

AMEND SOMETHING PREVIOUSLY ADOPTED

Section 25 of the Board of Commissioners' Zoning and Land Use Hearing Procedures adopted January 11, 1994 and last revised October 19, 2004 allows any commissioner to amend an action taken at a previous hearing. A second shall be required and full discussion shall be allowed. A majority vote shall be required for adoption of the amendment and if passed a second motion will be needed to revise the conditions. This particular item would be to amend stipulations for Other Business Item OB-004-2018 and SLUP-003-2018 as listed in the official minutes of the February 20, 2018 meeting. Three stipulations need to be amended to clarify the record which are:

1. Delete stipulation #4 in its entirety, as it is a duplicate of existing #7.
2. Revise stipulation #5 to read: Office hours of operation Monday through Saturday 9:00 a.m. until 6:00 p.m. & on Sunday 12:00 p.m. until 6:00 p.m.
3. Revise stipulation #7 to read: No loading & unloading of moving vans or moving trucks over 12,500 pounds Monday through Sunday between the hours of 8:00 p.m. and 8:00 a.m.

The zoning hearing minutes are attached for review.

**MINUTES OF ZONING HEARING
COBB COUNTY BOARD OF COMMISSIONERS
FEBRUARY 20, 2018
9:00 A.M.**

REGULAR AGENDA (CONT.)

By general consensus, companion cases SLUP-3 and O.B. 4 (Brooks Chadwick Capital, LLC) were considered concurrently but voted on separately.

SLUP-3 **BROOKS CHADWICK CAPITAL, LLC** (Cobb County Board of Education, owner) requesting a **Special Land Use Permit** for the purpose of a Climate Controlled Self-Storage Facility in Land Lot 406 of the 16th District. Located on the east side of Sandy Plains Road, south of Shallowford Road.

O.B. 4 To consider a site plan and stipulation amendment for Brooks Chadwick Capital, LLC regarding rezoning application Z-53 of 2017 for property located on the east side of Sandy Plains Road, south of Shallowford Road, in Land Lots 386, 387, 406 and 407 of the 16th District.

The public hearing was opened, and Mr. Kevin Moore, Ms. Jill Flamm, Ms. Ja'net Morrisett, Ms. Kristina Ledoux, and Mr. Allen McCahren addressed the Board. Following presentation and discussion, the following motion was made:

MOTION: Motion by Birrell, second by Boyce, to **approve**, SLUP-3, subject to:

1. **Letter of agreeable conditions from Mr. Kevin Moore dated September 27, 2017, October 3, 2017, October 12, 2017, October 18, 2017, January 31, 2018, and February 19, 2018 (attached and made a part of these minutes)**
2. **No overnight parking**
3. **No truck idling**
4. **No loading and unloading Monday through Saturday 8:00 p.m. until 8:00 a.m.**
5. **Office hours of operation Monday through Saturday 9:00 a.m. until 6:00 p.m.**
6. **No card access 11:00 p.m. until 6:00 a.m.**
7. **No moving vans or moving trucks over 12,500 pounds between the hours of 8:00 p.m. and 8:00 a.m.**
8. **All stipulations from Z-53^{'17}, *not otherwise in conflict*, to remain in effect**
9. **Planning Commissions comments and recommendation, *not otherwise in conflict***
10. **Staff comments and recommendations, *not otherwise in conflict***

VOTE: **ADOPTED 5-0**

REGULAR AGENDA (CONT.)

O.B. 4 CONT.

Following the vote on SLUP-3, the following motion was made for O.B. 4:

MOTION: Motion by Birrell, second by Boyce, to **approve** O.B. 4 subject to:

- 1. Final site plan to be approved by the District Commissioner**
- 2. Staff comments and recommendations, *not otherwise in conflict***
- 3. All previous stipulations and conditions, *not otherwise in conflict*, to remain in effect**

VOTE: ADOPTED 5-0

MOORE INGRAM JOHNSON & STEELE

A LIMITED LIABILITY PARTNERSHIP
WWW.MIJS.COM

JOHN H. MOORE
STEPHEN C. STEELE
WILLIAM R. JOHNSON†
ROBERT D. INGRAM†
J. BRIAN O'NEIL
G. PHILLIP BEGGS
ELDON L. BASHAM
MATTHEW J. HOWARD
JERE C. SMITH
CLAYTON O. CARMACK
KEVIN B. CARLOCK†
J. KEVIN MOORE
RODNEY R. MCCOLLOCH
SUSAN S. STUART
BRIAN D. SMITH
HARRY R. TEAR III
W. TROY HART†
JEFFREY A. DAXE
CHRISTOPHER C. MINGLEDORFF
PHILIP C. THOMPSON
SHANE MAYES
ALEXANDER B. MORRISON*
GREGORY H. FULLER*
DOUGLAS W. BUTLER, JR.

CAREY E. OLSON*
RYAN M. INGRAM
JOYCE W. HARPER
CHARLES E. PIERCE*
WILMA R. BUSH
TODD I. HEIRD*
CARLA C. WESTER*
AMY L. JETT*
SHAWN G. SHELTON
D. AUSTIN GILLIS†
KRISTEN C. STEVENSON*
SARAH H. BEST*
RYAN C. EDENS*
JULIE C. FULLER*
TAMMI L. BROWN
JONATHAN J. SMITH
WILLIAM B. WARIHAY*
DAVID P. CONLEY
LOURDES M. SANCERNI*
LESLIE S. NEUBAUER
JENNIFER B. SIMPSON
CHRISTIAN H. LAYCOCK
LIZA D. HARRELL**
JOHN A. EARLY

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

KNOXVILLE, TENNESSEE
408 N. CEDAR BLUFF RD • STE 500
KNOXVILLE, TENNESSEE 37923
TELEPHONE (865) 692-9039

JACKSONVILLE, FLORIDA
10201 CENTURION PKWY, N • STE 401
JACKSONVILLE, FLORIDA 32256
TELEPHONE (904) 428-1465

BRENTWOOD, TENNESSEE
5200 MARYLAND WAY • STE 301
BRENTWOOD, TENNESSEE 37027
TELEPHONE (615) 425-7347

LEXINGTON, KENTUCKY
2333 ALEXANDRIA DRIVE
LEXINGTON, KENTUCKY 40504
TELEPHONE (502) 410-8021

CHARLESTON, SOUTH CAROLINA
885 ISLAND PARK DR • STE B
CHARLESTON, SOUTH CAROLINA 29492
TELEPHONE (843) 302-0002

ORLANDO, FLORIDA
7380 W. SAND LAKE RD • STE 500
ORLANDO, FLORIDA 32819
TELEPHONE (407) 367-6233

CHRISTOPHER W. SHERMAN*
KENNETH D. HALL
BRENT R. LAMAN*
CHRISTOPHER R. BROOKS*
ALLISON M. HELSINGER*
MICHAEL R. BEANE*
MICHAEL E. PATTERSON***
RYAN T. BOWDEN
JARED C. WILLIAMS***
CHRISTOPHER G. ROWE*
TIFFANY B. SHERRILL*
DAVID W. SAMMONS*
MARSHALL L. PORTIVENT
PETER P. FRECH*
LAUREN E. SMITH*
LESLEY M. ROWE
TAYLOR W. WILLIAMS
MATTHEW R. HALL*
TYLER S. WATERFIELD**
BARRON K. MARTIN*
JENNIFER A. LOWE*
DEREK J. BROWN
KEVIN B. HARRIS
GARETT P. FRANKLYN*

DEBBIE V. HAUGHTON
M. ANDREW WOMACK*
SHAREE L. TUMBLING
MARC D. ROBINSON
ZACH T. POWERS**
LINDSAY A. FLEMING
JONATHAN D. NWILOH
DANIEL R. FINK

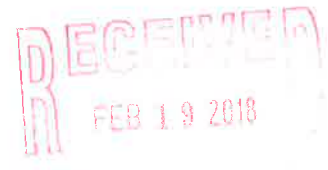
OF COUNSEL:
JOHN L. SKELTON, JR.†

† ALSO ADMITTED IN TN
* ALSO ADMITTED IN FL
*** ALSO ADMITTED IN CA
** ALSO ADMITTED IN TX
* ALSO ADMITTED IN AL
† ALSO ADMITTED IN KY
* ALSO ADMITTED IN SC
* ALSO ADMITTED IN NC
** ALSO ADMITTED IN IN
* ALSO ADMITTED IN NY
* ADMITTED ONLY IN TN
* ADMITTED ONLY IN FL
*** ADMITTED ONLY IN SC
* ADMITTED ONLY IN KY
** ADMITTED ONLY IN NY

Min. Bk. 84 Petition No. SLUP-3
Disc. Type 2-19-18 letter
Meeting Date 2-20-18

February 19, 2018

Hand Delivered



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

RE: Application for Special Land Use Permit and Application for "Other Business"
Application Nos.: SLUP-3 (2018) and OB-004-2018
Applicant: Brooks Chadwick Capital, LLC
Property Owner: Cobb County Board of Education
Property: 13.8411 acres, more or less, located on the easterly side of Sandy Plains Road, south of Shallowford Road, and at the northern terminus of Hunters Lodge Road, Land Lots 386, 387, 406, and 407, 16th District, 2nd Section, Cobb County, Georgia

Dear John:

On behalf of the Applicant, Brooks Chadwick Capital, LLC (hereinafter "Applicant"); as well as, the Property Owner, the Cobb County Board of Education (hereinafter "Owner"), please allow this correspondence to serve as a supplement to the letter of agreeable stipulations and conditions dated and filed with your office on January 31, 2018, as follows:

- (1) Applicant agrees there shall be no "roll-up" doors on either sides of the proposed self-storage building for access. (Updated elevations are attached.)

MOORE INGRAM JOHNSON & STEELE

Petition No. SLUP-3
Meeting Date 2-20-18
Continued

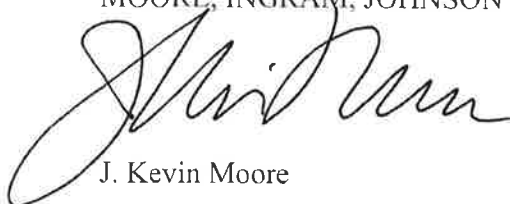
Mr. John P. Pederson, AICP
Zoning Division Manager
Zoning Division
Cobb County Community Development Agency
Page 2 of 3
February 19, 2018

- (2) Card and gate access to the proposed self-storage facility shall be limited to the hours of 6:00 a.m. to 11 p.m.
- (3) Additionally, office hours for the proposed self-storage facility shall be limited to 9:00 a.m. to 6:00 p.m.
- (4) Applicant agrees there shall be no parking in the area to the rear of proposed Building 600 between the hours of 11:00 p.m. and 5:30 a.m.
- (5) To clarify, dumpsters shall not be located in the rear portion of the Subject Property adjacent to existing residences. Changes to this stipulation regarding dumpster location shall not be considered a minor modification.
- (6) To the extent reasonably possible, Applicant agrees to install sound dampening screening around roof-top HVAC systems to be located on proposed Building 800.
- (7) There shall be no amplified or live outdoor music or entertainment, outside paging systems, phone bells, or loudspeakers; excepting only low decibel outdoor music systems in outside seating areas.
- (8) Unless in direct conflict, the balance and remainder of the January 31, 2018, letter of agreeable stipulations and conditions is unchanged by this supplemental stipulation letter.

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. SL449-3
Meeting Date 2-20-18
Continued

Mr. John P. Pederson, AICP
Zoning Division Manager
Zoning Division
Cobb County Community Development Agency
Page 3 of 3
February 19, 2018

c: Cobb County Board of Commissioners:

Mike Boyce, Chairman
JoAnn Birrell
Lisa N. Cupid
Robert J. Ott
Bob Weatherford
(With Copy of Attachment)

Jason A. Campbell
Planner III
Zoning Division
Cobb County Community Development Agency
(With Copy of Attachment)

Jill Flamm
Trish Steiner
East Cobb Civic Association, Inc.
(With Copy of Attachment)

Ja'net R. Morrissett
Area Resident
(With Copy of Attachment)

Brooks Chadwick Capital, LLC
Fuqua Development, LP
(With Copy of Attachment)

DATE: 12-6-17
 DRAWN BY: [Name]
 CHECKED BY: [Name]

PROJECT: SANDY PLAINS SELF STORAGE
 ADDRESS: SANDY PLAINS ROAD
 COUNTY: COBB COUNTY, GA

SCALE: AS SHOWN
 SHEET: A4.1

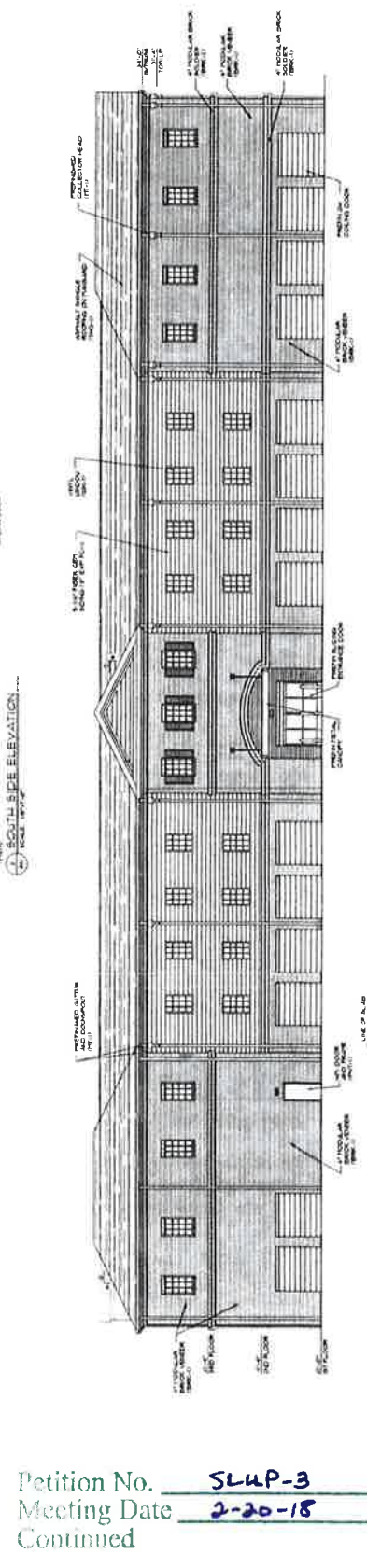
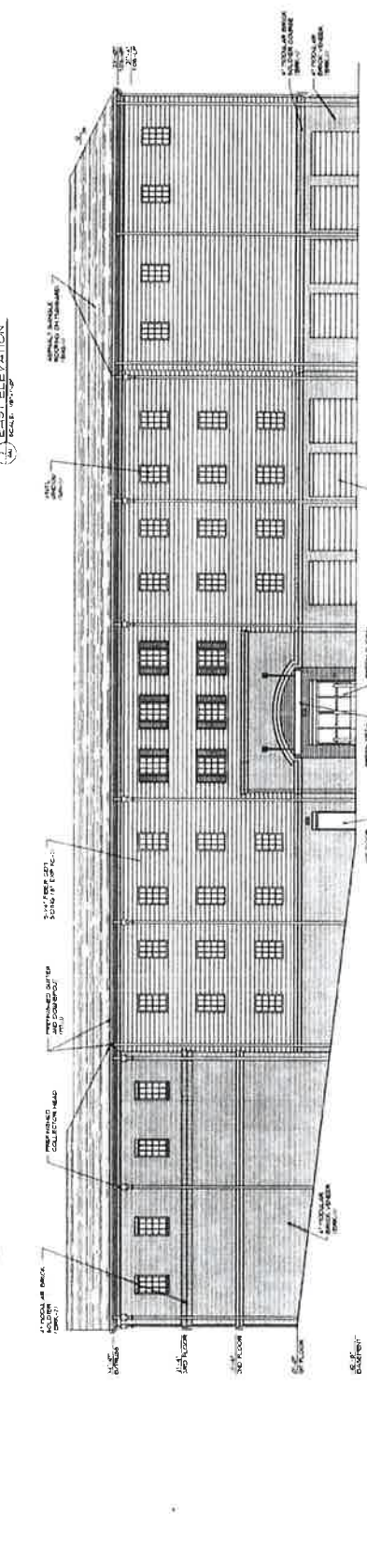
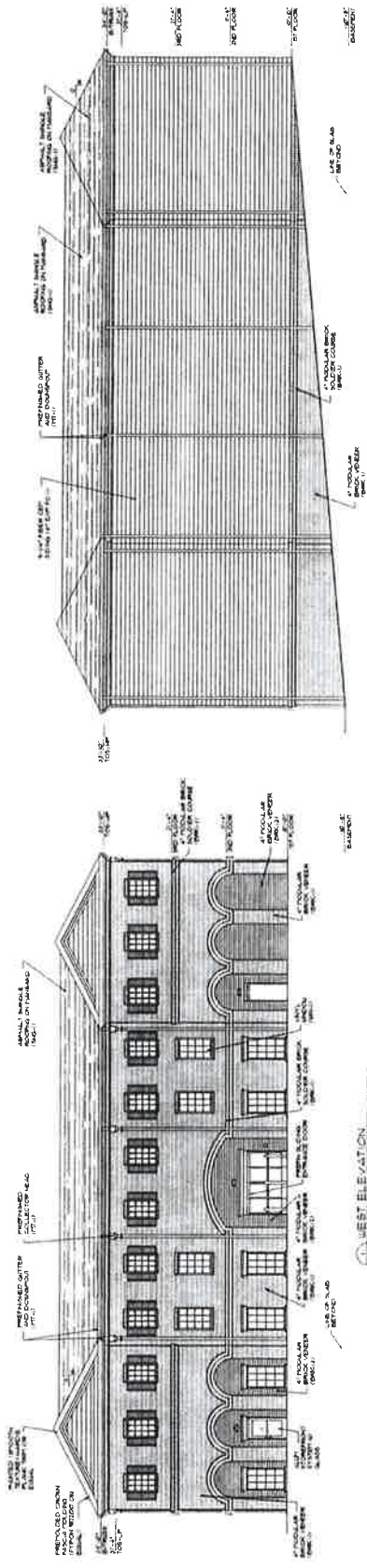
SANDY PLAINS SELF STORAGE
 Sandy Plains Road
 Cobb County, GA



PROJECT NO. SLUP-3
 MEETING DATE 2-20-18
 CONTINUED

DATE: 12-6-17
 DRAWN BY: [Name]
 CHECKED BY: [Name]

A4.1



Petition No. SLUP-3
 Meeting Date 2-20-18
 Continued