

February 13, 2019

VIA ELECTRONIC MAIL

Mr. John Pederson
Zoning Division Manager
1150 Powder Springs Street, Suite 400
Marietta, GA 30064

Re: OB-005-2019 (1391 Veterans Memorial Highway, Mableton, Cobb
County, Georgia)

Dear John:

This firm represents Hilltop TIC, LP and 5441 Rufe Snow, Ltd. (the "Applicants") in connection with the 2019 "Other Business" Application they filed related to 3.02 acres of property located at 1391 Veterans Memorial Highway in Mableton, Georgia (the "Property"). The purpose of this "Other Business" Application is to allow vocational schools as a permitted use on the Property. The Property contains an existing retail shopping center, and the Applicants have potential tenants interested in operating a cosmetology school and a school for electricians in the basement of the shopping center.

We are in receipt of the letter dated February 12, 2019 from the Mableton Improvement Coalition ("the Coalition"), requesting approval of this Application with certain conditions. While the Applicants appreciate the support of the Coalition, the Applicants would like to address the issues raised in that letter. First, concerning the repaving of the front parking lot, the Applicants note that after the Board approved Other Business Application #4 on February 21, 2017 and the Applicants purchased the Property, they did pave and restripe the front parking lot in compliance with Condition #14. However, one of the tenants at the shopping center, Dollar General, has semi-trailer trucks that regularly access the Property causing continued wear and tear on the parking lot. Additionally, there is continued construction on site - the Applicants currently have two building permits in process for the Property with two more in submittal that will increase the occupancy of this shopping center from twenty (20) percent to over seventy (70) percent. Once construction is completed at the site and these new tenants are operating, the Applicants intend to repair any pot holes, reseal and restripe the front parking lot. The Applicants respectfully request 120 days from the date of approval to accomplish this. Additionally, the Applicants note that the plans submitted to the County by architect Roy Taylor did not include

standard concrete curbing around the landscape areas based on comments Mr. Taylor received from County staff. According to Mr. Taylor, County staff specifically requested that the islands be designed without curbs so that they could be part of the pervious area for stormwater drainage from the parking lot.

With regard to the wrought-iron style fencing, Condition #8 of OB-004-2017 requires “landscaping and/or black wrought iron fencing to be used to prevent access from Old Powder Springs Road, which shall be included in the landscape plan approved by the County Landscape Architect and District Commissioner.” In compliance with this condition, the Applicants’ architect submitted landscape plans to the County on June 22, 2017. There is currently a black metal rail in place to prevent such access; however, the Applicants are willing to install vertical wrought iron fencing in this area as shown on the landscape plans.

With regard to the issue raised concerning litter behind the building, the Applicants have been contacted by Officer Clark of Cobb County Code Enforcement. It is my understanding that any issues regarding trash and litter have been addressed and that this is no longer an issue.

Based on the foregoing, I have been authorized by the Applicants to submit this letter of agreeable stipulations and conditions, which, if the Application for “Other Business” is approved, as submitted, shall become a part of the Property’s zoning and shall be binding upon the Property. The proposed conditions/stipulations are as follows:

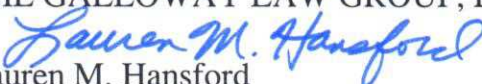
1. Vocational schools shall be permitted on the Property.
2. The Applicants shall repave and restripe the front parking lot of the Property within 120 days of this approval.
3. The Applicants shall install landscaping and/or black wrought iron fencing to prevent access from Old Powder Springs Road in accordance with Condition #8 of OB-004-2017 and as shown on the Applicants’ landscape plans.
4. No certificates of occupancy or business licenses shall be issued for the Property until the fencing is completed and it is confirmed that there is no litter or trash behind the building.

Please do not hesitate to contact me should you or Members of the Board of Commissioners need any further information or documentation prior to this application being heard by the Board on February 19, 2019.

Thank you for your assistance with this request.

Sincerely,

THE GALLOWAY LAW GROUP, LLC


Lauren M. Hansford