

**JUNE 17, 2008 ZONING HEARING
“OTHER BUSINESS”
COMMISSION DISTRICT 1**

ITEM #1

PURPOSE

To consider amending the site plan for Freelan Enterprises, LLC regarding Z-105 (Attic Self-Storage Inc.) of August 19, 1997, for property located on the north side of Dallas Highway, east of Bob Cox Road in Land Lots 315 and 332 of the 20th District.

BACKGROUND

The subject property is zoned NRC. This out parcel was part of an approximate 5 acre tract that was the subject of a settlement of litigation on September 15, 1998. One of the conditions of the settlement of litigation required the applicant to submit plans to the Board of Commissioners. On April 20, 1999, the Board of Commissioners approved a site plan for a convenience store with gasoline sales and a drive thru car wash. The approved site plan and the Board of Commissioners decision are attached. This request is to amend the site plan to allow removal of the convenience store, gas pumps and car wash and convert the existing building into a full service car wash. Vacuum bays would be installed under the existing canopy. The proposed site plan is attached. The other business application is also attached.

FUNDING

N/A

RECOMMENDATION

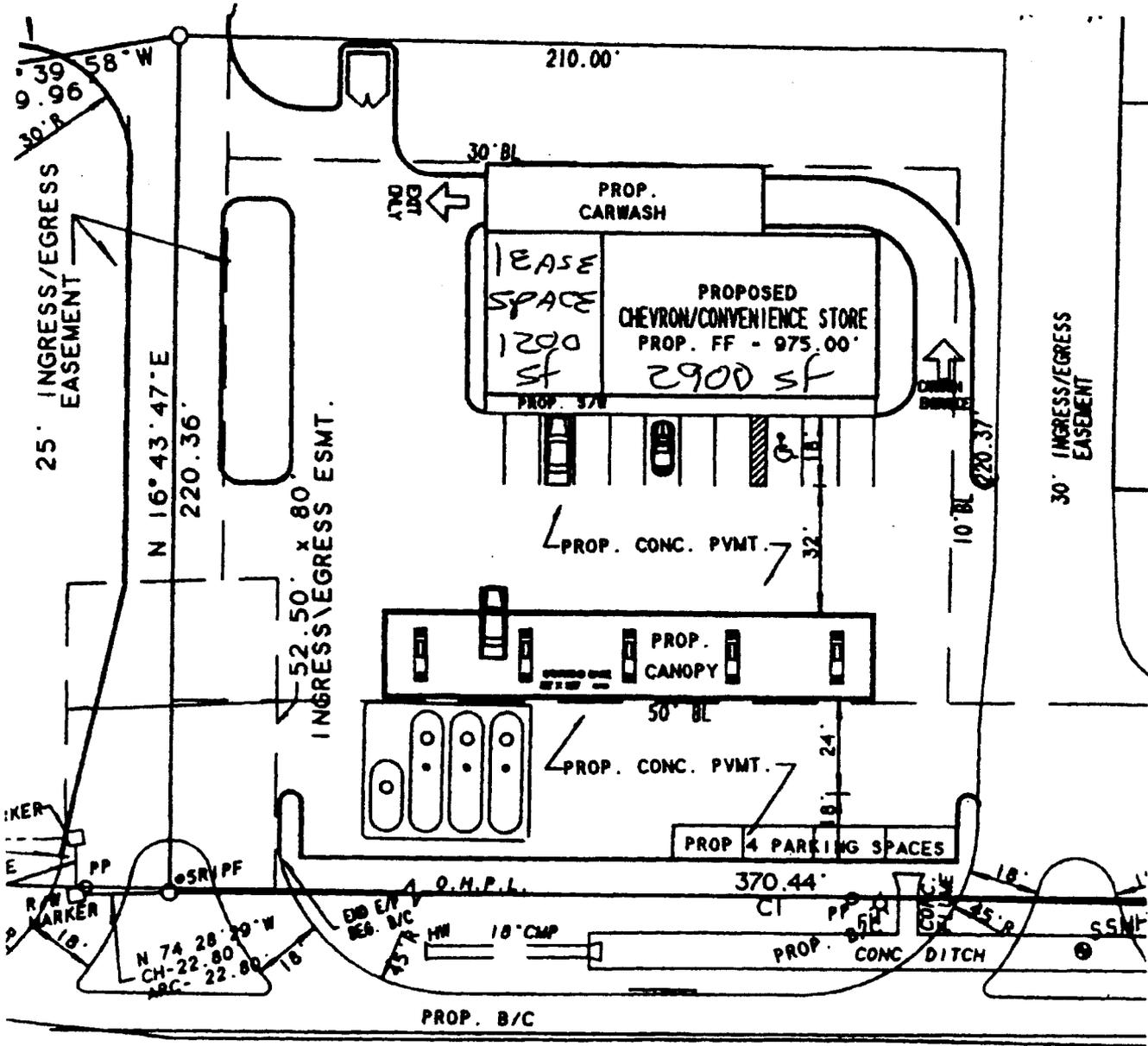
The Board of Commissioners consider amending the site plan. If approved, the final building architectural elevations, signage, lighting and landscaping to be approved by the District Commissioner prior to issuance of any permits. All other previously approved conditions/stipulations not in conflict to remain in effect.

ATTACHMENTS

Approved Site Plan
Board of Commissioners Decision
Proposed Site Plan
Other Business Application

2-105 of 1997

Min. Bk. 11 Petition No. O.B. Item #2
Doc. Type Reduced copy of site plan for 1.06 acre outparcel
Meeting Date 4/20/97 (MS)



S.R. 120 DALLAS HWY
R/W VARIABLE PVMT. AS SHOWN

(Large Site Plan on file in Zoning Office)

ORIGINAL DATE OF APPLICATION: 8/97APPLICANTS NAME: ATTIC SELF STORAGE, INC.THE FOLLOWING REPRESENTS THE FINAL DECISIONS OF THE
COBB COUNTY BOARD OF COMMISSIONERS**BOC DECISION OF 04-20-99 ZONING HEARING:****OTHER BUSINESS ITEM #2 -- TO CONSIDER SITE PLAN APPROVAL --- Z-105 OF 1997 (ATTIC SELF STORAGE, INC.)**

To consider Site Plan Approval for Wilder Realty, Inc. regarding Z-105 of August 19, 1997 (Attic Self-Storage, Inc.), for property located on the north side of Dallas Highway, east of Bob Cox Road in Land Lots 315 and 332 of the 20th District.

Mr. Mark Danneman, Zoning Division Manager, provided information to the Board concerning a site plan approval for Wilder Realty, Inc. regarding Z-105 of 1997 (Attic Self-Storage, Inc.). Following discussion, the Board of Commissioners **approved** site plan relative to the 1.05 acre out parcel for Wilder Realty, Inc. regarding Z-105 of 1997 (Attic Self-Storage, Inc.) for property located on the north side of Dallas Highway east of Bob Cox Road in Land Lots 315 and 332 of the 20th District **subject to: 1) site plan dated March 30, 1999 (copy attached and made a part hereof); 2) letter of agreeable conditions from Mr. Tom Wilder dated March 29, 1999 (copy attached and made a part hereof); 3) staff to review and approve applicant's lighting proposal for canopy prior to permitting.** Motion by Byrne, second by Olens, carried 4-0.



WILDER REALTY, INC.

1706 Barrington Circle
Marietta, GA 30062
Phone (770) 973-1422
Fax (770) 973-0430

2-105 of 1997
Min. Bk. 11 Petition No. O.B. Item #2
Doc. Type Letter of Agreeable
Conditions
Meeting Date 4/20/99 (mB)

29 March 1999

Mr. Mark Danneman
Zoning Division Manager
Cobb County Zoning Department
191 Lawrence Street, Suite 300
Marietta, GA 30060

Re: Site Plan--Development plan for Attic Self Storage, Inc.
Outlot at Bob Cox and Dallas Highway

Dear Mark:

On behalf of my clients John Copeland and Herb Williams, I am submitting the attached site plan and development letter agreement for your review, comments and approval. This is pursuant to paragraph three (3), page seven (7) of the letter agreement (attached hereto) dated September 10, 1998, from John Moore to you and Mr. Bentley, Jr., on behalf of Attic Self Storage, Inc.

I have met personally with the four sitting Cobb County Commissioners and three (including the Chairman) have tentatively approved the concept of a convenience store with a car wash--subject to site and building plan approval on the outlot which is part of the approved Attic Self Storage plan for Bob Cox and Dallas Highway. The outlot is zoned NRC with no restrictions. It is surrounded by ten (10) foot high walls on the east and north sides. I talked to Denise Rose and, at her request, have hand-delivered to her the photographs of Mr. Copeland's store in North Fulton which was built within the Johns Creek overlay with highly restrictive architectural control.

My clients are amenable to the following points:

1. Architectural style shall be very similar to the attached photos--brick with stucco accent band at the top of the building.

2. Landscaping shall be pursuant to a specific plan which shall be submitted to staff and the county arborist for its review and approval. Grass shall be sod.

3. Dumpsters shall be incorporated into the landscape plan and shall be bricked on at least three (3) sides consistent with the architectural theme and composition as aforementioned and situated within the interior of the property. All dumpsters shall have rubber lids or bumpers to minimize noise.

4. The height of the canopy shall be between fifteen (15) and eighteen (18) feet dependent upon the prevailing topography and grade of the site.

5. All exterior lighting employed within the proposed development shall be shoe-box type. All outside lighting shall be controlled by a photo-electric cell system. Any and all pole lights on the premises shall be no higher than a maximum of sixteen (16) feet with the poles concerning same being black or annonized bronze in color.

6. Subject to the following Cobb County Department of Transportation's recommendations and compliance with Cobb County development standards and ordinances related to project improvements including the following:

- (a) The construction of a continuous acceleration/deceleration lane along the subject property's frontage.
- (b) Subject to the Applicant obtaining a Georgia DOT permit for ingress and egress concerning Dallas Highway (SR 120).
- (c) Providing interparcel access via a private road contiguous and to the north of the subject property.

7. Subject to the Cobb County development and Inspection Department's recommendations with respect to stormwater, detention/hydrology and down stream considerations including the following:

- (a) Storm water detention will be provided by Attic Self Storage with a master pond.
- (b) Exercising sensitivity with respect to all erosion and sediment control ordinance requirements and Clean Water Quality Act provisions.

8. Unless otherwise required by law, there shall be no outside audio devices, including, but not limited to phone bells, loud speakers, or music. However, the installation and utilization of a two-way individualized speaker at each pump station for safety/instructional purposes shall be allowed.

9. No vehicles shall be stored or parked on the subject property overnight except in emergency circumstances.

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Continued

Mr. Mark Danneman
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10. Hours of operation shall be 5:00 AM to Midnight. Hours of operation for the following existing stations are:

Citco at corner of Villa Rica and Dallas Highway (M-F--5AM-10PM; Sat/Sun--6AM-10PM);

Chevron on Dallas Hwy (5:30AM-Midnight);

Texaco on Dallas Hwy, Villa Rica, Ridgeway Road (5:30AM-Midnight)

Shell at Dallas Hwy, Villa Rica, Ridgeway Road (5:30AM-Midnight)

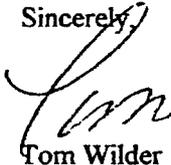
Chevron at Mars Hill and Dallas Hwy (24 hours)

11. The facility design incorporates five (5) pump islands.

12. Signage shall be ground-based monument style as per Dallas Highway corridor requirements.

Please call if you or your staff have any questions or require additional information.

Sincerely,



Tom Wilder

cc: Cobb County Board of Commissioners:
William Byrne, Chairman
G. Woody Thompson, Jr.
Joe L. Thompson
Sam Olens

Denise Rose, President, P.L.A.N.



EMC ENGINEERING SERVICES, INC.
 4001 W. 11th St., Suite 100
 Fort Worth, TX 76102
 Phone: 817-335-1111
 Fax: 817-335-1112
 Email: info@emceng.com

NO.	BY	DATE	DESCRIPTION

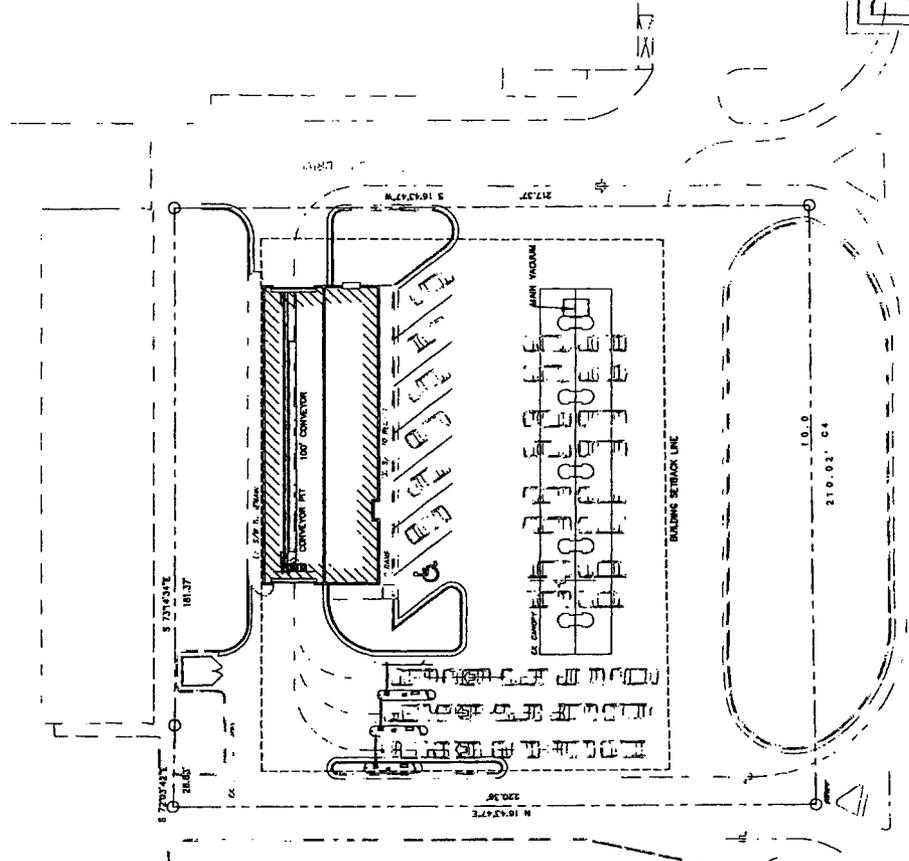
SITE PLAN
 AUTOBUFFS DALLAS HIGHWAY

SCALE: 1" = 20'



DESIGNER:	DATE:
DRAWN BY:	SCALE:
PROJECT:	SHEET:
DATE:	OF

RECEIVED
 JUN - 5 2008
 YMAA-2045
 COBB CO. COMM. DEV. AGENCY
 ZONING DIVISION

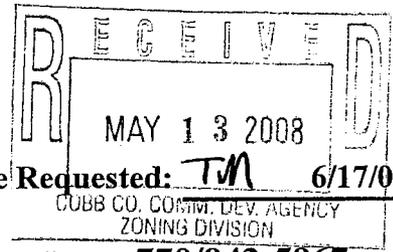


AS SHOWN

Application for "Other Business" Cobb County, Georgia

(Cobb County Zoning Division - 770-528-2045)

BOC Hearing Date Requested: TM 6/17/08



Applicant: Freelan Enterprises, LLC Phone #: 770/943-5967
(applicant's name printed)

Address: 1000 Whitlock Avenue, Marietta, GA 30066 E-Mail: freemantaylor@comcast.net
SAMS, LARKIN & HUFF, LLP 376 Powder Springs Street, Suite 100

By: Parks F. Huff Address: Marietta, GA 30064
(representative's name, printed)

[Signature] Phone #: 770/422-7016 E-Mail: phuff@samslarkinhuff.com
(representative's signature)

Signed, sealed and delivered in presence of:

[Signature] My commission expires: _____
Notary Public



Commission District: 1 Zoning Case: Z-105 (1997)

Date of Zoning Decision: 9/15/98 Original Date of Hearing: 8-19-97

Location: 3330 Dallas Highway, Marietta, GA
(street address, if applicable; nearest intersection, etc.)

Land Lot(s): 332 District(s): 20

State specifically the need or reason(s) for Other Business: Approval of the site plan for conversion of the existing service station into a full service car wash.

(List or attach additional information if needed)