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A LIMITED LIABILITY PARTNERSHIP
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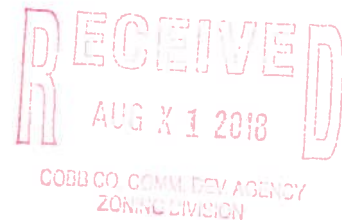
OF COUNSEL:
JOHN L. SKELTON, JR. [†]

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August 1, 2018

Hand Delivered

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



RE: Application for Special Land Use Permit

Application No.: SLUP-8 (2018)
Applicant: Home Star Storage, LLC
Property Owner: MSC Veterans Memorial, LLC
Property: 16.382 acres, more or less, located on the south side of Veterans Memorial Highway; the west side of Garner Road; the north side of Lee Road; and the east side of Glore Drive, (381 Veterans Memorial Highway), Land Lot 109, 17th District, and Land Lot 41, 18th District, 2nd Section, Cobb County, Georgia

Dear John:

The undersigned and this firm represent Home Star Storage, LLC, as Applicant (hereinafter referred to as "Applicant"), and MSC Veterans Memorial, LLC, the Property Owner (hereinafter "Owner" or "Property Owner"), in the above-referenced Application for Special Land Use

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Permit with regard to a total tract of 16.382 acres, more or less, located on the south side of Veterans Memorial Highway, the west side of Garner Road, the north side of Lee Road, and the east side of Glore Drive, being more particularly known as 381 Veterans Memorial Highway, Land Lot 109, 17th District, and Land Lot 41, 18th District, 2nd Section, Cobb County, Georgia (hereinafter the "Property" or the "Subject Property"). After meetings with Planning and Zoning Staff, reviewing the Departmental Comments and Staff Recommendations; reviewing the uses of surrounding properties, and meetings and discussions with area residents and homeowner representatives, we have been authorized by the Applicant to submit this letter of agreeable stipulations and conditions, which, if the Application for Special Land Use Permit is approved, as submitted, shall become a part of the grant of the requested Special Land Use Permit and shall be binding upon the Subject Property. The proposed stipulations are as follows:

- (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 on the Subject Property; together with any and all Departmental Comments and Staff Recommendations relating to the Subject Property from any prior zoning actions.
- (2) Applicant seeks approval of a Special Land Use Permit for the operation of a climate controlled self-storage facility, site plan specific to the Site Plan dated December 11, 2013, last revised May 1, 2018, prepared by Acme American, LLC, and submitted with the Application for Special Land Use Permit on May 3, 2018. A reduced copy of the Site Plan is attached hereto as Exhibit "A" and incorporated herein by reference.
- (3) Applicant proposes renovating the two existing warehouse structures to be used as climate-controlled self-storage facilities which shall contain a combined maximum of 115,000 square feet of gross floor area. The third, smaller structure shall also be renovated for office and retail space, and shall contain a maximum of 2,500 square feet.
- (4) The exteriors of the existing structures shall be renovated and shall be substantially similar to the elevations attached collectively hereto as Exhibit "B" and incorporated herein by reference.
- (5) There shall be no outside storage of any type or kind; including, but not limited to, vehicles, motorcycles, campers, boats, recreational vehicles, and the like.

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- (6) Signage for the proposed development shall consist of ground-based monument style signage located on Veterans Memorial Parkway, with the design, finish, materials, and colors to be complementary to the renovated structures. All signage shall comport with the requirements of the Cobb County Sign Ordinance; as well as, the Veterans Memorial Design Guidelines.
- (7) Lighting for the 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.
- (8) Security lighting on the proposed facilities 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.
- (9) The dumpsters servicing the facilities shall be enclosed, secured, and fully comply with all applicable Cobb County Codes and Ordinances.
- (10) Applicant will utilize the existing detention facility located on the Subject Property and shall be responsible for and perform all necessary repairs on said facility to meet Cobb County Code requirements.
- (11) Applicant agrees to the formation of a Landscape Review Committee comprised of a representative of Applicant/Developer, a representative of the Mableton Improvement Coalition, and the Cobb County Arborist, or a designee, which will review and approve the final landscape plans for landscaping along the road frontages of the Subject Property. Review and approval of any landscape plans shall be done as part of the Plan Review Process.
- (12) Applicant agrees to the installation of a thirty (30) foot landscape buffer along the frontages of the Property on Lee Road, Garner Road, and Glore Drive, such landscaping to be approved by the Landscape Review Committee.
- (13) Minor modifications to the within stipulations, the referenced Site Plan, lighting, signage, landscaping, architecture, site features, and the like, may be approved by the District Commissioner, as needed or necessary, except for those that:
 - (a) Increase the density of a residential project or the overall square footage of a non-residential project;

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- (b) Reduce the size of an approved buffer adjacent to a property that is zoned the same or in a more restrictive zoning district;
 - (c) Relocate a structure closer to the property line of an adjacent property that is zoned the same or in a more restrictive zoning district;
 - (d) Increase the height of a building that is adjacent to a property that is zoned the same or in a more restrictive zoning district;
 - (e) Change an access location to a different roadway;
 - (f) Would be in direct contradiction or conflict with any of the stipulations of this rezoning;
 - (g) Would be in direct contradiction or conflict with Cobb County Code and Ordinances; or
 - (h) Would be in direct contradiction or conflict with any Staff Recommendations that were adopted into the final zoning decision.
- (14) All setback, 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.
- (15) Applicant shall comply with all Cobb County Development Standards and Ordinances relating to project improvements, including stormwater management, detention, and hydrology; except as approved by the Cobb County Board of Commissioners, Cobb County Department of Transportation, or Cobb County Community Development Agency, as their authority may allow.
- (16) Applicant agrees to comply with all Cobb County Stormwater Management requirements applicable to the Subject Property.
- (17) Applicant agrees that any future development of the remainder of the Property will be submitted as a rezoning application.

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- (18) Applicant agrees the proposed redevelopment project, including landscaping at the entranceway and signage, will comply with the Veterans Memorial Design Guidelines.
- (19) Applicant agrees that the entirety of the Subject Property will be cleaned of debris, rubbish, and general trash, and will be maintained in a manner to comply with Cobb County Codes and Ordinances.
- (20) For security purposes, the entirety of the property designated as "Tract 1" on the Site Plan shall be fenced and access shall be by an electronic keypad at the main gate for customer access.
- (21) Public access to the facility will be from 6:00 a.m. to 9:00 p.m. Monday through Sunday.
- (22) All Code Enforcement issues will be resolved prior to submission of building permit applications.
- (23) Parking will be allowed in paved and striped spaces only; paving and striping shown on the Site Plan to be maintained as long as buildings are occupied; all parking spaces to be properly striped prior to issuance of Certificate(s) of Occupancy.
- (24) All banners and signs to be properly permitted and comply with the Cobb County Sign Ordinance.
- (25) No outdoor speakers will be allowed, doors to building to be closed while buildings are in use, except as required to comply with Safety Regulations.
- (26) No alcohol will be sold, consumed, or present on the Property.
- (27) Certificates of occupancy and business licenses shall be obtained for all businesses operated on the premises.
- (28) The following uses are prohibited:
 - Tattoo parlors;
 - Public assembly halls;
 - Cash checking businesses;

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- Gold or precious metal dealers;
 - Sale of guns, knives, or weapons;
 - Pawn, title pawn, thrift stores, or second-hand stores;
 - Adult entertainment;
 - Nighclubs;
 - Free-standing emissions inspection stations;
 - Hotels, motels, or rooming houses;
 - Taxi dispatching services;
 - No bulk warehousing;
 - Used tire sales.
- (29) Cobb DOT comments and recommendations *not otherwise in conflict* with the following changes/additions:
- (a) Installation of curb, gutter, and sidewalks on Garner Road, Lee Road, and Glore Drive be delayed until the approval of additional development;
 - (b) No access to any commercial traffic on Garner Road, Lee Road, and Glore Drive until street and sidewalk improvements are complete;
 - (c) Access to remaining two houses located on Garner Road and one house located on Glore Drive for residential purposes only; if houses are not used for residential purposes, the access points to be removed; and
 - (d) 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.

We believe approval of the requested Special Land Use Permit, pursuant to the Site Plan and the stipulations set forth herein, is an appropriate use of the Subject Property. Granting of the proposed Special Land Use Permit will allow for existing structures to be renovated and retrofitted into a use which would enhance the Subject Property and the provide a service to the overall community. Additionally, the remainder of the Subject Property will be improved, which would allow for a total, all-encompassing improvement to the Property and the surrounding area. We appreciate very much your consideration; as well as that of the Cobb County Planning Commission and Cobb County Board of Commissioners, in this request.

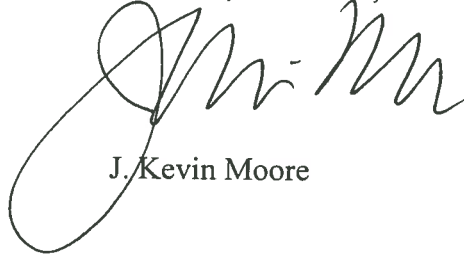
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With kindest regards, I remain

Very truly yours,

MOORE, INGRAM, JOHNSON & STEELE, LLP



J. Kevin Moore

JKM:cc

Attachments

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

Cobb County Planning Commission
Judy Williams, Chairman
Thea Powell
Skip Gunther
Galt Porter
Andy Smith
(With Copies of Attachments)

Sonya Wheatley
Mableton Improvement Coalition
(With Copies of Attachments)

Teresa Wade
Area Resident
(With Copies of Attachments)

Home Star Storage, LLC
(With Copies of Attachments)

LEGEND

- Property Lines
- Building Footprints
- Setbacks
- Right-of-Way
- Utilities
- Proposed
- Existing

GRAPHIC SCALE

SCALE: 1" = 80'-0"

OWNER/DEVELOPER: MSC VETERANS MEMORIAL, LLC
CONTACT PERSON: MR. LARRY MURPHY
 24-HR. EMERGENCY # 802-289-9977

EMERGENCY CONTACT:
 1. The City Engineer
 2. The County Engineer
 3. The Surveyor on file

Notes:
 Existing Warehouse = 26000 sf / 2000sf = 13.0 spaces
 Existing Office = 3000 sf / 200 sf = 15.0 spaces
 Proposed Recreation = 21580 sf / 200 sf = 108 spaces
 Spaces Req'd = 136 spaces
 Spaces Furn = 136 = 136 OK
 6 Handicapped Spaces

Existing CHURCH = 72 PERSONS / 4 = 18 SPACES
 Spaces Furn d = 18 = 18 OK

Site Address: **381 VETERANS MEMORIAL HWY, MABLETON, GA 30129**
 Zoning: **PC**
 Point of Beginning: **182.00'**
 Area: **59.11 ACRES**
COBB COUNTY PLANNING DEPARTMENT
 Minimum lot width: **100.00'**
 Maximum Building Height: **50'**
 Impervious Coverage per lot: **16.982 acres**

CONTRACTOR: **ACME AMERICAN, LLC, 39 ATLANTA ST, SUITE 200, MARTIN BRIDGE, MABLETON, GA 30129**
 DATE: **MAY - 3 2018**

RECORDING INFO:
 COBB COUNTY, GEORGIA
 PLAT NO. 1024.70
 BOOK 2007, PAGE 201
 FILED FOR RECORD: MAY 10 2018
 COUNTY CLERK, COBB COUNTY, GA

LL 109, 17TH DISTRICT, 2ND SECTION
 LL 41, 18TH DISTRICT, 2ND SECTION
 COBB COUNTY, GEORGIA
 ACCORDING TO FIRM COMMUNITY PANEL
 REPORT DATED 06/27/11, THIS PROPERTY IS NOT LOCATED IN AN
 AREA HAVING SPECIAL FLOOD HAZARDS

DECLINED
 MAY - 3 2018

SURVEY NOTES

- THIS SURVEY WAS MADE AND THESE NOTES AND THIS PLAT ARE TO BE CONSIDERED AS A COMPLETE REPRESENTATION OF THE PROPERTY AND ALL INFORMATION THEREON AND ALL INFORMATION CONTAINED HEREIN IS TRUE AND CORRECT AND ALL INFORMATION CONTAINED HEREIN IS TRUE AND CORRECT AND ALL INFORMATION CONTAINED HEREIN IS TRUE AND CORRECT.
- THE PLAT HAS BEEN PREPARED BY THE SURVEYOR AND ALL INFORMATION CONTAINED HEREIN IS TRUE AND CORRECT AND ALL INFORMATION CONTAINED HEREIN IS TRUE AND CORRECT.
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APPROVED FOR:
 Surveyor: [Signature]
 City Engineer: [Signature]
 County Engineer: [Signature]

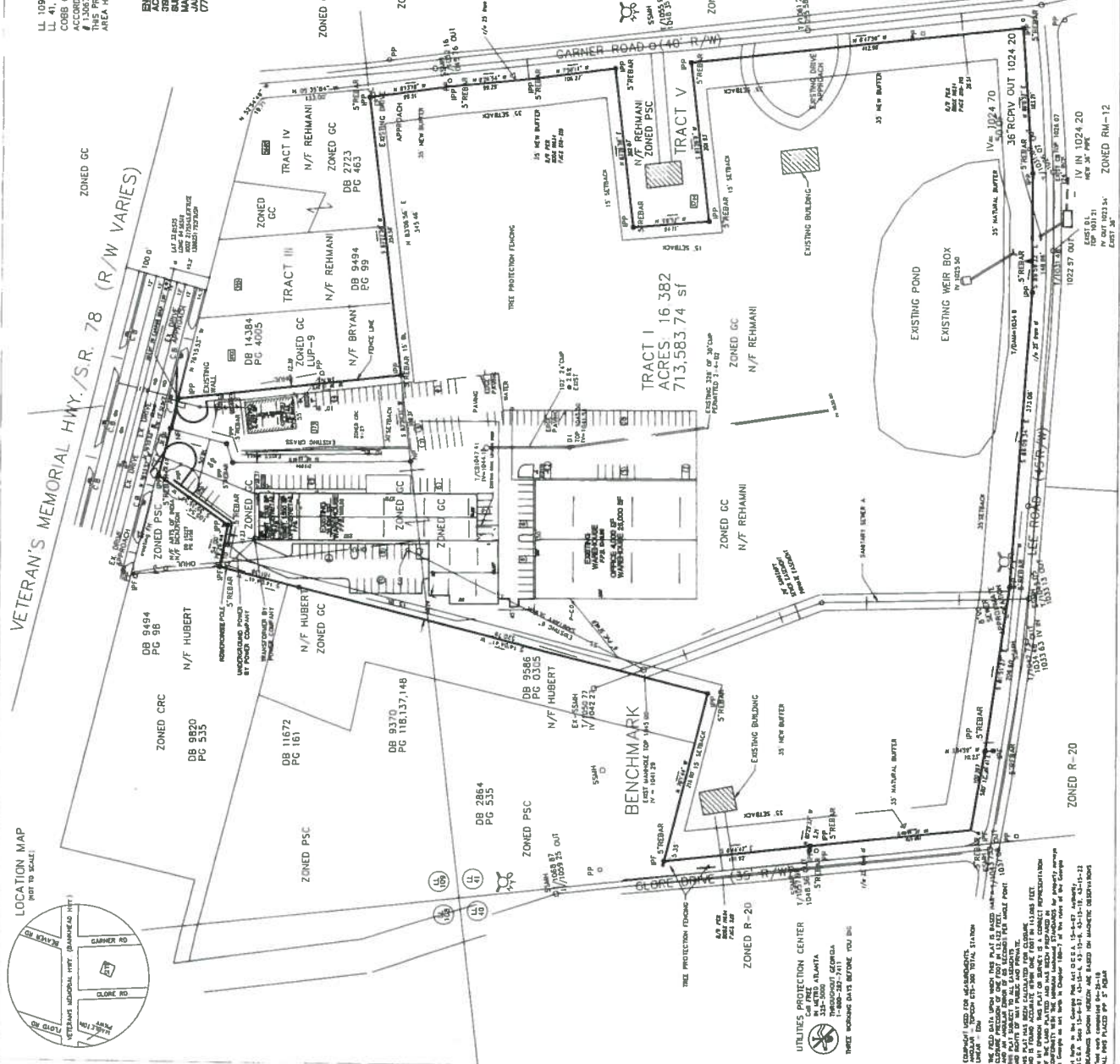


EXHIBIT "A"



EXHIBIT "B"



HOME STAR STORAGE









HOME STAR
STORAGE

