



Community Development – Zoning Division

John Pederson – Division Manager

ZONING CASE

SLUP-9-2022

SITE BACKGROUND

Applicant	Broward Development
Phone	404-242-5296
Email	bweiner@gmail.com
Representative Contact	Garvis L. Sams, Jr.
Phone	770-422-7016
Email	gsams@samslarkinhuff.com
Titleholder	Carol Ann Waddell and Christina Waddell Holcombe, Stephen R. Pendleton and Victoria B. Pendleton
Property Location	Located on the northeast side of Mableton Parkway and on the southwest side of Cardell Circle, north of Hunnicut Road
Address	6949 Mableton Parkway
Access to Property	Mabelton Parkway

QUICK FACTS

Commission District	4-Sheffield
Current Zoning	GC, R-20
Current Use of Property	Undeveloped, wooded lot
Proposed Zoning	LI
Proposed Use	Climate Controlled Self Storage
Future Land Use	PIA, ic
Site Acreage	2.67
District	18
Land Lot	405, 498
Parcel #	18049800030, 18049800040
Taxes Paid	Yes

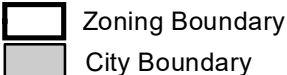
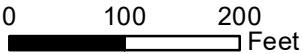
FINAL ZONING STAFF RECOMMENDATIONS

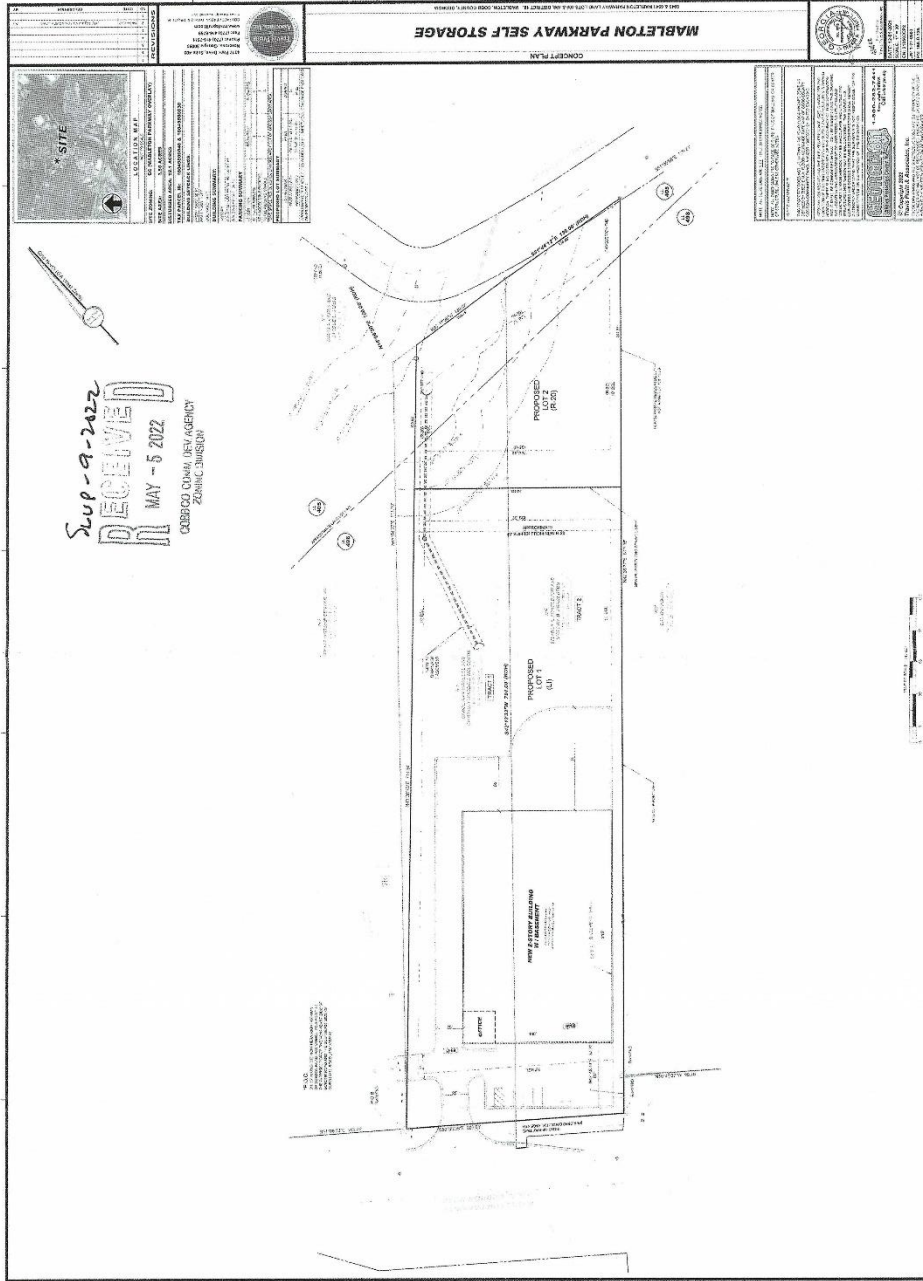
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SLUP-9 2022 GIS



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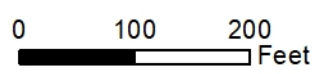




SLUP-9 Aerial Map



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- Zoning Boundary
- City Boundary

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COBB COUNTY BOARD OF COMMISSIONERS
ZONING DEPARTMENT

STATEMENT OF INTENT

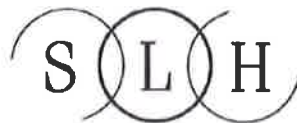
of

BROWARD DEVELOPMENT

**Special Land Use Permit Application
concerning a 3.41 Acre Tract of Land located in
Land Lots 405 and 498, 18th District, 2nd Section,
Cobb County, Georgia**

Submitted for the Applicant by:

**Garvis L. Sams, Jr.
Sams, Larkin & Huff, LLP
376 Powder Springs Street
Suite 100
Marietta, GA 30064
(770) 422-7016
gsams@samslarkinhuff.com**



I. INTRODUCTION

This Application seeks a Special Land Use Permit (“SLUP”) to allow a Freestanding Climate-Controlled Self-Service Storage Facility on an approximate 3.41-acre tract of land which is located at the northeast side of Mableton Parkway and the southwest side of Cardell Circle.

The property (“Subject Property”) is presently zoned in the General Commercial (“GC”) and R-20 zoning classifications, is undeveloped and is situated within the confines of Priority Industrial Area (“PIA”) on Cobb County’s Future Land Use Map (“FLUM”). The Subject Property is part of a commercially and residentially zoned area which is also part of a larger PIA node located along Mableton Parkway. The current proposal will permit a use that is less intense than uses and purposes contemplated by the PIA future land use designation.

Consistent with direction from the Staff, the Applicant requested the Light Industrial (“LI”) and R-20 zoning districts for the development and construction of a Freestanding Climate-Controlled Self-Service Storage Facility (“CCSSSF”) use. The current GC zoning is not a viable zoning district within the PIA. The northeastern portion of the Subject Property is zoned R-20 (Single-family Residential). The current proposal is to reconfigure property lines and leave 0.89 acres (38,645 square feet) as one R-20 parcel situated adjacent to Cardell Circle.

The plan for this proposal is to construct a new Free-standing CCSSSF building. The proposal will provide storage needs to residential and commercial properties in the area. The proposed CCSSSF is a less intense use when compared to other uses allowed in the PIA node

and will provide an appropriate use from aesthetic and intensity perspectives and is certainly more appropriate than a previous rezoning attempt in 2017 (No. Z-16) .

II. CRITERIA TO BE APPLIED TO SPECIAL LAND USE PERMITS

A. Whether or not there will be a significant adverse effect upon the neighborhood or area in which the proposed use will be located.

The Subject Property, consisting of an approximate 3.41-acre tract, is located on the northeast side of Mableton Parkway and the southwest side of Cardell Circle in unincorporated Cobb County. The property is presently zoned in the GC and R-20 zoning classifications and is located within a PIA area under Cobb County's FLUM. The proposed use is one of the less intense uses which could be allowed on property located within a PIA. The proposed CSSSF will be less intense than other uses that could be allowed under LI and HI in the PIA.

B. Whether or not the use is otherwise compatible with the neighborhood.

The neighborhood within which the Subject Property is located is zoned CRC, LI, GC, PSC and R-20 and are all in the PIA designation on Cobb County's FLUM along both sides of Mableton Parkway from Discovery Boulevard to Queen Mill Road. As referred to above, this use generates less traffic than other uses located in this PIA area of the County. Given these facts the proposed use of the Subject Property for a CSSSF and one single-family residential tract which will constitute a significant buffer is compatible with the neighborhood.

C. Whether or not the use proposed will result in a nuisance as defined under state law.

The proposed use will not result in a nuisance, either public or private, as that term is defined by Georgia law. The proposed CCSSSF will be an enclosed facility, will have off-peak hours and the proposed ingress/egress on Mableton Parkway will not influence peak hour traffic.

D. Whether or not the quiet enjoyment of surrounding property will be adversely affected.

The proposed low intensity use of the Subject Property will not adversely affect the use or enjoyment of surrounding properties. The surrounding properties consist of residential, institutional, retail and industrial uses. The proposed low-intensity commercial use and the one residential lot will provide uses conducive to this area along Mableton Parkway and Cardell Circle. Moreover, the Applicant is designating close to an acre of property which shall remain undeveloped as a buffer.

E. Whether or not property values of surrounding property will be adversely affected.

The surrounding properties consist of residential, institutional, retail and industrial uses; therefore, the values of surrounding properties will not be adversely affected.

F. Whether or not adequate provisions are made for parking and traffic considerations.

The proposed use will meet Cobb County's parking ratio requirements. Parking and traffic considerations will be further discussed by Staff and the developer as part of the Plan Review process.

G. Whether or not the site or intensity of the use is appropriate.

The Subject Property consists of approximately 3.41 acres and is undeveloped. The building for the proposed CCSSSF business and the one single-family residential tract will be less intense than other type PIA node uses which could be developed under the LI or HI zoning districts allowed in the PIA. In addition, CCSSSF uses have proven to be less intense than other permitted uses in the same zoning district, as well as in LI and HI. The size of the property is more than adequate to accommodate the proposed CCSSSF use.

H. Whether or not special or unique conditions overcome the Board of Commissioners' general presumption that residential neighborhoods should not allow non-compatible business uses.

The area at issue is within the context of a mixture of institutional, residential, retail and industrial uses. The proposed use is entirely compatible with existing and contiguous commercial, office and residential uses. The Subject Property has been zoned GC and R-20 and has lain undeveloped for years as part of this commercial/industrial area along Mableton Parkway.

I. Whether or not adequate provisions are made regarding the hours of operation.

The hours of operation will be typical for the nature of CCSSSF businesses.

J. Whether or not adequate controls and limits are placed on commercial and business deliveries.

Commercial deliveries to the Subject Property will be commensurate in number and type to the existing deliveries on adjacent and nearby commercial properties. In addition, customers of the CCSSSF business will be allowed to enter and exit the property on a schedule provided and controlled by the CCSSSF.

K. Whether or not adequate landscape plans are incorporated to ensure appropriate transition.

The proposed site plan indicates a 40-foot (40') landscape buffer along newly created property line delineating the R-20 tract to be created adjacent to Cardell Circle. Further landscaping details will be subject to Staff's and/or District Commissioner's review during the Plan Review process.

L. Whether or not the public health, safety, welfare or moral concerns of the surrounding neighborhood will be adversely affected.

The surrounding "neighborhood" consists of LI, CRC, GC, PSC and R-20 zonings. All of which are comparable to the proposed CCSSSF.

M. Whether the Application complies with any applicable specific requirement set forth in this chapter for a Special Land Use Permit for particular types of uses.

The application meets all of the requirements for a Special Land Use Permit pursuant to and in accordance with Sec. 134-37 and all required information has been supplied.

N. Whether the Applicant has provided sufficient information to allow a full consideration of all relevant factors.

The Applicant has addressed all issues required by law. Additionally, the Applicant remains available to respond to any questions or issues which may be raised during the Rezoning process or those raised by Cobb County's professional staff and Members of both the Planning Commission and/or Board of Commissioners.

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