

SEPTEMBER 19, 2017 ZONING HEARING
“OTHER BUSINESS”
COMMISSION DISTRICT 2

ITEM OB-028

PURPOSE

To consider a stipulation amendment for S & B Investments, Inc. regarding property located at the northwest intersection of Johnson Ferry Road and Paper Mill Road, in Land Lots 73 and 81 of the 1st District. *(Continued by staff from the July 18, 2017 and August 15, 2017 hearings until the September 19, 2017 hearing)*

BACKGROUND

The subject property is zoned Future Commercial (CF) and R-80 and was developed as part of a commercial development pursuant to a court order issued May 7, 1981 by the Superior Court of Cobb County based on a previous court order from October 12, 1973. The court order allowed the development of Paper Mill Village and outlot's pursuant to a conceptual site plan, architectural renderings and covenants entered into by the developer, area residents and Cobb County. On September 19, 1995 the Board of Commissioners granted consent to allow redevelopment of this property into a Starbucks Coffee and a bagel/bakery/deli store only. The Starbucks is still there, however the bagel shop is gone. On September 18, 2012 the Board of Commissioners granted consent to divide the leasable space in the building into three spaces that would contain Starbucks, a nail salon and a dry cleaner. This amendment concerns adding a proposed drive-thru for the Starbucks along the Paper Mill Road side of the building. Required parking for all three uses is 25 parking spaces; when complete with the remodel, there would be 30 Parking spaces. Also, as part of the remodel, the dumpster enclosure would move closer to the building. It should be noted that Starbucks agreed with the neighbors in 1995 to not have a drive-thru window (see attached OB-1 from September 1995). The applicant has been in discussions with some of the neighbors mentioned in the covenants. If approved all other stipulations and conditions would remain in effect.

STAFF COMMENTS

Stormwater Management: Subject to Plan Review comments.

Cobb D.O.T.: Based on our preliminary analysis of the information provided, vehicle queuing at the canopy order board may result in congestion on adjacent roadways. Recommend applicant submit a queuing study (including arrival and departure times, average vehicle queues, and average wait time) to be approved by Cobb County Department of Transportation. Recommend any queues extending into the private roadways be mitigated with turn lanes/runaround capability.

RECOMMENDATION

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

ATTACHMENTS

Other Business application and stipulations.

Application for "Other Business"

Cobb County, Georgia

OB-028-2017

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

BOC Hearing Date Requested: July 18, 2017

Applicant: S & B Investments, Inc. Phone #: (404) 351-2732
(applicant's name printed)

Address: 2698 Woodland Brook Lane, Smyrna, GA 30080 E-Mail: bharti@bellsouth.net

SAMS, LARKIN, HUFF & BALLI, LLP
by Garvis L. Sams, Jr.

Address: 376 Powder Springs Street, Suite 100, Marietta, GA 30064
(representative's name, printed)

Phone #: 770-422-7016 E-Mail: gsams@slhb-law.com
(representative's signature)

Signed, sealed and delivered in presence of:

Debbie S. Johnston My commission expires: 04/18/2020
Notary Public

Titleholder(s): See Attached Phone #: _____
(property owner's name printed)

Address: _____ E-Mail: _____

(Property owner's signature)

Signed, sealed and delivered in presence of:

Notary Public My commission expires: _____

Commission District: 2 (Ott) Zoning Case: OB Application No. 28 of May 20, 2014

Size of property in acres: 0.73 Original Date of Hearing: 09/19/1995 (Starbucks - OB #1)

Location: Northwest intersection of Johnson Ferry Road and Paper Mill Road (31 Johnson Ferry Road)
(street address, if applicable; nearest intersection, etc.)

Land Lot(s): 73 & 81 District(s): 1st

State specifically the need or reason(s) for Other Business: To allow a drive through component for the Starbucks.

(List or attach additional information if needed)

ATTACHMENT TO APPLICATION FOR OTHER BUSINESS

Application No.: OB-28
BOC Hearing Date: July 18, 2017

Applicant: S & B INVESTMENTS, INC.

Titleholder: S & B INVESTMENTS, INC.

PIN#: 01007300150

PROPERTY OWNER'S CERTIFICATION

The undersigned(s) below, or as attached, is the owner of the property considered in this application.




Signature of Owner 6-9-17
Date

Printed Name:
SURESH PARMAR

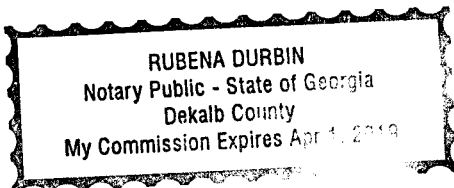
Address: 2698 WOODLAND BROOK LANE SE
ATLANTA GA 30339

Telephone No.: (404) 933 3694



Signature of Notary Public 6/9/17
Date

(Notary Seal)



CERTIFICATE REGARDING CORPORATE AUTHORITY
TO PURSUE OTHER BUSINESS APPLICATION

1.

My name is SURESH PARMAR. I am the secretary, assistant secretary or other officer to whom the operating agreement has delegated the responsibility for authenticating records of the company, **S & B INVESTMENTS, INC.**, a Georgia Company authorized to transact business in the State of Georgia (the "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 Other Business Application regarding certain real property owned by the Titleholder located in Cobb County, Georgia.

2.

In accordance with the requirements for completing a Cobb County Other Business Application, I hereby attest on behalf of the Titleholder Company that I have reviewed the Other Business Application and related documents which are being filed simultaneously therewith on behalf of the Applicant Company (collectively, the "Other Business Application") to which this Certificate is attached and hereby certify:

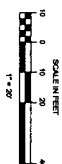
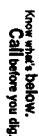
- (a) That corporate seal or facsimile affixed to the Other Business Application is in fact the seal of the Titleholder Company or a true facsimile thereof; and
- (b) That the officer or other representative of the Titleholder Company who executed the Other Business Application does in fact occupy the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

S & B INVESTMENTS, INC.

By: Suresh Parmar (CORPORATE SEAL)



REZONING NOTES:
THE FOLLOWING ITEMS FROM THE SITE PLAN REQUIREMENTS DO NOT APPLY:
• BUFFER AREAS



PROJECT NAME:
STARBUCKS - PAPER MILL

PROJECT ADDRESS:
31 JOHNSON FERRY ROAD
MARIETTA, COBB COUNTY, GEORGIA

PROJECT #:	XXXXX-XXX
CASEWORK CONCEPT:	CONCEPT
ISSUE DATE:	6/12/2017
DESIGN MANAGER:	XXX
LEED @ AP:	LEED AP
PRODUCTION DESIGNER:	MAT
CHECKED BY:	MSL

Navigation Schedule

SHEET TITLE:
**REZONING
SITE PLAN**
SCALE: AS SHOWN
SHEET NUMBER:
P-1.0

PARCEL SUMMARY (SUBJECT PROPERTY)

OWNER: 848 INVESTMENTS, INC	ZIP CODE:	HOME PROVIDED
INTERESTER: DA SELL PG 07		
PHONE ID: 440730150		
ADDRESS: 6725 MC CORMICK RD. FT.		

[illegible][illegible][illegible]

MINUTES OF ZONING HEARING
COBB COUNTY BOARD OF COMMISSIONERS
MARCH 15, 2016
PAGE 7

CONSENT AGENDA (CONT.)

~~Z-25 PINE CREST NURSERY SCHOOL, INC. (CONT.)~~

- ~~9. Upon redevelopment of the site, the proposal to be heard and approved by the Board of Commissioners~~
- ~~10. Fire Department comments and recommendations~~
- ~~11. Water and Sewer Division comments and recommendations~~
- ~~12. Stormwater Management Division comments and recommendations~~
- ~~13. Department of Transportation comments and recommendations~~

~~Upon reading LUP-3 (St. Benedict Episcopal Church, LLC) into the record, opposition was present; therefore, LUP-3 was removed from the Consent Agenda and added to the Regular Agenda.~~

- O.B. 2** To consider a stipulation amendment for S & B Investments, Inc. regarding property located at the northwest intersection of Johnson Ferry Road and Paper Mill Road, in Land Lots 73 and 81 of the 1st District. *(Continued by staff from the February 16, 2016 Board of Commissioners' hearing)*

To approve O.B. 2, subject to:

1. Proposed sign rendering received by the Zoning Division January 12, 2016 (attached and made a part of these minutes)
2. Department of Transportation comments and recommendations
3. All previous stipulations and conditions, *not otherwise in conflict*, to remain in effect

- ~~**O.B. 3** To consider amending the stipulations for Racetrac Petroleum, Inc. regarding rezoning application Z-24 of 2014 (Racetrac Petroleum, Inc.), for property located on the northeast side of South Cobb Drive, north of Tibarron Parkway in Land Lot 753 of the 17th District. *(Previously continued by staff from the February 16, 2016 Board of Commissioners' hearing)*~~

To approve O.B. 3, subject to:

- ~~1. Proposed sign rendering received by the Zoning Division on January 12, 2016 (attached and made a part of these minutes)~~
- ~~2. Proposed sign to be in the same general location as the current sign~~
- ~~3. Department of Transportation comments and recommendations~~
- ~~4. All previous stipulations and conditions, *not otherwise in conflict*, to remain in effect~~

Proposed
sign

Min. Bk. 78 Petition No. O.B.2
Doc. Type Proposed sign
~~Exhibiting~~
Meeting Date 3-15-16



Starbucks #3215, 31 Johnson's Ferry Rd., Bowling Green

**MARCH 15, 2016 ZONING HEARING
"OTHER BUSINESS"
COMMISSION DISTRICT 2**

ITEM OB-002

PURPOSE

To consider a stipulation amendment for S & B Investments, Inc. regarding property located at the northwest intersection of Johnson Ferry Road and Paper Mill Road, in Land Lots 73 and 81 of the 1st District. (*Continued by staff from the February 16, 2016 zoning hearing*)

BACKGROUND

The subject property is zoned Future Commercial (CF) and R-80 and was developed as part of a commercial development pursuant to a court order issued May 7, 1981 by the Superior Court of Cobb County based on a previous court order from October 12, 1973. The court order allowed the development of Paper Mill Village and outlots pursuant to a conceptual site plan, architectural renderings and covenants entered into by the developer, area residents and Cobb County. On September 19, 1995 the Board of Commissioners granted consent to allow redevelopment of this property into a Starbucks Coffee and a bagel/bakery/deli store only. The Starbucks is still there, however the bagel shop is gone. On September 18, 2012 the Board of Commissioners granted consent to divide the leasable space in the building into three spaces that would contain Starbucks, a nail salon and a dry cleaner. This amendment concerns a proposed ground based monument sign for the Starbucks, nail salon & dry cleaners. The exterior of the building, site plan, and landscaping would remain in its current state. The applicant has been in discussions with some of the neighbors mentioned in the covenants. If approved all other stipulations and conditions would remain in effect.

STAFF COMMENTS

Cobb DOT: Recommend the sign be installed where it will not impede the line of sight for the driveways or roadways.

RECOMMENDATION

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

ATTACHMENTS

Other Business Application, request letter, renderings and stipulations.

Application for "Other Business"

Cobb County, Georgia

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

BOC Hearing Date Requested: February 16, 2016

OB-002-2016

Applicant: S & B Investments, Inc. Phone #: (404) 351-2732
(applicant's name printed)

Address: 2698 Woodland Brook Lane, Smyrna, GA 30080 E-Mail: bharti@bellsouth.net
SAMS, LARKIN, HUFF & BALLI, LLP

by: Garvis L. Sams, Jr. Address: 376 Powder Springs Street, Ste. 100, Marietta, GA 30064
(representative's name, printed)

[Signature] Phone #: 770-422-7016 E-Mail: gsams@slhb-law.com
(representative's signature)

Signed, sealed and delivered in presence of: Karen L. King My commission expires: 2-27-19
Notary Public

Titleholder(s): See Attached Phone #: _____
(property owner's name, printed)

Address: _____ E-Mail: _____

(Property owner's signature)

Signed, sealed and delivered in presence of: _____ My commission expires: _____
Notary Public

Commission District: 2 (Ott) Zoning Case: Other Business Application No. 28 of May 20, 2014

Size of property in acres: _____ Original Date of Hearing: 09/19/1995 (Starbucks - OB#1)

Location: 31 Johnson Ferry Road, Marietta, Ga 30067
(street address, if applicable; nearest intersection, etc.)

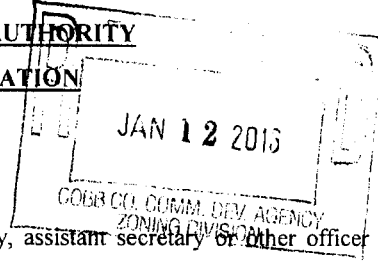
Land Lot(s): 73 District(s): 1st

State specifically the need or reason(s) for Other Business: Modify stipulation/condition of
May 20, 2014 Other Business Agenda Item No. 28 to allow the revised rendering/elevation of the Starbucks
signage (rendering/elevation attached).

(List or attach additional information if needed)

OB-002 2016

CERTIFICATE REGARDING CORPORATE AUTHORITY
TO PURSUE OTHER BUSINESS APPLICATION



1.

My name is SURESH PARMAR. I am the secretary, assistant secretary or other officer to whom the operating agreement has delegated the responsibility for authenticating records of the company, S & B INVESTMENTS, INC., a Georgia Company authorized to transact business in the State of Georgia (the "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 Other Business Application regarding certain real property owned by the Titleholder located in Cobb County, Georgia.

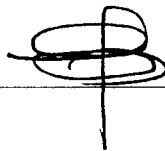
2.

In accordance with the requirements for completing a Cobb County Other Business Application, I hereby attest on behalf of the Titleholder Company that I have reviewed the Other Business Application and related documents which are being filed simultaneously therewith on behalf of the Applicant Company (collectively, the "Other Business Application") to which this Certificate is attached and hereby certify:

- (a) That corporate seal or facsimile affixed to the Other Business Application 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 Other Business Application does in fact occupy the official position indicated, that the position that the signer occupies has the authority to execute the Other Business Application 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 Other Business Application and the filing of the Other Business Application on behalf of the Applicant Company by the officer or other representative of the Applicant Company has been duly authorized by the Titleholder Company.

S & B INVESTMENTS, INC.

By: _____

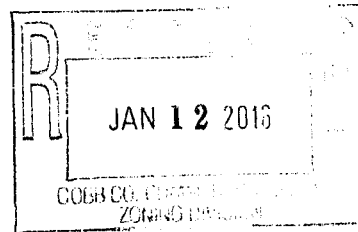


(CORPORATE SEAL)

ATTACHMENT TO APPLICATION FOR OTHER BUSINESS


Application No.: OB- 2
BOC Hearing Date: Feb. 16, 2016

Applicant: S & B INVESTMENTS, INC.
Titleholder: S & B INVESTMENTS, INC.
PIN#: 01007300150



PROPERTY OWNER'S CERTIFICATION

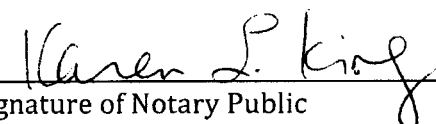
The undersigned(s) below, or as attached, is the owner of the property considered in this application.

 1-12-16
Signature of Owner Date

Printed Name: SURESH PARMAR

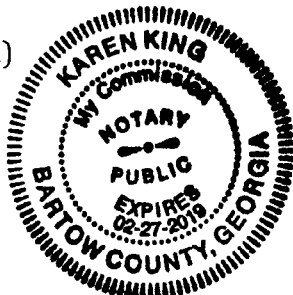
Address: 2698 WOODLAND BROOK LANE SE
ATLANTA GA 30339-1570

Telephone No.: (404) 933 3694


Signature of Notary Public

Date 1-12-16

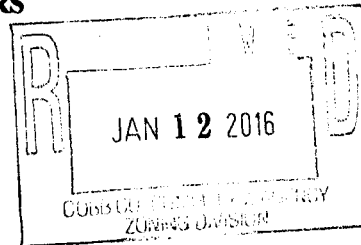
(Notary Seal)



<input type="checkbox"/>	APPROVED AS SHOWN
<input type="checkbox"/>	APPROVED AS NOTED
<input type="checkbox"/>	CORRECT & RESUBMIT



**MINUTES OF ZONING HEARING
COBB COUNTY BOARD OF COMMISSIONERS
MAY 20, 2014
PAGE 16**



OTHER BUSINESS (CONT.)

O.B. 27 (CONT.)

- Site plan received by the Zoning Division April 15, 2014 with District Commissioner approving minor modifications (attached and made a part of these minutes)
- All previous stipulations and conditions, *not otherwise in conflict*, to remain in effect

VOTE: ADOPTED unanimously

O.B. 28 To consider a stipulation amendment for S & B Investments, Inc. regarding property located at the northwest intersection of Johnson Ferry Road and Paper Mill Road, in Land Lots 73 and 81 of the 1st District.

Mr. Pederson provided information regarding the stipulation amendment for a ground based monument sign and for building awnings. The public hearing was opened and there being no speakers, the hearing was closed. Following presentation and discussion, the following motion was made:

MOTION: Motion by Ott, second by Goreham, to **approve** Other Business Item No. 28 for stipulation amendment for S & B Investments, Inc. regarding property located at the northwest intersection of Johnson Ferry Road and Paper Mill Road, in Land Lots 73 and 81 of the 1st District **subject to:**

- Letter from Mr. Garvis L. Sams, Jr. dated April 15, 2014, including sign renderings and awning (attached and made a part of these minutes)
- Cobb DOT: recommend the sign be placed outside the sight triangle
- All previous stipulations and conditions, *not otherwise in conflict*, to remain in effect

VOTE: ADOPTED unanimously

Clerk's Note: Commissioner Ott requested that DOT staff review the possibility of removing the bus stop formerly used for the discontinued route 65.

O.B. 29 To consider a stipulation amendment for Village Center, Inc. regarding rezoning application Z-176 of 2004 (Village Center, Inc) for property located on the west side of Johnson Ferry Road, north of Paper Mill Road, in Land Lots 73 and 81 of the 1st District.

Min. Bk. 72 Petition No. 0828
Doc. Type letter of agreeable
conditions
Meeting Date 5/20/14

SAMS, LARKIN, HUFF & BALLI

A LIMITED LIABILITY PARTNERSHIP

GARVIS L. SAMS, JR.

JOEL L. LARKIN

PARKS F. HUFF

JAMES A. BALLI

SUITE 100

376 POWDER SPRINGS STREET

MARIETTA, GEORGIA 30064-3448

770-422-7016

TELEPHONE

770-426-6583

FACSIMILE

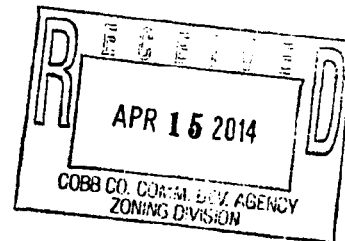
JUSTIN H. MEERS

SLHB-LAW.COM

April 15, 2014

VIA HAND DELIVERY

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



Re: Other Business Application of S & B Investments Inc. to amend Other Business #3 of S & B Investments Inc. approved by the Board of Commissioners on September 18, 2012 which amended Other Business #1 (Starbucks) approved on September 19, 1995.

Dear John:

This firm has been engaged by and represents S & B Investments Inc. concerning the above-captioned Application. In that regard, enclosed please find the Other Business Application and related documentation, correspondence, and minutes from two (2) Other Business Applications which were heard in September of 1995 and September of 2012, respectively. Also enclosed is a check made payable to Cobb County in the sum of Three Hundred Fifty-Nine Dollars (\$359.00) representing the Application and sign fee.

By way of explanation, you will recall that the subject property is part of a larger tract (Paper Mill Village) which is zoned Future Commercial. On May 7, 1982 the Superior Court of Cobb County allowed a mixed-use development to be constructed at this northwest intersection of Johnson Ferry Road and Paper Mill Road. The order allowed the development subject to it conforming a conceptual site plan, renderings, drawings and covenants between Cobb County, area residents and the developer at that time.

On February 9, 1993, the Board of Commissioners ("BOC") approved an amendment to the original bank use which allowed for a dry cleaners and retail space. On September 19, 1995, the BOC approved a request by Starbucks coffee to amend the court ordered agreements and to build a coffee shop and bagel/deli in lieu of the originally planned dry cleaners.

SAMS, LARKIN, HUFF & BALLI

A LIMITED LIABILITY PARTNERSHIP

Petition No. 08 28
Meeting Date 5/22/14
Continued

VIA EMAIL

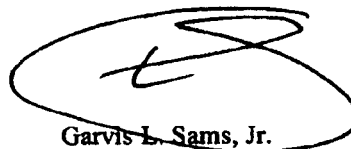
Mr. John P. Pederson, AICP, Manager
Cobb County Zoning Division
Community Development Agency
April 15, 2014
Page 2

After the bagel lease expired, Starbucks subleased the space to a dry cleaners and, after that lease expired, the space was subleased to a home improvement shop. However, that lease expired and a dry cleaners and nail salon were approved by the BOC on September 18, 2012 (OB No. 3). Now, to the present time, Starbucks is desirous of gaining better exposure by constructing a ground-based, monument-style sign on Johnson Ferry Road. Additionally, S & B Investments wants to replicate its existing awning with an awning in the middle of the building and on the right side of the building.

Attached is documentation depicting the proposed signage and awnings. For your information, I have been in contact with Representatives of the Chattahoochee Plantation Community Association ("CPCA") to advise that group of these matters. We are asking that the Application be placed on the May 20, 2014 BOC Other Business agenda. Please advise me when the notification signage is ready so that I can ensure that the subject property is properly posted. In the interim, please do not hesitate to call should you have any questions whatsoever regarding these matters. With kind regards, I am

Very truly yours,

SAMS, LARKIN, HUFF & BALLI, LLP

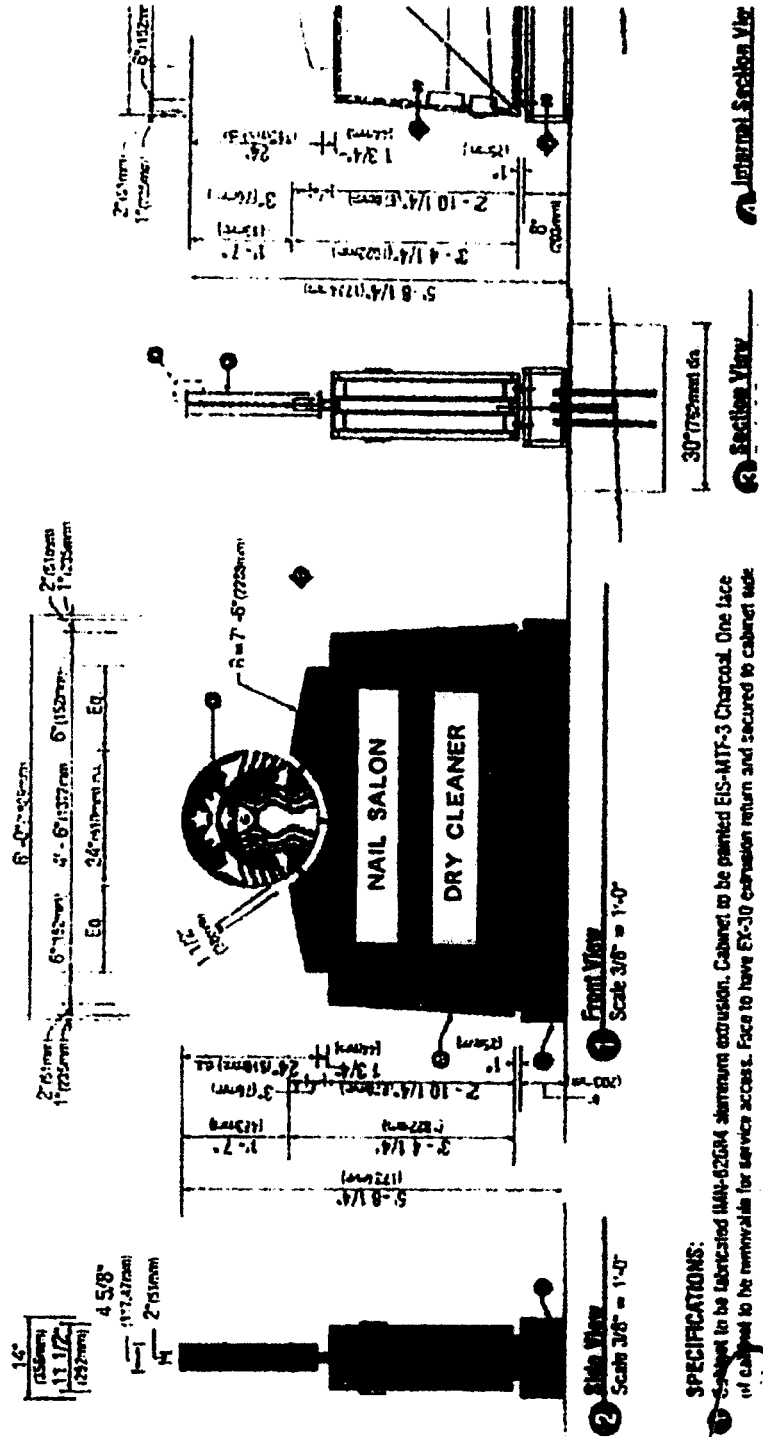


Garvis L. Sams, Jr.
gsams@slhb-law.com

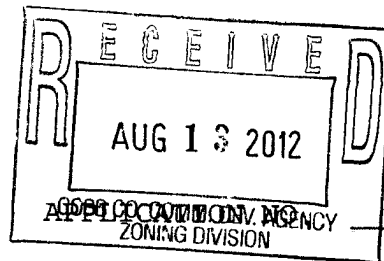
GLS,Jr./dsj
Enclosures

Cc: Mr. Robert J. Ott, Commissioner (via email w/attachments)
Ms. Kim Swanson (via email w/attachments)
Mr. Joseph Gavalis, CPCA (via email w/attachments)
Mr. Suresh Parmar, S & B Investments (via email w/attachments)

NUMENT



Petition No. 0828
Meeting Date 5/20/14
Continued



PAGE 2 OF 2

ORIGINAL DATE OF APPLICATION: 9/95

APPLICANT'S NAME: STARBUCKS COFFEE

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

OTHER BUSINESS ITEM OF 9-19-95

To consider granting consent to allow Starbucks Coffee to amend
the court ordered development of Paper Mill Village to which
Cobb County is involved.

Mr. Danneman reported that applicant requests the allowance of
a coffee shop and bagel/bakery/deli instead of the previously
allowed cleaners. Following this brief presentation the Board
of Commissioners **approved** applicant's request; thereby granting
consent to amend the court ordered development of Paper Mill
Village, located in Land Lot 73 of the 1st District, at the
corner of Johnson Ferry Road and Paper Mill Road, so as to
allow for the construction of a Starbucks Coffee and
bagel/bakery/deli store subject to: 1) site plan submitted,
dated September 17, 1995; 2) rendering of architectural design
submitted, dated September 17, 1995; 3) uses of structure
limited to Starbucks Coffee and bagel/bakery/deli store; 4)
submitted agreement dated September 12, 1995, between the
Chattahoochee Plantation Association and Starbucks Coffee Co.;
5) submitted letter dated September 7, 1995 from William I.
Abrams of Wilson and Associates Architects, Inc. to Mark
Danneman; 6) letter of agreement dated August 30, 1995
submitted by Weltha Brouse to Mr. Rick Kelly; 7) approval by
Cobb County Superior Court if required; 8) all other
applicable court ordered covenants and stipulations pertaining
to Paper Mill Village to remain in effect. Motion by Thompson,
second by Byrne, carried 5-0. Clerk's Note: Copies of items 1,
2, 4, 5 and 6 attached and made a part hereof.

**SEPTEMBER 19, 1995 ZONING HEARING
OTHER BUSINESS**

Item #1

PURPOSE

To consider granting consent to allow Starbucks Coffee to proceed to amend the court ordered development of Paper Mill Village to which Cobb County is involved.

BACKGROUND

The subject property is zoned future commercial. The Cobb County Zoning Ordinance does not allow any permits to be issued under a future commercial district. Future Commercial only designates the property to have some commercial potential with no immediate right to use the property. On May 7, 1981 the Superior Court of Cobb County, based on a previous court order on October 12, 1973, allowed a mixed use development to be developed at the northwest intersection of Johnson Ferry Road and Paper Mill Road. The order allowed the development subject to its conformance to a conceptual site plan, renderings and drawings and covenants entered into between Cobb County, area residents and the developer. A copy of the conceptual site plan is attached (ATTACHMENT A). On February 9, 1993 the Board of Commissioners granted consent to allow the original bank use to be amended for a cleaners and retail space. Starbucks Coffee would like to amend the court ordered agreements and build a coffee shop and bagel\deli instead of the cleaners. Starbucks has contacted the remaining area residents who were party to the court order and covenants and has obtained their consent for this change as well as the Chattahoochee Plantation Community Association. Copies of their approval of the amendment is attached (ATTACHMENT B). A copy of Starbucks request is attached (ATTACHMENT C). The architectural design of the building will be consistent with the existing buildings within the Paper Mill Village. A copy of the proposed architectural rendering is attached (ATTACHMENT D). A copy of a proposed site plan is attached for your review (ATTACHMENT E).

FUNDING

N/A

RECOMMENDATION

The Board of Commissioners consider granting consent to amend the court ordered development allowing a Starbucks Coffee and bagel/deli, subject to the submitted site plan, architectural design, specified uses only, agreements between the Chattahoochee Plantation Association, Cobb County and Starbucks Coffee Co. dated September 12, 1995, approval by the Cobb County Superior Court if required with all other applicable court ordered covenants and stipulations to remain in effect.

*This packet contains
Exhibits as referenced
in zoning minutes of
9-19-95 (Starbucks Coffee-
Paper Mill Village) Ken Heath*

ATTACHMENTS

Conceptual Site Plan ATTACHMENT A
Consent Letters/Agreements ATTACHMENT B
Request Letter ATTACHMENT C
Architectural Design ATTACHMENT D
Site Plan ATTACHMENT E

[illegible][illegible]

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Champion

**architects
a.i.a. inc.**

2020 powered coast
all rights reserved
phone 404.455.0275

NOT FOR CONSTRUCTION
after construction
SITE PLAN

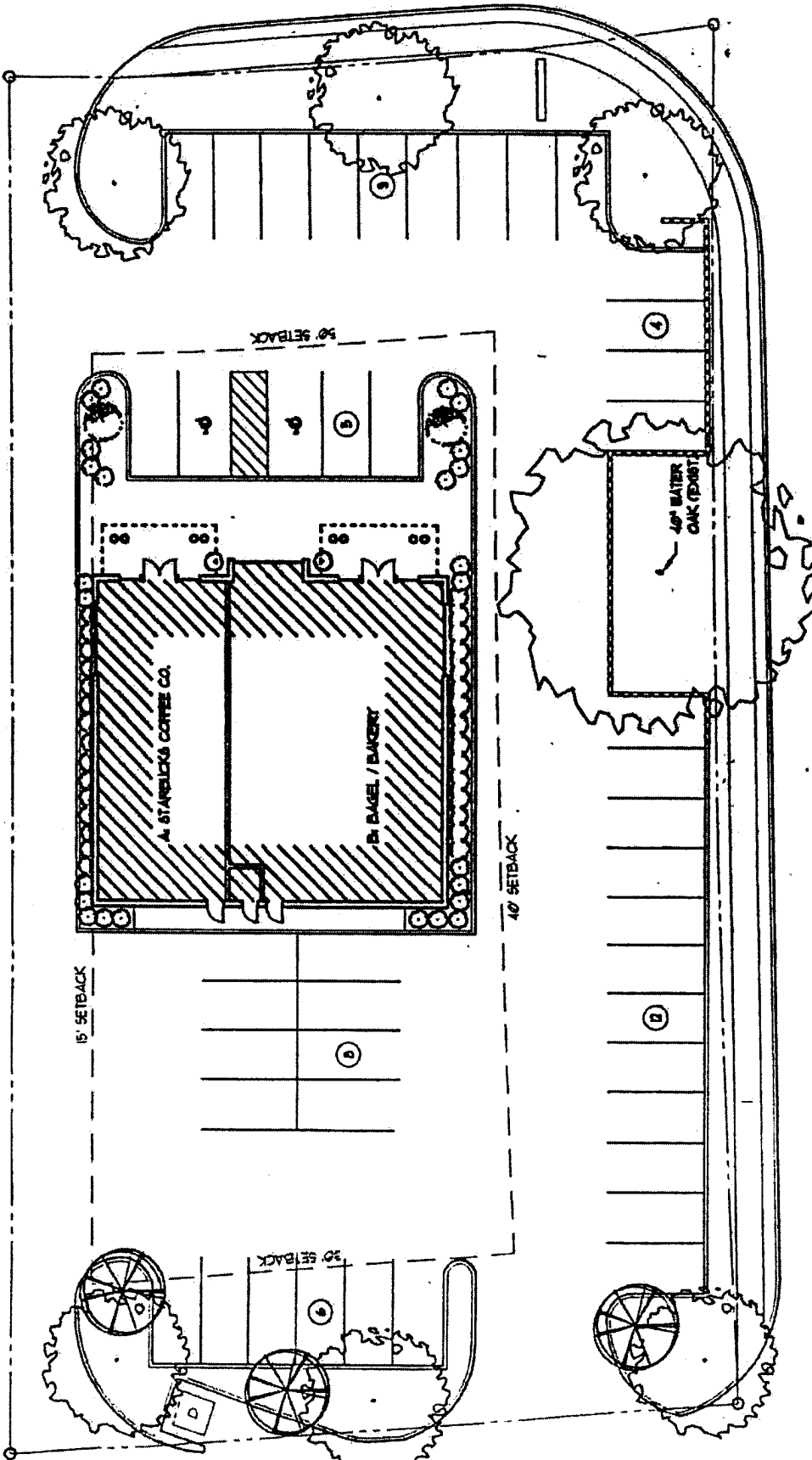
SITE PLAN



JOHNSON FERRY ROAD

page 2
of 5
plan

ATTACHMENT E



PAPER MILL ROAD

PROJECT:	SK-1
	05033
	9/7/95

STARBUCKS COFFEE CO.
CONCEPTUAL SITE PLAN
JOHNSON FERRY RD & PAPER MILL RD.

Wilson

1788 CENTURY BOULEVARD, SUITE A, ATLANTA, GA 30345 (404) 325-5631 (404) 325-2265 FAX

ATTACHMENT D

SK-1
05033
9/7/95

PROJECT:
STARBUCKS COFFEE CO.
CONCEPTUAL FRONT ELEVATION
JOHNSON FERRY RD & PAPER MILL RD.

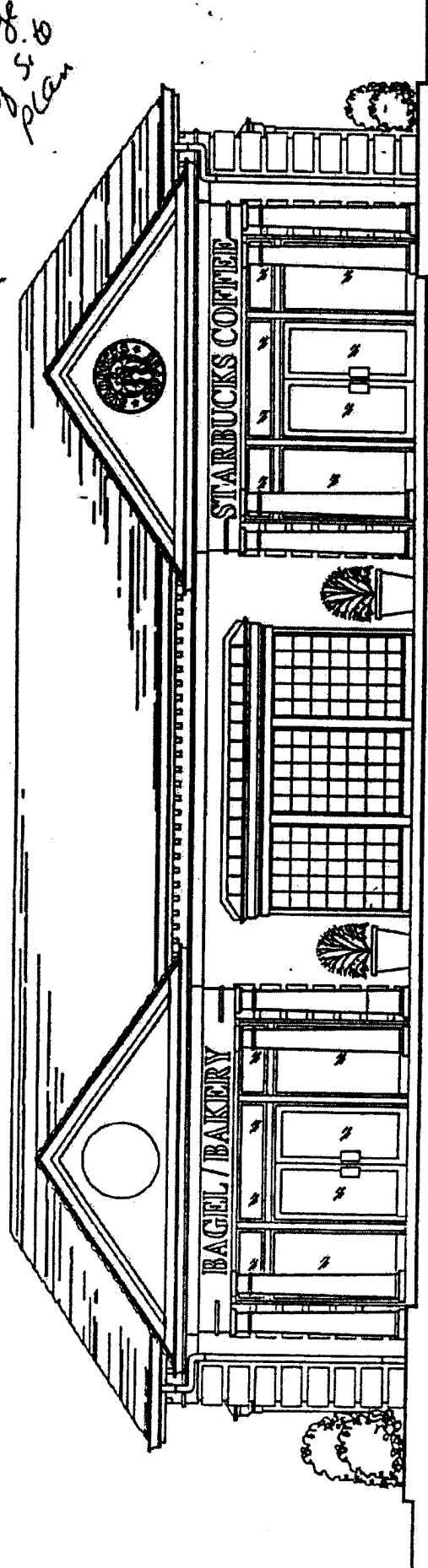
Wilson

1788 CENTURY BOULEVARD, SUITE A. ATLANTA, GA 30345 (404) 325-5631 (404) 325-2265 FAX

*Large site plan
on file in zoning
manager's office
(large plan incorporated
pages 142 of this
document) @*

*Starbucks
(Paper Mill Village)
As referenced in
zoning minutes of
9-19-95. Knowlton*

*page 1
of site
plan*





*Starbucks
(Paper mill village)
As referenced
in zoning minutes
9-19-95 Karlsen*

To: Chattahoochee Plantation Community Association and Cobb County

From: Suresh Parmar - Landowner

Rick Kelly - Real Estate Manager, Starbucks Coffee Company

Date: September 12, 1995

Re: Agreement Regarding Site Plan Proposed at Johnson Ferry Rd. & Paper Mill Rd.

This will acknowledge our meeting of September 8, 1995 with the Homeowners Association/Zoning Representatives for Chattahoochee Plantation Association to discuss the development plans for the above referenced property.

In this meeting, CPCA has agreed to endorse an amendment to the existing site plan for the property dated 11-03-92 and subject to Suresh Parmar and Rick Kelly of Starbucks Coffee Company agreeing to the following stipulations:

1. Suresh Parmar (land owner) and lessee, Starbucks Coffee Company and their sublease tenant recognize the Court ordered Agreement of December, 1973 that runs with the land and will adhere to the development of the property under those specific conditions in addition to the following detailed agreement.

2. Erect a brick enclosure of same brick as main building which will shield dumpster from Sherwood Lane residents and Paper Mill traffic and to be located in the Northwest corner of property.

3. Include some "architectural" character to the Paper Mill side view of the building so that it will not have a commercial blank wall appearance. Stucco or brick quoins of the same design as the corners of the building facing Johnson Ferry Road as shown on the conceptual site plan, dental molding extended along the side of the building as shown in the front, and adequate landscaping in front of this side wall with no building overhang. Colors on building other than brick will be subdued dark green or dark brown.

4. In compliance with Cobb County Arborous' regulations, stringent precautions to protect the roots and branches of the oak tree facing Paper Mill Road will be taken

during and after construction. Area surrounding this tree to be attractively landscaped, and all landscaped areas to be serviced by sprinkler system.

5. Berms: Existing berms on Paper Mill Road will remain and be landscaped to conceal parking areas. Where berms do not exist landscaping will be used to conceal parking lot from Paper Mill Road to the extent practicable.

6. Lights: Parking lot and security lights will be low level and low density and ground mounted Williamsburg lantern-type fixtures and designated to direct the light towards the building and/or parking areas. State of the art lighting will be used.


7. There will be no free standing signs on the property. The signs on the property are restricted to two, which will be attached to the building facing Johnson Ferry Road in accordance with "Paragraph D", page 6 of the restrictive covenants. No neon, back-lighted or plastic signs shall be allowed. The size and color of these two signs to be agreed upon by Starbucks Coffee and CPCA.


8. Outdoor music or events promoting loud noises are prohibited.


9. There will be no drive-up window.

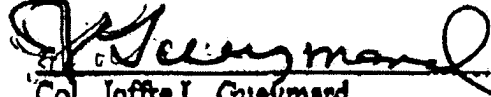
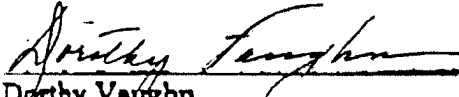
These stipulation will become a part of the official approved site plan on record with Cobb County and are enforceable by the County on any heirs, assignees or future property owners. Property owner agrees that this document will become part of all leases on this property and all lessees, present and future, will make this document a part of their subleases.

The signatures below acknowledge that the issues outlined in this memorandum comply with their understanding of our agreements.


Suresh Parmar
Land Owner

By: 
Richard Ungaro
Starbucks Coffee Company
Real Estate Manager ZONE VICE PRESIDENT


Joel Brenner
CPCA
President


Col. Joffre L. Gueymard
CPCA
Co-Chairman - Zoning Committee

Dorothy Vaughn
CPCA
Chairman - Zoning Committee