



COPY

GARVIS L. SAMS, JR.
JOEL L. LARKIN
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SAMS, LARKIN & HUFF
A LIMITED LIABILITY PARTNERSHIP
SUITE 100
376 POWDER SPRINGS STREET
MARIETTA, GEORGIA 30064-3448

770-422-7016
TELEPHONE
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FACSIMILE

April 5, 2022

(STIPULATION LETTER, REVISED SITE PLAN & ARCHITECTURAL IMAGERY)

VIA HAND DELIVERY & EMAIL

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



Re: Application of Broward Development to Rezone a 3.41 Acre Tract from GC and R-20 to LI and R-20; (No. Z-27 [2022])

Dear John:

You will recall that I represent Broward Development ("Broward") regarding 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 May 3, 2022 and, thereafter, will be heard and considered for final action by the Cobb County Board of Commissioners on May 17, 2022.

Broward's application was formally submitted on March 3, 2022. The application concerns an approximate 3.41-acre tract of land which is located on the northeast side of Mableton Parkway and on the south side of Cardell Circle. The property at issue ("Subject Property") is presently zoned in the General Commercial ("GC") and R-20 (Single-family Residential) zoning districts and is situated within the confines of a Priority Industrial Area ("PIA") and within a sub-level being characterized as Industrial, on Cobb County's Future Land Use Map ("FLUM").

Taking the above issues into consideration, the use of the Subject Property proposed by Broward is compatible with its FLUM designations as a Self-Service Storage Facility ("SSSF") which is a permitted use under Subject Property's Light Industrial ("LI") zoning district which follows the guidelines in §134-279, regarding SSSFs. As determined through our discussions with you and your Staff, this Application does not require a Special Land Use Permit ("SLUP")

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in addition to the Application for Rezoning in that the SSSF use is allowed as a permitted use without a SLUP. However, this Application proposes a modern storage facility that is in line with today's Climate-Controlled Self-Service Storage Facility ("CCSSSF") as opposed to the dated, one-story SSSFs that were prevalent in decades past.

Broward's proposal provides storage needs for residential and commercial properties within the area and which will benefit continued development along the Mableton Parkway Corridor consistent with the FLUM. Clearly, the proposed use is a less intense non-residential use which, when compared to other uses which could otherwise be allowed within the confines of the PIA, renders Broward's utilization of the Subject Property appropriate from a land use planning perspective. Broward's proposal will also ensure that the rear/eastern portion of the Subject Property (zoned R-20) shall remain thusly zoned and shall be denominated as Open Space which will clearly transition toward Cardell Circle (an existing residential subdivision within the PIA) and provides additional benefits in order to ensure that the residential subdivision has sufficient distance and positioning from this PIA property.

This letter will serve as Broward's expression of agreement with the following stipulations which shall become conditions and a part of the grant of the requested rezoning and which shall be binding upon the Subject Property thereafter. The stipulations are as follows, to wit:

1. The stipulations and conditions set forth herein shall replace and supersede in full any and all prior stipulations and conditions in whatsoever form which are currently in place concerning the Subject Property which constitutes the subject matter of the above-captioned Application for Rezoning.
2. The Subject Property shall be developed in accordance with the Revised Site Plan prepared by Travis Pruitt & Associates, which is being submitted concurrently herewith. The building proposed for the site will be a maximum of 90,300 square feet. However, Broward reserves the latitude to decrease the overall size of the building.
3. The architectural style, composition and design of the building shall be in compliance with the renderings/elevations which are being submitted concurrently with this letter. The revised renderings/elevations supersede the architectural imagery submitted along with the Application for Rezoning. In that regard, the proposed building is

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primarily composed of brick; cementitious/masonry components; EFIS; and, architectural panels on all four sides of the building.

4. The granting of the Rezoning for the Subject Property shall be use specific for SSSF. Additionally, Broward will agree to exclude all other uses permitted under the LI classification.

The rental of vehicles, trucks, RVs, trailers or equipment or other such uses not expressly provided for hereinafter shall be prohibited.

5. Entry to the building shall be via keycard and punch code pad. All activity within strategic locations throughout the facility shall be monitored by strategically positioned video security cameras.
6. Hours of operation shall be from 9:00 a.m. until 6:00 p.m., Monday through Saturday and from 1:00 p.m. until 6:00 p.m. on Sundays.
7. There shall be no outside PA systems, music or other components which could create noise.
8. The utilization of low-intensity, environmental type, down-lighting which shall be subject to review and approval by staff. All exterior lighting shall be shielded, and direct illumination shall be confined within the perimeter of the Subject Property. A lighting photometric plan shall be in substantial conformity to the illumination components typically utilized in the construction of SSSF facilities.
9. The submission of a Landscape Plan during the Plan Review Process subject to final review and approval by the Community Development Agency and the County Arborist, including the following:
 - a. Species of vegetation which will be utilized shall be ecologically compatible with the site and appropriate for the design circumstances, subject to the County Arborist's review and approval. A screening buffer of evergreens shall be maintained (as planted).
 - b. Subject to water restrictions which may be imposed by the state and/or County, all landscaping for the proposed climate-controlled self-service

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storage facility shall be professionally designed, perpetually maintained and irrigated. Any dead or irrevocably diseased vegetation shall be replaced as necessary.

- c. HVAC and all mechanical equipment shall be screened from view of the adjoining properties and public rights-of-way in accordance with the architectural style and composition as aforementioned.
 - d. Dumpsters will be located inside of the building; however, there will be one located outside to the rear of the building and fully screened in accordance with County statutory requirements.
10. Signage, except permitted signage affixed to the building, shall be ground-based, monument style, with finished materials and colors which shall conform to the architectural style and composition as aforementioned. Signage shall comply with the Cobb County Sign Ordinance and Broward agrees that there shall be no electronic or LED signage.
11. Any security fencing and gates for the site shall be in substantial conformity to the security fencing and gates within similarly situated and recently constructed SSSFs which have been entitled within Cobb County. There shall be no outside storage, no overnight vehicle parking or trailer or boat parking or the positioning of trucks, trailers, RVs and/or related or ancillary equipment on the site.
12. Compliance with the following recommendations from the Stormwater Management Division with respect to detention, hydrology and downstream considerations, including the ultimate location and configuration of on-site detention and/or water quality ponds. Additionally, compliance with the following:
- a. Impervious coverage on the site shall not extend beyond seventy percent (70%) of the total site area.
 - b. Broward will be responsible for securing any required wetland permits from the U.S. Army Corps of Engineers. Copies of the Corps of Engineers' permits will be furnished at the time of the Land Disturbance Permit.

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- c. Entering into a Stormwater Facility Maintenance and Access Agreement which shall be required during the Plan Review Process.
 - d. Broward will control stormwater discharges not to exceed the existing capacity of the downstream storm drainage system including drainage swales and roadside ditches.
 - e. Substantially mitigate any effects of concentrated stormwater discharges onto adjacent properties.
 - f. Broward may have to secure drainage easements to receive concentrated discharges where none naturally exist downstream.
 - g. Pre- and post- Lake/Pond Study to document pre- and post-development sediment levels. (Jetts Lake on the HOA property of Kingsbridge Homeowners Association, Inc. – 1,400 feet downstream.
 - h. Broward must evaluate the impact of increased volume of runoff generated by the proposed project on existing downstream drainage system(s), including hydrologic routing through the downstream detention pond or lake.
13. Compliance with recommendations from the Cobb County Department of Transportation with respect to traffic, transportation and other related infrastructure issues, not necessarily limited to the following, to wit:
- a. Broward will verify that minimum intersection sight distance is available for the Mableton Parkway access, and if it is not, Broward will implement remedial measures, subject to Georgia Department of Transportation's ("GDOT's") approval, to achieve the minimum requirement of 630 feet of sight distance.
 - b. Access on Mableton Parkway shall include a deceleration lane. Final location and design will be determined during Plan Review process, subject to GDOT and Cobb County DOT approvals.
 - c. Installation of curb, gutter, and sidewalk along the Mableton Parkway frontage. If recommended by Cobb DOT in the Plan Review process, a fee-

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in-lieu may be substituted to better coordinate improvements with Cobb DOT Project No. X2762.

- d. Closing and removing driveway aprons along the Mableton Parkway frontage that the development renders unnecessary.
 - e. Placing a 10-foot no access easement along the Cardell Circle road frontage.
 - f. The submission of a Traffic Study to be in a memorandum (Submittal 1) and agreed to by Cobb County DOT before continuing the study. Cobb County DOT will instruct if a full study is required.
 - g. Broward will provide additional information to the Cobb County DOT and Cobb County International Airport (at McCollum Field) Manager if required to do so in terms of proximity to Fulton County Airport-Brown Field and/or with respect to any cranes or other issues involved in the development of the property in order to ensure that there are no conflicts with FAA airspace.
 - h. Obtaining GDOT permits for all work that encroaches upon State right-of-way.
14. Compliance with recommendations from the Cobb County Water System with respect to the availability of water and sewer and capacity issues regarding the Subject Property.
15. Subject to recommendations from the Cobb County Fire Marshal's Office with respect to Fire Prevention and Life Safety including, but not necessarily limited to the following, to wit:
- a. Compliance with IFC 510-Emergency Responder Radio Coverage.
 - b. Fire apparatus access roads shall extend to within 150 feet of all portions of the facility or any portion of the exterior wall of the first floor.
 - c. Aerial apparatus access shall be required for all structures over 30 feet in height measured from the lowest level of fire department access to the ceiling height of the highest occupied floor level. Aerial fire apparatus access roads

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shall be a minimum width of 24 feet maximum of 40 feet from the structure and be positioned parallel to one entire side of the building. No overhead utility and power lines shall be located within the aerial fire apparatus access zone.

- d. The maximum distance of a hydrant to the most remote portion of a structure shall be 500 feet. Distance shall be measured around the structure and from the fire apparatus access road.
16. If the Subject Property is determined to be undevelopable for the purposes sought by Broward or, if for any reason, the closing on the Subject Property does not take place within one (1) year from the date of a successful approval of the Rezoning Application then, and in such an event(s), the zoning classification of the Subject Property shall revert to its original classifications of GC and R-20 without further action being necessary on the part of Cobb County or the owner of the Subject Property.
17. The proposal will require concurrent variances from the permitted SSSF-specific §134-279 and include:
- a. Waiver of the maximum building height from one story to 35 feet.¹
 - b. Waiver of the pitched roof component.
 - c. Waiver of the required 50-foot landscape buffer to 40 feet abutting the R-20 lot being created by the Applicant.
18. The District Commissioner shall have the authority to approve minor modifications to these stipulations, the site plan, architectural renderings/elevations and all other components of this development as it proceeds through the Plan Review Process and thereafter. However, the District Commissioner shall not have the authority to approve modifications or revisions which:
- a. Increase the density or the Floor Area Ratio (“FAR”).

¹ Coincidentally, 35 feet is also the maximum height of homes in all single-family residential zoning districts.

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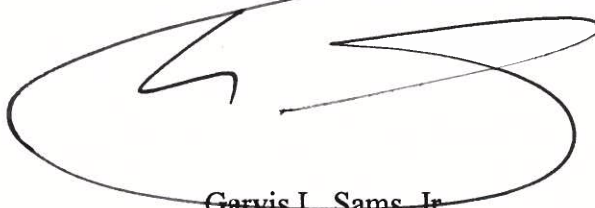
- b. Reduce the size or composition of approved buffers or landscape strips adjacent to contiguous properties.
- c. Relocate a structure closer to a perimeter property line.
- d. Increase the height of a building so that it exceeds the at-grade level of buildings located on contiguous and/or adjacent properties.
- e. Which seek additional waivers from the Cobb County Zoning Ordinance other than those contained herein and/or depicted on the Revised Site Plan.

Please do not hesitate to contact me should you or your staff require any further information or documentation prior to the formulation of your final Zoning Analysis and Staff Recommendations or if such information is needed prior to this Application being heard and considered next month by the Planning Commission and the Board of Commissioners.

With kind regards, I am

Very truly yours,

SAMS, LARKIN & HUFF, LLP

A large, stylized handwritten signature in black ink, consisting of a large loop and a horizontal stroke.

Garvis L. Sams, Jr.
gsams@samslarkinhuff.com

GLS, Jr./jac
Attachments

cc: Members, Cobb County Board of Commissioners (via email w/attachments)
Members, Cobb County Planning Commission (via email w/attachments)
Dr. Jackie McMorris, County Manager (via email w/attachments)
Board of Commissioners Assistants (via email w/attachments)
Ms. Jessica Guinn, AICP, Director (via email w/attachments)

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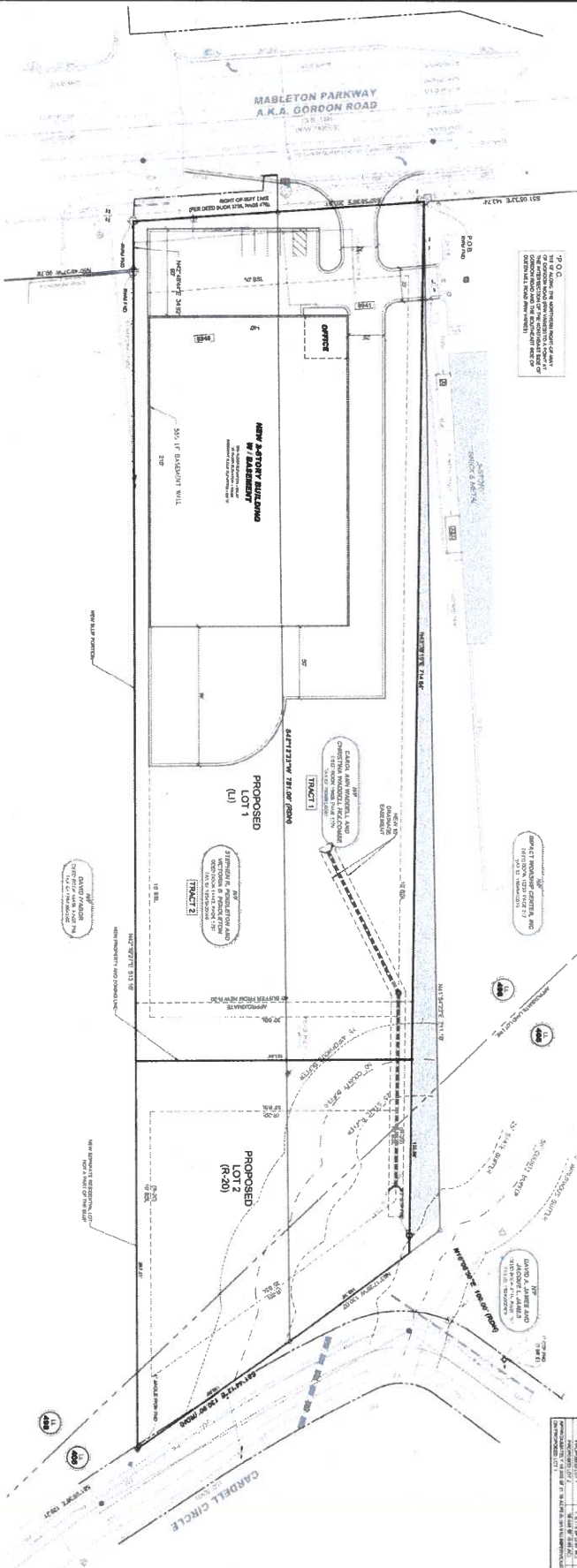
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Ms. Jeannie Peyton, Senior Planner (via email w/attachments)
Mr. Terry Martin, Planner III (via email w/attachments)
Mr. Donald Wells, Planner II (via email w/attachments)
Ms. Margie Vazquez, Planner II (via email w/attachments)
Mr. LeDarius Scott, Planner I (via email w/attachments)
Ms. Pamela Mabry, County Clerk (via email w/attachments)
Ms. Robin Stone, Deputy County Clerk (via email w/attachments)
Ms. Leila Washington, Deputy County Clerk (via email w/attachments)
Captain Josh Davis, Fire Marshal's Office (via email w/attachments)
Ms. Amy Diaz, P.E., Cobb DOT (via email w/attachments w/attachments)
Ms. Abby Rettig, Cobb DOT (via email w/attachments)
Mr. Carl Carver, P.E., Stormwater Management Division (via email w/attachments)
Mr. Tim Davidson, Water System (via email w/attachments)
Ms. Becca Ford, MIC (via email w/attachments)
Ms. Robin Meyer MIC Zoning Committee Chairwoman (via email w/attachments)
Mr. Brandon Weiner, VP of Acquisitions & Development, Broward Development (via email w/attachments)
Mr. Andrew Blakey, P.E., Travis Pruitt & Associates, Inc. (via email w/attachments)
Mr. Albert Ukrainskiy, E.I.T., Travis Pruitt & Associates, Inc. (via email w/attachments)

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COBB CO. COMM. DEV. AGENCY
ZONING DIVISION



LOCATION MAP

THE SITE IS LOCATED AT THE INTERSECTION OF MABLETON PARKWAY AND CARDELL CIRCLE. THE SITE IS SHOWN IN RED.

REVISIONS

NO.	DATE	DESCRIPTION
1	04/05/2022	FINAL SUBMITTAL

PROJECT INFORMATION

PROJECT NAME	MABLETON PARKWAY SELF STORAGE
OWNER	TRAVIS P. HARRIS
DESIGNER	GEORGETOWN ENGINEERING & ARCHITECTURE, INC.
DATE	04/05/2022

PERMITTING SUMMARY

PERMIT TYPE	COMMERCIAL DEVELOPMENT
PERMIT NO.	2022-00000000000000000000
ISSUANCE DATE	04/05/2022
EXPIRATION DATE	04/05/2023

NOTES

- ALL CONSTRUCTION SHALL BE IN ACCORDANCE WITH THE CITY OF ATLANTA ZONING ORDINANCES.
- THE SITE SHALL BE DEVELOPED IN ACCORDANCE WITH THE CITY OF ATLANTA ZONING ORDINANCES.
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- THE SITE SHALL BE DEVELOPED IN ACCORDANCE WITH THE CITY OF ATLANTA ZONING ORDINANCES.

MABLETON PARKWAY SELF STORAGE

8940 & 8941 MABLETON PARKWAY LAND LOTS 405 & 406, DISTRICT 16, MABLETON, COBB COUNTY, GEORGIA



4311 Park Drive, Suite 400
Marietta, Georgia 30067
Phone: (770) 416-7511
Fax: (770) 416-4780
www.georgetownga.com
CONTACT PERSON: TRAVIS HARRIS JR.
travis@travisharris.com



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NO	DATE	DESCRIPTION

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 4317 Park Drive, Suite 400
Macon, Georgia 30003
Phone: (770) 416-7811
Fax: (770) 416-8090
www.travelerspoint.com
DON'T LET PERSON TRAVEL & TRAVEL JR.
GIVE UP info@travelerspoint.com

[illegible]

GEORGIA

THE GREAT SEAL OF THE STATE OF GEORGIA
JAN 17 1908

FOR THE PEOPLE

WILLIAM H. BOWLING JR.

DATE: 1-24-08
SCALE: 1" = 3"

CN: 316800CP3
LN: 1, 21, 0593
PR: 188-D-125

DRAWING NO.: 1 OF 4

MABLETON PARKWAY SELF STORAGE

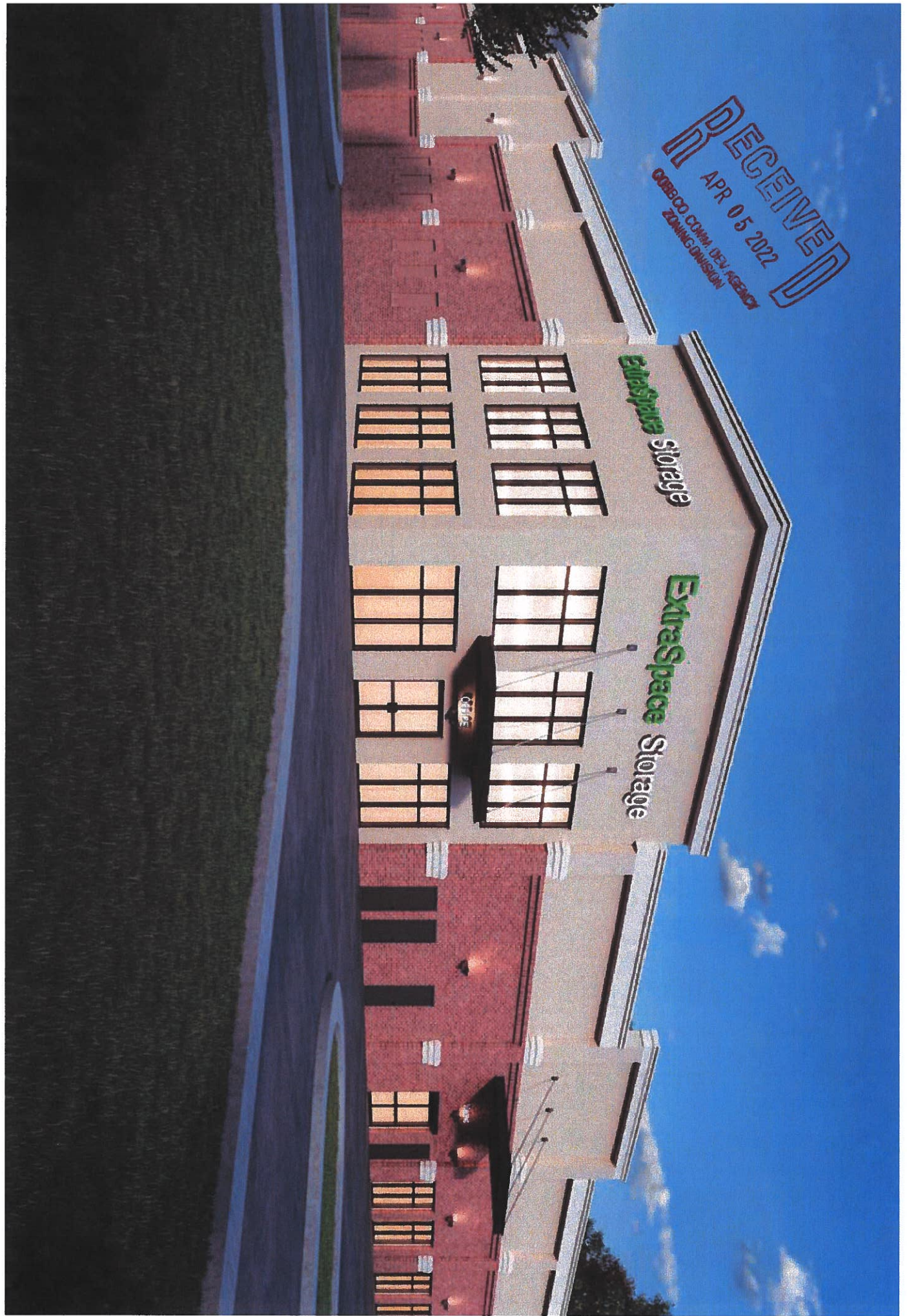
6942 & 6941 MABLETON PARKWAY LAND LOTS 405 & 406, DISTRICT 13, MABLETON, COBB COUNTY, GEORGIA

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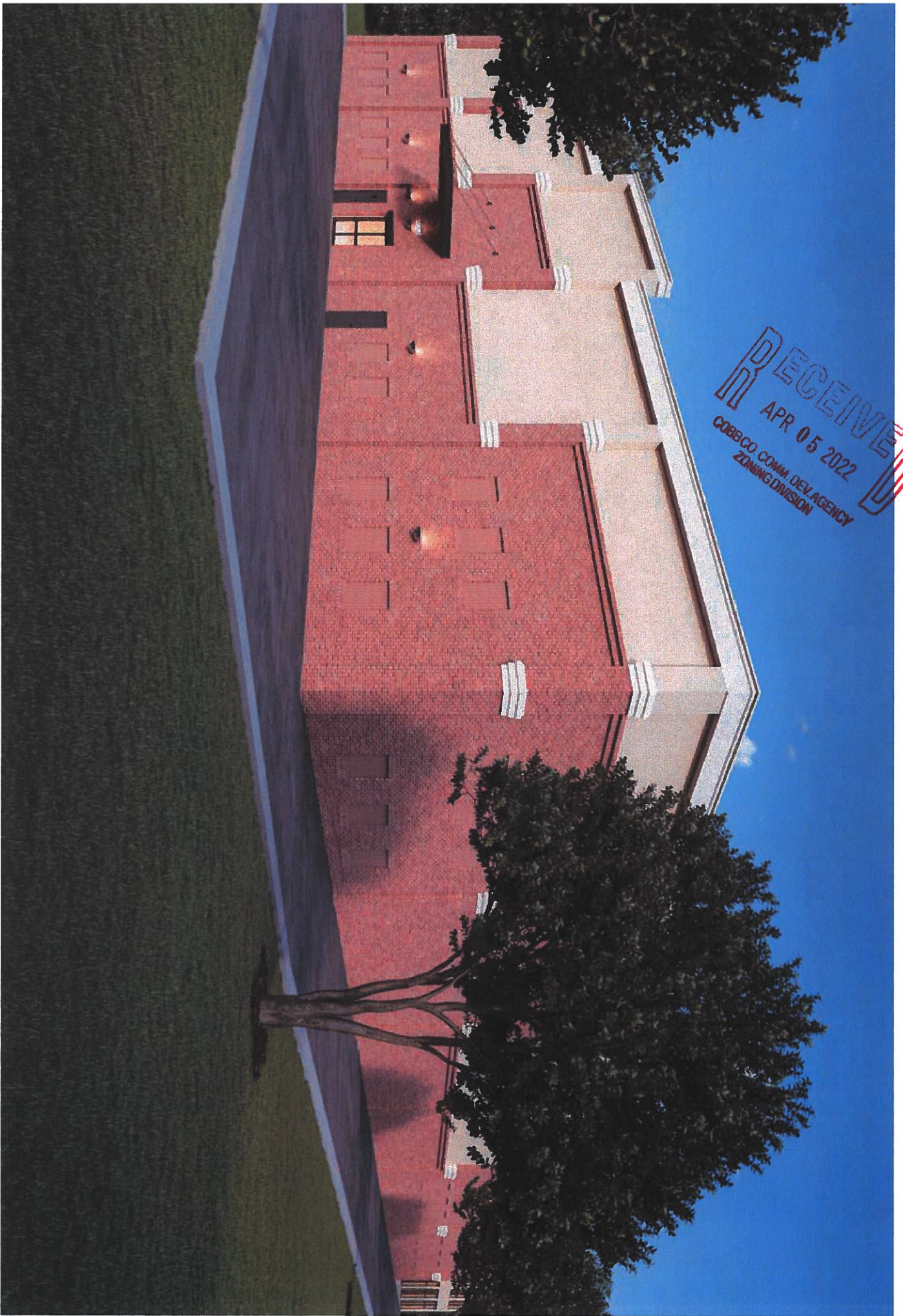
ExtraSpace Storage

ExtraSpace Storage

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