning, amendment, title block	rp
2.	7/15/15	title block entries	rp

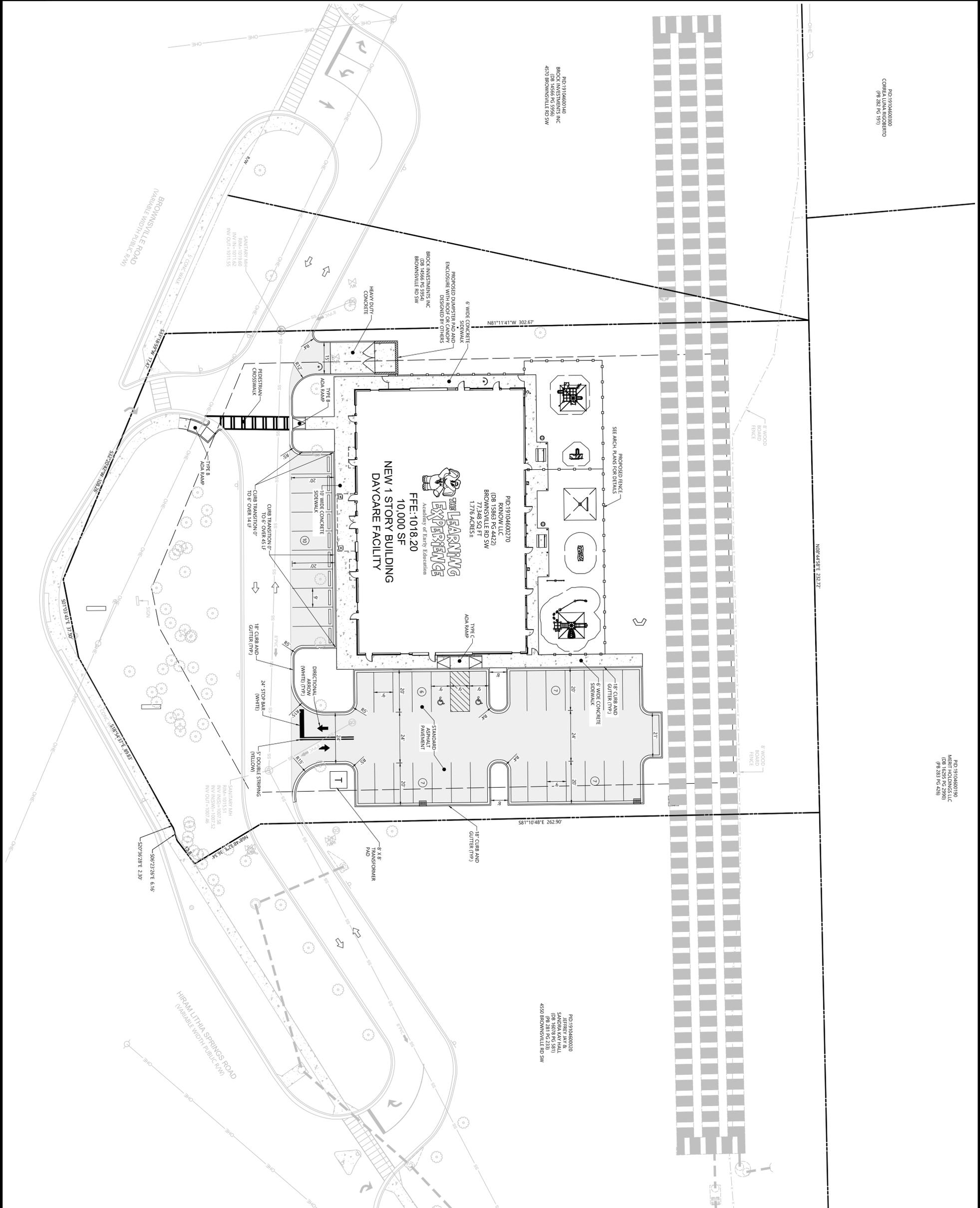
©Copyright 2015 Bentley-Craton Group

This drawing and its reproduction are the property of the surveyor and may not be reproduced, published or used in any way without the written permission of this surveyor.



- LEGEND**
- AE ACCESS EASEMENT
 - BC BACK OF CURB
 - BS BUILDING SETBACK
 - CA CENTERLINE ADJUSTMENT
 - CP COMPUTER POINT
 - CIP CRIMPED TOP PIPE
 - DE DRAINAGE EASEMENT
 - DI DOUBLE DRAIN INLET
 - DM DOUBLE MANHOLE
 - ED EDGE OF ASPHALT
 - EH EDGE OF PARKING
 - FH FIRE HYDRANT
 - GM GAS METER
 - GW GAS VALVE
 - HW HEADWALL
 - IPS IRON PIN SET (1/2" REBAR)
 - IP IRON PIN FOUNDATION BOX
 - IF IRON FOUNDATION BOX
 - MNS MAG NAIL SET
 - ON ON LINE
 - OTP OPEN TOP PIPE
 - OCS OUTLET CONTROL STRUCTURE
 - OW OVERHEAD WIRE
 - RA RECORD ANGLE HEAD
 - RBR REINFORCING BAR
 - SSE SANITARY SEWER EASEMENT
 - SMCB SINGLE WING CATCH BASIN
 - TE TELEPHONE EASEMENT
 - TELEPHONE EASEMENT
 - UE UTILITY EASEMENT
 - UT UTILITY TELEPHONE LINE
 - WV WATER VALVE
 - W WATER METER
 - WV WATER VALVE
 - W LIMITED ACCESS
 - S SEWER LINE
 - W WATER LINE
 - W OVERHEAD POWER LINE

Boundary Title Survey For:
LV Lending, LLC;
Walgreen Co.;
Chicago Title
Insurance Company, and
CP WAGS South, LLC
 Located in the City of Powder Springs
 Land Lot 1046 19th District
 2nd Section
 Cobb County, Georgia
 Prepared By
BENTLEY-CRATON GROUP
LAND PLANNERS • SURVEYORS
 637 Elliott Rd
 Temple, Georgia 30179
 Date: March 12, 2015
 Scale: 1"=50'
 Phone : 770-443-0443 or 770-459-0501



SITE LEGEND

- EXISTING PROPERTY LINE
- EXISTING RIGHT-OF-WAY
- EXISTING SETBACK LINE
- 18" CURB AND GUTTER
- 24" CURB AND GUTTER
- CROSS WALK
- STOP BAR (PAVEMENT MARKING)
- TRAFFIC FLOW ARROW (PAVEMENT MARKING)
- DIRECTIONAL ARROWS (PAVEMENT MARKING)
- HANDICAP STALL
- CONCRETE WHEEL STOP
- PARKING SPACE COUNT
- SIGN
- LIGHT POLE
- TRANSFORMER PAD
- CONCRETE
- STANDARD DUTY PAVING
- HEAVY DUTY PAVING

SITE AREA	
TOTAL PROPERTY AREA	1.776 AC (77,382.562 SQ FT)
DISTURBED AREA	0.294 AC (12,744.000 SQ FT)
IMPERVIOUS PROPOSED	0.252 AC (10,944.000 SQ FT)
PENVIOUS PROPOSED	0.294 AC (12,744.000 SQ FT)
ZONING CLASSIFICATION	
JURISDICTION	CITY OF POWDER SPRINGS
IMPERVIOUS COVERAGE	MAX 75%
BUILDING SETBACKS	
FRONT	40'
REAR	40'
SIDE	15'
BUILDING SUMMARY	
PROPOSED BUILDING AREA	10,000 SF
TOTAL MIN. PARKING REQ.	1 PER 300 SF (34 SPACES)
TOTAL MAX. PARKING REQ.	1 PER 200 SF (50 SPACES)
PARKING PROVIDED	37 SPACES (2 ADA)

REV	DATE	PLAN REVISIONS

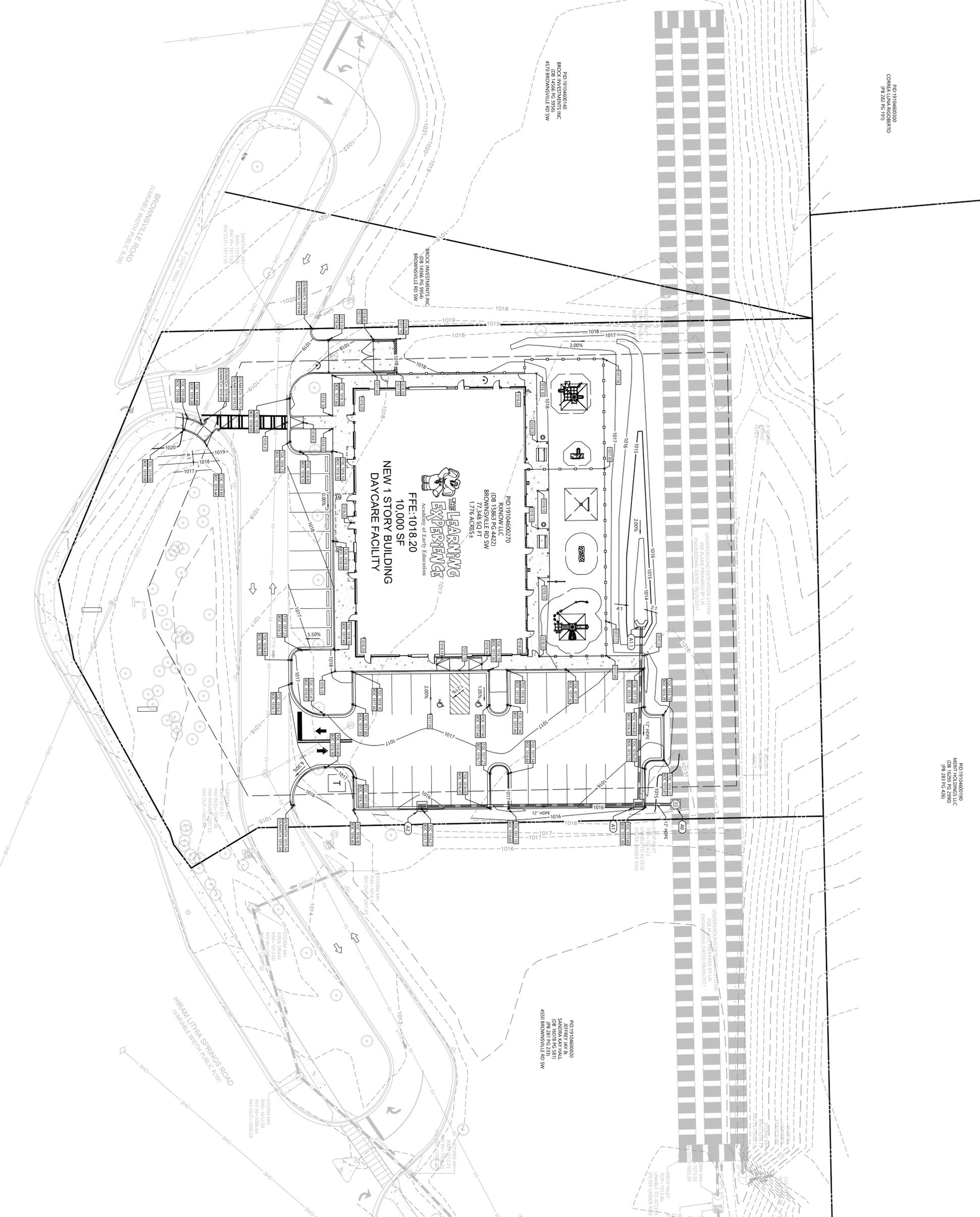
SITE DEVELOPMENT PLANS
TLE - BROWNSVILLE ROAD
 VISION DEVELOPMENT
 SITE PLAN

PROJECT NO. 25009062
 PROJECT DATE 02.13.2026
 SHEET NO. C200

ATWELL
 866.850.4200
 www.atwell.com
 1850 PARKWAY PLACE, SUITE 650
 MARIETTA, GA
 770.423.0800
 COAF PFT005804

PROJECT ADDRESS
 4550 BROWNSVILLE RD
 POWDER SPRINGS, GA
 30127

24 HOUR EMERGENCY CONTACT
 NAME
 PHONE



PID:1910460030
CORREA LUNA RIGOBERTO
(P# 282 PG 191)

PID:19104600190
MERT HOLDINGS LLC
(DB 553 PG 2580)
(P# 281 PG 4459)

PID:19104600000
JEFFREY JAY &
SANDRA KAY HALL
(DB 281 PG 2381)
4550 BROWNSVILLE RD SW

PID:19104600270
RINKOW LLC
(DB 15863 PG 4422)
BROWNSVILLE RD SW
77,348 SQ. FT.
1.776 ACRES.

PID:19104600740
BROCK INVESTMENTS INC
(DB 14566 PG 3950)
4578 BROWNSVILLE RD SW

GRADING LEGEND

- EXISTING PROPERTY LINE
- EXISTING RIGHT-OF-WAY
- EXISTING SETBACK LINE
- EXISTING MINOR CONTOURS
- EXISTING MAJOR CONTOURS
- EXISTING MINOR CONTOUR
- EXISTING STORM LINE
- PROPOSED STORM LINE
- PROPOSED SPOT ELEV
- 2% SLOPE ARROW
- GATE INLET
- STORM MANHOLE
- DOUBLE WING CATCH BASIN
- SINGLE WING CATCH BASIN
- AREA INLET
- OUTLET CONTROL STRUCTURE
- HEADWALL
- SANITARY SEWER MANHOLE

PROJECT ADDRESS
4560 BROWNSVILLE RD
POWDER SPRINGS, GA
30127
**24 HOUR
EMERGENCY CONTACT**
NAME
PHONE

SITE DEVELOPMENT PLANS
TLE - BROWNSVILLE ROAD
VISION DEVELOPMENT
GRADE PLAN

REV	DATE	PLAN REVISIONS

PROJECT NO. 23009062
PROJECT DATE 02-13-2026
SHEET NO. C300

PROJ:19104600190
CORREA LUNA ROBERTO
(P# 282 PG 191)

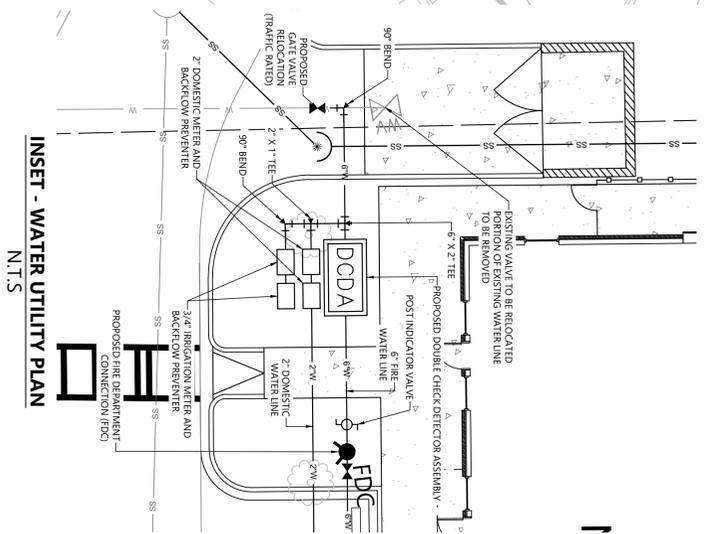
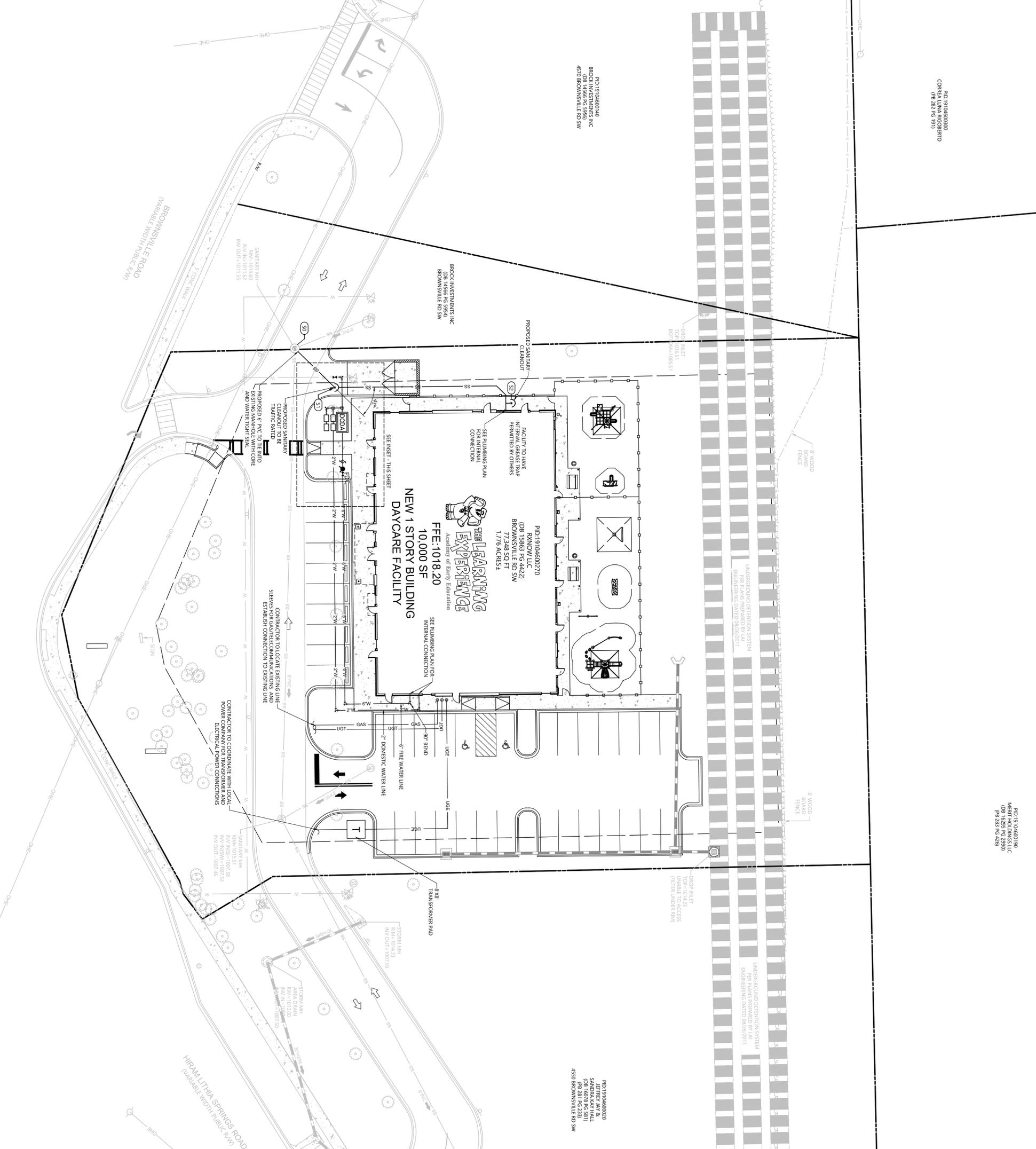
PROJ:19104600190
MERRIT HOLDINGS LLC
(DB # 5299 PG 4290)
(P# 539 PG 459)

PROJ:19104600140
BROCK INVESTMENTS INC
(DB #456 PG 3956)
4570 BROWNSVILLE RD SW

BROCK INVESTMENTS INC
(DB #456 PG 3954)
BROWNSVILLE RD SW

THE LEARNING EXPERIENCE
Academy of Early Education
NEW 1 STORY BUILDING
DAYCARE FACILITY
FFE-1018.20
10,000 SF
77,348 SQ FT
1,776 ACRES±
RANOW LLC
(DB #15863 PG 4422)
BROWNSVILLE RD SW
77,348 SQ FT
1,776 ACRES±

PROJ:19104600200
JEFFREY LAY & SANDRA LAY HALL
(DB #81 PG 5281)
(DB #81 PG 5281)
4559 BROWNSVILLE RD SW



UTILITY LEGEND

- EXISTING PROPERTY LINE
- EXISTING RIGHT-OF-WAY
- EXISTING SETBACK LINE
- PROPOSED RIGHT-OF-WAY
- PROPOSED SETBACK LINE
- 100 YEAR FLOOD PLAIN
- CANYON
- CABLE LINE
- OHE
- ELECTRIC OVERHEAD LINE
- UGE
- ELECTRIC UNDERGROUND LINE
- GAS
- GAS LINE
- SS
- SEWER LINE
- FMH
- SEWER FORCE MAIN - #4 SIZE
- OHT
- TELEPHONE OVERHEAD LINE
- UOT
- TELEPHONE UNDERGROUND LINE
- HW
- DOMESTIC WATER LINE - #1/2\"/>

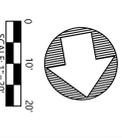
- SANITARY SEWER MANHOLE
- SEWER SERVICE (DOUBLE SERVICE)
- SEWER SERVICE (SINGLE SERVICE)
- SANITARY SEWER CLEAN OUT
- POST INDICATOR VALVE
- WATER SERVICE (DOUBLE SERVICE)
- WATER SERVICE (SINGLE SERVICE)
- WATER METER
- WATER BEND 45°
- WATER BEND 22.5°
- WATER BEND 112.5°
- WATER TEE
- GATE VALVE
- DOUBLE DETECTOR CHECK VALVE ASSEMBLY
- FIRE HYDRANT
- FIRE DEPARTMENT CONNECTION
- GREASE TRAP
- ELECTRICAL TRANSFORMER
- LIGHTING FIXTURE

REV	DATE	PLAN REVISIONS

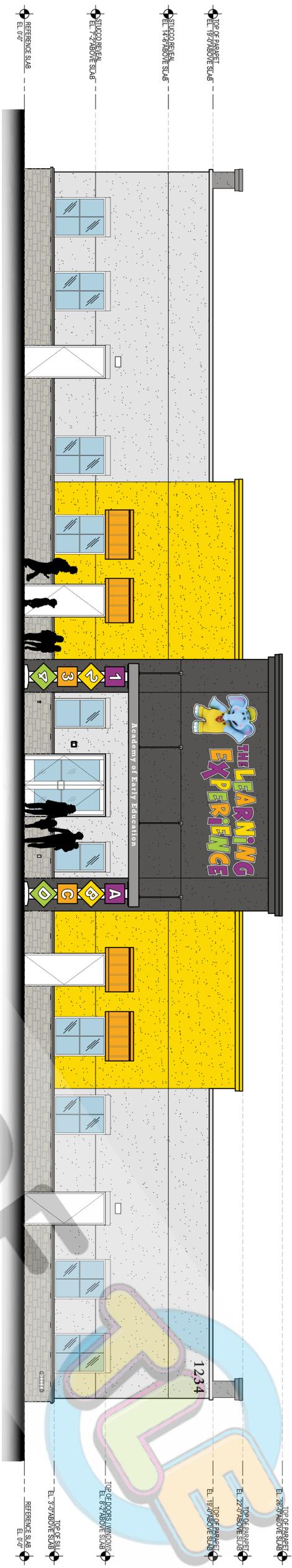
SITE DEVELOPMENT PLANS
TLE - BROWNSVILLE ROAD
VISION DEVELOPMENT
UTILITY PLAN

PROJECT ADDRESS
4560 BROWNSVILLE RD
POWDER SPRINGS GA
30127
EMERGENCY CONTACT
NAME
PHONE

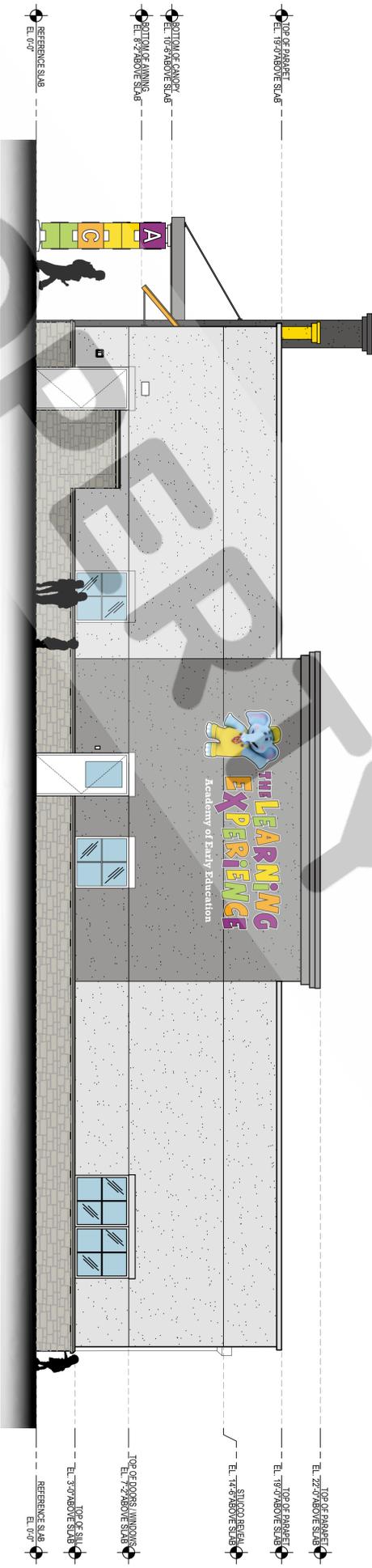
ATWELL
866.850.4200 www.atwell.com
1850 PARKWAY PLACE, SUITE 650
MARIETTA, GA
770.423.0800
CO.# PFT005804



PROJECT NO. 23009062
PROJECT DATE 02-13-2026
SHEET NO. C400

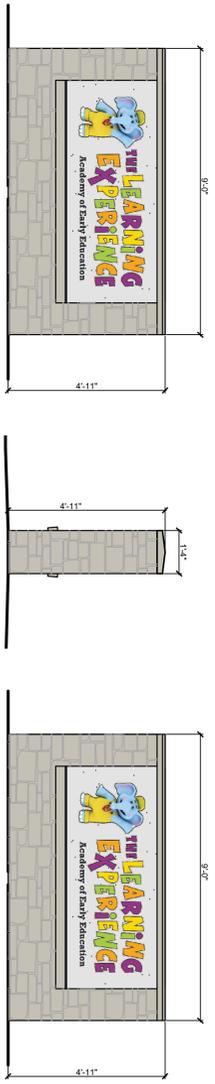


WEST ELEVATION
SCALE: 3/16" = 1'-0"



SOUTH ELEVATION
SCALE: 3/16" = 1'-0"

EXTERIOR MATERIAL SCHEDULE		
LABEL	MANUFACTURER	FINISH/COLOR
STOREFRONT	KAWNEER	BONE WHITE
DOOR	-	FACTORY FINISH
FIXED WINDOW	-	FINISH PAINT COLOR: WHITE
STONE	PLY GEM	WHITE
SILL	QUARRY MILL	COLUMBIAN CLASSIC GREY
EIFS-1	MODERN PRECAST	COLORED SANDS STONE
EIFS-2	DRYPIT	REGULAR (LIGHT GREY)
EIFS-3	DRYPIT	SAND PEBBLE FINISH
EIFS-4	DRYPIT	SAND PEBBLE FINISH
AWNING	-	COLORED SANDS STONE
CANOPY	-	COLORED SANDS STONE
CORING	-	COLORED SANDS STONE



TWO-SIDED MONUMENT
SCALE: 3/8" = 1'-0"

COMPANY NAME AND LOGO

STREET ADDRESS
CITY, STATE ZIP CODE
TLE SITE ID:

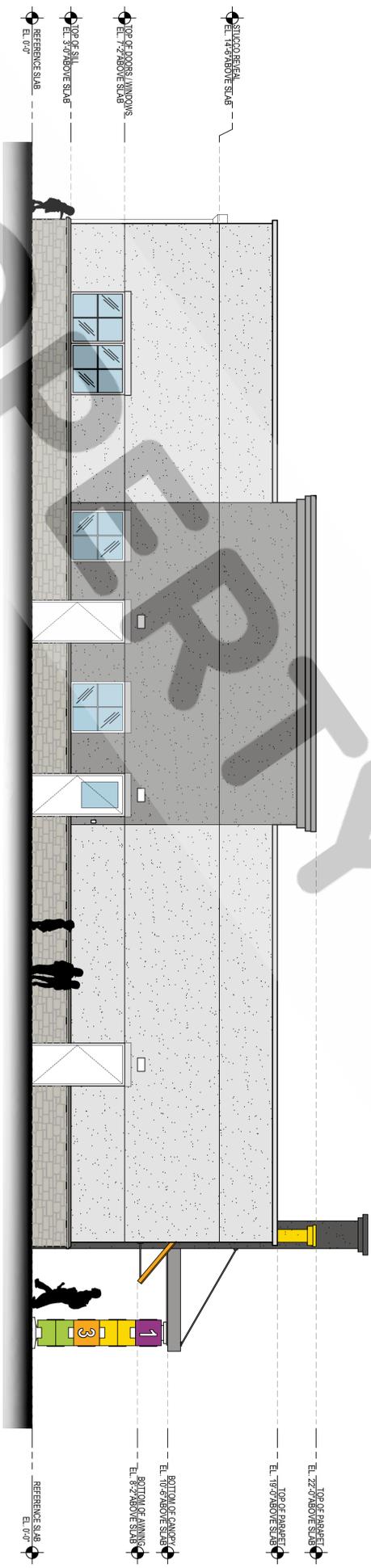
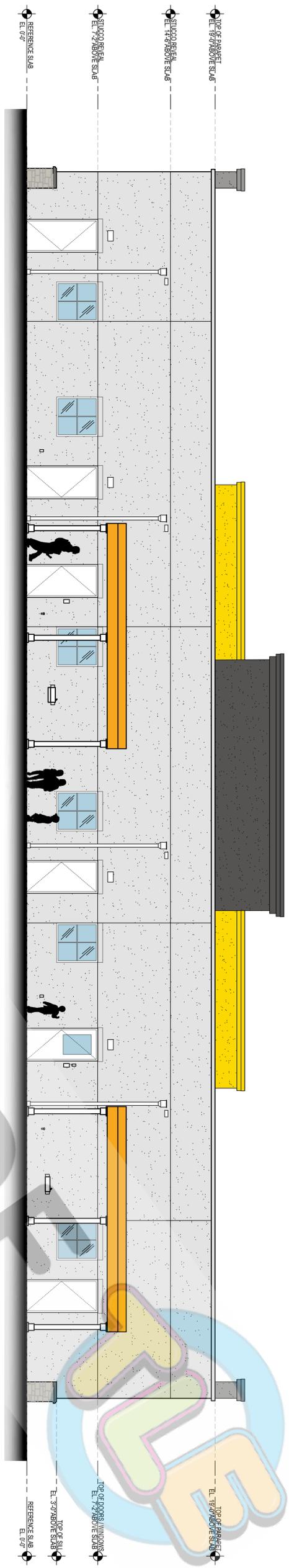


ISSUE			REVISION		
NO.	DATE	DESCRIPTION	NO.	DATE	DESCRIPTION
01	05-03-24	PROTOTYPE UPDATE	02	06-17-24	DESIGN DIRECTIVE #014
			03	08-12-24	DESIGN DIRECTIVE #015
			04	08-22-24	DESIGN DIRECTIVE #016
			05	09-17-24	DESIGN DIRECTIVE #017

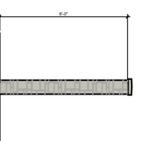
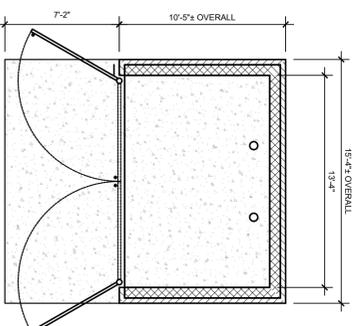
PROJECT NUMBER
DRAWN BY
APPROVED BY
PROFESSIONAL CERTIFICATION

A-001
EXTERIOR ELEVATIONS

This document contains confidential and proprietary information belonging to The Learning Experience ("Disclosing Party"). The information herein is provided solely to allow the receiving party to obtain budgeting and pricing from a general contractor. It does not represent the intended design, specifications or plans for any future project the receiving party may pursue. The document shall not be used for construction purposes or considered representative of any forthcoming work. The receiving party is authorized to use this information only for their internal budgeting and pricing purposes related to construction. No other use is permitted. The information herein shall not be shared, distributed, or disclosed to any third parties without the express written consent of Disclosing Party, except: (i) with employees, officers, and directors of the receiving party who have a legitimate need to access this information; or (ii) if required by law, regulation, or legal process, provided the receiving party promptly notifies the Disclosing Party to allow seeking a protective order or other remedy. Unauthorized, disclosure, copying, or distribution is expressly prohibited and may result in legal action.



EXTERIOR MATERIAL SCHEDULE		
LABEL	MANUFACTURER	FINISH/COLOR
STOREFRONT	KAWNEER	BONE WHITE
DOOR	-	FACTORY RAINED
FIXED WINDOW	PLY GEM	SILVER LINE V1 SERIES
STONE	QUARRY MILL	STONE VENEER
SILL	MODERN PRECAST	3 1/4" X 6 1/2" WITH 2" FLAT WITH 1/4" DRIP EDGE
EIFS-1	DRYVIT	SAND PEBBLE FINISH
EIFS-2	DRYVIT	COLOR: SW 7075; WEB GRAY
EIFS-3	DRYVIT	SAND PEBBLE FINISH
EIFS-4	DRYVIT	COLOR: SW 7071; GRAY SCREEN
AWNING	-	SAND PEBBLE FINISH
CANOPY	CUSTOM ALUMINUM	SHERWIN WILLIAMS POWDERA COLOR: P759-0000; GOLDEN CORN
CORING	FABRAL (OR EQUAL)	BREAK METAL
		CLEAR ANODIZED TO MATCH ADJACENT



PROJECT NUMBER
DRAWN BY
CHECKED BY
APPROVED BY

ISSUE			REVISION		
NO.	DATE	DESCRIPTION	NO.	DATE	DESCRIPTION
01	05-03-24	PROTOTYPE UPDATE	02	06-17-24	DESIGN DIRECTIVE #014
			03	08-12-24	DESIGN DIRECTIVE #015
			04	08-22-24	DESIGN DIRECTIVE #016
			05	09-17-24	DESIGN DIRECTIVE #017



STREET ADDRESS
CITY, STATE ZIP CODE
TLE SITE ID:

COMPANY NAME
AND LOGO

PROFESSIONAL CERTIFICATION

A-002
EXTERIOR ELEVATIONS

2024.V24.06 PROTOTYPE



Rezoning Request

Campaign Contribution Disclosure

Applicant and Attorney Information

Applicant's Name

Applicant's Address

Applicant's Attorney

Attorney's Address

Campaign Contribution Disclosure

The following information is provided in accordance with the Georgia Conflict of Interest in Zoning Actions Act, O.C.G.A. 36-67A-1 et seq.

The property that is the subject of the attached application is owned by:

- Individual(s) Corporation Partnership Limited Partnership Joint Venture

All persons, corporations, partners, limited partners, or joint ventures party to ownership of the property that is the subject of the attached application are listed below:

APPLICANT: Within the two years preceding the date of the attached application, the applicant has made campaign contributions or gifts aggregating \$250 or more to the Mayor, to members of the Powder Springs City Council, or to members of the Planning Commission, as follows:

Name of Official	Amount of Contribution or Gift	Date of Contribution or Gift
<hr/>	<hr/>	<hr/>

ATTORNEY: Within the two years preceding the date of the attached application, the attorney representing the applicant has made campaign contributions or gifts aggregating \$250 or more to the Mayor, to members of the Powder Springs City Council, or to members of the Planning Commission, as follows:

Name of Official	Amount of Contribution or Gift	Date of Contribution or Gift
<hr/>	<hr/>	<hr/>



Fee Schedule

FEES – Updated 11/5/2018. Please verify cost with staff

Variance, residential	\$	250.00
Variance, commercial	\$	450.00
Special Use	\$	250.00
Rezoning Application, single family, 0-5 acres	\$	250.00
Rezoning Application, single family, 6-10 acres	\$	700.00
Rezoning Application, single family, 11-20 acres	\$	1,000.00
Rezoning Application, single family, 21-100 acres	\$	1,500.00
Rezoning Application, single family, =/> 101 acres	\$	1,500.00 + \$30/acre
Rezoning Application, undeveloped med/high density residential, 0-5 acres	\$	700.00
Zoning - Rezoning Application, undeveloped med/high density residential, 6-10 acres	\$	1,200.00
Zoning - Rezoning Application, undeveloped med/high density residential, 11-20 acres	\$	1,500.00
Zoning - Rezoning Application, undeveloped med/high density residential, 21-100 acres	\$	2,000.00
Rezoning Application, undeveloped med/high density residential, =/> 101 acres	\$	2,000.00 + \$40 /acre
Rezoning Application, undeveloped non-residential, 0-5 acre	\$	900.00
Rezoning Application, undeveloped non-residential, 6-10 acres	\$	1,500.00
Rezoning Application, undeveloped non-residential, 11-20 acres	\$	1,800.00
Rezoning Application, undeveloped non-residential, 21-100 acres	\$	2,200.00
Rezoning Application, undeveloped non-residential, =/> 101 acres	\$	2,200.00 + \$50 /acre
Zoning - Rezoning Application, developed med/high density residential, 0-20,000 SF	\$	700.00
Rezoning Application, developed med/high density residential, 20,0001 - 50,000 SF	\$	1,200.00
Rezoning Application, developed med/high density residential, 50,001 - 100,000 SF	\$	1,500.00
Rezoning Application, developed med/high density residential, 100,001 - 500,000 SF	\$	2,000.00
Rezoning Application, developed med/high density residential, =/> 500,001 SF	\$	2,000.00 \$90 /100,000 SF
Rezoning Application, developed non-residential, 0-20,000 SF	\$	900.00
Rezoning Application, developed non-residential, 20,001-50,000 SF	\$	1,500.00
Rezoning Application, developed non-residential, 50,001-100,000 SF	\$	1,800.00
Rezoning Application, developed non-residential, 100,001-500,000 SF	\$	2,200.00
Rezoning Application, developed non-residential, =/> 500,001 SF	\$	2,200.00 + \$115 /100,000 SF
Public Hearing signs	\$	25.00
Public Hearing signs - Deposit	\$	10.00

TO THE CITY OF POWDER SPRINGS

COBB COUNTY, GEORGIA

CONSTITUTIONAL CHALLENGE

COMES NOW, VISION DEVELOPMENT & CONSTRUCTION SERVICES, LLC, hereinafter referred to as the "Applicant", and asserts the following, to wit:

1.

By application to which this exhibit relates, the Applicant has applied to modify the conditions of zoning for certain real property lying and being within the City of Powder Springs, Cobb County, Georgia, a more particular description and delineation of the subject property, hereinafter referred to as the "Property", being set forth in said Application.

2.

The Application for Rezoning of the property seeks modifications of conditions of zoning applicable to a prior rezoning to the existing category of CRC, as established by the governing authority of Powder Springs, Georgia. More specifically, Applicant seeks to modify the site plan, architecture and any other conditions of the prior rezoning which prevent the Applicant from making its intended use of the Property.

3.

Particularly given that Applicant's intended use of the property is a permitted use in CRC, any zoning stipulations or other requirements that preclude Applicant from making its intended use of the Subject Property are unconstitutional in that they deprive the Applicant under and pursuant to Article 1, Section I, Paragraphs I and II of the Georgia Constitution of 1983 and the Equal Protection and Due Process clauses of the Fifth and Fourteenth Amendments to the

Constitution of the United States. This deprivation of property without due process violates constitutional prohibitions against the taking of private property without just compensation.

4.

Any stipulations or requirements that prevent Applicant from making its intended use of the Subject Property are further unconstitutional in that they do not bear a substantial relation to the public health, safety, morality or general welfare and are, therefore, confiscatory and void. Further, said stipulations and restrictions are unconstitutional in that they are arbitrary and unreasonable, resulting in relatively little gain or benefit to the public, while inflicting serious injury and loss upon the Applicant.

5.

The City of Powder Springs' Unified Development Code is further unconstitutional in that the procedures contained therein pertaining to the public hearings held in connection with zoning applications also violates the aforementioned constitutional provisions in that said procedures contain the lack of procedural and evidentiary safeguards, do not restrict evidence received to the issues at hand and are controlled wholly and solely by political considerations rather than the facts and considerations required by law.

Respectfully submitted, this the 24th day of February 2026.

SAMS, LARKIN & HUFF, LLP

By: 

JOEL L. LARKIN
Attorney for Applicant
Ga. Bar No. 438415