

(Site Plan and Stipulation Amendment)

Application for "Other Business"

Cobb County, Georgia

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

OB Application No.: OB- 14 -2018

BOC Hearing Date Requested: April 17, 2018

Applicant: Edison Chastain Office, LLC
(applicant's name printed)

Phone #: (770) 436-3400

Address: Suite 750, 3350 Riverwood Parkway, Atlanta, GA 30339

E-Mail: jmcgorrey@tpa-grp.com

MOORE INGRAM JOHNSON & STEELE, LLP

J. Kevin Moore

Address: Emerson Overlook, Suite 100, 326 Roswell Street
Marietta, GA 30060

BY: [Signature] Phone #: (770) 429-1499

E-Mail: jkm@mijs.com

(representative's signature) Georgia Bar No. 519728

Signed, sealed and delivered in presence of:

[Signature]

My commission expires: January 10, 2019

Notary Public

Titleholder(s): BK Properties, LP

(property owner's name printed)

Phone #: (770) 951-2278

Address: Building 2, Suite 200, 1827 Powers Ferry Road, Atlanta, GA 30339 E-Mail: kkeappler@quintuscorp.net

See Attached Exhibit "A"

(Property owner's signature)

Signed, sealed and delivered in presence of:

My commission expires: _____

Notary Public

Commission District: 3 (Birrell)

Zoning Case: Z-20 (2015)

Size of property in acres: 29.94+/-

Original Date of Hearing: 02/17/2015

Hearing Dates: 04/21/2015; 05/19/2015

Location: Northeasterly side of Chastain Meadows Parkway and the westerly side of Bells Ferry Road; south of

(street address, if applicable; nearest intersection, etc.) Big Shanty Road

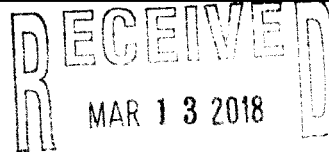
Land Lot(s): 498, 499, 510, 511

District(s): 16th

State specifically the need or reason(s) for Other Business: _____

See Exhibit "B" attached hereto and incorporated herein by reference.

(List or attach additional information if needed)



COBB CO. COMM. DEV. AGENCY
ZONING DIVISION

EXHIBIT "A" - ATTACHMENT TO APPLICATION FOR "OTHER BUSINESS"
(SITE PLAN AND STIPULATION AMENDMENT)

OB Application No.: OB- 14 -2018
Application No.: Z-20 (2015)
Original Hearing Date: February 17, 2015
Date of Zoning Decision: April 21, 2015
May 19, 2015
Current Hearing Date: April 17, 2018

BEFORE THE COBB COUNTY BOARD OF COMMISSIONERS

Applicant: Edison Chastain Office, LLC
Property Owner: BK Properties, LP,
a Georgia limited partnership

BK Properties, LP
a Georgia limited partnership

BY: QUINTUS ASSOCIATES, LIMITED,
a Georgia limited partnership, its General Partner

BY: [Signature]
William E. Keappler
General Partner

Date Executed: March 12, 2018

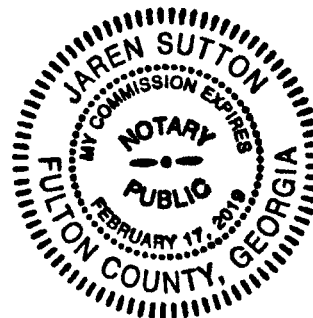
Address: Building 2, Suite 200
1827 Powers Ferry Road
Atlanta, Georgia 30339

Telephone No.: (770) 951-2278

Signed, sealed, and delivered in the presence of:

[Signature]
Notary Public
Commission Expires: 2-17-19

[Notary Seal]



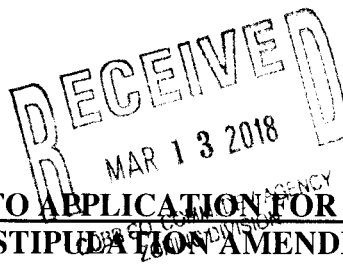


EXHIBIT "B" - ATTACHMENT TO APPLICATION FOR "OTHER BUSINESS"
(SITE PLAN AND STIPULATION AMENDMENT)

OB Application No.:	OB-_____ -2018
Application No.:	Z-20 (2015)
Original Hearing Date:	February 17, 2015
Date of Zoning Decision:	April 21, 2015
	May 19, 2015
Current Hearing Date:	April 17, 2018

Applicant:	Edison Chastain Office, LLC
Property Owner:	BK Properties, LP, a Georgia limited partnership

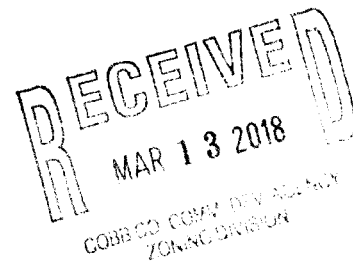
BEFORE THE COBB COUNTY BOARD OF COMMISSIONERS

Edison Chastain Office, LLC, as Applicant in this Application for "Other Business" (hereinafter "Applicant"), proposes amendments to the previously approved site plan and stipulations of four (4) parcels which comprise an overall tract totaling approximately 29.94 acres, more or less, located on the northeasterly side of Chastain Meadows Parkway and the westerly side of Bells Ferry Road, south of Big Shanty Road, Land Lots 498, 499, 510, and 511, 16th District, 2nd Section, Cobb County, Georgia (hereinafter collectively the "Property" or the "Subject Property"). In 2015, the Property Owner, BK Properties, LP, filed an Application for Rezoning for the Subject Property seeking rezoning from the then existing zoning categories of Office and Institutional ("OI"), Neighborhood Shopping ("NS"), Office Services ("OS"), and R-20 to the Office Services ("OS") for the purpose of developing the Property for office and warehouse distribution. On April 21, 2015, and May 19, 2015, the Cobb County Board of Commissioners approved the rezoning sought by the Owner to the OS zoning classification, specific to a previously submitted Site Plan and certain stipulations enumerated in the final, official minutes.

Applicant is now pursuing development of the Property for an office development. Applicant seeks approval by the Cobb County Board of Commissioners for revisions to the previously approved Site Plan and amendments to stipulations and conditions related to the Subject Property. With this Application for "Other Business," Applicant presents for approval the Conceptual Site Plan prepared for Applicant by Kimley Horn & Associates, Inc. dated February 24, 2017 [sic], a reduced copy of which is attached hereto as Exhibit "1" for ease of reference, and is further submitted with the overall Application package. However, since the previously approved stipulations will be amended, the stipulations proposed for the development of the Subject Property pursuant to the Conceptual Site Plan will be enumerated in a separate letter of agreeable stipulations and conditions which will be filed with the Cobb County Zoning Office prior to the scheduled hearing before the Cobb County Board of Commissioners.

[illegible]

EXHIBIT "1"



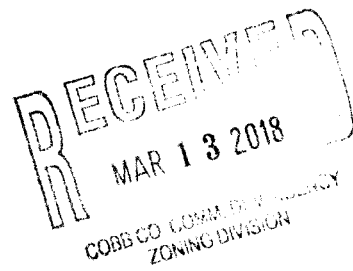
**REVISED SITE PLAN SUBMITTED FOR
AMENDMENT AND APPROVAL BY BOARD
OF COMMISSIONERS PURSUANT TO
APPLICATION FOR "OTHER BUSINESS" –
APRIL 17, 2018**

[illegible]

TOTAL PARKING:
339 - SPACES ON NORTH- BUILDING SIDE OF THE CREEK
330 - SPACES ON SOUTH SIDE OF CREEK
718 - TOTAL SPACES

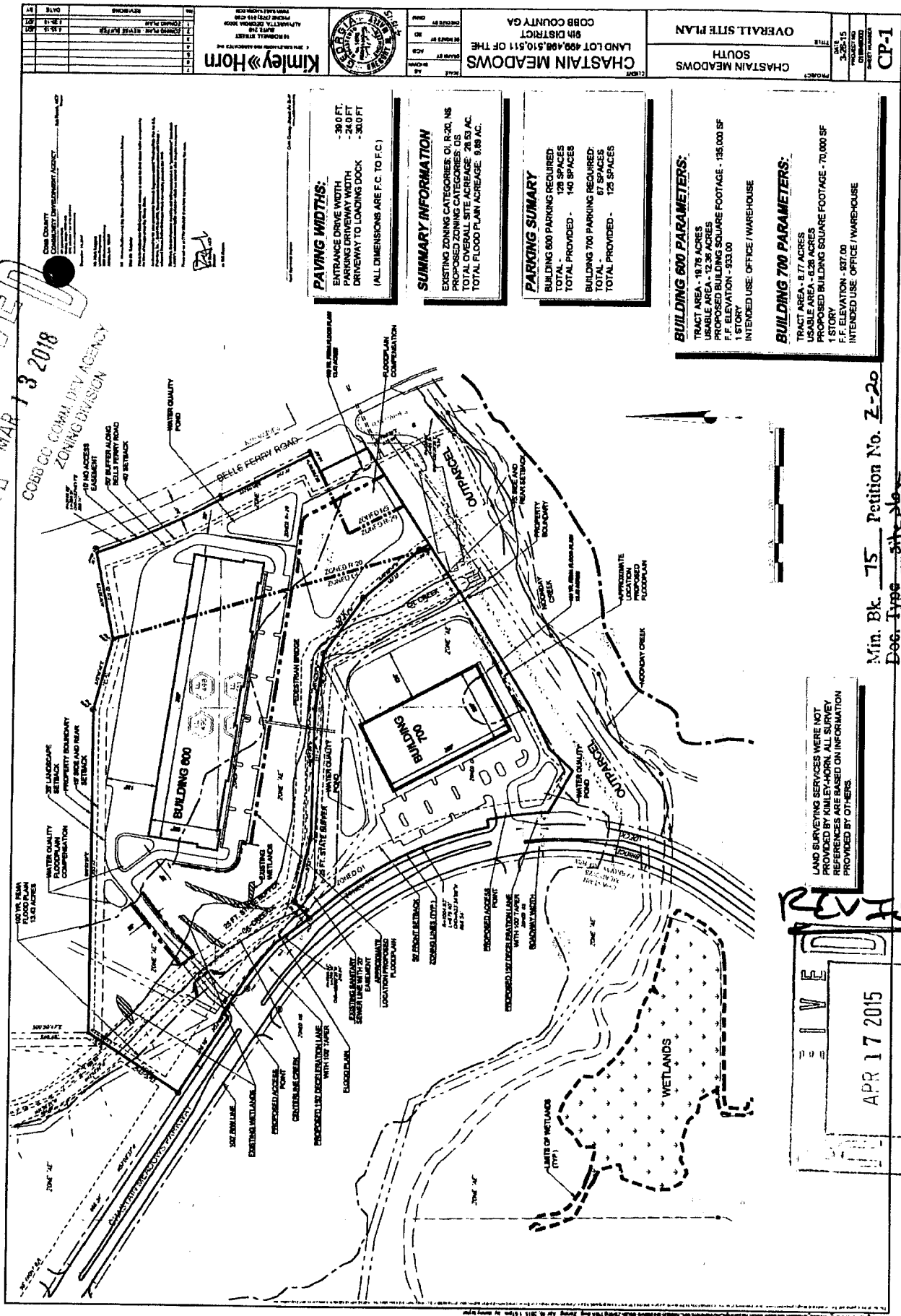
LAND SURVEYING SERVICES WERE NOT PROVIDED BY KIMLEY-HORN, ALL SURVEY REFERENCES ARE BASED ON INFORMATION PROVIDED BY OTHERS.

RECEIVED
MAR 13 2018
CDBG CO. COMM. & HARBOR
ZONING DIVISION



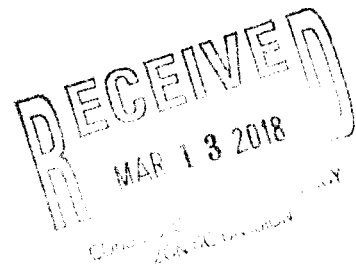
**SITE PLAN APPROVED BY BOARD OF
COMMISSIONERS PURSUANT TO
APPLICATION FOR
REZONING NO. Z-20 (2015)
– APRIL 21, 2015**

RECEIVED
MAR 13 2018
COBB CO COMM DEV AGENCY
ZONING DIVISION



RECEIVED
APR 17 2015
COBB CO COMM DEV AGENCY
ZONING DIVISION

Min. Bk. 75 Petition No. Z-20
Dec. type 3-16
Meeting Date 4-21-15



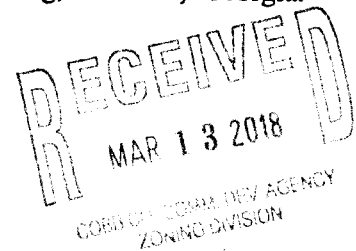
**OFFICIAL MINUTES OF COBB COUNTY
BOARD OF COMMISSIONERS ZONING
HEARING AS TO APPLICATION FOR
REZONING Z-20 (2015)
– APRIL 21, 2015**

**MINUTES OF ZONING HEARING
COBB COUNTY BOARD OF COMMISSIONERS
APRIL 21, 2015
9:00 A.M.**

The Board of Commissioners Zoning Hearing was held on Tuesday, April 21, 2015 at 9:00 a.m. in the second floor public meeting room of the Cobb County building, Marietta, Georgia. Present and comprising a quorum of the Board were:

Vice Chair JoAnn Birrell
Commissioner Lisa Cupid
Commissioner Bob Ott
Commissioner Bob Weatherford

Chairman Tim Lee – not present

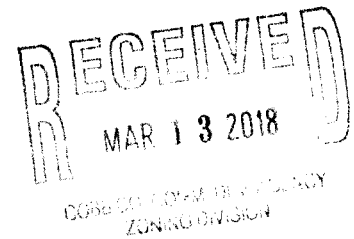


Z-20 **BK PROPERTIES, LP** (owner) requesting Rezoning from **O&I, NS** and **R-20** to **OS** for the purpose of Office and Warehouse Distribution in Land Lots 498, 499, 510, and 511 of the 16th District. Located on the northeasterly side of Chastain Meadows Parkway, and the westerly side of Bells Ferry Road, south of Big Shanty Road. *(Previously continued by Staff until the March 3, 2015 Planning Commission hearing and previously continued by the Planning Commission from their March 3, 2015 hearing)*

The public hearing was opened and Mr. Kevin Moore, Mr. Michael Stine, Dr. Hilda Hatzell, Ms. Martha Williams, Mr. Mike Williams, and Ms. Rolanda Williams addressed the Board. Following presentation and discussion, the following motion was made:

MOTION: Motion by Birrell, second by Weatherford, to approve Z-20 to the OS zoning category, subject to:

- Specific to site plan received by the Zoning Division April 17, 2015, with the 700 building for office use *only* (attached and made a part of these minutes)
- Letters of agreeable conditions from Mr. Kevin Moore dated December 4, 2014, March 20, 2015, April 2, 2015, and April 17, 2015 (attached and made a part of these minutes)
- Establish a 50 foot buffer on the Bells Ferry Road side of the property and delete this buffer to the R-20 zoning category
- Establish a 35 foot buffer and berm with black chain-link vinyl coated fence along the northern property line and delete this buffer to the R-20 zoning category
- Truck deliveries allowed Monday through Friday from 7:00 a.m. until 6:00 p.m. (no Saturday or Sunday deliveries) to the 600 building *only*
- All work to be done inside
- No outdoor storage
- No access to Bells Ferry Road



**MINUTES OF ZONING HEARING
COBB COUNTY BOARD OF COMMISSIONERS
APRIL 21, 2015
9:00 A.M.**

The Board of Commissioners Zoning Hearing was held on Tuesday, April 21, 2015 at 9:00 a.m. in the second floor public meeting room of the Cobb County building, Marietta, Georgia. Present and comprising a quorum of the Board were:

Vice Chair JoAnn Birrell
Commissioner Lisa Cupid
Commissioner Bob Ott
Commissioner Bob Weatherford

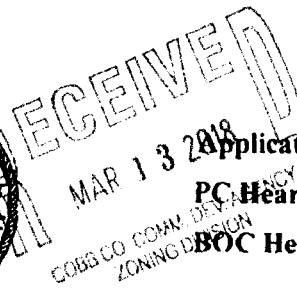
Chairman Tim Lee – not present

Z-20 (CONT.)

- Maintenance of greenspace/park of 2.5 acres
- Water and Sewer Division comments and recommendations, *not otherwise in conflict*
- Stormwater Management Division comments and recommendations, *not otherwise in conflict*
- Cobb DOT comments and recommendations, *not otherwise in conflict*
- 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

VOTE: TIED 2-2, Lee absent, Cupid and Ott opposed

Trk. # 75 Parcel # 2-20
Doc. Type Zoning Application
Meeting Date 4-21-15



Application #: Z-20 (2015)
PC Hearing Date: 02/03/2015
BOC Hearing Date: 02/17/2015

Summary of Intent for Rezoning*

Part 1. Residential Rezoning Information (attach additional information if needed)

- a) Proposed unit square-footage(s): Not Applicable.
- b) Proposed building architecture:
- c) Proposed selling prices(s):
- d) List all requested variances:

Part 2. Non-residential Rezoning Information (attach additional information if needed)

- a) Proposed use(s): Office and warehouse distribution as allowed under the OS zoning category
- b) Proposed building architecture: Architecturally designed tilt wall concrete construction similar in design to the existing buildings within Chastain Meadows area.
- c) Proposed hours/days of operation: Monday-Friday - 7 a.m.-6 p.m.; Saturdays - 8 a.m.-2 p.m. Hours may vary as determined by individual tenants.
- d) List all requested variances: This project lies within the Town Center Overlay District, and the master planned, parkwide signage, landscaping, and hardscaping, street, and site lights do not conform with the Overlay standards. Applicant requests that current parkwide standards be allowed for this development.

Part 3. Other Pertinent Information (List or attach additional information if needed)

Applicant will be providing a flood plain study with the Application for Rezoning to allow for manipulation of the flood plain through flood plain compensation. This report will be submitted to Cobb County for consideration and approval by mid-December 2014.

Part 4. Is any of the property included on the proposed site plan owned by the Local, State, or Federal Government?

(Please list all Right-of-Ways, Government owned lots, County owned parcels and/or remnants, etc., and attach a plat clearly showing where these properties are located). None known at this time.

Part 5. Is this application a result of a Code Enforcement action? No ☒ ; Yes (If yes, attach a copy of the Notice of Violation and/or tickets to this form).

MOORE INGRAM JOHNSON & STEELE, LLP

Applicant signature: BY:

Date: December 4, 2014

J. Kevin Moore; Georgia Bar No. 519728

Applicant name (printed): Attorneys for Applicant and Property Owner

*Applicant specifically reserves the right to amend any information set forth in the Summary of Intent for Rezoning, or any part of the Application for Rezoning, at any time during the rezoning process.

Revised August 21, 2013

MOORE INGRAM JOHNSON & STEELE

A LIMITED LIABILITY PARTNERSHIP
WWW.MIJS.COM

JOHN H. MOORE
STEPHEN C. STEELE
WILLIAM R. JOHNSON¹
ROBERT D. INGRAM²
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CHARLESTON, SOUTH CAROLINA 29492
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ORLANDO, FLORIDA 32819
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NIGEL P. VORBRICH¹
KIMBERLY E. THOMPSON¹
E. SHANE BRANHAM¹
BRENT R. LAMAN¹
CHRISTOPHER R. BROOKS¹

OF COUNSEL:
JOHN L. SKELTON, JR.¹

¹ ALSO ADMITTED IN TN
² ALSO ADMITTED IN FL
³ ALSO ADMITTED IN CA
⁴ ALSO ADMITTED IN TX
⁵ ALSO ADMITTED IN AL
⁶ ALSO ADMITTED IN KY
⁷ ALSO ADMITTED IN SC
⁸ ALSO ADMITTED IN NC
⁹ ALSO ADMITTED IN IN
¹⁰ ADMITTED ONLY IN TN
¹¹ ADMITTED ONLY IN FL
¹² ADMITTED ONLY IN SC
¹³ ADMITTED ONLY IN KY

March 20, 2015

Hand Delivered

Mr. Jason A. Campbell
Planner III
Zoning Division
Cobb County Community Development Agency
Suite 400
1150 Powder Springs Road
Marietta, Georgia 30064

RE: Application for Rezoning - Application No. Z-20 (2015)
Applicant/Property Owner: BK Properties, LP
Property: 29.94 acres, more or less, located on the
northeasterly side of Chastain Meadows
Parkway, the westerly side of Bells ferry
Road, southerly of Big Shanty Road, Land
Lots 498, 499, 510, and 511, 16th District,
2nd Section, Cobb County, Georgia

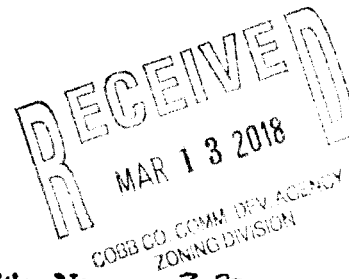
Min. Bk. 75 Petition No. Z-20
Doc. Type letter
Meeting Date 4-21-15

Dear Jason:

On behalf of the Applicant and Property Owner, BK Properties, LP, enclosed are revised Site Plans prepared for the Applicant by Kimley-Horn and Associates, Inc. dated and last revised March 16, 2015, with regard to the above-referenced Application for Rezoning. These revised Site Plans supersede those initially submitted with the subject Application on or about December 4, 2014, as well as any other subsequent plans. We, therefore, respectfully request the revised Site Plans submitted herewith be taken into consideration with the Application from this date forward.

MOORE INGRAM JOHNSON & STEELE

Mr. Jason A. Campbell
Planner III
Zoning Division
Cobb County Community Development Agency
Page 2 of 2
March 20, 2015



Petition No. 2-20
Meeting Date 4-21-15
Continued

Thank you for your assistance in this request. If you should have any questions or require additional information, please do not hesitate to contact me.

With kindest regards, I remain

Very truly yours,

MOORE, INGRAM, JOHNSON & STEELE, LLP

A handwritten signature in dark ink, appearing to read "J. Kevin Moore".

J. Kevin Moore

JKM:cc
Enclosures

c: Canton Road Neighbors
(With Copy of Enclosure)

BK Properties, LP
(With Copy of Enclosure)

MOORE INGRAM JOHNSON & STEELE

A LIMITED LIABILITY PARTNERSHIP
WWW.MIJS.COM

DECEIVED
MAR 13 2018
COBB CO. COMM. DEV. AGENCY
ZONING DIVISION

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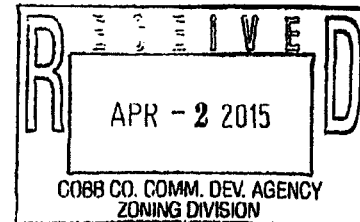
OF COUNSEL:
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† ADMITTED ONLY IN FL
*** ADMITTED ONLY IN SC
* ADMITTED ONLY IN KY

April 2, 2015

Hand Delivered

Mr. Jason A. Campbell
Planner III
Zoning Division
Cobb County Community Development Agency
Suite 400
1150 Powder Springs Road
Marietta, Georgia



RE: Application for Rezoning - Application No. Z-20 (2015)

Applicant/Property Owner: BK Properties, LP

Property: 29.94 acres, more or less, located on the northeasterly side of Chastain Meadows Parkway, the westerly side of Bells Ferry Road, southerly of Big Shanty Road, Land Lots 498, 499, 510, and 511, 16th District, 2nd Section, Cobb County, Georgia

Min. Bk. 75 Petition No. Z-20
Doc. Type letter

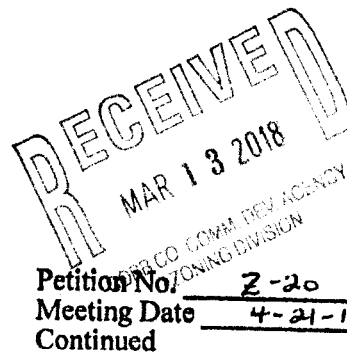
Meeting Date 4-21-15

Dear Jason:

The undersigned and this firm represent BK Properties, LP, the Applicant and Property Owner (hereinafter collectively referred to as "Applicant"), in its Application for Rezoning with regard to a total tract of 29.94 acres, more or less, located on the northeasterly side of Chastain Meadows Parkway and the westerly side of Bells Ferry Road; southerly of Big Shanty Road, Land Lots 498, 499, 510, and 511, 16th District, 2nd Section, Cobb County, Georgia (hereinafter referred to as the "Property" or the "Subject Property"). After meetings with planning and zoning staff; discussions and meetings with area residents and representatives of area community associations; reviewing the staff comments and recommendations; and reviewing the uses of surrounding properties, we have been authorized by the Applicant to submit this letter of

MOORE INGRAM JOHNSON & STEELE

Mr. Jason A. Campbell
Planner III
Zoning Division
Cobb County Community Development Agency
Page 2 of 6
April 2, 2015

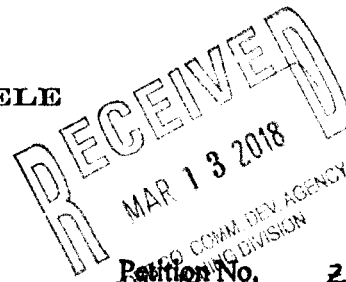


agreeable stipulations and conditions, which, if the Application for Rezoning is approved, as submitted, shall become a part of the grant of the requested zoning and shall be binding upon the Subject Property. The proposed stipulations are as follows:

- (1) Applicant seeks rezoning of the Subject Property from the existing zoning categories of Office Institutional ("OI"), Neighborhood Shopping ("NS"), and R-20 to the proposed zoning category of Office/Services ("OS"), site plan specific to the revised Overall Site Plan prepared for Applicant by Kimley Horn and Associates, Inc., dated and last revised March 16, 2015, and submitted to the Zoning Office on March 20, 2015. A reduced copy of the revised Overall Site Plan is attached hereto for ease of reference as Exhibit "A" and incorporated herein by reference.
- (2) The buildings within the proposed development shall be architecturally designed tilt wall concrete construction, substantially similar in design and exterior elevation to existing buildings within the Chastain Meadows Parkway complexes. Photographs of the proposed buildings are attached collectively as Exhibit "B" and incorporated herein by reference.
- (3) Security lighting on the proposed buildings shall be wall packs, hooded, environmentally sensitive and shall be fitted with non-glare lenses and cut off shields to prevent light from extending beyond the property line.
- (4) Lighting fixtures for customer and parking areas shall be environmentally sensitive, shoe-box style and shall be fitted with non-glare lenses and cut off shields to prevent light from extending beyond the property line. All lighting shall comply with Cobb County Code requirements.
- (5) Access to the proposed development shall be from Chastain Meadows Parkway only. There shall be no access to the proposed development from Bells Ferry Road. A ten (10) foot "no access" easement shall be conveyed to Cobb County along the Subject Property's road frontage on Bells Ferry Road.
- (6) Signage for the proposed development shall be located on Chastain Meadows Parkway and shall be consistent with the design, finish, materials, and colors used for buildings within the center. Signage shall be ground-based, monument style, and shall comply with Cobb County Zoning Codes and Ordinances. No signage shall be located on Bells Ferry Road.

MOORE INGRAM JOHNSON & STEELE

Mr. Jason A. Campbell
Planner III
Zoning Division
Cobb County Community Development Agency
Page 3 of 6
April 2, 2015

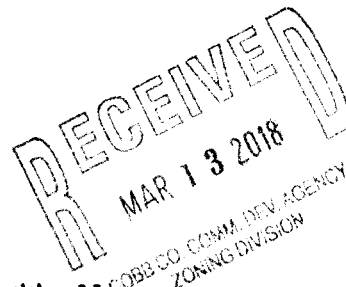


Petition No. 2-20
Meeting Date 4-21-15
Continued

- (7) Stormwater management and detention shall comply in all respects with applicable Cobb County Code; as well as state and federal regulations.
- (8) There shall be a fifty (50) foot landscape buffer adjacent to Bells Ferry Road, with landscaping and berming as more particularly shown and reflected on Exhibit "C," attached hereto and incorporated herein by reference. Additionally, there shall be a twenty-five (25) foot landscape buffer along the northern boundary of the Subject Property. Such landscape buffers shall comply in all respects with applicable Cobb County buffer ordinances to establish visual screening from adjoining properties. All trees to be planted in landscape buffer areas shall be a minimum of six (6) feet in height at planting.
- (9) All landscaping referenced herein shall be approved by the Cobb County Arborist as part of the plan review process and incorporated into the overall landscape plan for the proposed development.
- (10) The District Commissioner shall have the authority to approve minor modifications to these stipulations and the Overall Site Plan as the development proceeds through the Plan Review process and thereafter. For purposes of this paragraph, any modifications that increase density; reduce the size or composition of an approved buffer or landscape strip to adjacent property; relocate a structure closer to a property line; or, increase the height of a building adjacent to property which are in direct contradiction to or conflict with the foregoing stipulations, will come back through the public hearing process as an "Other Business" Application."
- (11) All landscape and buffer areas may be penetrated for purposes of access, utilities, and stormwater management; including, but not limited to, detention/retention facilities, drainage facilities, and any and all slopes or other required engineering features of the foregoing.
- (12) Subject to the submitted Site Plan, Applicant shall comply with all county development standards and ordinances relating to project improvements, including stormwater management, detention, hydrology, and downstream considerations; except as approved by the Board of Commissioners, Department of Transportation, or Community Development Agency, as their authority may allow.

MOORE INGRAM JOHNSON & STEELE

Mr. Jason A. Campbell
Planner III
Zoning Division
Cobb County Community Development Agency
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April 2, 2015



Petition No. 2-20
Meeting Date 4-21-15
Continued

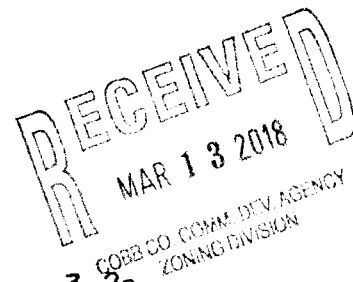
- (13) Applicant agrees to the following system improvements to mitigate traffic concerns:
 - (a) Installation of deceleration lanes, a minimum of one hundred fifty (150) feet in length, together with a one hundred (100) foot taper, at each access point, as shown and reflected on the revised Overall Site Plan.
- (14) Applicant agrees to the establishment of a publicly dedicated green space consisting of approximately 2.6 acres adjacent to Bells Ferry Road and the Noonday Creek Multi-Use Trail head area, as more specifically shown on the Site Plan attached hereto as Exhibit "D" and incorporated herein by reference. Such dedicated green space shall be for public use and enjoyment; however, responsibility of maintenance shall remain with Applicant, or its transferee or assignee (any future owner of the Subject Property). The designated green space shall be prepared in such a manner as to provide passive enjoyment by the public.
- (15) There shall be no vehicular access from the Property to the Noonday Creek Multi-Use Trail or trail head parking area.
- (16) Applicant confirms by this letter that a professional, independent wetlands delineation study of the Property, and surrounding area, has been conducted and completed. The referenced, revised Site Plan incorporates the results of such study. Applicant agrees to comply with any further comments or recommendations of Cobb County Stormwater Division during the plan review and permitting process.
- (17) Applicant agrees to the installation of a privacy fence, a minimum of six (6) feet in height, along any shared residential property, where no such fence currently exists.
- (18) Applicant agrees that semi-trailer truck deliveries shall be limited to the following hours: 7:00 a.m. to 6:00 p.m., Monday – Friday.

We believe the requested zoning, pursuant to the revised Overall Site Plan and the stipulations set forth herein, is an appropriate use of the Subject Property. The proposed use takes into consideration the challenges of location and topography posed by the Subject Property; as well as the challenges placed upon the Property by Cobb County and its classifications and

MOORE INGRAM JOHNSON & STEELE

Mr. Jason A. Campbell
Planner III
Zoning Division
Cobb County Community Development Agency
Page 5 of 6
April 2, 2015

Petition No. 2-20
Meeting Date 4-21-15
Continued



restrictions within the zoning and future land use categories. We appreciate very much your assistance and consideration; as well as that of the Cobb County Planning Commission and Cobb County Board of Commissioners, in this request.

With kindest regards, I remain

Very truly yours,

MOORE, INGRAM, JOHNSON & STEELE, LLP

A large, stylized handwritten signature in black ink, appearing to read "J. Kevin Moore".

J. Kevin Moore

JKM:cc

Attachments

c: Cobb County Board of Commissioners:
Timothy D. Lee, Chairman
JoAnn Birrell
Lisa N. Cupid
Robert J. Ott
Bob Weatherford
(With Copies of Attachments)

Cobb County Planning Commission
Mike Terry, Chairman
Judy Williams
Christi S. Trombetti
Galt Porter
Skip Gunther
(With Copies of Attachments)

Carol Brown
Canton Road Neighbors
(With Copies of Attachments)

MOORE INGRAM JOHNSON & STEELE

Mr. Jason A. Campbell
Planner III
Zoning Division
Cobb County Community Development Agency
Page 6 of 6
April 2, 2015



c: Phil Blackwell
Christopher Gable
Area Residents
(With Copies of Attachments)

BK Properties, LP
(With Copies of Attachments)

Petition No. 2-20
Meeting Date 4-24-15
Continued

MOORE INGRAM JOHNSON & STEELE

A LIMITED LIABILITY PARTNERSHIP
WWW.MIJS.COM

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STEPHEN C. STEELE
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ROBERT D. INGRAM†
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KNOXVILLE, TENNESSEE 37923
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LEXINGTON, KENTUCKY
2333 ALEXANDRIA DRIVE
LEXINGTON, KENTUCKY 40504
TELEPHONE (502) 410-8021

CHARLESTON, SOUTH CAROLINA
885 ISLAND PARK DR • STE B
CHARLESTON, SOUTH CAROLINA 29402
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ORLANDO, FLORIDA
7380 W. SAND LAKE RD • STE 500
ORLANDO, FLORIDA 32819
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NORBERT D. HUMMEL, IV
DAVID P. CONLEY
S. CHASE ELLEBY
TYLER R. MORGAN†
MARIANNA L. JABLONSKI*
LOURDES SANCERNI-FULTON†
LEAH C. FOX*
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CHRISTOPHER L. JOHNSON
CHRISTIAN H. LAYCOCK
LIZA D. HARRELL**
JESSICA A. KING
JOHN A. EARLY
CHRISTOPHER W. SHERMAN*
JESS E. MAPLES*
FREDERICK F. FISHER***
KENNETH D. HALL

RAHUL SHETH
GRANT S. TALL
NIGEL P. VORBRICH*
KIMBERLY E. THOMPSON*
E. SHANE BRANHAM*
BRENT R. LAMAN*
CHRISTOPHER R. BROOKS*

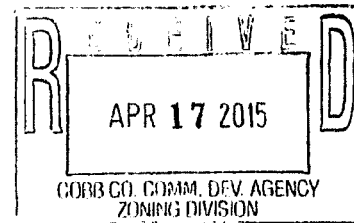
OF COUNSEL:
JOHN L. SKELTON, JR.†

† 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
* ADMITTED ONLY IN TN
* ADMITTED ONLY IN FL
*** ADMITTED ONLY IN SC
* ADMITTED ONLY IN KY

April 17, 2015

Hand Delivered

Mr. Jason A. Campbell
Planner III
Zoning Division
Cobb County Community Development Agency
Suite 400
1150 Powder Springs Road
Marietta, Georgia 30064



RE: Application for Rezoning - Application No. Z-20 (2015)
Applicant/Property Owner: BK Properties, LP
Property: 29.94 acres, more or less, located on the
northeasterly side of Chastain Meadows
Parkway, the westerly side of Bells ferry
Road, southerly of Big Shanty Road, Land
Lots 498, 499, 510, and 511, 16th District,
2nd Section, Cobb County, Georgia

Min. Bk. 75 Petition No. Z-20
Doc. Type letter
Meeting Date 4-21-15

Dear Jason:

On behalf of the Applicant and Property Owner, BK Properties, LP, enclosed are revised Site Plans prepared for the Applicant by Kimley-Horn and Associates, Inc. dated March 26, 2015, and last revised April 15, 2015, with regard to the above-referenced Application for Rezoning. Please note this new, revised Plan provides for an expanded buffer of thirty-five (35) feet along the northerly boundary of the Subject Property, consistent with the Planning Commission's recommendations.

MOORE INGRAM JOHNSON & STEELE

Mr. Jason A. Campbell

Planner III

Zoning Division

Cobb County Community Development Agency

Page 2 of 2

April 17, 2015

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

Petition No. 2-20

Meeting Date 4-21-15

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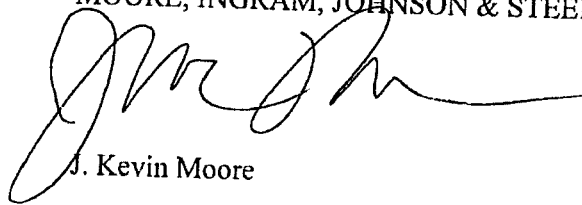
These revised Site Plans supersede those submitted with the Application on or about December 4, 2014, and revised Site Plans filed on March 20, 2015; as well as any other subsequent Plans. We, therefore, respectfully request the revised Site Plans submitted herewith be taken into consideration with the Application from this date forward; and specifically, shall supersede and replace in full the Site Plan referenced in the letter of agreeable stipulations and conditions dated and filed with your office April 2, 2015.

Thank you for your assistance in this request. If you should have any questions or require additional information, please do not hesitate to contact me.

With kindest regards, I remain

Very truly yours,

MOORE, INGRAM, JOHNSON & STEELE, LLP



J. Kevin Moore

JKM:cc

Enclosure

c: Cobb County Board of Commissioners:
Timothy D. Lee, Chairman
JoAnn Birrell
Lisa N. Cupid
Robert J. Ott
Bob Weatherford
(With Copy of Enclosure)

Canton Road Neighbors
(With Copy of Enclosure)

Phil Blackwell
Bells Ferry Civic Association
(With Copy of Enclosure)

BK Properties, LP
(With Copy of Enclosure)

**OFFICIAL MINUTES OF COBB COUNTY
BOARD OF COMMISSIONERS ZONING
HEARING AS TO APPLICATION FOR
REZONING Z-20 (2015)
– MAY 19, 2015**

**MINUTES OF ZONING HEARING
COBB COUNTY BOARD OF COMMISSIONERS
MAY 19, 2015
9:00 A.M.**

The Board of Commissioners Zoning Hearing was held on Tuesday, May 19, 2015 at 9:00 a.m. in the second floor public meeting room of the Cobb County building, Marietta, Georgia. Present and comprising a quorum of the Board were:

Chairman Tim Lee
Commissioner JoAnn Birrell
Commissioner Lisa Cupid
Commissioner Bob Ott
Commissioner Bob Weatherford

PENDING CASE

Due to a tie vote at the April 21, 2015 Board of Commissioners Zoning Hearing and according to Section 11-D of the *Board of Commissioners Zoning and Land Use Procedures*, petition Z-20 (BK Properties, LP) was considered *pending* (see page 7 of the April 21, 2015 Board of Commissioners Zoning Hearing). Therefore, the following vote was taken:

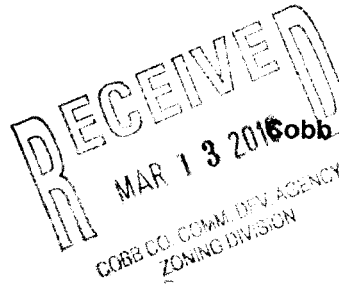
VOTE: ADOPTED 3-2, Cupid, Ott opposed

**2017 PAID AD VALOREM PROPERTY TAX
RECIEPTS FOR SUBJECT PROPERTY
(TAX PARCEL NOS. 16049800600;
16049900020; 16051000010; AND
16051100020)**



CARLA JACKSON
CHELLY MCDUFFIE
Phone:
Fax:

TAX COMMISSIONER
CHIEF DEPUTY
770-528-8600
770-528-8679



Printed: 3/13/2018

Cobb County Online Tax Receipt

Thank you for your payment!

Payer:
BK PROPERTIES LP

BK PROPERTIES LP

Payment Date: 10/11/2017

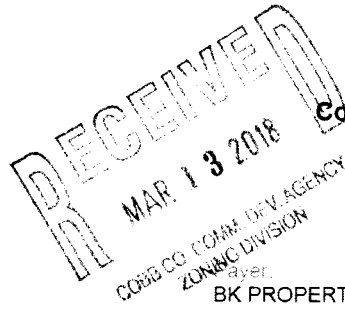
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2017	16049800600	10/15/2017	Pay: N/A or	\$0.00	
Interest	Penalty	Fees	Total Due	Amount Paid	Balance
\$0.00	\$0.00	\$0.00	\$0.00	\$15,386.31	\$0.00



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CARLA JACKSON TAX COMMISSIONER
CHELLY MCDUFFIE CHIEF DEPUTY
Phone: 770-528-8600
Fax: 770-528-8679



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Cobb County Online Tax Receipt

Thank you for your payment!

Payer:
BK PROPERTIES LP**BK PROPERTIES LP****Payment Date: 10/11/2017**

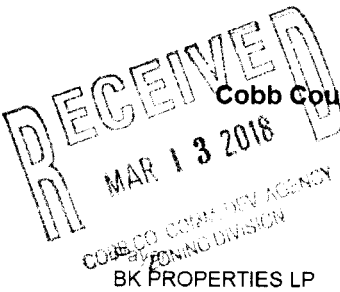
Tax Year	Parcel ID	Due Date	Appeal Amount	Taxes Due
2017	16049900020	10/15/2017	Pay: N/A or	\$0.00

Interest	Penalty	Fees	Total Due	Amount Paid	Balance
\$0.00	\$0.00	\$0.00	\$0.00	\$3,843.31	\$0.00

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CARLA JACKSON TAX COMMISSIONER
CHELLY MCDUFFIE CHIEF DEPUTY
Phone: 770-528-8600
Fax: 770-528-8679



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Thank you for your payment!

BK PROPERTIES LP

Payment Date: 10/11/2017

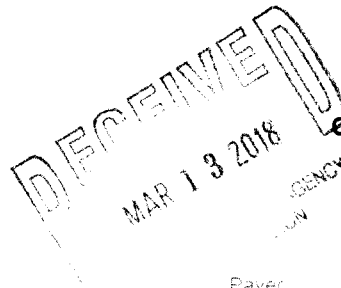
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Interest	Penalty	Fees	Total Due	Amount Paid	Balance	
\$0.00	\$0.00	\$0.00	\$0.00	\$10,433.08	\$0.00	



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CARLA JACKSON TAX COMMISSIONER
CHELLY MCDUFFIE CHIEF DEPUTY
Phone: 770-528-8600
Fax: 770-528-8679



Printed: 3/13/2018

Cobb County Online Tax Receipt

Thank you for your payment!

Payer:
BK PROPERTIES LP**BK PROPERTIES LP****Payment Date: 10/11/2017**

Tax Year	Parcel ID	Due Date	Appeal Amount	Taxes Due
2017	16051100020	10/15/2017	Pay: N/A or	\$0.00

Interest	Penalty	Fees	Total Due	Amount Paid	Balance
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