

**AUGUST 18, 2015 ZONING HEARING
“OTHER BUSINESS”
COMMISSION DISTRICT 1**

ITEM # 033

PURPOSE

To consider amending the site plan and zoning stipulations for Lemman McCray regarding rezoning application Z-141 (McCray Properties, Inc.) of 2003, for property located on the east side of Cobb Parkway (U.S. Highway 41), south of Third Army Road in Land Lots 2 and 37 of the 20th District.

BACKGROUND

The property was rezoned Light Industrial in 2003 for a self service storage facility which includes outdoor storage of boats, cars and RV’s. One of the stipulations prohibited outdoor storage in the 50 foot front setback. This area is currently delineated by a row of shrubs. The applicant’s business is located within close proximity to Allatoona Lake, and the applicant would like to use this area to park additional recreational vehicles. The applicant’s proposal will not exceed the maximum allowable impervious surface for this lot; Stormwater Management will verify there is pond capacity at Plan Review. If approved, all previous stipulations not in conflict would remain in effect.

STAFF COMMENTS

Cobb DOT: Recommend GDOT permits for all work that encroaches upon State right-of-way.

Stormwater Management: Subject to adequate stormwater management to be provided in existing master detention facility for additional impervious area. Must be verified at Plan Review.

RECOMMENDATION

The Board of Commissioners conduct a Public Hearing and consider the proposed site plan and stipulation amendment.

ATTACHMENTS

Other Business application and stipulations.

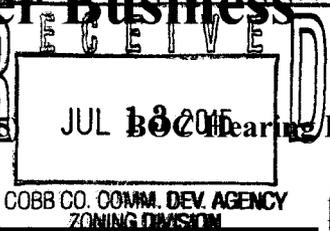
Application for "Other Business"

08-032-2015

Cobb County, Georgia

(Cobb County Zoning Division - 770-528-2035)

JUL 18 2015



Hearing Date Requested: 8/18/2015

Applicant: LEMAN MCCRAY
(applicant's name printed)

COBB CO. COMM. DEV. AGENCY
ZONING DIVISION

Phone #: 770-974-0330

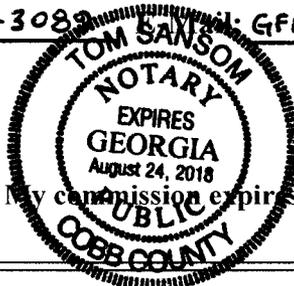
Address: 4820 COBB PKWY, N.W. ACWORTH, GA. 30101 E-Mail: PARKATOY@BELLSOUTH.NET
TERRAIN SOLUTIONS LLC.

BUDDY MCLAUGHLIN Address: P.O. Box 365, KENNESAW, GA. 30156
(representative's name, printed)

[Signature] Phone #: 770-427-3089 E-Mail: GFM@TERRAIN SOLUTIONS LLC.COM
(representative's signature)

Signed, sealed and delivered in presence of:

[Signature]
Notary Public



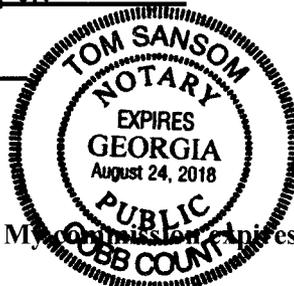
Titleholder(s): 41 PARK A TOY & SELF STORAGE INC. Phone #: 770-974-0330
(property owner's name printed)

Address: 4820 COBB PARKWAY, N.W. ACWORTH, GA. 30101 E-Mail: PARK A TOY@BELLSOUTH.NET

[Signature]
(Property owner's signature)

Signed, sealed and delivered in presence of:

[Signature]
Notary Public



Commission District: First Zoning Case: Z-141

Date of Zoning Decision: 10/21/2003 Original Date of Hearing: 10/21/2003

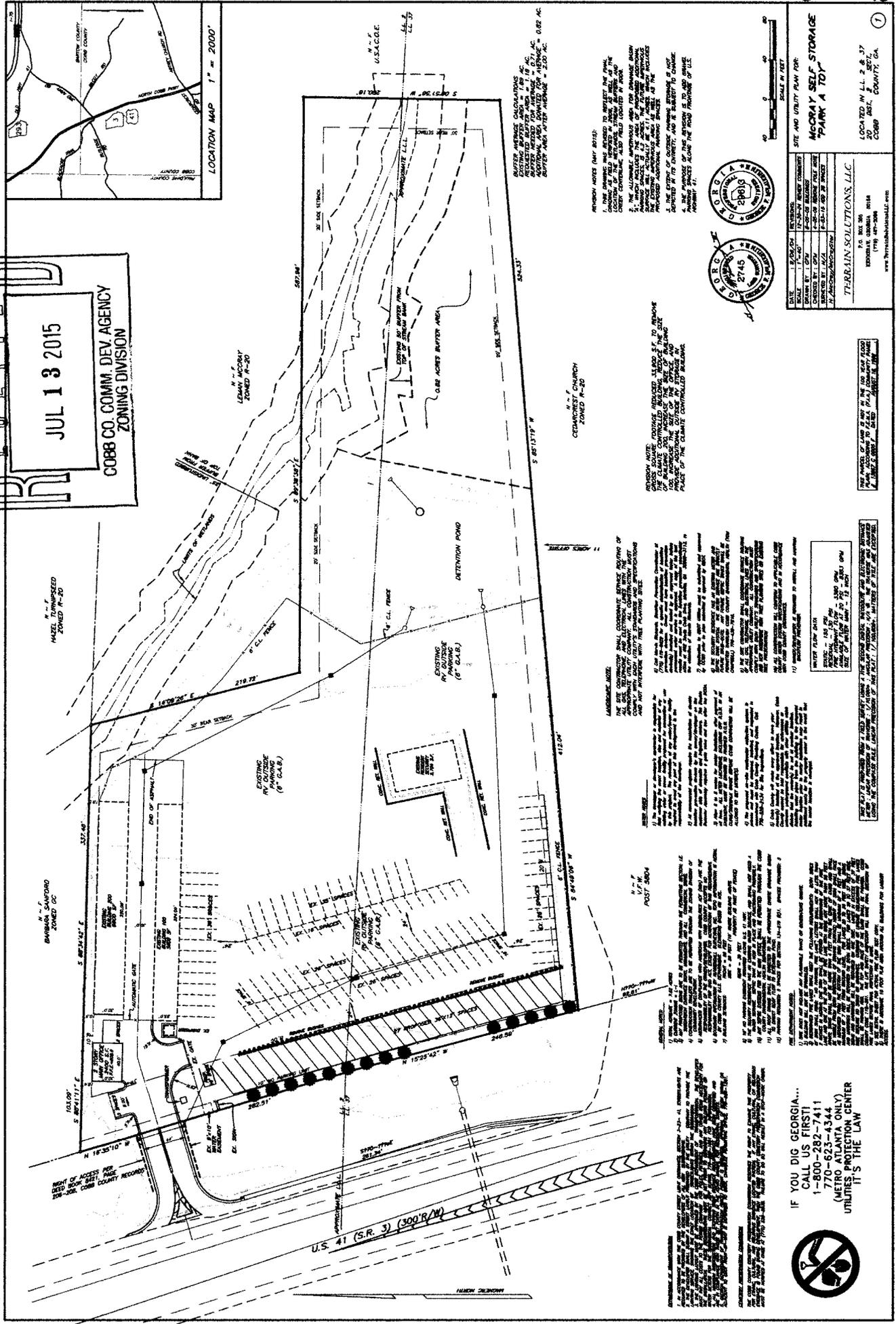
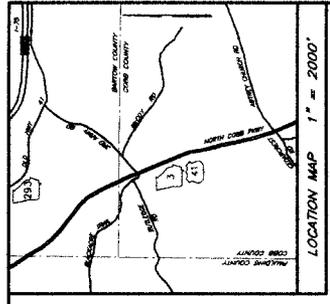
Location: 4820 COBB PARKWAY, N.W. ACWORTH, GA. 30101
(street address, if applicable; nearest intersection, etc.)

Land Lot(s): 2 & 37 District(s): 20th

State specifically the need or reason(s) for Other Business: ADDITION OF OUTSIDE STORAGE PARKING SPACES ALONG U.S. HIGHWAY 41.
Amend site plan and stipulations to allow parking along 41.

PROPOSED PLAN

RECEIVED
JUL 13 2015
COBB CO. COMM. DEV. AGENCY
ZONING DIVISION



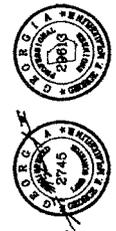
REVISION NOTES (DATE REVISED)
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LANDSCAPE NOTE:
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GENERAL NOTES:
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IF YOU DIG GEORGIA...
CALL US FIRST!
1-800-282-7411
770-623-4344
(METRO ATLANTA ONLY)
UTILITIES PROTECTION CENTER
IT'S THE LAW



SCALE IN FEET
0 20 40 60
SITE AND UTILITY PLAN FOR:
MCCRAY SELF-STORAGE
"PARKWAY A TOY"

DATE: 6/15/15
DRAWN BY: L. J. JONES
CHECKED BY: L. J. JONES
DATE: 6/15/15
SCALE: AS SHOWN

TERRAIN SOLUTIONS, LLC.
1000 N. W. 10th St.
Kendall, FL 33162
(781) 477-1000
www.terrain-solutions.com

THE APPLICANT HAS BEEN ADVISED THAT THE DRAINAGE REVISIONS...
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ORIGINAL DATE OF APPLICATION: 10-21-03APPLICANTS NAME: MCCRAY PROPERTIES, INC.THE FOLLOWING REPRESENTS THE FINAL DECISIONS OF THE
COBB COUNTY BOARD OF COMMISSIONERS**BOC DECISION OF 10-21-03 ZONING HEARING:**

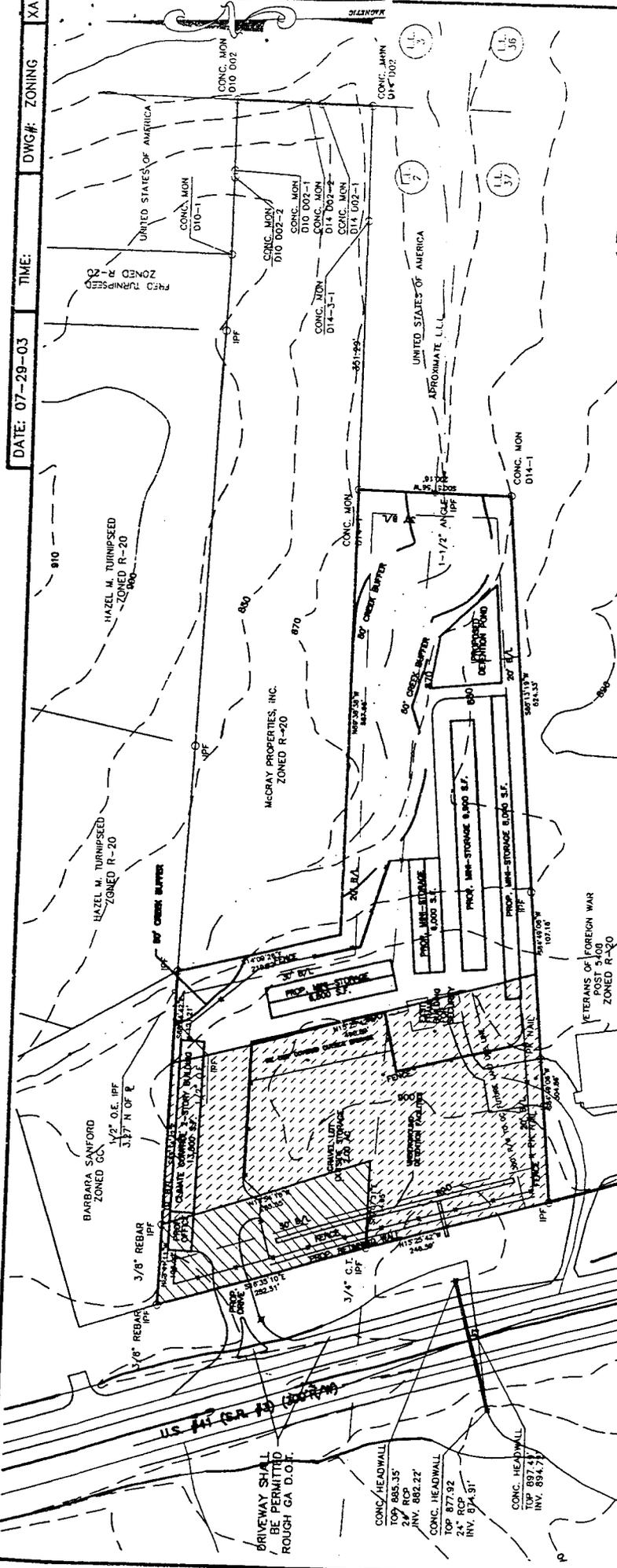
MCCRAY PROPERTIES, INC. for Rezoning from **R-20, GC** and **LI** to **LI** for the purpose of a Self-Service Storage Facility in Land Lots 2 and 37 of the 20th District. Located on the east side of Cobb Parkway (U.S. 41), south of Third Army Road.

Prior to the motion and vote on the Consent Agenda, Commissioner Goreham added a stipulation relevant to representation by the Lake Allatoona Preservation Authority (LAPA) at site plan review.

MOTION: Motion by Lee, second by Goreham, as part of the Consent Agenda, to **approve** rezoning to the **LI** zoning district **subject to:**

- **site plan received by the Zoning Division on September 3, 2003, with the District Commissioner approving minor modifications to the site layout (copy attached and made a part of these minutes)**
- **letter of agreeable stipulations from Mr. Garvis Sams, Jr., dated September 11, 2003, *not otherwise in conflict* (copy attached and made a part of these minutes)**
- **use as self-storage facility only**
- **all of the business facilities and outside storage shall not violate the 50-foot front building setback line**
- **landscape plan to be approved at Plan Review, which shall include vegetation consisting of trees, shrubs, hedges, etc., a minimum 6-foot high to provide a visual screen from the roadway along the boundary of the outside storage area**
- **Water and Sewer Division comments and recommendations**
- **Stormwater Management Division comments and recommendations**
- **Cobb DOT comments and recommendations**
- **owner/developer to enter into a development agreement pursuant to O.C.G.A. 36-71-13 for dedication of system improvements to mitigate traffic concerns**
- **representative of the Lake Allatoona Preservation Authority (LAPA) to be present during site plan review for comments**

VOTE: **ADOPTED** unanimously



RECEIVED
 SEP - 3 2003
 Revised
 GOBBS COUNTY DEV. DEPT.
 ZONING DIVISION



Min. Bk. 25 Petition No. Z-141
 Doc. Type Site Plan
 Meeting Date 10/21/03

- ZONING NOTES**
1. SITE WILL BE USED AS SELF-SERVICE STORAGE FACILITY, WITH EMPHASIS ON OUTSIDE AUTOMOBILE, BOAT & RV STORAGE.
 2. AREA TO BE REZONED FROM R20 TO LI = 4.10 AC
 AREA TO BE REZONED FROM GC TO LI = 2.85 AC
 AREA CURRENTLY ZONED LI = 0.67 AC
 3. REQUESTED ZONING IS L-1 FOR SELF-SERVICE STORAGE FACILITIES.
 A. FRONT SETBACK - 50 FT
 B. SIDE SETBACK - 20 FT
 C. REAR SETBACK - 30 FT
 4. CURRENT ZONING IS A COMBINATION R20, G-C & LI.

GRAPHIC SCALE



ZONING PLAN FOR:
MCCRAY PROPERTIES, INC.
 LOCATED IN LAND LOTS 2 & 37
 20th DISTRICT, 2nd SECTION
 PAULDING COUNTY, GEORGIA

DATE	SCALE	PROJECT NO.	DRAWING NO.
07-29-03	1" = 200'	322001	ZONING
DRAWN BY	CHECKED	APPROVED	SHEET 1 OF 1
JTR	RLR		MODULE:

THIS IS A CAD DRAWING, DO NOT REVISE MANUALLY.

ETOWAH ENGINEERING & SURVEYING
 307 W I PARKWAY • DALLAS, GEORGIA 30132 • (770) 445-6574

SAMS, LARKIN & HUFF
A LIMITED LIABILITY PARTNERSHIP

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

Min. Bk. 25 Petition No. Z-141
Doc. Type Letter of agreeable
stipulations
Meeting Date 10/21/03

GARVIS L. SAMS, JR.
JOEL L. LARKIN
PARKS F. HUFF
RICHARD A. HARRAH
MICHAEL P. PRYOR

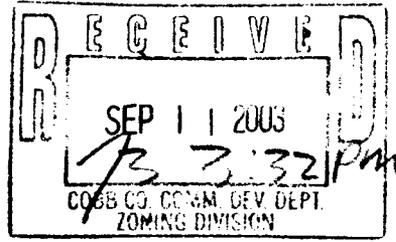
OF COUNSEL
DAVID P. HARTIN

770.422.7016
TELEPHONE
770.426.6583
FACSIMILE
SAMSLARKIN@AOL.COM
E-MAIL

September 11, 2003

VIA HAND DELIVERY

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



Re: Application of McCray Properties, Inc. to Rezone a 7.62 Acre Tract
from LI, GC & R-20 to LI (No. Z-141)

Dear John:

As you know, I have been engaged by and represent the applicant which is also the property owner concerning the above-captioned application for rezoning. In that regard, the application is scheduled to be heard and considered by the Cobb County Planning Commission on October 7, 2003 and, thereafter, scheduled for final action by the Cobb County Board of Commissioners on October 21, 2003.

With respect to the foregoing and in keeping with our ongoing discussions with staff and area residents, please allow this letter to serve as the applicant's expression of agreement with the following stipulations which, upon approval of the rezoning, shall become conditions and a part of the grant of the requested rezoning and binding upon the subject property thereafter:

1. A rezoning of the subject property to the Light Industrial (LI) classification specifically for purposes of a self service storage facility and permitted uses related to the moving and storage industry.
2. The submission of a landscape plan during the Plan Review process, subject to the staff's review and approval, including the following:
 - a. Meeting or exceeding vegetative requirements, perimeter landscape strips and setbacks provided in the SSSF Ordinance.

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Meeting Date 10/21/03
Continued

VIA HAND DELIVERY

Mr. John P. Pederson, Planner III
Cobb County Zoning Department
September 11, 2003
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- b. All vegetation requirements under and pursuant to the LI classification and the SSSF Ordinance and agreed to by the applicant shall be maintained by the applicant or his successors in title at all times.
 - c. Dumpsters and trash receptacles shall be incorporated into the landscape plan, situated within the interior of the subject property and adequately screened from view from public rights-of-way and adjacent properties.
3. Uniform architectural treatment and architectural theme which shall include the following:
- a. The color scheme shall be limited to earth tone colors.
 - b. All buildings shall be a maximum of two-stories in height with brick and/or masonry facade accents. The climate controlled storage building shall be brick and/or masonry on at least three (3) sides.
 - c. The subject property shall be gated and secure and shall include the erection of a fence along the subject property's frontage. Additionally, the perimeter of the subject property shall be fenced in accordance with SSSF Ordinance requirements.
 - d. Storage bay access doors and accents shall be painted the same type earth tone colors as the storage bays.
 - e. There shall be no roof mounted air conditioning units or other mechanical equipment on the roofs of the buildings.
 - f. Mechanical equipment for the climate controlled storage unit(s) shall be located within the interior of the proposed development.

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Continued

VIA HAND DELIVERY

Mr. John P. Pederson, Planner III
Cobb County Zoning Department
September 11, 2003
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4. Subject to recommendations from the Cobb County Department of Transportation with respect to traffic/transportational issues, as follows:
 - a. Construction of a 150' deceleration lane and appropriate taper along the subject property's frontage on North Cobb Parkway (U. S. 41/S. R. 3).
 - b. The installation of curb and gutter along the subject property's frontage.
 - c. Turning movements with respect to ingress/egress shall be "right-in/right-out" only.
 - d. Any encroachments onto North Cobb Parkway (U. S. 41/S. R. 3) shall require GDOT approval.
 - e. The proposed access to the site shall be coordinated with GDOT and Cobb County DOT to insure adequate sight distance.
5. Utilization of low intensity, environmental type shoebox lighting which shall not exceed a maximum height of 20', subject to review and approval by staff.
6. All exterior lighting shall be shielded and direct illumination shall be confined within the perimeter of the subject property.
7. Subject to recommendations from the Stormwater Management Division with respect to detention, hydrology and down stream considerations, including recognition of 50' stream bank buffers.
8. Compliance with the Cobb County Sign Ordinance with the construction of ground-based, monument style signage with a brick or masonry base, consistent with the architectural style and theme as aforementioned.
9. An agreement that there shall be no outside speakers except as may be required by law in connection with the security/alarm system.

Petition No. Z-141
Meeting Date 10/21/03
Continued

VIA HAND DELIVERY

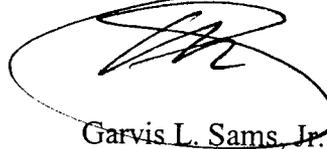
Mr. John P. Pederson, Planner III
Cobb County Zoning Department
September 11, 2003
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10. An agreement that there will be 24-hour security which will include constant video monitoring/surveillance.
11. Business hours of operation shall be from 7:00 a.m. until 9:00 p.m., Monday through Saturday, and 9:00 a.m. until 6:00 p.m on Sundays.
12. The granting of a contemporaneous variance allowing the applicant to exceed 25% of the total buildable area for outside storage of automobiles, boats and recreational vehicles.

Reference to the Future Land Use Map shows that a preponderance of the subject property is presently positioned within an area denominated for Industrial Compatible (IC) uses. Moreover, most of the property is already zoned in the Light Industrial (LI) and General Commercial (GC) classifications, respectively. Please do not hesitate to call should you or the staff need any additional documentation or information prior to the formulation of your recommendation to the Cobb County Planning Commission and the Cobb County Board of Commissioners.

Very truly yours,

SAMS, LARKIN & HUFF, LLP



Garvis L. Sams, Jr.

GLSjr/jbmc

cc: Members, Cobb County Board of Commissioners
Members, Cobb County Planning Commission
Ms. Sandra Richardson, Deputy County Clerk
Mr. Leman B. McCray