

SLUP-1 (2014)

WINDY HILL SELF STORAGE ZONING PLAN



Table with 2 columns: Code, Description. Lists various zoning codes and their corresponding descriptions.

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OWNER/DEVELOPER

Norhake Storage, LLC
1800 N. CHANDLER ROAD
SUITE 100
ALPHARETTA, GA 30201

DESIGNER

4377 THINK DRIVE - SUITE 4100
NORCROSS, GEORGIA 30092
PH: (770) 441-4714
WWW.LAND-CONCEPTS.COM

PERMITTED USES

- 1. SELF STORAGE
- 2. OFFICE USE
- 3. RETAIL USE

REQUIREMENTS

- 1. SETBACKS: FRONT (10 FT), SIDE (5 FT), REAR (10 FT)
- 2. SIGNAGE: SIGNAGE SHALL BE AS PERMITTED BY THE ZONING ORDINANCE.
- 3. LIGHTING: LIGHTING SHALL BE AS PERMITTED BY THE ZONING ORDINANCE.
- 4. PAVING: PAVING SHALL BE AS PERMITTED BY THE ZONING ORDINANCE.

PERMITTED ACCESSORIES

- 1. OFFICE USE
- 2. RETAIL USE

PERMITTED SETBACKS

- 1. FRONT (10 FT)
- 2. SIDE (5 FT)
- 3. REAR (10 FT)

PERMITTED SIGNAGE

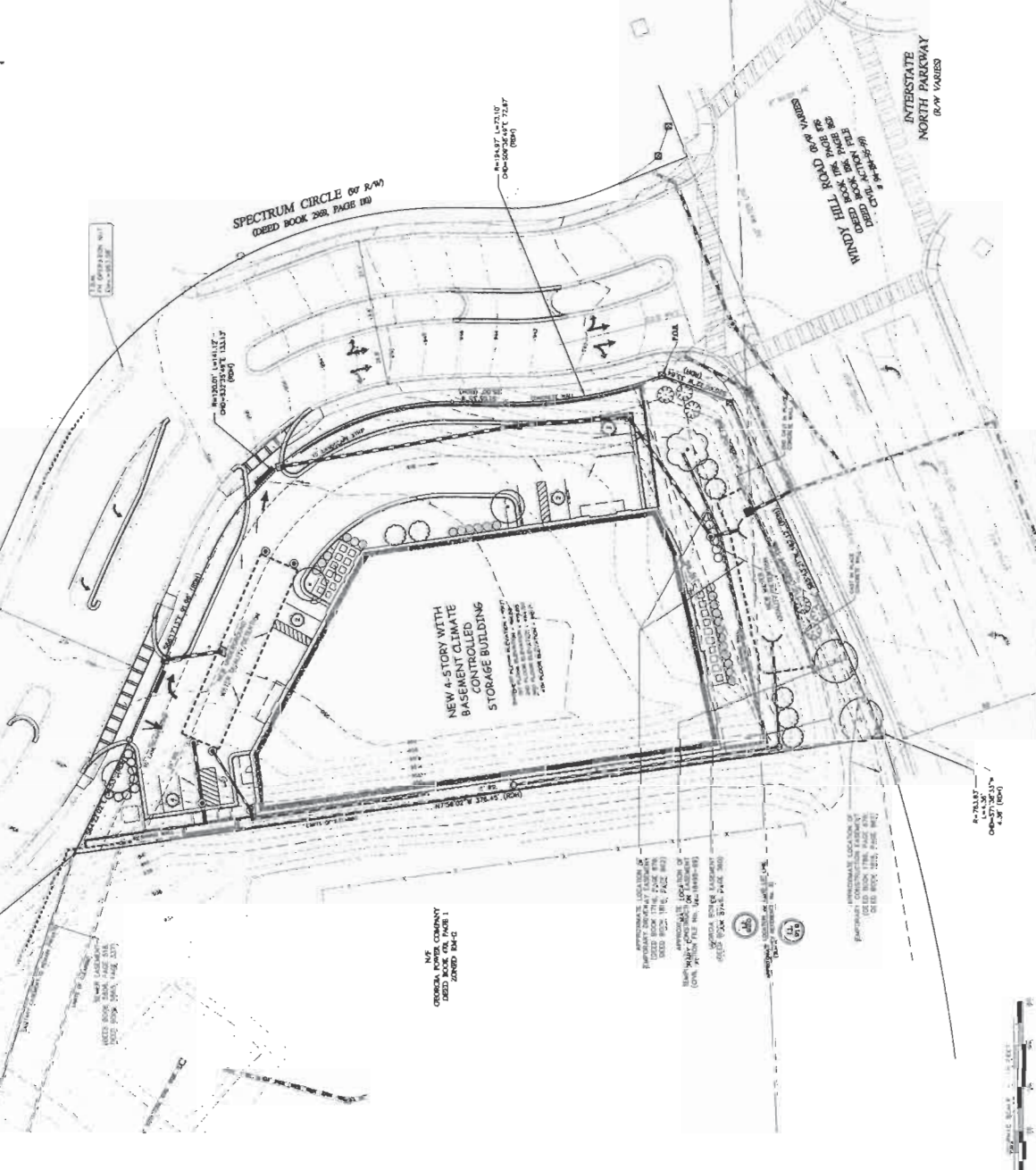
- 1. SIGNAGE SHALL BE AS PERMITTED BY THE ZONING ORDINANCE.

PERMITTED LIGHTING

- 1. LIGHTING SHALL BE AS PERMITTED BY THE ZONING ORDINANCE.

PERMITTED PAVING

- 1. PAVING SHALL BE AS PERMITTED BY THE ZONING ORDINANCE.



LEGEND table defining symbols for various site plan elements like building, parking, road, utility, etc.

COBB COUNTY ZONING DIVISION
2013 DEC -5 AM 9:37
FILED IN OFFICE
COBB COUNTY GEORGIA



APPLICANT: Northlake Storage, LLC
(678) 797-9797

REPRESENTATIVE: Garvis L. Sams, Jr. (770) 422-7016
Sams, Larkin & Huff, LLP

TITLEHOLDER: San-Har, Inc.

PROPERTY LOCATION: Northwest intersection of Windy Hill Road and Spectrum Circle.

ACCESS TO PROPERTY: Spectrum Circle

PHYSICAL CHARACTERISTICS TO SITE: Undeveloped acreage

CONTIGUOUS ZONING/DEVELOPMENT

- NORTH:** O&I/Corporate Spectrum Offices
- SOUTH:** O&I/Sporting Club at Windy Hill
- EAST:** O&I/Corporate Spectrum Offices
- WEST:** RM-12/Georgia Power Substation

PETITION NO: SLUP-1

HEARING DATE (PC): 02-04-14

HEARING DATE (BOC): 02-18-14

PRESENT ZONING: OMR

PROPOSED ZONING: Special Land Use Permit

PROPOSED USE: Climate-Controlled Self-Service Storage Facility

SIZE OF TRACT: 1.195 acres

DISTRICT: 17

LAND LOT(S): 919, 920

PARCEL(S): 3

TAXES: PAID X **DUE** _____

COMMISSION DISTRICT: 2

OPPOSITION: NO. OPPOSED **PETITION NO:** _____ **SPOKESMAN** _____

PLANNING COMMISSION RECOMMENDATION

APPROVED _____ **MOTION BY** _____

REJECTED _____ **SECONDED** _____

HELD _____ **CARRIED** _____

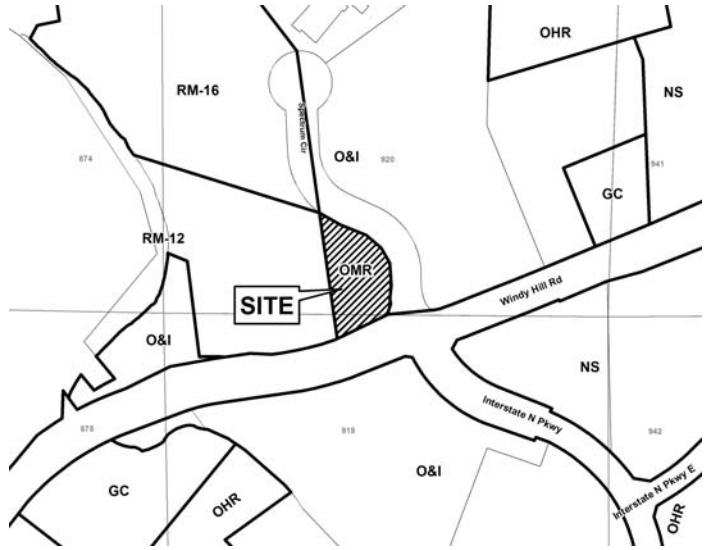
BOARD OF COMMISSIONERS DECISION

APPROVED _____ **MOTION BY** _____

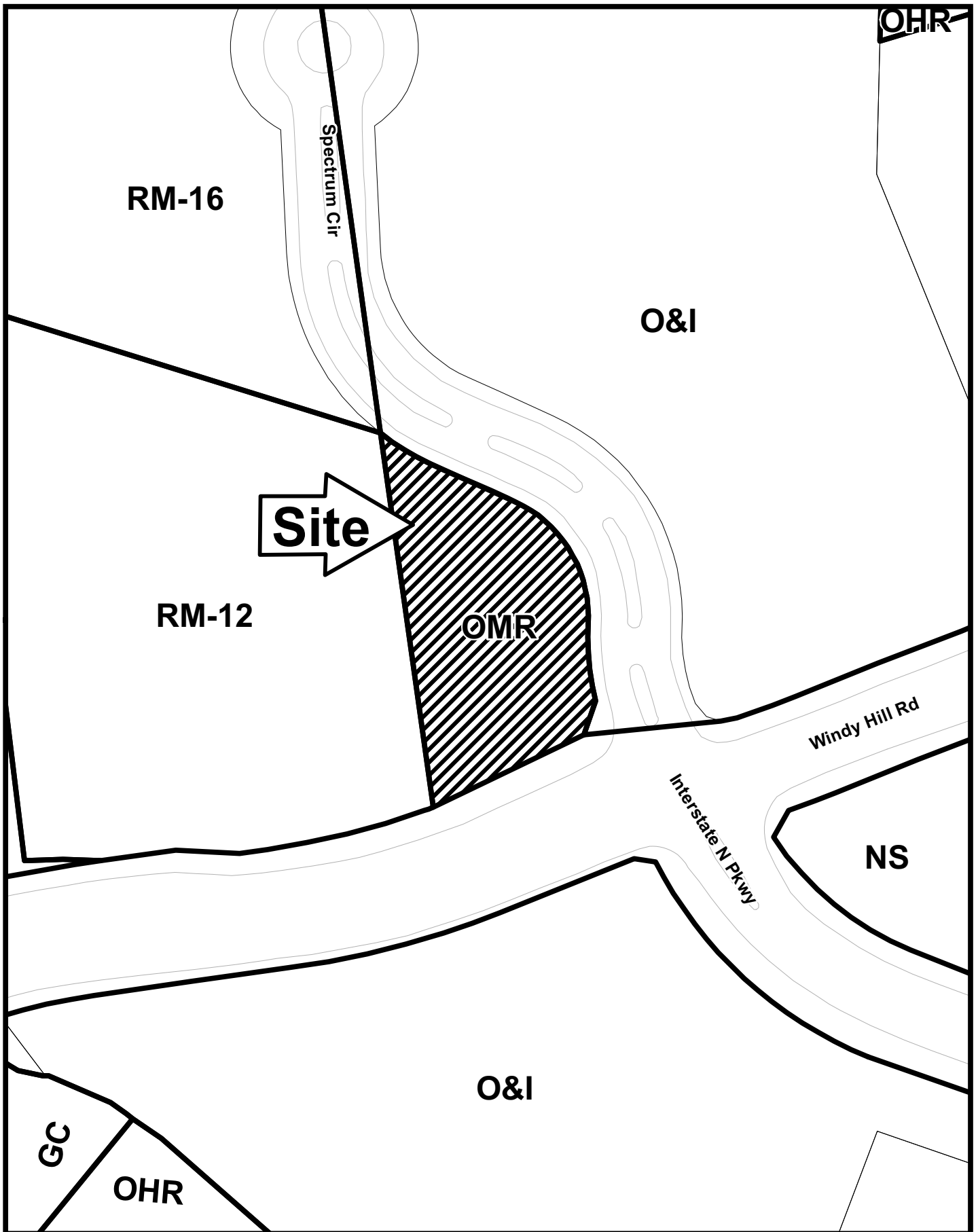
REJECTED _____ **SECONDED** _____

HELD _____ **CARRIED** _____

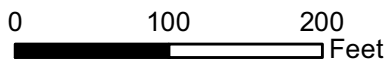
STIPULATIONS:



SLUP-1



This map is provided for display and planning purposes only. It is not meant to be a legal description.



-  City Boundary
-  Zoning Boundary

APPLICANT: Northlake Storage, LLC

PETITION NO.: SLUP-1

PRESENT ZONING: OMR

PETITION FOR: SLUP

ZONING COMMENTS: Staff Member Responsible: Jason A. Campbell

The applicant is requesting the O&I zoning district to develop a climate controlled self-service storage facility. The proposed building would have an exterior of brick and EFIS on four sides. The building would contain four stories with a basement, and would have 870 storage units. The hours of operation will be 8:00 a.m. to 6:00 p.m. Monday through Saturday, and 1:00 p.m. to 6:00 p.m. on Sundays. This proposal was approved as Z-29 and SLUP-11 of 2008 and contained a reversion clause for the property to go back to the original OMR category if the closing on the sale of the property did not occur within six months of the successful rezoning. A land disturbance permit was issued, but the construction never took place. The applicant is requesting the following contemporaneous variances:

1. Reduce the required amount of parking spaces from 35 parking space to 10 parking spaces;
2. Reduce the side setback from 15 feet to 5 feet;
3. Waive the 20-foot landscape buffer along the western property (adjacent to the Georgia Power Substation);
4. Waive the maximum Floor Area ratio from 0.75 to 2.1, per County Code (however, the Comprehensive Plan allows F.A.R.'s in R.A.C.'s to be up to 2.0);
5. Waive the maximum building height, from three stories to five stories; and
6. Reduction in road frontage landscape strip from 20 feet to 10 feet.

Historic Preservation: No comments.

Cemetery Preservation: No comment.

WATER & SEWER COMMENTS:

No comments (see Z-4 2014).

TRAFFIC COMMENTS:

Recommend no access to Windy Hill Road.

Recommend applicant verify that minimum intersection sight distance is available for ingress and egress maneuvers for the site if it is not, implement remedial measures, subject to the Department's approval, to achieve the minimum requirement of 280'.

Recommend the southern drive be used as an exit only.

Recommend closing the southern most median opening along the Spectrum Circle.

Recommend the applicant coordinate with Cobb County DOT regarding the Windy Hill Road East SPLOST project, E4020.

Recommend applicant be required to meet all Cobb County Development Standards and Ordinances related to project improvements.

APPLICANT: Northlake Storage, LLC

PETITION NO.: SLUP-1

PRESENT ZONING: OMR

PETITION FOR: SLUP

FIRE COMMENTS:

After analyzing the information presented for a Preliminary Review, the Cobb County Fire Marshal's Office is confident that all other items can be addressed during the Plan Review Stage.

APPLICANT: Northlake Storage, LLC

PETITION NO.: SLUP-1

PRESENT ZONING: OMR

PETITION FOR: SLUP

STORMWATER MANAGEMENT COMMENTS

Address any outstanding Plan Review comments.

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STAFF RECOMMENDATIONS

SLUP-1 NORTHLAKE STORAGE, LLC

- A. It is Staff's opinion that the applicant's rezoning proposal will permit a use that is suitable in view of the use and development of adjacent and nearby properties. The applicant's proposal is aesthetically pleasing, and would look like an office building.
- B. It is Staff's opinion that the applicant's rezoning proposal may not have an adverse affect on the usability of adjacent or nearby property. This same proposal was previously approved in 2008 (Z-29 and SLUP-11).
- C. It is Staff's opinion that the applicant's rezoning proposal will not result in a use which would cause an excessive or burdensome use of existing streets, transportation facilities, utilities, or schools. This opinion can be supported by the departmental comments contained in this analysis.
- D. It is Staff's opinion that the applicant's rezoning proposal is in conformity with the policy and intent of the *Cobb County Comprehensive Plan*, which delineates this property to be within a Regional Activity Center, Sub Area for High Density Residential. It is Staff's opinion that this proposed (and previously approved) use be approved once again. The proposed use is less intense than some of the other uses that could also be allowed in this zoning/land use combination.
- E. It is Staff's opinion that there are existing and changing conditions affecting the use and development of the property which give supporting grounds for supporting the applicant's rezoning proposal. Uses, such as this proposal, are allowable in this O&I zoning district. The same proposal was approved in 2008, but reverted back to OMR because of a particular zoning stipulation. A land disturbance permit was actually issued for the project, but was never built and the property reverted back to the original zoning.

Based on the above analysis, Staff recommends APPROVAL subject to the following conditions:

- Reflective windows be installed to face exterior of building;
- Fire Department comments and recommendations;
- Water and Sewer Division comments and recommendations;
- Stormwater Management Division comments and recommendations;
- Department of Transportation comments and recommendations.

The recommendations made by the Planning and Zoning Staff are only the opinions of the Planning and Zoning Staff and are by no means the final decision. The Cobb County Board of Commissioners makes the final decisions on all Rezoning and Land Use Permits at an advertised public hearing.

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APPLICATION NO. SLUP

ORIGINAL DATE OF APPLICATION: 08-19-08

APPLICANTS NAME: COOKE ENTERPRISES, INC.

THE FOLLOWING REPRESENTS THE FINAL DECISIONS OF THE
COBB COUNTY BOARD OF COMMISSIONERS

BOC DECISION OF 10-21-08 ZONING HEARING:

COOKE ENTERPRISES, INC. (San-Har, Inc., owner) requesting a **Special Land Use Permit** for the purpose of a Climate Controlled Self-Service Storage Facility in Land Lots 919 and 920 of the 17th District. Located at the northwest intersection of Windy Hill Road and Spectrum Circle

MOTION: Motion by Lee, second by Goreham, as part of the Consent Agenda, to **approve** Special Land Use Permit **subject to:**

- **site plan received by the Zoning Division May 22, 2008 (attached and made part of these minutes)**
- **letters of agreeable conditions from Mr. Garvis L. Sams, Jr., dated August 14, 2008 and August 21, 2008, not otherwise in conflict (attached and made part of these minutes)**

VOTE: **ADOPTED** unanimously

SAMS, LARKIN & HUFF
A LIMITED LIABILITY PARTNERSHIP

GARVIS L. SAMS, JR.
JOEL L. LARKIN
PARKS F. HUFF
JAMES A. BALLI

MELISSA P. HAISTEN
JUSTIN H. MEEKS

SUITE 100
376 POWDER SPRINGS STREET
MARIETTA, GEORGIA 30064-3448

770-422-7016
TELEPHONE
770-426-6583
FACSIMILE

SAMSLARKINHUFF.COM

August 14, 2008

VIA HAND DELIVERY and
E-MAIL

Mr. John P. Pederson, AICP, Planner III
Cobb County Zoning Department
Suite 300
191 Lawrence Street
Marietta, Georgia 30060-1661



Re: Application of Cooke Enterprises, Inc. to Rezone a
1.195 Acre Tract from OMR to O&I (No. Z-29)

Application of Cooke Enterprises, Inc., for Special Land Use
Permit (No. SLUP-11)

Dear John:

As you know, this firm has been engaged by and represents Cooke Enterprises, Inc. concerning the above-captioned Applications for Rezoning and Special Land Use Permit. The Application for Rezoning was continued earlier this month and is now scheduled to be heard and considered by the Cobb County Planning Commission on September 3, 2008. Thereafter, it is scheduled to be heard and considered by the Cobb County Board of Commissioners on September 16, 2008. The Application for the Special Land Use Permit will be heard on the following cycle by the Planning Commission on October 7, 2008 and by the Board of Commissioners on October 21, 2008.

During the pendency of the application, we have continued to interface with the County's professional staff. Additionally, we have established a meaningful and ongoing dialogue with representatives of the Terrell Mill Community Association ("TMCA") and the East Cobb Civic Association ("ECCA"). This letter will serve as our agreements with TMCA and ECCA and embody Cooke Enterprises, Inc's expression of agreement with the following revised stipulations which shall become conditions and a part of the grant of the requested rezoning and Special Land Use Permit and binding upon the subject property thereafter:

Ex. 57 Petition No. SLUP11
Doc. Type letter of agreeable
conditions
Meeting Date 10/21/08

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VIA HAND DELIVERY and
E-MAIL

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Cobb County Zoning Department
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August 14, 2008

1. The revised stipulations and conditions set forth herein shall replace and supercede in full any and all prior stipulations and conditions in whatsoever form which are currently in place concerning the property which constitutes the subject matter of the above-captioned applications.
2. The architectural style, composition and design of the building shall be consistent with the photograph which was submitted under separate cover on June 10, 2008 which depicts exterior materials on all four (4) sides consisting of brick and E.I.F.S. The architectural style of the building shall be in substantial conformity to the architectural style, theme and composition of the building built by Cooke Enterprises, Inc. on Dallas Highway in West Cobb County.
3. The rezoning of the subject property to the Office & Institutional (O&I) classification shall be use specific for a climate controlled self service storage facility. Additionally, an agreement to exclude all other uses permitted under the O&I District except for those permitted uses related to the moving and storage business.¹
4. The hours of operation shall be from 9:00 a.m. until 6:00 p.m. Monday through Saturday and from 1:00 p.m. until 6:00 p.m. on Sundays. Additional access to the facility shall be allowed under exceptional or special circumstances on a limited basis. Entry to the building shall be via key-card and punch code pad. All activity within strategic locations throughout the facility shall be monitored by video security systems.
5. The utilization of low-intensity, environmental type lighting which shall be subject to review and approval by staff. All exterior lighting shall be shielded and direct illumination shall be confined within the perimeter of the subject property. The lighting and photometric aspects of the subject property shall be in substantial conformity to the illumination components utilized at the climate controlled self service storage facility built by Cooke Enterprises, Inc. on Dallas Highway in West Cobb County.

¹ The subject property is located in an area under the Cobb County Future Land Use Map which is denominated as a Regional Activity Center ("RAC") and is presently zoned and approved for the development of an eight-story hotel. Additionally, the property is situated in the context of development (multi-story office buildings, commercial uses and multi-family developments) which is suitable for a climate controlled self service storage facility.

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Continued

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VIA HAND DELIVERY and
E-MAIL

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Cobb County Zoning Department
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6. The submission of a landscape plan during the Plan Review process subject to final review and approval by the Community Development Agency, including the following:
 - a. The formation of a Landscape Oversight Committee consisting of a representative from the Terrell Mill Community Association, a representative of Cooke Enterprises, Inc. and a representative from the Community Development Department. The Community Development Department representative shall be the final arbiter with respect to the resolution of any issues which can not otherwise be resolved.
 - b. Species of vegetation which will be utilized shall be ecologically compatible with the site and appropriate for the design circumstances.
 - c. Subject to water restrictions which may be imposed by the state and/or County, all landscaping for the proposed climate controlled self service storage facility shall be professionally designed, perpetually maintained and irrigated. Any dead or irrevocably diseased vegetation shall be replaced as necessary.
 - d. HVAC and all mechanical equipment shall be screened from view of the adjoining properties and public rights-of-way in accordance with the architectural style and composition as aforementioned. The HVAC systems shall be located at the northwest corner of the subject property and at the southwest corner of the subject property and screened from view by walls or landscaping.
 - e. There shall be no dumpsters located outside of the climate controlled self service storage facility building.
7. Signage shall be ground-based, monument style, with finished materials and colors being in substantial conformity to the architectural style and composition as aforementioned. Signage shall comply with the Cobb County Sign Ordinance and the applicant has agreed that there shall be no electronic or LED signage on the site.
8. Security fencing and gates for the site shall be in substantial conformity to the security fencing and gates within the climate controlled self service storage facility which Cooke Enterprises, Inc. has built on Dallas Highway in West Cobb County.

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9. There shall be no outside storage, overnight vehicle parking or trailer parking permitted on the site. Additionally, there shall be no renting of trucks as a part of the storage facility business and no vehicle shall be parked upon the property adjacent to Windy Hill Road or Spectrum Drive for purposes of advertising.
10. Compliance with recommendations from the Stormwater Management Division with respect to detention, hydrology, and down stream considerations, including the ultimate location and configuration of on site detention and/or water quality ponds. Presently, it is planned that all detention and water quality components shall be located underground in the northwest corner and southeast corner of the subject property.
11. Subject to the latest revised recommendations from the Cobb County Department of Transportation with respect to traffic and traffic safety issues, including the following:
 - a. Verification that sight distance is available for a minimum of two-hundred eighty feet (280') or the implementation of remedial measures in which to mitigate same.
 - b. The southern driveway shall be used as a right-out only point of egress.
 - c. An agreement to close the southernmost median opening on Spectrum Drive.
 - d. Replacing any sidewalk, curb or gutter which is disturbed during the construction process.
12. Subject to recommendations from the Cobb County Water System with respect to the accessibility and availability of sewer and water and issues attendant thereto.
13. Subject to recommendations from the Cobb County Fire Department as contained within the Zoning Analysis.
14. Compliance with all adopted provisions and regulations applicable to Climate Controlled Self Service Storage Facilities except as mentioned herein or as may be varied from time to time by the Cobb County Board of Commissioners.
15. If the subject property is determined to be undevelopable for the purposes sought by the applicant or, if for any reason, the closing on the subject property does not take place

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Continued

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VIA HAND DELIVERY and
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Cobb County Zoning Department
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within six (6) months from the date of a successful rezoning of same, then, and in such an event(s), the zoning classification of the subject property shall revert to the original classification of OMR without further action being necessary on the part of Cobb County or the owner of the subject property.

16. The granting of the following contemporaneous variances:
- a. Reducing the required number of parking spaces from 35 to 16.
 - b. Reducing the side setback contiguous to the Georgia Power Company Windy Hill Substation from 15' to 5'.
 - c. Waiving the 20' landscape buffer contiguous to the Georgia Power Company Windy Hill Substation.
 - d. Allowing a maximum Floor Area Ratio of 2.1.²
 - e. Waiving the maximum building height from three (3) stories to four (4) stories over a basement.
17. The District Commissioner shall have the authority to make minor modifications to the site plan and these stipulations/conditions during the Plan Review Process.

The subject property is located within the confines of a Regional Activity Center ("RAC") as shown on Cobb County's Future Land Use Map and is positioned within an area of the Windy Hill Road Corridor which is appropriate for utilization as proposed. In fact, the County's professional staff has observed the following:

- The rezoning proposal will permit a use that is suitable in view of the use and development of adjacent and nearby properties.

² An FAR of 1.91 was approved on for a climate controlled self service storage facility built by Cooke Enterprises, Inc. on Lower Roswell Road within a Community Activity Center (No. SLUP-5 [2006]). Additionally, FAR's within Regional Activity Centers are allowed up to 2.0.

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VIA HAND DELIVERY and
E-MAIL

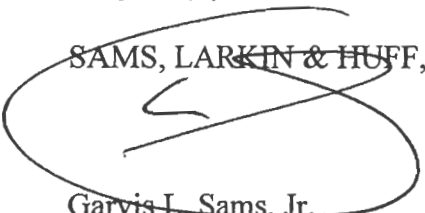
Mr. John P. Pederson, AICP, Planner III
Cobb County Zoning Department
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- The rezoning proposal may not have an adverse effect on the usability of adjacent or nearby property.
- The rezoning proposal will not result in a use which would cause an excessive or burdensome use of existing streets, transportation facilities, utilities or schools.
- The rezoning proposal is in conformity with the policy and intent of the Cobb County Comprehensive Land Use Plan and Future Land Use Map which delineate the property to be within a Regional Activity Center (RAC) and within a sub-area for high density multi-family residential development.

Please do not hesitate to call should you or the staff require any further information or documentation prior to the application's next appearance before the Planning Commission and Board of Commissioners next month. With regards, I am

Very truly yours,

SAMS, LARKIN & HUFF, LLP



Garvis L. Sams, Jr.
gsams@samslarkinhuff.com

GLSjr/jbmc
cc: Shown on next page.

**VIA HAND DELIVERY and
E-MAIL**

Mr. John P. Pederson, AICP, Planner III
Cobb County Zoning Department
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August 14, 2008

cc: Members, Cobb County Board of Commissioners – VIA Hand Delivery
Members, Cobb County Planning Commission – VIA E-Mail and First Class Mail
Mr. Robert L. Hosack, Jr., AICP, Director – VIA E-Mail
Mr. Mark A. Danneman, Manager – VIA Hand Delivery
Mr. John M. Morey, P.E. – VIA E-Mail
Ms. Jane Stricklin – VIA E-Mail
Mr. David W. Breaden, P.E. – VIA E-Mail
Ms. Karen King, Deputy County Clerk – VIA Hand Delivery
Ms. Lori Presnell, Deputy County Clerk – VIA Hand Delivery
Eric Jacobsen, Esquire, Terrell Mill Community Association – VIA E-Mail and
First Class Mail
Mr. Mark McClellan, East Cobb Civic Association – VIA E-Mail and First Class Mail
Mr. Mitchell Cooke – VIA E-Mail

Petition No SLUP 11
Meeting Date 10/21/08
Continued

SAMS, LARKIN & HUFF
A LIMITED LIABILITY PARTNERSHIP

GARVIS L. SAMS, JR.
JOEL L. LARKIN
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August 21, 2008

**VIA HAND DELIVERY and
E-MAIL**

Mr. John P. Pederson, AICP, Planner III
Cobb County Zoning Department
Suite 300
191 Lawrence Street
Marietta, Georgia 30060-1661



Re: Application of Cooke Enterprises, Inc. to Rezone a
1.195 Acre Tract from OMR to O&I (No. Z-29)

Application of Cooke Enterprises, Inc., for Special Land Use
Permit (No. SLUP-11)

Dear John:

You are in receipt of our letter of agreeable stipulations/conditions, dated August 14, 2008. That letter was the culmination of our discussions and agreements with the Terrell Mill Community Association ("TMCA") and the East Cobb Civic Association ("ECCA").

Even though the Office & Institutional (O&I) classification does not allow outside storage, TMCA has asked for and we have agreed to the following additional stipulation/condition:

"There shall be no recreational vehicles, boats, trailers or busses stored on the subject property."

Please do not hesitate to call should you or the staff require any further information or documentation prior to the application for rezoning being heard next month before the Planning Commission and Board of Commissioners.

Min. Bk. 57 Petition No. SLUP11
Doc. Type letter of agreeable
conditions
Meeting Date 10/21/08

SAMS, LARKIN & HUFF
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VIA HAND DELIVERY and
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Mr. John P. Pederson, AICP, Planner III
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With regards, I am

Very truly yours,

SAMS, LARKIN & HUFF, LLP



Garvis L. Sams, Jr.
gsams@samslarkinhuff.com

GLSjr/jbmc

- cc: Members, Cobb County Board of Commissioners – VIA Hand Delivery
- Members, Cobb County Planning Commission – VIA E-Mail and First Class Mail
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- Mr. Mark A. Danneman, Manager – VIA Hand Delivery
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- Ms. Jane Stricklin – VIA E-Mail
- Mr. David W. Breaden, P.E. – VIA E-Mail
- Ms. Karen King, Deputy County Clerk – VIA Hand Delivery
- Ms. Lori Presnell, Deputy County Clerk – VIA Hand Delivery
- Eric Jacobsen, Esquire, Terrell Mill Community Association – VIA E-Mail and First Class Mail
- Mr Mark McClellan, East Cobb Civic Association – VIA E-Mail and First Class Mail
- Mr. Mitchell Cooke – VIA E-Mail

Petition No. SLUP 11
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