

# MOORE INGRAM JOHNSON & STEELE

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February 15, 2023

Via E-mail Only

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 Rezoning - Application No. Z-66 (2022)  
Application for Special Land Use Permit - Application No. SLUP-14 (2022)  
Applicant:           ADP – Terrell Mill LLC  
Property Owner:   Estate of Ruby Inez Fridell  
Property:           2.55 acres, more or less, located at the  
                          intersection of the southerly side of Delk  
                          Road and the westerly side of Terrell Mill  
                          Road, being more particularly known as  
                          1140 and 1150 Terrell Mill Road, Land  
                          Lot 936,     17<sup>th</sup> District,     2<sup>nd</sup> Section,  
                          Cobb County, Georgia

Dear John:

The undersigned and this firm represent the Applicant, ADP – Terrell Mill LLC (hereinafter referred to as “Applicant”), and the Property Owner, the Estate of Ruby Inez Fridell (hereinafter referred to as “Owner” or “Property Owner”), in the Applications for Rezoning and Special Land Use Permit with regard to a total tract of 2.55 acres, more or less, located at the intersection of the southerly side of Delk Road and the westerly side of Terrell Mill Road, being more particularly known as 1140 and 1150 Terrell Mill Road, Land Lot 936, 17<sup>th</sup> District, 2<sup>nd</sup> Section, Cobb County, Georgia (hereinafter referred to as the “Property” or the “Subject Property”). After meetings with Planning and Zoning Staff, ongoing communications and meetings with area residents and homeowner representatives, reviewing the Departmental Comments and Staff Recommendations, and reviewing the uses of surrounding properties, we have been authorized

# MOORE INGRAM JOHNSON & STEELE

Mr. John P. Pederson, AICP  
Zoning Division Manager  
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Cobb County Community Development Agency  
Page 2 of 7  
February 15, 2023

by the Applicant to submit this revised letter of agreeable stipulations and conditions, which, if the Applications for Rezoning and Special Land Use Permit are approved, as submitted, shall become a part of the grant of the requested rezoning and Special Land Use Permit and shall be binding upon the Subject Property. This letter shall supersede and replace in full all previous letters of agreeable stipulations and conditions, and specifically those dated and submitted on September 26, 2022; October 24, 2022; and November 28, 2022. The proposed, revised stipulations are as follows:

- (1) Applicant seeks rezoning of the Subject Property from the existing zoning classification of R-80 to the proposed zoning classification of Office/Institutional (“OI”), which is a deletion from the requested zoning category of Community Retail Commercial (“CRC”); as well as the contemporaneous approval of a Special Land Use Permit for the operation of a climate-controlled self-storage facility, site plan specific to the revised Zoning Site Plan prepared for Applicant by Paradigm Engineering Services, Inc., dated and last revised October 24, 2022, and submitted with the revised letter of agreeable stipulations and conditions dated October 24, 2022. A reduced copy of the revised Zoning Site Plan is attached as Exhibit “A.”
- (2) The proposed climate-controlled self-storage facility shall be a maximum of two (2) stories in height, with a basement, and shall contain a maximum of 120,000 square feet.
- (3) The exterior of the proposed facility shall be primarily brick with accents of EFIS and stucco, and shall be as shown on the renderings collectively attached as Exhibit “B.”
- (4) Signage for the proposed development shall consist of building signage and ground-based monument style signage, with the design, finish, materials, and colors of the monument signage to be complementary to the proposed facility. Applicant agrees there shall be no scrolling, blinking, or moving components, nor LED or neon colors used in the ground-based monument signage or any signage used or located on the proposed facility.
- (5) Applicant agrees the ground-based monument style signage on Terrell Mill Road shall be a maximum of four (4) feet in height.
- (6) Any wall signage shall not be back-lit; but rather, signage lighting shall consist of “goose-neck” style lighting.

# MOORE INGRAM JOHNSON & STEELE

Mr. John P. Pederson, AICP  
Zoning Division Manager  
Zoning Division  
Cobb County Community Development Agency  
Page 3 of 7  
February 15, 2023

- (7) Lighting for the parking areas shall be environmentally sensitive, shoe-box style (or other similar light-directing feature) and shall be fitted with non-glare lenses and cut-off shields to prevent light from extending beyond the property line.
- (8) Security lighting on the proposed facility 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) Any dumpsters servicing the proposed facility shall be enclosed within a minimum six (6) foot high brick or masonry enclosure on three sides with a solid wooden screen gate or doors on the access side. The materials and colors for the enclosure shall match and be complementary to the façade of the proposed facility. All dumpsters shall contain rubber lids to minimize noise. All dumpsters shall be screened from view of adjoining residential properties. Servicing of dumpsters shall be limited to the hours of 10:00 a.m. to 5:00 p.m., Monday through Friday.
- (10) Applicant agrees the hours of operation for the proposed facility shall be as follows:
  - (a) Business hours shall be from 9:30 a.m. to 6:00 p.m., Monday – Saturday; and
  - (b) Access hours shall be 7:00 a.m. to 9:00 p.m., Monday – Saturday; and 9:30 a.m. – 8:00 p.m. on Sunday.
- (11) Applicant agrees no 18-wheel tractor-trailer truck deliveries shall be permitted on the Subject Property.
- (12) Development and construction hours for the proposed project shall be limited to the following:
  - (a) 7:00 a.m. to 6:00 p.m. - Monday – Friday;
  - (b) 8:00 a.m. to 6:00 p.m. - Saturday; and
  - (c) No work on Sunday.

# MOORE INGRAM JOHNSON & STEELE

Mr. John P. Pederson, AICP  
Zoning Division Manager  
Zoning Division  
Cobb County Community Development Agency  
Page 4 of 7  
February 15, 2023

- (13) Applicant agrees to cooperate with the Georgia Native Plant Society (“GNPS”) to provide an opportunity for GNPS to perform a “Plant Rescue.”
- (14) Applicant agrees the street frontages shall be heavily landscaped, including decorative, black wrought-iron type aluminum fencing, with brick or stone pillars.
- (15) Applicant agrees to the formation of a Landscape Review Committee comprised of a representative of Applicant/Developer, a representative of the Cobblestone Walk Condominium Association, a representative of the Millridge Homeowner’s Association and the Cobb County Arborist, or a designee, which will review and approve the final signage plans and landscape plans for landscaping along the road frontages of the Subject Property; as well as, for the buffer located adjacent to Cobblestone Walk. Review and approval of any landscape plans shall be done as part of the Plan Review Process.
- (16) Minor modifications to the within stipulations, the referenced Zoning Site Plan, lighting, landscaping, architecture, site features, signage, 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;
  - (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

# MOORE INGRAM JOHNSON & STEELE

Mr. John P. Pederson, AICP  
Zoning Division Manager  
Zoning Division  
Cobb County Community Development Agency  
Page 5 of 7  
February 15, 2023

- (h) Would be in direct contradiction or conflict with any Staff Recommendations that were adopted into the final zoning decision.
- (17) All setbacks, 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, surface parking, and any and all slopes or other required engineering features of the foregoing.
- (18) Applicant agrees to comply with all Cobb County Stormwater Management requirements applicable to the Subject Property.
- (19) Applicant agrees to comply with the Comments and Recommendations made by the Cobb County Department of Transportation.
- (20) The above stipulations shall bind the Subject Property and the Applicant, and any other future or potential developer of the Subject Property; however, in the event a Land Disturbance Permit has not been issued within eighteen (18) months of final zoning approval, the zoning category of the Subject Property shall revert to its existing R-80 zoning classification.
- (21) Applicant agrees that hotels and motels shall be a prohibited use under the OI zoning category.
- (22) Applicant agrees that except for "Opening" announcement signage, no temporary signage such as banners or flags shall be allowed.
- (23) All landscaping in buffer areas; as well as, street frontage, shall be maintained by Applicant or any future owner.
- (24) Applicant withdraws the request for a variance to increase the maximum allowable Floor Area Ratio ("FAR").
- (25) Applicant agrees the proposed facility will contain a "community room." Such community room will be available to members of the community to conduct meetings or gatherings on a scheduled basis. Such community room shall be approximately 400-500 square feet, or more, and shall consist of finished meeting room space, furnished, and including audio/visual equipment.

**MOORE INGRAM JOHNSON & STEELE**

Mr. John P. Pederson, AICP  
Zoning Division Manager  
Zoning Division  
Cobb County Community Development Agency  
Page 6 of 7  
February 15, 2023

We believe the requested rezoning and Special Land Use Permit, pursuant to the referenced, revised Zoning Site Plan and the revised stipulations set forth herein, is an appropriate use of the Subject Property. The proposed use takes into consideration the location of the Subject Property; as well as, the uses and development of surrounding properties. The proposed facility will be of the highest caliber, shall be compatible with surrounding commercial developments, shall be an enhancement to the Subject Property, and shall provide a useful service to residents within the surrounding vicinity.

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:  
Lisa N. Cupid, Chairwoman  
JoAnn Birrell  
Keli A. Gambrill  
Jerica Richardson  
Monique Sheffield  
(With Copies of Attachments)

Cobb County Planning Commission  
Stephen Vault, Chairman  
David Anderson  
Fred Beloin  
Deborah Dance  
Michael Hughes  
(With Copies of Attachments)

# MOORE INGRAM JOHNSON & STEELE

Mr. John P. Pederson, AICP  
Zoning Division Manager  
Zoning Division  
Cobb County Community Development Agency  
Page 7 of 7  
February 15, 2023

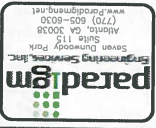
c: Jeannie Peyton  
Senior Planner  
Zoning Division  
Cobb County Community Development Agency  
(With Copies of Attachments)

Sheri George  
Millridge  
(With Copies of Attachments)

Robert J. Ott  
Area Resident  
(With Copies of Attachments)

Tom Whitehead, President  
Cobblestone Walk Condominium Association, Inc.  
(With Copies of Attachments)

ADP – Terrell Mill LLC  
(With Copies of Attachments)

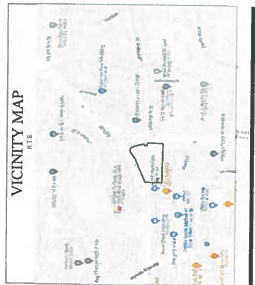


Project No.	P-2225
Design By	WBO
Drawn By	LRF
Checked By	WBO
Date	10/24/2022
Scale	1" = 20'

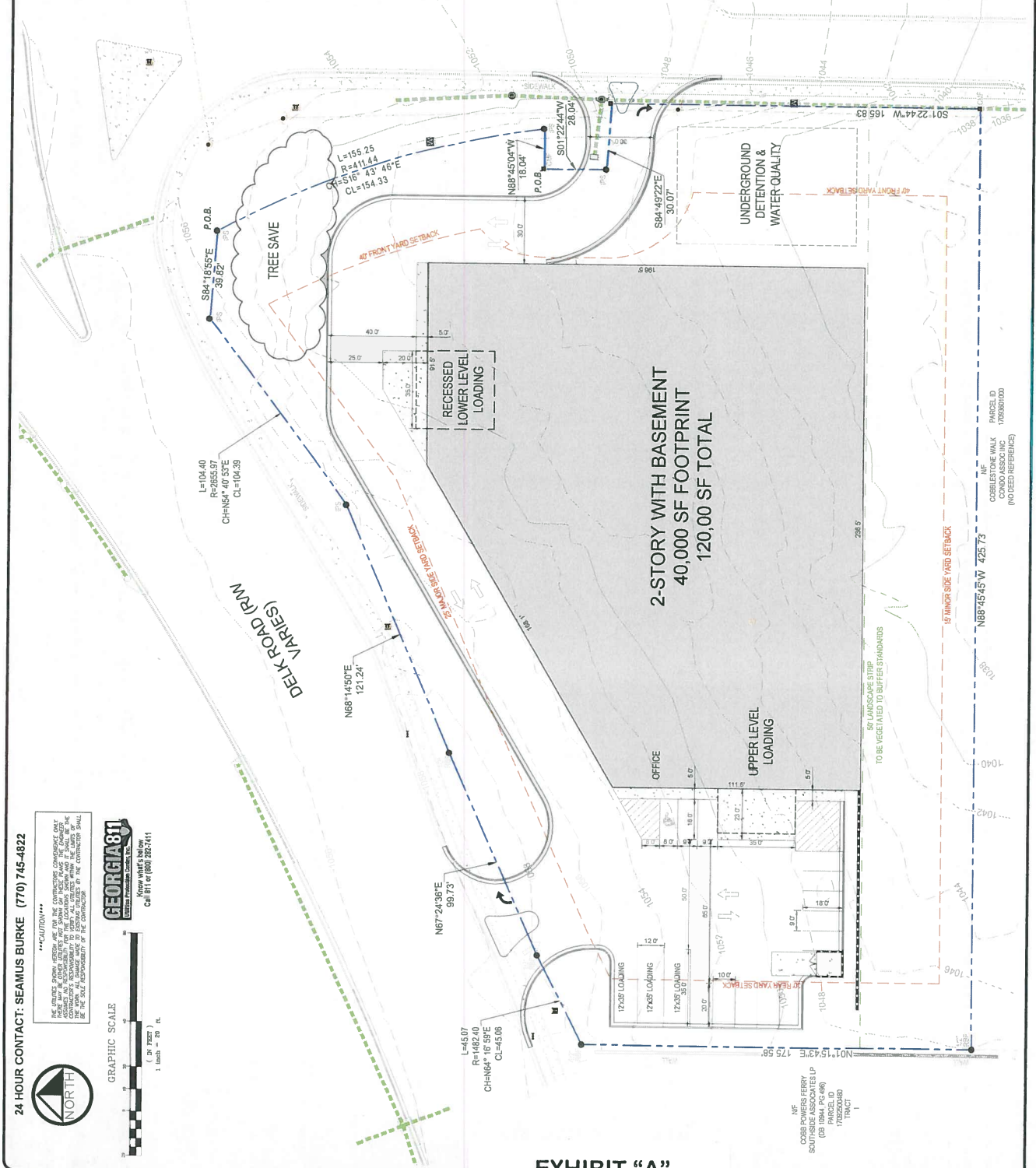
SHAMROCK BUILDING SYSTEMS  
5632 GORE PLACE  
AUSTELL, GA 30106  
PHONE: (770) 745-4822

ZONING SITE PLAN  
TERRELL MILL & DELK STORAGE  
1140 & 1150 TERRELL MILL ROAD  
LAND LOT 936, 17TH DISTRICT, 2ND SECTION  
COBB COUNTY, GEORGIA

Drawing No. 17



**SITE DATA**  
 PARCEL ID: 17-0306-000-40 & 17-0306-001-80  
 SITE AREA: 2.35 AC (11,238 SF)  
 ZONING: UNINCORPORATED COBB COUNTY  
 LOCAL JURISDICTION: UNINCORPORATED COBB COUNTY  
 CURRENT LAND USE: RESIDENTIAL LOT CONTROLLED  
 CURRENT ZONING: R-80 (SINGLE-FAMILY RES.)  
 PROPOSED ZONING: O1 WITH SLIP  
 MINIMUM LOT SIZE: 20,000 SF  
 MINIMUM LOT WIDTH AT FRONT SETBACK LINE: 75'  
 MINIMUM PUBLIC ROAD FRONTAGE: 50'  
 CURRENT USE: RESIDENTIAL LOT CONTROLLED  
 PROPOSED USE: SELF STORAGE FACILITY  
 MAX. DENSITY: 1.08 FAR WITH VARIANCE  
 SETBACKS:  
 FRONT YARD: 40' (TERRELL MILL)  
 REAR YARD: 25' (DELK)  
 SIDE YARD: 30' (ADJACENT TO PUBLIC)  
 REQUIRED PARKING: 12 SPACES  
 PROPOSED PARKING: 12 SPACES  
 REQUIRED PARKING: 12 SPACES  
 TOTAL SITE SPACES: 13



**24 HOUR CONTACT: SEAMUS BURKE (770) 745-4822**

**\*\*\*CAUTION\*\*\***  
 THE UTILITIES SHOWN HEREIN ARE FOR THE CONTRACTOR'S CONSIDERATION ONLY. THE CONTRACTOR SHALL VERIFY THE LOCATION AND DEPTH OF ALL UTILITIES PRIOR TO CONSTRUCTION. THE CONTRACTOR SHALL BE RESPONSIBLE FOR THE LOCATION AND DEPTH OF ALL UTILITIES. THE CONTRACTOR SHALL BE RESPONSIBLE FOR THE LOCATION AND DEPTH OF ALL UTILITIES.

**GEORGIA 811**  
 Know what's below  
 Call 811 or (800) 282-4111

**GRAPHIC SCALE**  
 1 inch = 20' ft

EXHIBIT "A"





EXHIBIT "B"



