

APPLICANT: 3148 Johnson Ferry, LLC

(404) 391-5381

REPRESENTATIVE: Garvis L. Sams, Jr. (770) 422-7016

Sams, Larkin & Huff, LLP

TITLEHOLDER: Mack & Abe, Inc.

PROPERTY LOCATION: East side of Johnson Ferry Road, south of
Shallowford Road.

(3148 Johnson Ferry Road).

ACCESS TO PROPERTY: Johnson Ferry Road

PHYSICAL CHARACTERISTICS TO SITE: Former convenience
store with fuel sales, car wash, emissions station.

CONTIGUOUS ZONING/DEVELOPMENT

NORTH: PSC/Shopping Center

SOUTH: LRO/Bank

EAST: CRC/Wal-Mart

WEST: R-20/Church

PETITION NO: Z-26

HEARING DATE (PC): 06-04-13

HEARING DATE (BOC): 06-18-13

PRESENT ZONING: NRC
with Stipulations

PROPOSED ZONING: NRC
with Stipulations

PROPOSED USE: Climate-Controlled
Self-Service Storage Facility

SIZE OF TRACT: 1.421 acres

DISTRICT: 16

LAND LOT(S): 469, 470

PARCEL(S): 35

TAXES: PAID X **DUE** _____

COMMISSION DISTRICT: 3

OPPOSITION: NO. OPPOSED **PETITION NO:** _____ **SPOKESMAN** _____

PLANNING COMMISSION RECOMMENDATION

APPROVED _____ **MOTION BY** _____

REJECTED _____ **SECONDED** _____

HELD _____ **CARRIED** _____

BOARD OF COMMISSIONERS DECISION

APPROVED _____ **MOTION BY** _____

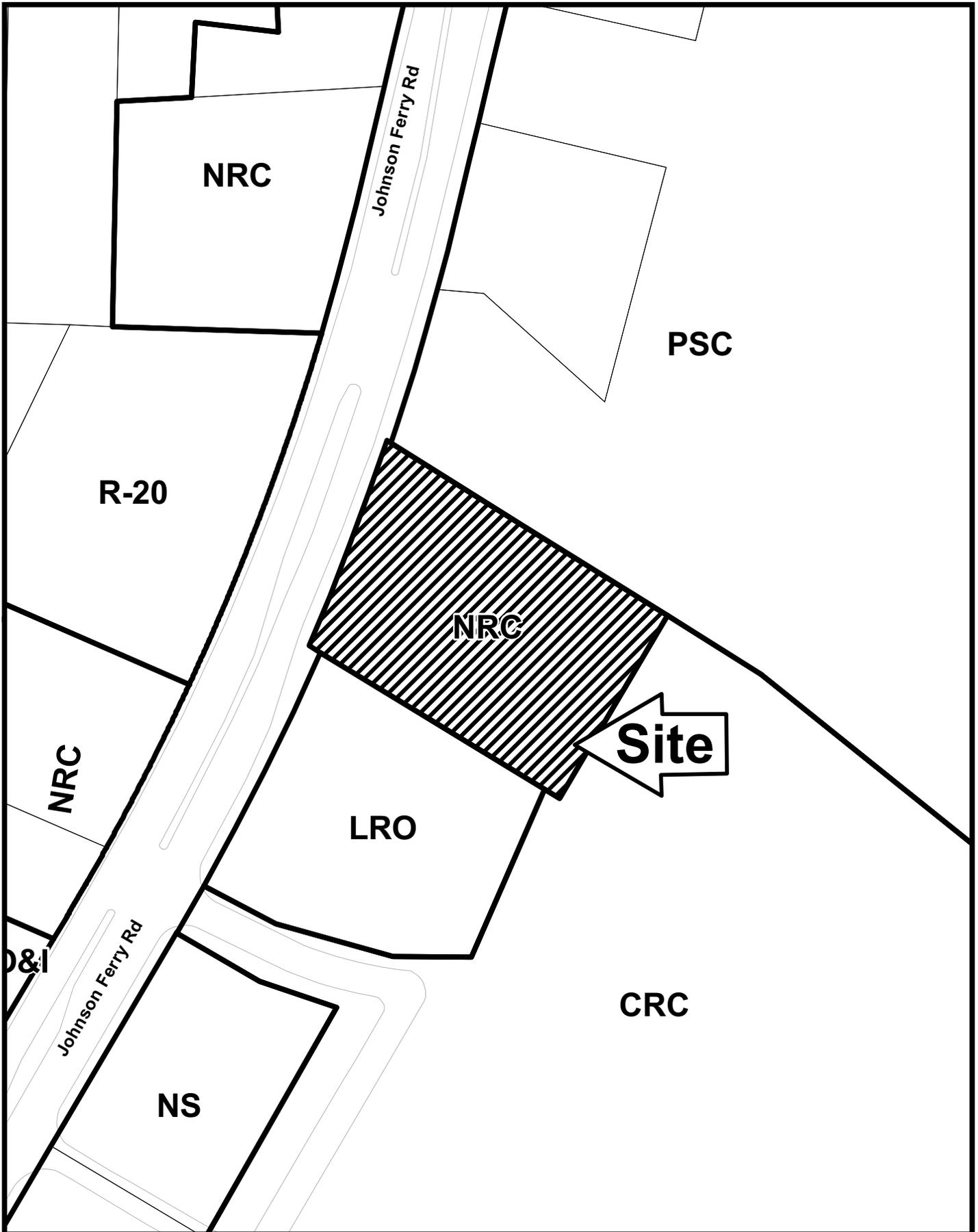
REJECTED _____ **SECONDED** _____

HELD _____ **CARRIED** _____

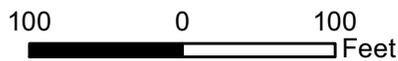
STIPULATIONS:



Z-26



This map is provided for display and planning purposes only. It is not meant to be a legal description.



-  City Boundary
-  Zoning Boundary

APPLICANT: 3148 Johnson Ferry, LLC

PETITION NO.: Z-26

PRESENT ZONING: NRC with Stipulations

PETITIONFOR: NRC with Stips

ZONING COMMENTS:

Staff Member Responsible: Terry Martin, MPA

Land Use Plan Recommendation: Neighborhood Activity Center

Proposed Number of Buildings: 1 **Total Square Footage of Development:** 92,875 sq. ft.

F.A.R.: 1.5 **Square Footage/Acre:** 65,359

Parking Spaces Required: 8 **Parking Spaces Provided:** 8

The applicant is requesting a rezoning of the subject property to the NRC neighborhood retail commercial district allowing for a climate controlled self-service storage facility (CCSSSF) (see concurrent application SLUP-4) from its current zoning of NRC for the purpose of gas station, car wash, emissions station only (past case Z-6 of 2011). The current request is almost identical to that past request previously approved on this site that allowed a CCSSSF per past cases Z-37 and SLUP-18 of 2008. After the 2008 rezoning to allow a near identical CCSSSF, the applicant failed to start this development and the property’s zoning reverted to the GC general commercial district as a result of stipulated reversion clauses. Therefore, the 2011 rezoning case sought to allow reutilization of the property as is after having lost its “grandfathered status” from being vacant for longer than six (6) months and zoned GC in a NAC future land use category.

The current request is, once again, to allow the utilization of the subject property for the purpose of a climate controlled self-service storage facility. The three (3) story building will be a total of 92,875 sq. ft. It will be four (4) sided brick with EFIS accents. It will provided the required eight (8) parking spaces and adhere to the front 50 ft. and side 15 ft. setbacks requiring a variance of the rear setback from the required 30 ft. to 0 ft. Specifically, the NRC zoning regulations provide that the building height should not exceed those of other buildings. While taller than adjacent structures, the applicant has demonstrated how their proposed building is not out of character given the lot’s elevation. Also, the regulations provide that the F.A.R. should be .75 or as determined appropriate by the BOC. The proposal is for a building with a resulting F.A.R. of 1.5; double that of the NRC suggested limit. The applicant has provided architectural rendering to be approved by the BOC and proposes hours of operation of 8 a.m. to 6 p.m. Monday through Saturday and tenant access only on Sundays.

Cemetery Preservation: No comment.

FIRE COMMENTS:

NO COMMENTS: After analyzing the information presented for a Preliminary Review, the Cobb County Fire Marshal’s Office is confident that all other items can be addressed during the Plan Review Stage.

APPLICANT: 3148 Johnson Ferry, LLC

PETITION NO.: Z-26

PRESENT ZONING: NRC with Stipulations

PETITIONFOR: NRC with Stips

PLANNING COMMENTS:

After analyzing the information presented for a Preliminary Review, the Cobb County Fire Marshal’s Office is confident that all other items can be addressed during the Plan Review Stage.

The applicant is requesting a rezoning from NRC w/Stipulations to NRC w/Stipulations for purpose of a self-service storage facility. The 1.421 acre site is located on the east side of Johnson Ferry Road, south of Shallowford Road.

Comprehensive Plan

The parcel is within a Neighborhood Activity Center (NAC) future land use category, with NRC zoning designation. The purpose of the (NAC) category is to provide for areas that serve neighborhood residents and businesses. Typical land uses for these areas include small offices, limited retail and grocery stores.

Master Plan/Corridor Study

Not applicable.

Historic Preservation

After consulting various county historic resources surveys, historic maps, archaeology surveys and Civil War trench location maps, staff finds that no known significant historic resources appear to be affected by this application. No further comment. No action by applicant requested at this time.

Design Guidelines

Is the parcel in an area with Design Guidelines? Yes No

If yes, design guidelines area _____

Does the current site plan comply with the design requirements?

APPLICANT 3148 Johnson Ferry, LLC

PETITION NO. Z-026

PRESENT ZONING NRC w/stips

PETITION FOR NRC w/stips

WATER COMMENTS: NOTE: Comments reflect only what facilities were in existence at the time of this review.

Available at Development: Yes No

Fire Flow Test Required: Yes No

Size / Location of Existing Water Main(s): *12" DI / E side of Johnson Ferry Rd*

Additional Comments: Existing water customer

Developer may be required to install/upgrade water mains, based on fire flow test results or Fire Department Code. This will be resolved in the Plan Review Process.

SEWER COMMENTS: NOTE: Comments reflect only what facilities were in existence at the time of this review.

In Drainage Basin: Yes No

At Development: Yes No

Approximate Distance to Nearest Sewer: *Along northern property line*

Estimated Waste Generation (in G.P.D.): **A D F** +0 **Peak=** +0

Treatment Plant: **Big Creek**

Plant Capacity: Available Not Available

Line Capacity: Available Not Available

Projected Plant Availability: 0 - 5 years 5 - 10 years over 10 years

Drv Sewers Required: Yes No

Off-site Easements Required: Yes* No *If off-site easements are required, Developer must submit easements to CCWS for review/approval as to form and stipulations prior to the execution of easements by the property owners. All easement acquisitions are the responsibility of the Developer

Flow Test Required: Yes No

Letter of Allocation issued: Yes No

Septic Tank Recommended by this Department: Yes No

Subject to Health Department Approval: Yes No

Additional Existing sewer customer
Comments:

Developer will be responsible for connecting to the existing County water and sewer systems, installing and/or upgrading all outfalls and water mains, obtaining on and/or offsite easements, dedication of on and/or offsite water and sewer to Cobb County, as may be required. Rezoning does not guarantee water/sewer availability/capacity unless so stated in writing by the Cobb County Water System. Permit issuances subject to continued treatment plant compliance with EPD discharge requirements.

APPLICANT: 3148 Johnson Ferry, LLC

PETITION NO.: Z-26

PRESENT ZONING: NRC w/ Stips

PETITION FOR: NRC w/ Stips

STORMWATER MANAGEMENT COMMENTS

FLOOD HAZARD: YES NO POSSIBLY, NOT VERIFIED

DRAINAGE BASIN: Harmony Grove Creek FLOOD HAZARD INFO: Zone AE

- FEMA Designated 100 year Floodplain Flood.
- Flood Damage Prevention Ordinance DESIGNATED FLOOD HAZARD.
- Project subject to the Cobb County Flood Damage Prevention Ordinance Requirements.
- Dam Breach zone from (**upstream**) (onsite) lake - need to keep residential buildings out of hazard.

WETLANDS: YES NO POSSIBLY, NOT VERIFIED

Location: _____

- The Owner/Developer is responsible for obtaining any required wetland permits from the U.S. Army Corps of Engineer.

STREAMBANK BUFFER ZONE: YES NO POSSIBLY, NOT VERIFIED

- Metropolitan River Protection Area (within 2000' of Chattahoochee River) ARC (review 35' undisturbed buffer each side of waterway).
- Chattahoochee River Corridor Tributary Area - County review (_____ undisturbed buffer each side).
- Georgia Erosion-Sediment Control Law and County Ordinance - **County Review**/State Review.
- Georgia DNR Variance may be required to work in 25 foot streambank buffers.
- County Buffer Ordinance: **50'**, 75', 100' or 200' each side of creek channel.

DOWNSTREAM CONDITION

- Potential or Known drainage problems exist for developments downstream from this site.
- Stormwater discharges must be controlled not to exceed the capacity available in the downstream storm drainage system.
- Minimize runoff into public roads.
- Minimize the effect of concentrated stormwater discharges onto adjacent properties.
- Developer must secure any R.O.W required to receive concentrated discharges where none exist naturally
- Existing Lake Downstream _____.
Additional BMP's for erosion sediment controls will be required.
- Lake Study needed to document sediment levels.
- Stormwater discharges through an established residential neighborhood downstream.
- Project engineer must evaluate the impact of increased volume of runoff generated by the proposed project on downstream **receiving stream system**.

APPLICANT: 3148 Johnson Ferry, LLC

PETITION NO.: Z-26

PRESENT ZONING: NRC w/ Stips

PETITION FOR: NRC w/ Stips

STORMWATER MANAGEMENT COMMENTS - Continued

SPECIAL SITE CONDITIONS

- Provide comprehensive hydrology/stormwater controls to include development of out parcels.
- Submit all proposed site improvements to Plan Review.
- Any **spring activity** uncovered must be addressed by a qualified geotechnical engineer (PE).
- Structural fill _____ must be placed under the direction of a qualified registered Georgia geotechnical engineer (PE).
- Existing facility.
- Project must comply with the Water Quality requirements of the CWA-NPDES-NPS Permit and County Water Quality Ordinance.
- Water Quality/Quantity contributions of the existing lake/pond on site must be continued as baseline conditions into proposed project.
- Calculate and provide % impervious of project site.
- Revisit design; reduce pavement area to reduce runoff and pollution.

INSUFFICIENT INFORMATION

- No Stormwater controls shown
- Copy of survey is not current - Additional comments may be forthcoming when current site conditions are exposed.
- No site improvements showing on exhibit.

ADDITIONAL COMMENTS

1. The proposed site was previously operated as a gas station that was constructed adjacent to Harmony Grove Creek prior to current stream buffer ordinances. Per direction by Frank Gipson, Cobb County Erosion Control & Stream Buffer Coordinator, the proposed redevelopment must not encroach any further into the stream buffer than the existing gas station pad.
2. The existing site does not have any stormwater management controls. The proposed project will be required to meet the full current water quality and quantity stormwater management requirements for new development.

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PRESENT ZONING: NRC w/stipulations

PETITION FOR: NRC w/stipulations

TRANSPORTATION COMMENTS

The following comments and recommendations are based on field investigation and office review of the subject rezoning case:

| ROADWAY | AVERAGE DAILY TRIPS | ROADWAY CLASSIFICATION | SPEED LIMIT | JURISDICTIONAL CONTROL | MIN. R.O.W. REQUIREMENTS |
|--------------------|---------------------|------------------------|-------------|------------------------|--------------------------|
| Johnson Ferry Road | 30,800 | Arterial | 45 mph | Cobb County | 100' |
| | | | | | |

Based on 2010 traffic counting data taken by Cobb DOT (Johnson Ferry Road)

COMMENTS AND OBSERVATIONS

Johnson Ferry Road is classified as an arterial and according to the available information the existing right-of-way does not meet the minimum requirements for this classification.

RECOMMENDATIONS

Recommend applicant consider entering into a development agreement pursuant of O.C.G.A. 36-71-13 for dedication of the following system improvements to mitigate traffic concerns: a) donation of right-of-way on the east side of Johnson Ferry Road, a minimum of 50' from the roadway centerline.

Recommend a deceleration lane on Johnson Ferry Road for the entrance.

Recommend converting one access point to an in-only and the other access point to an out-only.

Recommend applicant be required to meet all Cobb County Development Standards and Ordinances related to project improvements.

STAFF RECOMMENDATIONS

Z-26 3148 JOHNSON FERRY, LLC

- A. It is Staff's opinion that the applicant's rezoning proposal will permit a use that is suitable in view of the use and development of adjacent and nearby properties. The applicant has taken care to present a structure that is aesthetically in keeping with surrounding buildings and has attempted to demonstrate that the height is not out of character as well given the elevation of the subject lot.
- B. It is Staff's opinion that the applicant's rezoning proposal will not have an adverse affect on the usability of adjacent or nearby property. While Staff does not necessarily believe the proposal will have an adverse affect on nearby property, it is worth noting that the project's proposed F.A.R. and required rear setback variance represents an intensity not yet seen within the surrounding lower intensity commercial activity center.
- C. It is Staff's opinion that the applicant's rezoning proposal will not result in a use which would cause an excessive or burdensome use of existing streets, transportation facilities, utilities, or schools. This opinion can be supported by the departmental comments contained in this analysis.
- D. It is Staff's opinion that the applicant's rezoning proposal is in conformity with the policy and intent of the *Cobb County Comprehensive Plan* which delineates this property to be within a NAC neighborhood activity center. The requested NRC neighborhood retail commercial district is intended to be within such a future land use area.
- E. It is Staff's opinion that there are existing and changing conditions affecting the use and development of the property which give supporting grounds for approving the applicant's rezoning proposal; not least of which is the history of this property. Having been previously rezoned and granted a Special Land Use Permit for the near identical purpose as the currently requested climate controlled self-service storage facility, Staff believes that the current request can be approved now with the acknowledgement that it represents an increase for the area in the way of higher F.A.R. and reduced setbacks. With this acknowledgement and the stated purpose of not creating a precedent for the area, this particular site may be returned to viable commerce while ensuring a development that is cohesive and not out of character with the area through applicable conditions proposed by the applicant and/or instituted by the Board of Commissioners.

Based on the above analysis, Staff recommends **APPROVAL** subject to the following conditions:

- Site plan received by the Zoning Division on April 4, 2013, with the District Commissioner approving minor modifications;
- Final site plan, architectural design, and landscape plan to be approved by the District Commissioner;
- Fire Department comments and recommendations;
- Water and Sewer comments and recommendations;
- Stormwater Management comments and recommendations;
- Department of Transportation comments and recommendations; and
- 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.

The recommendations made by the Planning and Zoning Staff are only the opinions of the Planning and Zoning Staff and are by no means the final decision. The Cobb County Board of Commissioners makes the final decisions on all Rezoning and Land Use Permits at an advertised public hearing.

Summary of Intent for Rezoning* June 2013

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

- a) Proposed unit square-footage(s): _____
 - 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): Climate controlled, self service storage facility
 - b) Proposed building architecture: 4-sided brick with EFIS accents
 - c) Proposed hours/days of operation: The hours of operation shall be from 8:00 am - 6:00 pm Monday-Saturday; 1:00 pm - 6:00 pm on Sundays.
 - d) List all requested variances: Reflected on the site plan.
- _____
- _____
- _____

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 COBB COUNTY ZONING DIVISION

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

The subject property was rezoned as requested and granted a Special Land Use Permit on April 21, 2009 for the exact use under the same specifications as proposed in this Application (No. Z-37 [2008]). Additionally, the subject property is located in an area denominated as a Neighborhood Activity Center (NAC) under Cobb County's Future Land Use Map.

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).

* The applicant reserves the right to amend the Summary of Intent for Rezoning and the preliminary information provided therein at any time during the rezoning process.

ZONING IMPACT STATEMENT FOR THE REZONING APPLICATION
OF 3148 JOHNSON FERRY, LLC

COMES NOW, 3148 JOHNSON FERRY, LLC, and, pursuant to §134-121(a)(7) of the Cobb County Zoning Ordinance, files this Zoning Impact Statement, as follows:

- A. The zoning proposal will permit a use of the property which is suitable in the context of development and existing zonings along this section of the Johnson Ferry Road Corridor.
- B. The zoning proposal will have no adverse effect or impact upon the existing uses or usability of adjacent or nearby properties, the totality of which are commercial developments.
- C. The subject property to be affected by the zoning proposal has no reasonable economic use as currently zoned in that the fair market value of same falls below the range of values of similarly zoned and situated properties with equivalent utility. Additionally, the present owners of the subject property are suffering a significant economic detriment by virtue of the continuation of the present zoning classification of Conditional NRC.

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FILED IN OFFICE

- D. The zoning proposal will have no adverse impact upon the existing County infrastructure including, but not limited to, existing streets, transportation facilities, utilities or schools.

- E. The zoning proposal is consistent with those uses and purposes contemplated under Cobb County's Comprehensive Land Use Plan and Future Land Use Map with the subject property lying and being in a Neighborhood Activity Center (NAC).

- F. There is no substantial relationship between the existing zoning classification of Conditional NRC which limits the property in terms of its present utilization and the public health, safety and general welfare. Additionally, considered in the context of development along this section of the Johnson Ferry Road Corridor, there are no established land use planning principles or political considerations which would vitiate the zoning proposal.

Respectfully submitted, this the 4th day of April, 2013.

SAMS, LARKIN & HUFF, LLP

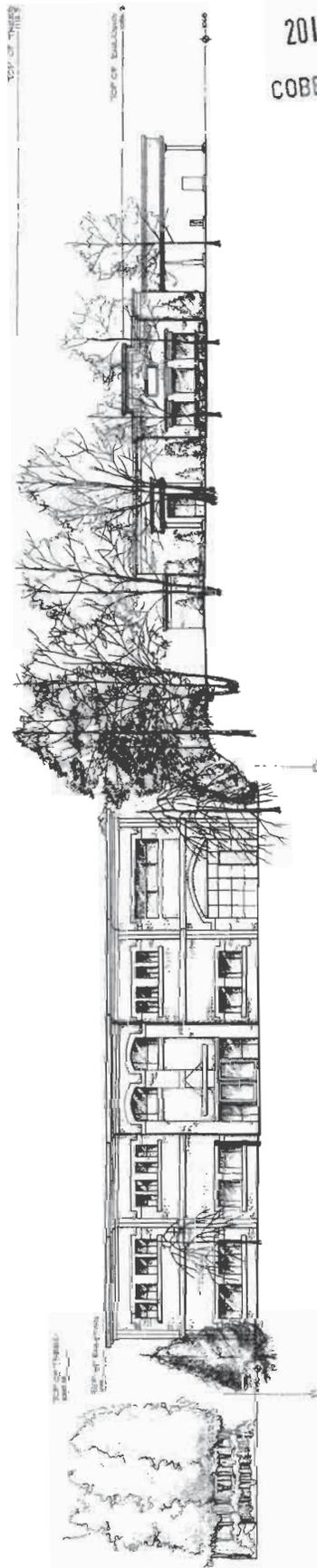
By: 

GARVIS L. SAMS, JR.
Attorney for Applicant
Ga. Bar No. 623950

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COBB COUNTY ZONING DIVISION

COBB COUNTY ZONING DIVISION
1401 STATE STREET, SUITE 100
CUMMINGS, GEORGIA 30143
PHONE 770-948-1400
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EXISTING CBS BANK

JOHNSON FERRY ROAD SELF STORAGE

STREET VIEW
FOR
JOHNSON FERRY ROAD
SELF STORAGE
MAY 21, 2008

SAMS, LARKIN & HUFF
A LIMITED LIABILITY PARTNERSHIP

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May 15, 2013

**VIA HAND DELIVERY
AND 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 3148 Johnson Ferry, LLC to Rezone a 1.421 ± Acre Tract from
Conditional NRC to Conditional NRC (No. Z-26)

Application of 3148 Johnson Ferry, LLC for a Special Land Use Permit
Concerning a 1.421 Acre Tract (No. SLUP-4)

Dear John:

You will recall that this firm has been engaged by and represents 3148 Johnson Ferry, LLC concerning the above-captioned Applications for Rezoning and Special Land Use Permit. The Applications are scheduled to be heard and considered by the Cobb County Planning Commission on June 4, 2013 and, thereafter, the Applications are scheduled to be heard and considered for final action by the Cobb County Board of Commissioners on June 18, 2013.

The subject property at issue was rezoned to NRC for the purposes of a Carwash, Emissions Station and Convenience Store with fuel sales on April 19, 2011 (No. Z-6). Prior to that action, the property was rezoned to NRC and granted a Special Land Use Permit on April 21, 2009 and June 16, 2009, respectively, for a Climate Controlled, Self-Service Storage Facility ("CCSSSF") (No. Z-37 & SLUP-18 [2008]).

The property at issue is located within the confines of a Neighborhood Activity Center ("NAC") and is directly contiguous to a Super Walmart which is zoned CRC. Additionally, the subject property is contiguous to CBS Bank and adjacent to the YMCA and other commercially oriented properties along the Johnson Ferry Road Corridor.

While these Applications have been pending, we have interfaced with the County's professional staff and also with representatives of the East Cobb Civic Association ("ECCA"). In that regard and consistent with those discussions and CCSSSF Code Amendments, please

SAMS, LARKIN & HUFF
A LIMITED LIABILITY PARTNERSHIP

VIA HAND DELIVERY
AND EMAIL

Mr. John P. Pederson, AICP, Manager
Cobb County Zoning Division
May 15, 2013
Page 2

allow this letter to serve as my client's expression of agreement with the following stipulations which shall become conditions and a part of the grant of the requested Rezoning and Special Land Use Permit and binding upon the subject property thereafter. The referenced stipulations are as follows, to wit:

1. The stipulations and conditions set forth herein shall replace and supercede in full any and all prior stipulations and conditions in whatsoever form which are currently in place concerning the property which constitutes the subject matter of the above-captioned application for rezoning.
2. The architectural style and composition of the building shall be in substantial conformity to the rendering/elevation submitted contemporaneously with the Applications for Rezoning and Special Land Use Permit which depicts exterior materials consisting of brick and EFIS on all four (4) sides. Additionally, even though the building to be constructed will be three (3) stories in height, those stories are compressed such that the building presents itself and appears as if it is a two (2) story building.¹
3. The rezoning of the subject property to the Neighborhood Retail Commercial ("NRC") classification shall be use specific for a CCSSSF. Additionally, the Developer agrees to exclude all other uses permitted under the NRC District except for those permitted uses related to the moving and storage business.²
4. The 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.
5. The utilization of low-intensity, environmental type 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.

¹ The height of the CCSSSF building is in scale with or lower than the spot elevations of adjacent buildings.

² The subject property is located in an area under the Cobb County Future Land Use Map which is denominated as a Neighborhood Activity Center ("NAC"), is presently zoned NRC and is the site of a former Chevron station which has been little used and/or in a state of deterioration over the past decade.

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A LIMITED LIABILITY PARTNERSHIP

VIA HAND DELIVERY
AND EMAIL

Mr. John P. Pederson, AICP, Manager
Cobb County Zoning Division
May 15, 2013
Page 3

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6. Compliance with the conceptual landscape plan prepared for Johnson Ferry Road Self Storage by Travis Pruitt & Associates which was submitted contemporaneously with the Application for Rezoning, including the following:
 - a. All mechanical and electrical equipment shall be screened from view and located on the back and side of the building and will not be visible from adjacent properties and/or public rights-of-way.
 - b. Any dumpsters associated with the CCSSSF shall be located inside the building.
 - c. Existing flowering cherry trees shall be preserved with limbs to be selectively pruned by a qualified professional.
 - d. The planting of Little Gem Magnolias, Dwarf Nandina, Carissa Hollies, Willow Oaks, Nellie R. Stevens Hollies, seasonal color, Liriope and daylilies.
 - e. Virginia Pine shall be planted along the southern property line.
 - f. Existing pine buffer to remain along the rear property line and it will be selectively pruned/shaped to promote healthy growth and to avoid damage during construction.
 - g. Existing trees on lower side of retaining shall remain in place to the extent allowed by the Cobb County Water System.
 7. Subject to recommendations from the Stormwater Management Division with respect to detention, hydrology, and down stream considerations, including the ultimate location and configuration of on-site detention and/or water quality.³
 8. Revised Cobb County maps reflect that the subject property is no longer located within floodplain areas nor is it located within the breach zone of the lake which is located across Johnson Ferry Road.

³ The existing gas station, parking lot and car wash are located within the 50' undisturbed stream buffer and the 75' impervious setback. With the wall of the former gas station being approximately 41' from the point of wreted vegetation associated with the stream, no stream bank buffer variance will be required for the proposed storage facility as long as there are no further encroachments into the stream bank buffer.

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AND EMAIL

Mr. John P. Pederson, AICP, Manager
Cobb County Zoning Division
May 15, 2013
Page 4

9. Subject to the following recommendations from the Cobb County Department of Transportation with respect to traffic safety issues, to-wit:
 - a. The voluntary donation and conveyance of right-of-way so that the County can achieve a minimum of 55' from the centerline of Johnson Ferry Road.
 - b. The installation of a deceleration lane and taper.
 - c. The installation of sidewalk, curb and gutter along the subject property's frontage on Johnson Ferry Road.
10. Compliance with the Cobb County Sign Ordinance and the construction of ground-based, monument style signage themed to the architectural style and composition as aforementioned. Additionally, an agreement that there will no electronic or LED signage utilized.
11. Subject to recommendations from the Cobb County Water System with respect to the accessibility and availability of sewer and water and the issues attendant thereto.
12. Subject to recommendations from the Cobb County Fire Department.
13. Compliance with all adopted provisions and regulations applicable to Climate Controlled Self Service Storage Facilities except as may be varied from time to time by the Cobb County Board of Commissioners.
14. If the subject property is determined not to be suitable for the purposes sought by the applicant 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 Rezoning and the granting a Special Land Use Permit regarding same, then, and in such an event(s), the zoning classification of the subject property shall revert to its original classification of NRC (No. Z-6 [2011]) without further action being necessary on the part of Cobb County or the Owner of the subject property.
15. The District Commissioner shall have the authority to make minor modifications to the site plan, the landscape plan, the architectural renderings/elevations and these stipulations/conditions during the Plan Review Process and thereafter.

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A LIMITED LIABILITY PARTNERSHIP

VIA HAND DELIVERY
AND EMAIL

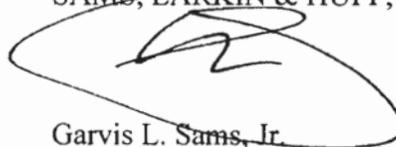
Mr. John P. Pederson, AICP, Manager
Cobb County Zoning Division
May 15, 2013
Page 5

The subject property is located within a Neighborhood Activity Center (“NAC”) as shown on Cobb County’s Future Land Use Map and is positioned within an area along the Johnson Ferry Road Corridor which is appropriate for utilization as proposed. In that regard, the applications are properly positioned for redevelopment approval in the same manner as said Applications were approved for a CCSSSF by the Cobb County Board of Commissioners in 2009.

Please do not hesitate to contact me should you or the staff require any further information or documentation prior to the Applications being heard and considered during the June zoning cycle. With kind regards, I am

Very truly yours,

SAMS, LARKIN & HUFF, LLP



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

GLS/dsj

cc: Members, Cobb County Board of Commissioners (via email)
Members, Cobb County Planning Commission (via email)
Mr. Robert L. Hosack, Jr., AICP Director (via email)
Mr. Dana Johnson, Planning Manager (via email)
Mr. Jason Campbell, Planner III (via email)
Ms. Jane Stricklin, PE, Cobb County DOT (via email)
Mr. David Breaden, PE, Cobb County Stormwater Management (via email)
Ms. Karen L. King, Assistant County Clerk (via email)
Ms. Lori Barton, Deputy County Clerk (via email)
Ms. Jill Flamm, President, ECCA (via email)
Ms. Trish Steiner, ECCA (via email)
Mr. Mitchell Cooke (via email)
Mr. Jason Linscott (via email)