

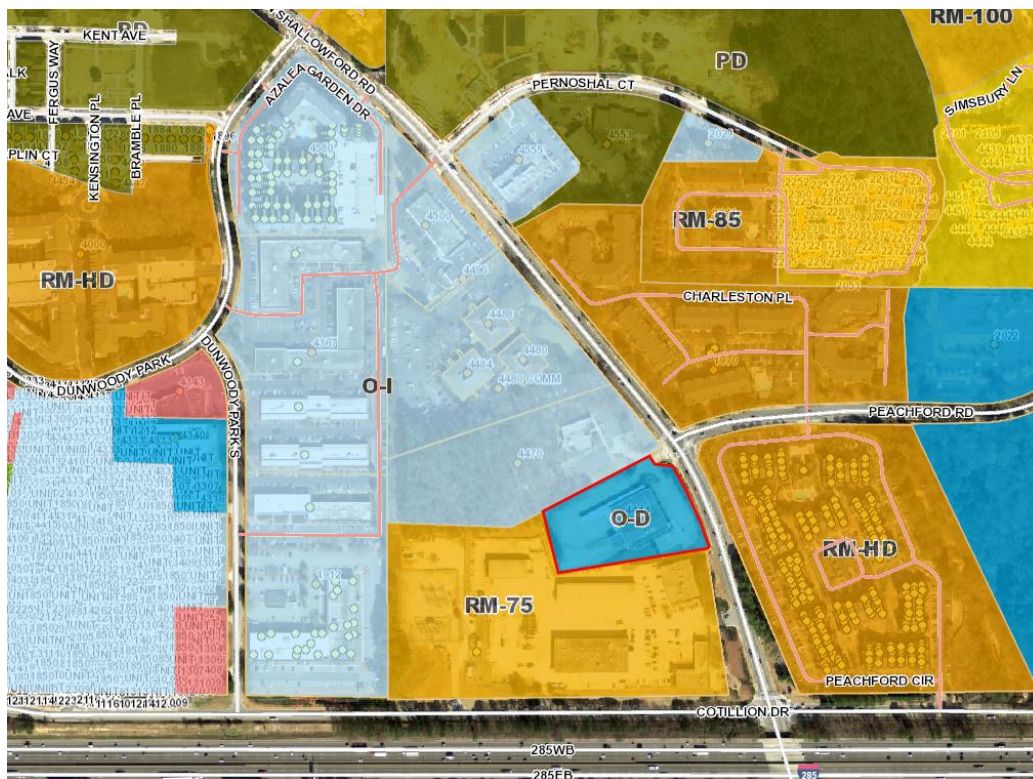
MEMORANDUM

To: Mayor and City Council

From: Ronnie Kurtz, Planner II

Date: February 11, 2019

Subject: **SLUP 19-01:** Adevco Corporation, on behalf of Shallowford Road Storage, LLC, owners of 4444 N Shallowford Road, request a Special Land Use Permit per Chapter 27, Sec. 27-73 to permit a three story storage facility in the Office-Distribution (O-D) zoning district. The tax parcel ID is 18 344 03 001.



BACKGROUND

The site, 4444 N Shallowford Road, is located at the southern end of North Shallowford Road at its intersection with Peachford Road near Cotillion Drive and I-285. The property is currently zoned Office-Distribution (O-D). The site consists of a vacant building on a 2.84-acre lot that was previously used as a US Post Office Carrier Annex. The property is located within the Georgetown Square Character Area as defined in the Dunwoody Comprehensive Plan.



4800 Ashford Dunwoody Road
Dunwoody, GA 30346
Phone: (678) 382-6800
dunwoodyga.gov

In 1997, the DeKalb County board of Commissioners approved a rezoning of the subject lot from Multi-Family Residential (RM-75) to Office-Distribution (O-D), conditioned solely for use as a Self-Storage Facility. Additionally, a self-storage facility is a use allowed by right in the O-D district.

Per the lot and building regulations outlined in Sec. 27-73 of the Dunwoody Municipal Code, a building in the O-D district may not exceed 2 stories and/or 35-feet in height.

The applicant proposes demolishing the existing building and constructing a new facility to be used as a climate controlled storage facility. To enable such development, the applicant requests a Special Land Use Permit to allow for the following conditions:

1. An increase in the allowed height to 43-feet 8-inches from 35-feet;
2. An increase in the allowed building stories to 3-stories from 2-stories.

The proposed site plan and elevations call for the construction of an 113,536-sf facility with gated access to the side and rear areas for the purposes of customer access to storage units.

ANALYSIS

Relevant excerpts from the code and portions of the Comprehensive Plan related to the Georgetown Square Character area are attached. A Surrounding Land Analysis is detailed below, for reference.

Surrounding Land Analysis

Direction	Zoning	Use	Current Land Use
N	O-I	Institutional	City of Dunwoody Annex
S	RM-75	Institutional	GA Power Customer Resource Center
W	RM-75	Institutional	GA Power Customer Resource Center
E	RM-HD	Multi-Family Residential	Camden Dunwoody Apartments

Conditions of the Zoning Ordinance

Chapter 27, Section 27-359 identifies the following criteria to be applied by the department of planning, the planning commission, and the city council in evaluating and deciding any application for a special land use permit. No application for a special land use permit shall be granted by the city council unless satisfactory provisions and arrangements have been made concerning each of the following factors, all of which are applicable to each application:

1. Whether the proposed use is consistent with the policies of the comprehensive plan;
The proposed use is consistent with the current Comprehensive Plan. The subject parcel is located in the 'Georgetown Square Character Area,' which

calls for a "dynamic mix of uses." Additionally, the plan allows for 4-8 story developments in the character area.

2. Whether the proposed use complies with the requirements of this zoning ordinance;
The plan appears to be substantially compliant with the proposed zoning district classification, O-D—meeting the requirements for all setbacks, maximum density, impervious surface ratio, and parking ratios. A storage facility is an allowed use by right in the O-D district, and the property was rezoned to O-D for the express purpose of allowing a storage facility.
3. Whether the proposed site provides adequate land area for the proposed use, including provision of all required open space, off-street parking and all other applicable requirements of the subject zoning district;
The subject parcel is currently zoned O-D and contains approximately 2.84 acres of land. This is adequate for the use as proposed by the applicant.

Per Sec. 27-73 of the Dunwoody Municipal Code, the O-D District requires a 75-foot front yard setback, 30-foot rear yard setback, and 20-foot interior side yard setback; the proposed site plan is compliant with these standards. O-D allows for a maximum of 80% lot coverage; the proposed plans submitted with the applicant's land disturbance permit call for 75% lot coverage.

Per Sec. 27-202 of the Dunwoody Municipal Code, the proposed use requires 0.5 parking spaces per 1,000 square feet of building area. The proposed building would thus require 57 parking spaces, and 79 are provided.

Per Sec. 27-230 of the Dunwoody Municipal Code, an O-D property must provide for a 15-foot wide TY3 transition yard as a buffer between it and property zoned RM-75. The applicant's proposed landscape plan shows plantings fulfilling this requirement as relates to the RM-75 zoned Georgia Power property abutting the subject site to the south and the west.

4. Whether the proposed use is compatible with adjacent properties and land uses, including consideration of:
 - a. Whether the proposed use will create adverse impacts upon any adjoining land use by reason of noise, smoke, odor, dust or vibration generated by the proposed use;
The proposed use will not generate adverse impacts from excessive noise, smoke, odor, dust, or vibration towards adjoining land uses.
 - b. Whether the proposed use will create adverse impacts upon any adjoining land use by reason of the hours of operation of the proposed use;
The proposed use will not create adverse impacts upon any adjoining land use due to the hours of business operations.
 - c. Whether the proposed use will create adverse impacts upon any adjoining land use by reason of the manner of operation of the proposed use;
The use will not be substantially different from what is currently carried out in the surrounding area, so it should not create adverse impacts on neighboring land uses.

- d. Whether the proposed use will create adverse impacts upon any adjoining land use by reason of the character of vehicles or the volume of traffic generated by the proposed use;
It is unlikely that adjacent land uses will be adversely affected by the volume of cars created by the proposed use. The applicant expects 10-15 vehicles accessing the property on an average day. Aside from the two full-time staffers, the vehicles that access the property will be contained in the gated portion the property to the rear and side of the building, minimizing any interference with adjoining land uses.
- e. Whether the size, scale and massing of proposed buildings are appropriate in relation to the size of the subject property and in relation to the size, scale and massing of adjacent and nearby lots and buildings; and
The proposed building is of reasonable size, scale, and massing to other nearby lots and buildings.
- f. Whether the proposed plan will adversely affect historic buildings, sites, districts, or archaeological resources.
The proposed plan will not have an impact on any historic buildings, sites, districts, or archaeological resources.
5. Whether public services, public facilities and utilities—including motorized and nonmotorized transportation facilities—are adequate to serve the proposed use;
The current infrastructure is adequate to serve the proposed use.
6. Whether adequate means of ingress and egress are proposed, with particular reference to nonmotorized and motorized traffic safety and convenience, traffic flow and control and emergency vehicle access;
Proposed emergency vehicle access is sufficient. The proposed plan provides adequate ingress and egress to the site and its structures for vehicular and pedestrian traffic. The existing curb cut along N Shallowford Road will provide vehicular access to both the front parking area and the gated rear/side loading areas. Pedestrian access is facilitated by the existing sidewalks along N Shallowford Road.
7. Whether adequate provision has been made for refuse and service areas; and
Proposed provisions for refuse and services are adequate.
8. Whether the proposed building as a result of its proposed height will create a negative shadow impact on any adjoining lot or building.
No negative shadow impact will occur on any adjoining lot or building.



4800 Ashford Dunwoody Road
Dunwoody, GA 30346
Phone: (678) 382-6800
dunwoodyga.gov

SUMMARY OF PLANNING COMMISSION

Planning Commission held hearings on the case on December 11, 2018 and January 15, 2019. The Commission communicated a desire for the development to incorporate more retail development at ground level in effort to activate a walkable environment more in tune with the vision of the Georgetown Character Area established in the Dunwoody Comprehensive Plan.

The Planning Commission recommended approval (5-1) with the following conditions:

1. The subject property shall be developed in general conformity with the submitted site plan (EXHIBIT A: Site Plan) and landscape plan (EXHIBIT B: Landscape Plan).
2. Applicant shall submit proposed elevations for approval by the Community Development Director prior to issuance of building permits. Material samples shall be submitted for review prior to hearing before City Council.
3. Access to 50 parking spaces during non-business hours will be permitted per the conditions of the Shared Parking Agreement with the City of Dunwoody (EXHIBIT D: Parking License Agreement.)
4. No truck rental or outside storage will be permitted as a part of the storage facility use at this property.
5. The building shall be up to five (5) stories in height.
6. Ground level shall include retail use along N Shallowford frontage.
7. No additional curb cuts shall be permitted along N Shallowford frontage.
8. Storage access shall be internalized so loading area is not visible from street.
9. Project shall be oriented along N Shallowford Road and Peachford Road so as to accommodate future Peachford Road Extension.

NOTE: The site is currently zoned O-D with the condition that it be used for a storage facility. Traditional retail sales (i.e. a shopping center) are not permitted in the O-D district. Thus, in order to fulfill this recommendation of the Planning Commission, the applicant would be required to file for and receive a rezoning. The applicant can proceed with the development of a two-story storage facility without a Special Land Use Permit, in which case the City would have no input on architectural standards or any potential access to the 50 parking spaces in front of the building. As such, staff does not recommend requiring retail at the site.

RECOMMENDATION

Based upon the findings and conclusions herein, Staff recommends the application for the Special Land Use Permit per Chapter 27, Section 27-73 be **approved**, with the following exhibits and conditions:

EXHIBIT A: Site Plan, completed by completed by Travis Pruitt & Associates, dated 10/31/18

EXHIBIT B: Landscape Plan, completed by Travis Pruitt & Associates, dated 10/31/18

EXHIBIT C: Elevations, completed by Standard Architecture, Inc, dated 01/14/2019

EXHIBIT D: Parking License Agreement

EXHIBIT E: Fence Detail

1. The subject property shall be developed in general conformity with the submitted site plan (EXHIBIT A: Site Plan) and landscape plan (EXHIBIT B: Landscape Plan).
2. The storage facility shall be developed in substantial compliance with the submitted elevations (EXHIBIT C: Elevations). Signage must be submitted separately for review and permitting and is not approved via this Special Land Use Permit.

3. Access to 50 parking spaces during non-business hours will be permitted per the conditions of the Shared Parking Agreement with the City of Dunwoody (EXHIBIT D: Parking License Agreement.)
4. No truck rental or outside storage will be permitted as a part of the storage facility use at this property.
5. Storage access shall be internalized so loading area is not visible from N Shallowford frontage.
6. A fence shall be installed along the N Shallowford frontage and the northern property line at a height of 6-feet and in substantial conformity with the submitted fence detail (EXHIBIT E: Fence Detail).

Attachments

- Ordinance
- Exhibit A: Site Plan, dated 10/31/18
- Exhibit B: Landscape Plan, dated 10/31/18
- Exhibit C: Elevations, dated 01/14/19
- Exhibit D: Parking License Agreement
- Exhibit E: Fence Detail
- Sec. 27-73 – Lot and Building Regulations
- Dunwoody Comprehensive Plan excerpt—Georgetown Character Area
- SLUP Application Packet

**STATE OF GEORGIA
CITY OF DUNWOODY**

ORDINANCE 2019-XX-XX

AN ORDINANCE TO AUTHORIZE A SPECIAL LAND USE PERMIT PER CHAPTER 27, SEC. 27-73 TO PERMIT A THREE STORY STORAGE FACILITY IN THE OFFICE-DISTRIBUTION (O-D) ZONING DISTRICT

WHEREAS: Adevco Corporation, on behalf of Shallowford Road Storage, LLC, owners of 4444 N Shallowford Road, request a Special Land Use Permit per Chapter 27, Sec. 27-73 to permit a three story storage facility in the Office-Distribution (O-D) zoning district; and

WHEREAS: The Property, tax Parcel 18 344 03 001 is located at the southern end of North Shallowford Road at its intersection with Peachford Road near Cotillion Drive and I-285 and consists of a 2.84 acres; and

WHEREAS: The site consists of a vacant building that was previously used as a US Post Office Carrier Annex. The property is located within the Georgetown Square Character Area as defined in the Dunwoody Comprehensive Plan; and

WHEREAS: The applicant proposes demolishing the existing building and constructing a new facility to be used as a climate controlled storage facility; and

WHEREAS: the Mayor and City Council find that the proposed use is consistent with the current Comprehensive Plan which allows for 4-8 story developments in the character area; and

WHEREAS: the Mayor and City Council further find that the plan is substantially compliant with the proposed zoning district classification, O-D—meeting the requirements for all setbacks, maximum density, impervious surface ratio, and parking ratios; and

WHEREAS: Notice to the public regarding this Special Land Use Permit application and hearing has been duly published in The Dunwoody Crier, the Official News Organ of the City of Dunwoody; and

WHEREAS: A public hearing was held by the Mayor and City Council of the City of Dunwoody as required by the Zoning Procedures Act.

NOW THEREFORE, The Mayor and City Council of the City of Dunwoody hereby **ORDAIN AND APPROVE** the issuance of a Special Land Use Permit for said property subject to the following conditions:

EXHIBIT A: Site Plan, completed by completed by Travis Pruitt & Associates, dated revised 11/1/18.

EXHIBIT B: Landscape Plan, completed by Travis Pruitt & Associates, dated revised 11/1/18.

**STATE OF GEORGIA
CITY OF DUNWOODY**

ORDINANCE 2019-XX-XX

EXHIBIT C: Elevations, completed by Standard Architecture, Inc, dated 01/14/2019.

EXHIBIT D: Parking License Agreement.

EXHIBIT E: Fence Detail

1. The subject property shall be developed in general conformity with the submitted site plan (EXHIBIT A: Site Plan) and landscape plan (EXHIBIT B: Landscape Plan), as detailed above.
2. The storage facility shall be developed in compliance with the submitted elevations (EXHIBIT C: Elevations). Signage must be submitted separately for review and permitting and is not approved via this Special Land Use Permit.
3. Access to 50 parking spaces during non-business hours will be permitted per the conditions of the Shared Parking Agreement with the City of Dunwoody (EXHIBIT D: Parking License Agreement.)
4. No truck rental or outside storage will be permitted as a part of the storage facility use at this property.
5. Storage access shall be internalized so loading area is not visible from N Shallowford frontage.
6. A fence shall be installed along the N Shallowford frontage and the northern property line at a height of 6-feet and in substantial conformity with the submitted fence detail (EXHIBIT E: Fence Detail).

SO ORDAINED AND EFFECTIVE, this the ____ day of _____, 2019.

Approved by:

Approved as to Form and Content

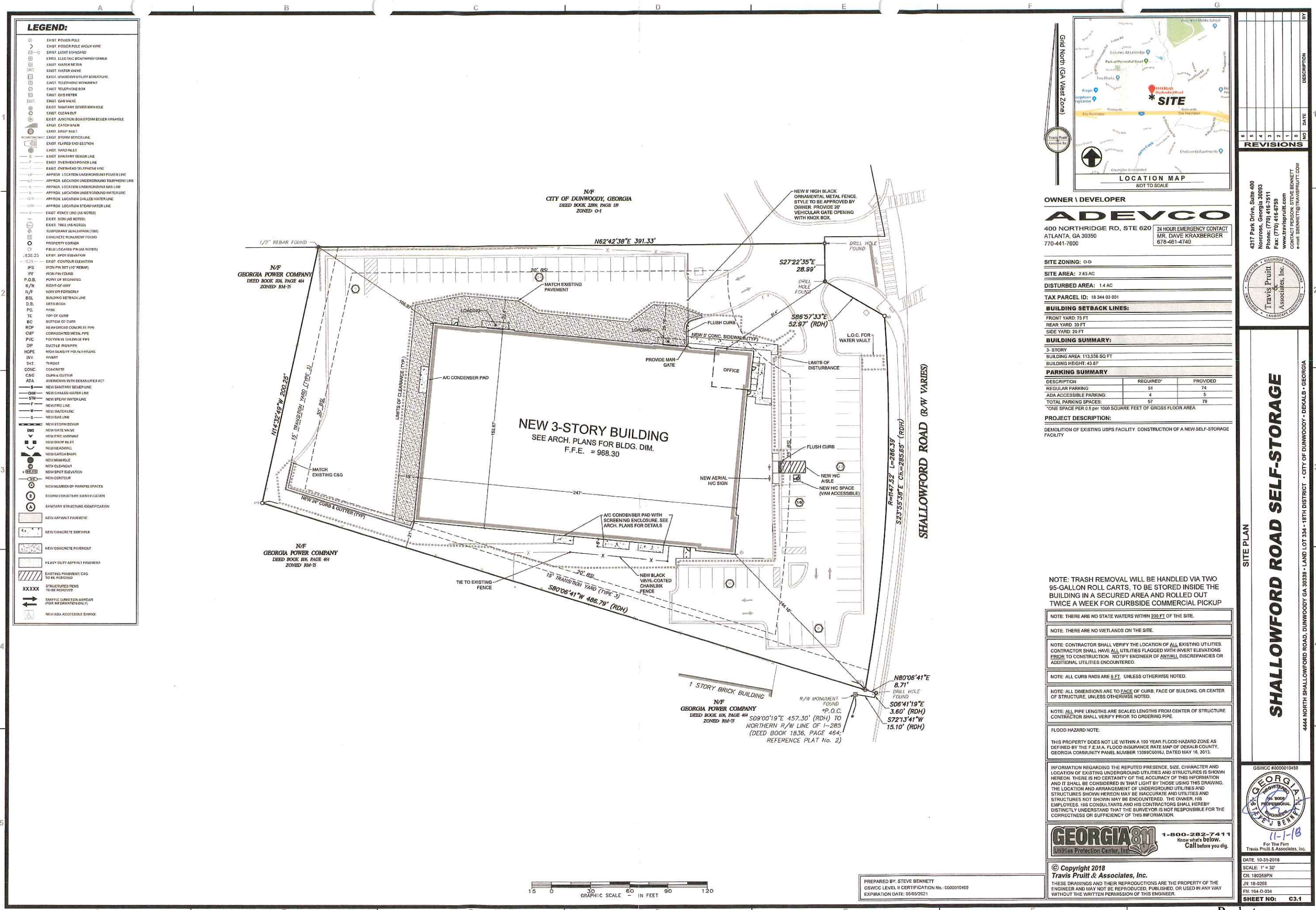
Denis L. Shortal, Mayor

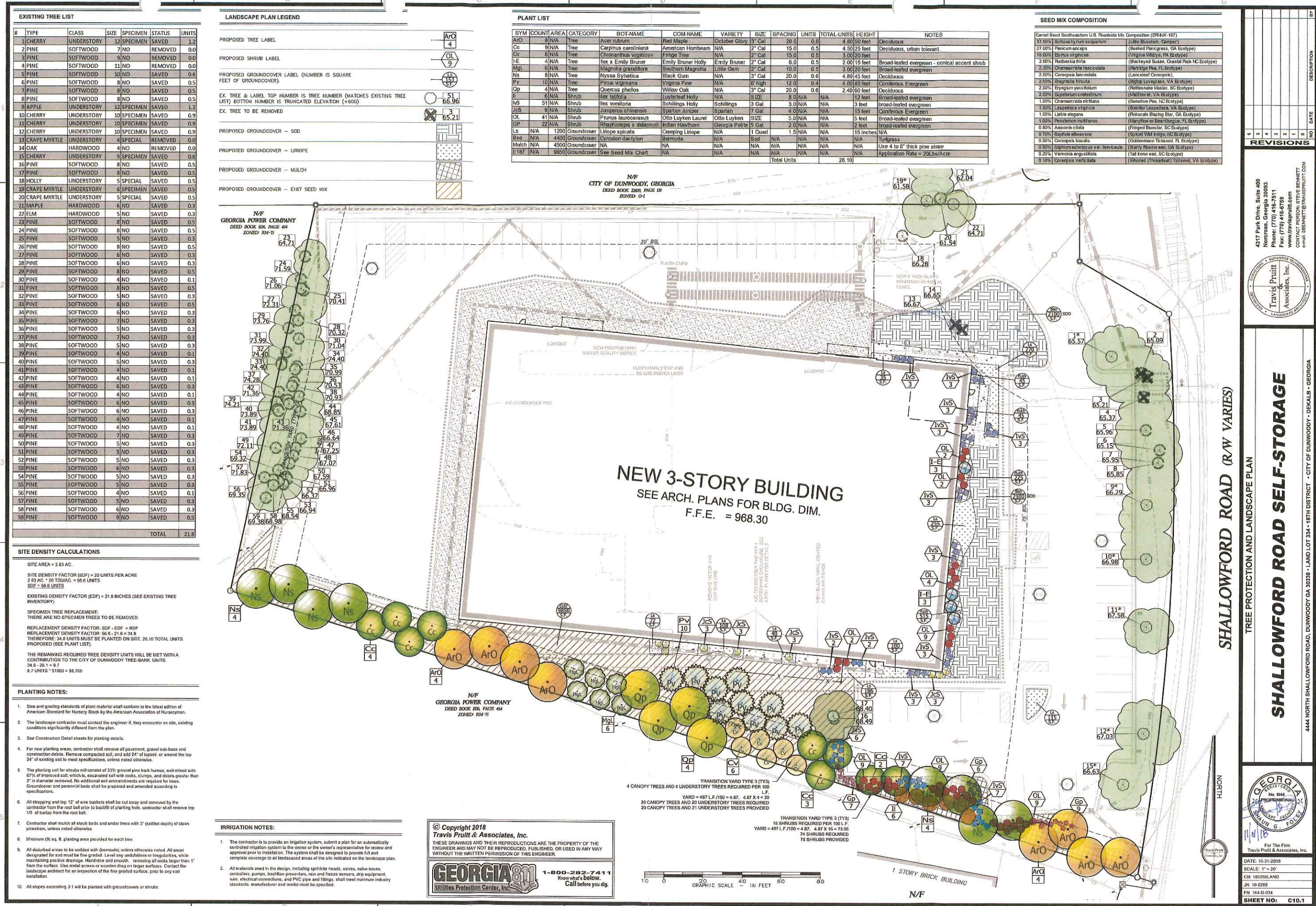
City Attorney

Attest:

Sharon Lowery, City Clerk

SEAL



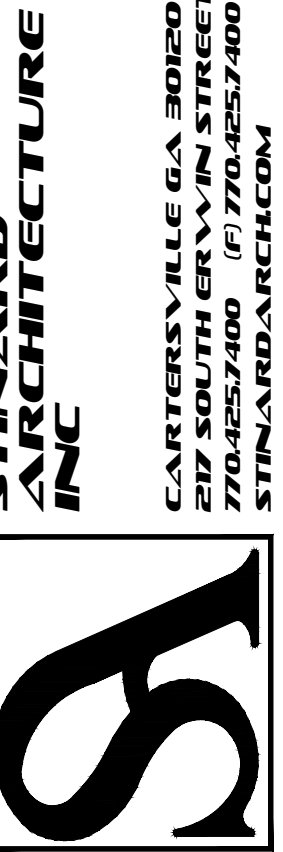


NOT ISSUED
FOR
CONSTRUCTION

THESE DRAWINGS AND DESIGN ARE THE PROPERTY OF STANARD ARCHITECTURE, INC. AND SHALL NOT BE REPRODUCED OR TRANSMITTED IN ANY FORM OR BY ANY MEANS, ELECTRONIC OR MECHANICAL, INCLUDING PHOTOCOPYING, RECORDING, OR BY ANY INFORMATION STORAGE AND RETRIEVAL SYSTEM, WITHOUT THE WRITTEN PERMISSION OF STANARD ARCHITECTURE, INC. ANY REUSE OR MODIFICATION OF THESE DRAWINGS WITHOUT THE WRITTEN PERMISSION OF STANARD ARCHITECTURE, INC. IS PROHIBITED. THE ARCHITECT NOTED OF ANY DISCREPANCIES BEFORE PROCEEDING WITH CONSTRUCTION. DO NOT SCALE DRAWINGS.

Shallowford Rd Self Storage

4444 N. Shallowford Rd
Atlanta, GA 30338

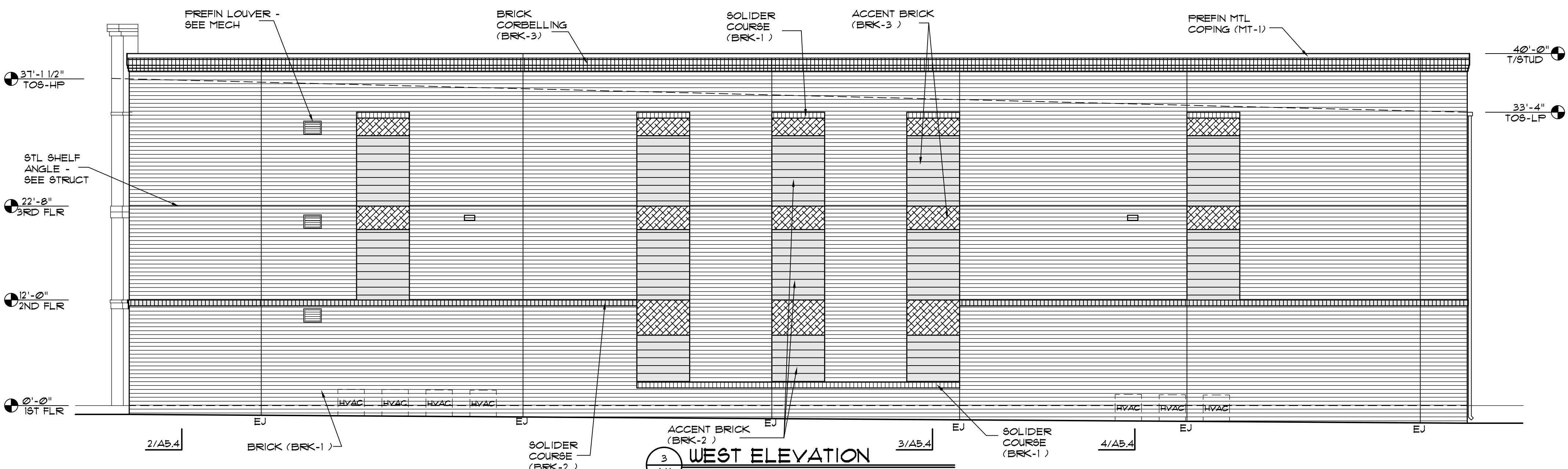
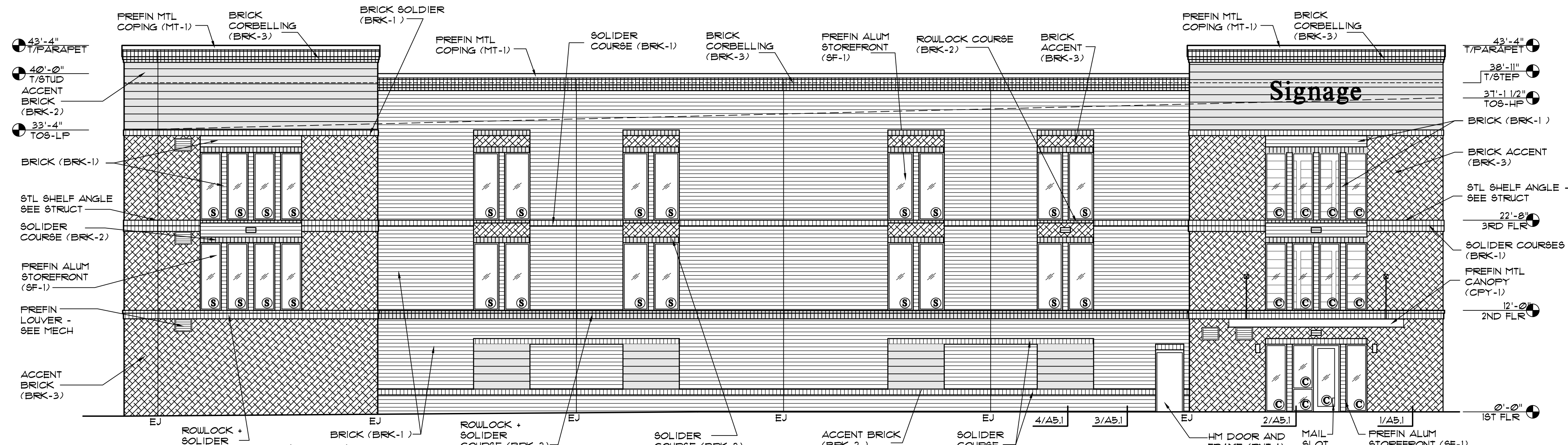
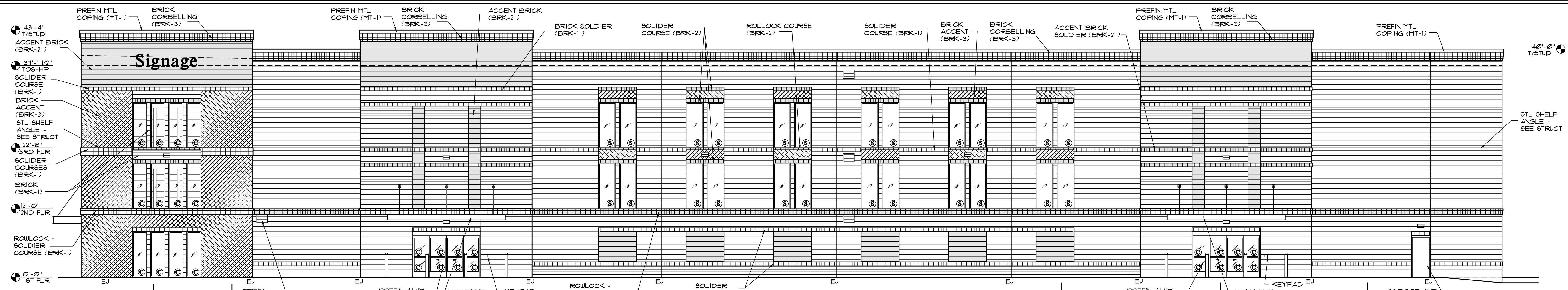


ISSUE: NOT FOR CONSTRUCTION
REVISIONS:

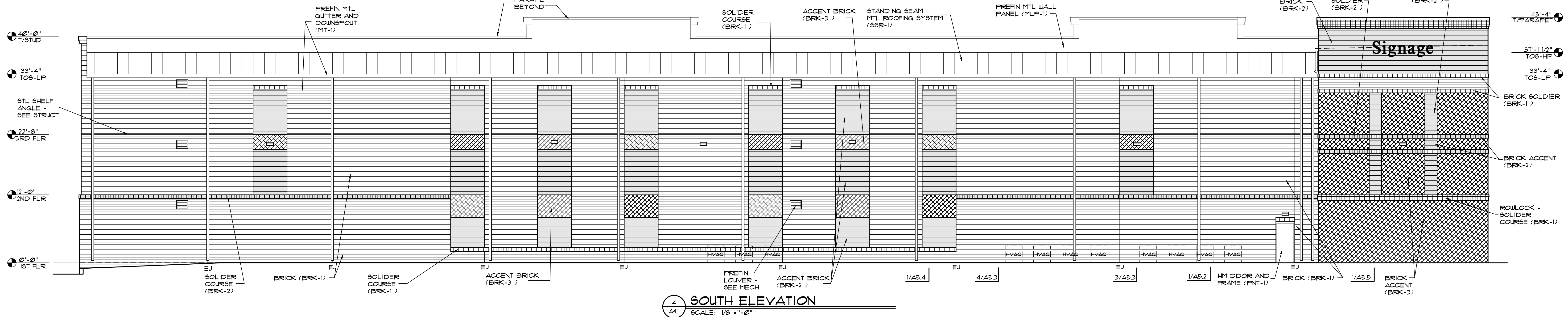
PROJECT NUMBER
201832
DATE
1-14-19

SHEET NUMBER

A4.1



EXTERIOR FINISH AND COLOR SCHEDULE		
MARK	MATERIAL	COLOR
BRK-1	BRICK - FIELD	GENERAL SHALE CAMBRIDGE RED
BRK-2	BRICK - ACCENT	GENERAL SHALE HAMILTON WHITE
BRK-3	BRICK - ACCENT	GENERAL SHALE MORNING SMOKE
---	MORTAR	SOUTHERN HERITAGE MASONRY "ANTIQUE LIMESTONE"
---	SEALANT AT BRICK JOINTS	DOW CORNING "LIMESTONE"
CPY-1	CANOPY	SKYSCAPE "STONE GRAY" - CONFIRM W/ OWNER
MUP-1	RIBBED MTL WALL PANEL AT PARAPET	GALVALUME PLUS
MT-1	MTL COPING, TRIM, GUTTERS AND D.S.	MBCI "CHARCOAL GRAY"
PNT-1	H/M DOORS AND FRAMES	PAINT TO MATCH BRICK
SSR-1	MTL TRAPEZOIDAL SEAM ROOF	GALVALUME PLUS
SF-1	ALUM STOREFRONT	CLEAR ANODIZED
SLT-1	SEALANT AT BRICK EXPANSION	DOW CORNING "LIMESTONE"
SLT-2	SEALANT AT ALUM STOREFRONT PERIMETER	DOW CORNING "ANODIZED ALUMINUM"





PARKING LICENSE AGREEMENT

This PARKING LICENSE AGREEMENT (this “**Agreement**”) is entered into on this _____ day of _____, 2019 (the “Effective Date”) by and between **Shallowford Road Storage, LLC**, a Georgia limited liability company (“**Landowner**”), and **City of Dunwoody, Georgia**, a municipal corporation of the State of Georgia (“**Licensee**”). Individually, Landowner and Licensee may be referred to in this Agreement as a “**Party**” and collectively as the “**Parties.**”

RECITALS

- A. Landowner owns certain real property located at 4444 N. Shallowford Road, Dunwoody, Georgia 30338, and further identified as DeKalb County Tax Parcel 18 344 03 001 (the “**Property**”). Landowner has filed special land use permit (SLUP) application number 19-01 (“**SLUP 19-01**”).
- B. Licensee controls an office building at 4470 N. Shallowford Road, Dunwoody, Georgia 30338 contiguous to the Property (the “**Contiguous Property**”).
- C. During the application process for SLUP 19-01, Licensee requested Landowner allow Licensee to access and use fifty parking spaces located on the Property as a designated overflow parking area for vehicle parking for guests of Licensee in connection with Licensee’s office building at 4470 N. Shallowford Road, Dunwoody, Georgia 30338.
- D. Landowner wishes to provide, and Licensee wishes to receive, a license to use and occupy the Property for the term set forth in Section 3.
- E. The Parties desire to set forth their understanding with respect to use of the Property and the license granted in this Agreement.

NOW, THEREFORE, in consideration of the foregoing, the mutual covenants contained herein, and other good and valuable consideration, the receipt of which is hereby acknowledged, the Parties do hereby agree as follows:

AGREEMENT

1. LICENSE. Subject to the terms and conditions of this Agreement, Landowner hereby grants to Licensee, an exclusive license (the “**License**”) to use and occupy up to a maximum of fifty (50) parking spaces on the Property during the term more particularly described in Section 3. The designated fifty (50) parking spaces are more particularly described and shown in the area of the Property outlined in yellow highlight and are cross hatched on Exhibit “A”, attached hereto and incorporated herein (the “**License Area**”). This License shall include the following rights, obligations, privileges and uses:

- a. The right of ingress and egress, which shall extend not only to Licensee, but also to Licensee's employees and guests;
- b. The right to use up to fifty parking spaces located on the Property for a designated overflow parking area for vehicle parking for guests of Licensee in connection with Licensee's office building at 4470 N. Shallowford Road, Dunwoody, Georgia 30338. This right shall be limited to the designated parking spaces as shown on Exhibit "A".

Landowner shall have the right to remove any vehicles from the Property and/or License Area other than as permitted herein.

2. PURPOSE. The purpose is to Licensee may use up to fifty parking spaces located on the Property for a designated overflow parking area for guests of Licensee in connection with Licensee's office building at the Contiguous Property.

3. LICENSE TERM. The License Term is limited to the following hours between the below defined Commencement Date and Expiration Date:

- a. Monday through Friday: 6:00 PM EDT to 9:30 AM EDT
- b. Saturday: 8:00 PM EDT to Midnight
- c. Sunday: All Day unless Landowner is open for business in which case licensee shall have no right to use the License Area.

(Section 3(a)-(c) collectively referred to as the "**License Term**"). The License Term shall begin at such time that the SLUP-19-01 becomes effective (the "**Commencement Date**") and expires at such time as Landowner ceases to own the Property or Licensee ceases to own the Contiguous Property (the "**Expiration Date**"). Landowner reserves the right to limit the License to spaces available, if any, during the construction of the self-storage building authorized by SLUP-19-01. Landowner reserves the right to change the License Term upon a 15-day notice from Landowner to Licensee if operation hours change on the Property. The Expiration Date may be extended upon mutual agreement of the Parties. Landowner reserves the right to terminate the License upon 180 days written notice to Licensee.

4. PROPERTY. Licensee acknowledges that it has inspected the Property and that Licensee is satisfied with and has accepted the Property in its present condition. Landowner covenants to maintain and keep the License Area in substantially the same condition as of the Effective Date of this Agreement until the Commencement Date. The use of the Property is limited to those uses described in Section 1. Licensee shall carry general liability insurance on behalf of itself, its employees, and anyone else using the License Area, including and ingress and egress to the License Area for the purpose stated herein, during the License Term. The insurance policy shall list Landowner as an additional insured.

5. COMPLIANCE WITH LAWS & GUIDELINES. Licensee shall at all times comply with any and all applicable federal, state and local laws, zoning ordinances, rules and

regulations applicable to the use of the Property. Licensee agrees to comply with any written guidelines provided by Landowner.

6. RESTORATION. Licensee shall not maintain or permit any nuisance or commit or suffer to be committed any waste in, on or about the Property. Licensee shall maintain the License Area during the License Term and shall clean the Property of any debris and restore it to the condition which existed prior to the Commencement Date. Licensee shall not make any alterations, improvements, or additions to the Property during the License Term, except to the extent said alterations and improvements are necessary to restore the License Area and Property to its existing condition.

7. INDEMNIFICATION. Licensee, to the extent permitted by law, agrees to indemnify, defend and hold harmless Landowner, each of their respective affiliates and subsidiaries, and each of their respective officers, directors, partners, employees and agents from and against any and all liability, claims, losses, costs, suits, expenses (including reasonable attorneys' fees) or damages of any nature whatsoever ("**Losses**,") arising out of accidents, injuries or death of any and all persons whomsoever, or damage to property to whomsoever belonging, in any manner connected with or resulting from Licensee's acts or omissions or negligence or willful misconduct in the occupancy and use of the Property by Licensee.

8. REPRESENTATIONS AND WARRANTIES. Each Party represents and warrants to the other Party and agrees as follows:

a. It has the full power and authority to enter into this Agreement and perform each of its obligations hereunder;

b. It is legally authorized and has obtained all necessary regulatory approvals for the execution, delivery, and performance of this Agreement; and

c. No current, pending, or threatened claims of litigation exist which might adversely affect its ability to fully perform its obligations hereunder or the rights granted by it to the other Party under this Agreement.

9. ASSIGNMENT. Licensee shall not assign its rights under this License.

10. NOTICES.

a. Any notices or other communications required or permitted by this Agreement or by law to be served on, given to or delivered to either Party, by the other Party, shall be in writing. Written notice includes facsimile, telegraphic, or electronic transmission when directed to the facsimile number or electronic mail address, respectively, which either Party has provided to the other Party for purposes of providing notice. Notice hereunder shall be addressed to the following:

To Landowner:

ADVECO Corporation
400 Northridge Road, Suite 620

Atlanta, Georgia 30350
 Attn: Dave Kraxberger
 Email Address: dave.kraxberger@adevco.com

With a copy to:

Pursley Friese Torgrimson, LLP
 1230 Peachtree Street NE, Suite 1200
 Atlanta, GA 30309
 Attn: Christian Torgrimson
 Email Address: ctorgrimson@pftlegal.com

To Licensee:

City of Dunwoody

 Attn: Cecil McLendon, City Attorney
 Email Address: cecilmclendon@hotmail.com

b. Either Party may change its address, or its facsimile or electronic transmission information for the purpose of this Section by giving written notice of such change to the other Party in the manner provided in this Section.

c. Any notices given to any Party in accordance with this Agreement will be deemed to have been duly given and received (i) on the date of receipt, if personally delivered; (ii) five (5) days after being sent by U.S. mail, postage prepaid; (iii) the date of receipt, if sent by registered or certified U.S. mail, postage prepaid; (iv) one business day after receipt, if sent by confirmed facsimile transmission; (v) if sent by email, the date on which the recipient acknowledges having received such email by an email sent to the email address for the sender or by a notice delivered by another method in accordance with this Section (with an automatic “read receipt” not constituting acknowledgment of an email for purposes of this Section); or (vi) one business day after having been sent by a nationally recognized overnight courier service.

11. AMENDMENT AND MODIFICATION. This Agreement may be amended or modified only by a writing signed by both Parties.

12. INDEPENDENT PARTIES. The Parties are and will at all times remain independent from one another. Nothing contained herein will be construed to create an association, partnership, joint venture, relation of principal and agent or employer and employee between Landowner and Licensee and its agents within the meaning of any federal, state or local law.

13. BINDING EFFECT. This Agreement shall inure to and be binding on the heirs, executors, administrators, successors and permitted assigns of the Parties.

14. ENTIRE AGREEMENT. This Agreement constitutes the entire agreement between the Parties relating to the License and sets forth the rights, duties and obligations of each Party to the other as of the Effective Date and during the License Term. Any prior agreements, promises, negotiations or representations not expressly set forth in this Agreement are of no force and effect.

15. SEVERABILITY. If any provision of this Agreement is determined to be unenforceable or invalid, the unenforceable or invalid part shall be deemed severed from this Agreement, and the remaining portions of this Agreement shall be carried out with the same force as if the severed portions had not been part of this Agreement, provided that the Parties both agree that any severed provision does not alter the intent and/or purpose of the Agreement.

16. SECTION HEADINGS. The section headings in this Agreement are inserted only as a matter of convenience and for reference and in no way are intended to be a part of this Agreement or to define, limit, or describe the scope or intent of this Agreement or the particular sections hereof to which they refer.

17. CONTROLLING LAW. This Agreement shall be governed by and construed in accordance with the laws of the state of Georgia.

18. NO WAIVER. No waiver of any of the provisions of this Agreement shall be deemed to constitute a waiver of any other provisions of this Agreement, nor shall such waiver constitute a continuing waiver unless otherwise expressly provided herein, nor shall the waiver of any default hereunder be deemed a waiver of any subsequent default hereunder.

19. COUNTERPART EXECUTION; FACSIMILE SIGNATURES. This Agreement may be executed in several counterparts, each of which shall be deemed an original, and all of which together shall constitute one and the same instrument. Facsimile copies or photocopies of signatures shall be as valid as originals.

20. MEDIATION. The Parties to this Agreement will attempt in good faith to resolve any controversy or claim arising out of or relating to this Agreement through discussions between the Parties. As part of this process, either Party may request mediation. Any request for mediation shall include a reasonably detailed description of the dispute, controversy or claim that is to be mediated. The cost of the mediator shall be shared, but the Parties shall each bear their other costs of participating in the mediation. In order to facilitate prompt resolution of the matter that is being mediated, the mediation shall be conducted at a suitable location that is reasonably proximate to the Property. If these informal or mediated attempts at resolving the matter are unsuccessful, either Party may pursue all legal remedies available to it. The prevailing party in any legal action instituted beyond mediation shall be entitled to recover their legal fees and court costs.

[REMAINDER OF PAGE LEFT BLANK INTENTIONALLY. SIGNATURES
CONTAINED ON THE FOLLOWING PAGE]

IN WITNESS WHEREOF, the undersigned have executed this Agreement as of the Effective Date.

WITNESSES:

Signed, sealed and delivered in the presence of:

Landowner
Shallowford Road Storage, LLC
a Georgia limited liability company

Unofficial Witness

Name: _____
Title: _____

Notary Public

(NOTARY SEAL)

My commission expires: _____

[SIGNATURES CONTINUE ON NEXT PAGE]

WITNESSES:

Signed, sealed and delivered in the
presence of:

Unofficial Witness

Notary Public

(NOTARY SEAL)

My commission expires: _____

Licensee

City of Dunwoody

a municipal corporation of the state of Georgia

By:_____

Name: _____

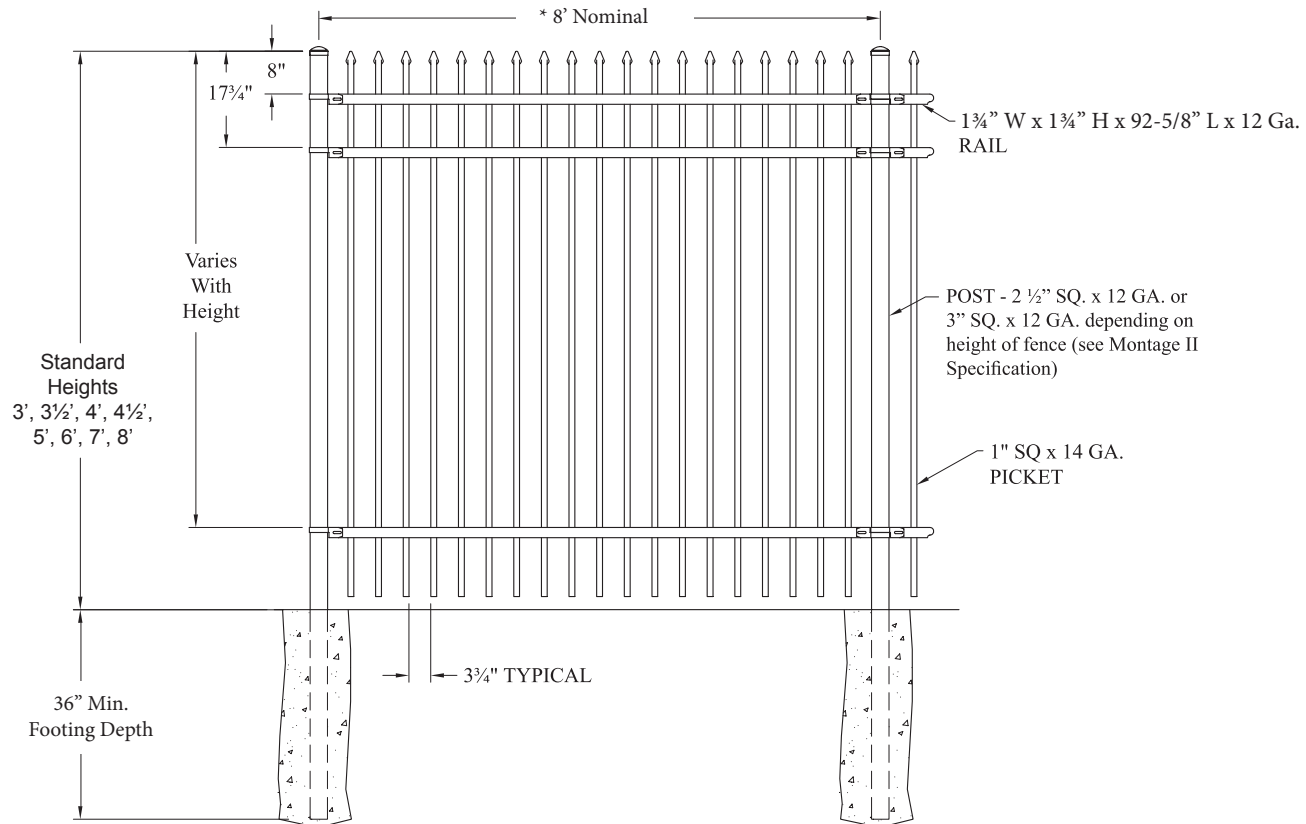
Title: _____

CORPORATE SEAL

MONTAGE II®

WELDED HEAVY INDUSTRIAL ORNAMENTAL FENCE

TYPICAL PANEL DRAWING (Classic Style shown; Genesis, Majestic & Invincible also available)



*** Refer to Construction Specification
Table for recommended
(Post Spacing by Bracket Type)**

**E-COAT™
PROTECTION**

UNIQUE FUSION WELDING PROCESS

PATENTS: #D466,620 #6,811,145 #7,071,439

**ATF®
RAKABLE DESIGN**
PATENTS: #D466,620 #7,071,439



- AUTOMATICALLY WELDED AT ALL INTERSECTIONS
- NO EXPOSED WELDS - VIRTUALLY SEAMLESS APPEARANCE
- GOOD NEIGHBOR PROFILE - SAME ON BOTH SIDES
- CONSISTENTLY HIGH QUALITY LEVEL - EVERY PANEL
- HOT-DIP GALVANIZED STEEL BASE MATERIAL





Genesis Style



Available Fence Styles

 Classic	 Monaco
 Genesis	 Invisible







Packet page:...

Sec. 27-73. - Lot and building regulations.

- (a) This section establishes basic lot and building regulations that apply in nonresidential and mixed-use zoning districts. These regulations offer certainty for property owners, developers and neighbors about the limits of what is allowed; they are not to be construed as a guarantee that stated minimums and maximums can be achieved on every lot. Other factors, such as topography, the presence of protected resources, off-street parking and other factors may work to further limit actual building and development potential.
- (b) The lot and building standards of the following table apply to all principal and accessory uses allowed in nonresidential and mixed-use districts, unless otherwise expressly stated in this zoning ordinance. Article VII, division 1, identifies exceptions to these regulations and rules for measuring compliance (see also Figure 5-1).

	Regulation	O-I	O-I-T	O-D	OCR	NS	C-1	CR-1	C-2	M
L1	Minimum Lot Area (sq. ft.)	20,000	20,000[1]	43,560	87,120	20,000	20,000	20,000	30,000	30,000
L2	Minimum Lot Frontage (ft.)	100	100	150	100	100	100	100	100	100
	Maximum Density (dwelling units per acre)	NA	NA	NA	30	NA	NA	80	NA	NA
	Minimum Building/Structure Setbacks (ft.)									
S1	Street, front and side	50	40	75	0	50	50	0	50	75
S2	Side, interior	20	20	20	20	20	20	20[2]	20	20
S3	Rear	30	30	30	40	30	30	30	30	30
C	Maximum Lot Coverage (%)	80	80	80	80	80	80	80	80	80
	Maximum Building Height (stories/ft.)	5/70[3]	2/35	2/35[4]	2/35[4]	2/25	2/35[4]	3/45[4]	2/35[4]	5/70[3]
	Maximum Building	NA	NA	NA	NA	50,000[5]	NA	NA	NA	NA

	Floor Area (sq. ft.)								
--	----------------------	--	--	--	--	--	--	--	--

[1] Attached house developments are subject to a minimum lot area requirement of 4,000 square feet per dwelling unit.

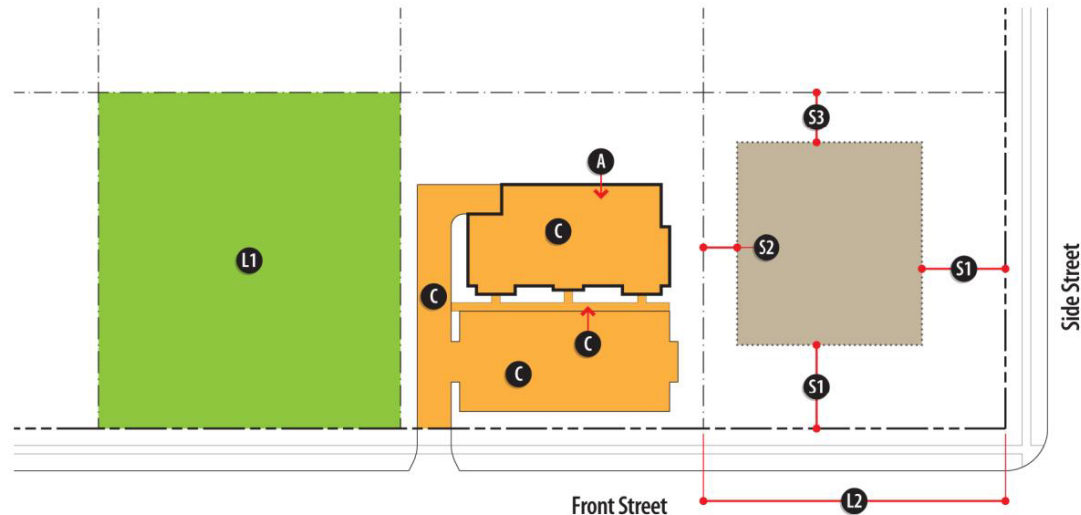
[2] No interior side setback required abutting C-1, CR-1 or C-2-zoned lots.

[3] Buildings may exceed three stories in height only if approved by fire and rescue services. Buildings in excess of five stories or 70 feet in height may be approved only through the special land use permit procedures of article V, division 3. Multi-unit residential and vertical mixed-use buildings that abut any attached single-dwelling residential district may not exceed 40 feet in height. Multi-unit residential buildings and vertical mixed-use buildings that abut any detached single-dwelling residential district may not exceed 35 feet in height.

[4] Buildings in excess stated height limits may be approved through the special land use permit procedures of article V, division 3. Buildings may exceed three stories in height only if approved by fire and rescue services.

[5] No individual building may exceed 50,000 sq. ft. (GSF). No multi-tenant center may exceed 100,000 sq. ft.

Figure 5-1: Lot and Building Regulations Diagram, Nonresidential and Mixed-use Districts



(Ord. No. 2013-10-15, § 1(Exh. A § 27-5.30), 10-14-2013; Ord. No. 2015-01-05, § 1, 1-26-2015)

GEORGETOWN

Vision/Intent

This area will redevelop into a pedestrian- and bicycle-oriented activity center, including a mix of commercial, office and residential uses. Redevelopment will incorporate functional open space and greenways and preserve adjacent single-family homes protected by adequate buffering. Ideally, this area includes a community center where a wide array of activities achieve the City's desire to be a "lifelong community," allowing options for aging in place. Multi-use paths and transit options will invite alternative transportation modes and greater connectivity; new pedestrian and bicycle options will link the area to Perimeter Center. It focuses more intense development along I-285 with transitions to adjacent residential subdivisions. The City seeks a dynamic mix of uses in the Georgetown area and generally discourages additional stand-alone apartments in favor of mixed-use developments and a greater variety of housing types. The City also encourages creative redevelopment of existing multi-family developments.

Future Development

Form:

- Buildings and site design organized to take advantage of the area's walkability and transit.
- Heights and densities will transition downward as development moves towards the adjacent Suburban Character areas, protected by adequate buffering/transition zones.
- Characterized by transitions to adjacent uses (step down of building heights, buffers).
- Public functional green space and connectivity.
- Innovative parking solutions including underground and structured options and pedestrian- and bicycle-oriented features such as wrap-around parking, and landscaping.
- High quality, long lasting materials such as stone and brick.
- Transitional buffer zones to appropriately protect any adjacent residential uses.



FIGURE 8: Georgetown Character Area Map



▲ New multiuse trail at Project Renaissance



▲ New Housing in Georgetown

Use (see Future Land Use Map):

- Appropriate uses include a mix of quality, public space (plazas, pocket-parks) and civic institutional uses, commercial, office, townhome, other occupied housing, and mixed-use with residential components accommodating the creation of a lifelong community:
- Commercial: Big-box retail is not appropriate (75,000 square foot or greater).
- The area is also ideally suited for senior housing, including nursing homes, assisted living, age restricted communities, and single family homes when universal design has been adequately applied.

Action Items

- Re-development projects demonstrate appropriate transitions between intense uses and adjacent neighborhoods; transitions include gradual increases only in height-plane, buffers and landscaping and intensity of uses.
- Incorporate sustainable building and site development practices.
- Multi-generational residential including active-adult housing and a range of continuing care options near new public amenities.
- Promote a local, private or non-profit recreation center, such as a YMCA, in this area.
- The Dunwoody marker, logo or identifier should be prominent in this area
- Establish a bicycle network to allow cycling between Dunwoody Village, Georgetown and Brook Run.
- Bicycle, pedestrian, and alternative forms of transportation provide connectivity throughout character area.
- Complete site location evaluation and financing plan locating City Hall, Police and other civic functions, including options for joint public-private partnership. Note that the Dunwoody Village area is also being considered as a possible location for City Hall.
- For detailed circulation and open space recommendations for the Georgetown/ Shallowford Character Area, see the Georgetown/ Shallowford LCI Master Plan.
- Encourage new retail and commercial development to balance with and serve the growing residential community.



FIGURE 9: Georgetown/Shallowford Master Plan



SPECIAL LAND USE PERMIT APPLICATION

4800 Ashford Dunwoody Road | Dunwoody, GA 30338
Phone: (678) 382-6800 | Fax: (770) 396-4828

* Applicant Information:

Company Name: ADEVCO CORPORATION
Contact Name: DAVE KRAXBERGER
Address: 400 NORTHRIDGE RD, SUITE 620, ATLANTA, GA, 30350
Phone: 678-461-4740 Fax: _____ Email: DAVE.KRAXBERGER@ADEVCO.COM
Pre-application conference date (required): 10.1.18

* Owner Information: ☐ Check here if same as applicant

Owner's Name: SHALLOWFORD ROAD STORAGE, LLC
Owner's Address: 400 NORTHRIDGE RD, SUITE 620, ATLANTA, GA 30350
Phone: 770.441.7600 Fax: _____ Email: DAVE.KRAXBERGER@ADEVCO.COM

* Property Information:

Property Address: 4444 SHALLOWFORD ROAD Parcel ID: 18 344 03 001
Zoning Classification: O-D (OFFICE - DISTRIBUTION)
Requested Use of the Property: CLIMATE CONTROLLED SELF STORAGE

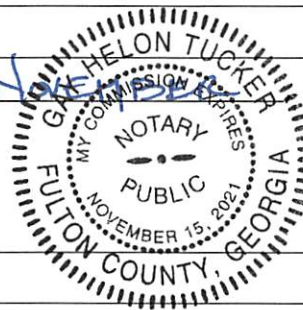
* Applicant Affidavit:

I hereby certify that to the best of my knowledge, this special land use application form is correct and complete. If additional materials are determined to be necessary, I understand that I am responsible for filing additional materials as specified by the City of Dunwoody Zoning Ordinance. I certify that I, the applicant (if different), am authorized to act on the owner's behalf, pursuant to this application and associated actions.

Applicant's Name: DAVE KRAXBERGER (ADEVCO CORPORATION)
Applicant's Signature: [Signature] Date: 11.2.18

* Notary:

Sworn to and subscribed before me this 2ND Day of NOVEMBER, 2018
Notary Public: GAY HELEN TUCKER
Signature: _____
My Commission Expires: 11.15.21



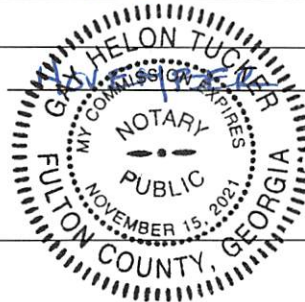
* Owner Affidavit:

I hereby certify that to the best of my knowledge, this special land use application form is correct and complete. If additional materials are determined to be necessary, I understand that I am responsible for filing additional materials as specified by the City of Dunwoody Zoning Ordinance. I certify that the applicant(s) (if different) are authorized to act on my behalf, pursuant to this application and associated actions.

Property Owner's Name: DAVE KRAXBERGER (SHALLOWFORD ROAD, LLC)
Property Owner's Signature: [Signature] Date: 11.2.18

* Notary:

Sworn to and subscribed before me this 2ND Day of NOVEMBER, 2018
Notary Public: GAY HELEN TUCKER
Signature: _____
My Commission Expires: 11.15.21



[Faint, mostly illegible handwritten text covering the upper half of the page]





October 11, 2018

NOTICE OF SPECIAL LAND USE APPLICATION

Dear Neighbor,

On behalf of ADEVCO Corporation this letter is to notify you of a Special Land Use Application that will be filed regarding the redevelopment of the property located at 4444 North Shallowford Road. A meeting will be held on Thursday, November 1, at 5:30pm at the property at 4444 North Shallowford Road to answer any questions or concerns you may have about the redevelopment.

In summary, we plan to develop a Class A climate controlled storage facility on the property similar to the rendering attached with this letter. The rendering attached is a three (3) story building and is representative of the size and scale of the building to be developed. **The property is zoned O-D (Office Distribution) with a stipulation that it be developed as a storage facility** however we are requesting modification of the height limitation from thirty five feet (35) to forty three feet eight inches (43.8). We are also requesting a modification to allow a three (3) story building. Current zoning limits the number of stories to two (2) stories.

Our development plans will include the demolition of the existing building but most existing infrastructure (i.e. paving and utilities) will be kept in place pretty much "as is" with the exception that the building will be larger. The new building will be a combination of brick and stucco similar to the rendering. It will be enhanced with additional landscaping.

Storage is a "quiet" use for the property as we typically have very little impact on traffic (usually 12-15 vehicles per day) and we do not have any impact on schools yet pay commercial property taxes. The operating hours are typically from 9:30am to 5:30pm weekdays and Saturday and closed on Sunday. After-hours access is only available to customers with a valid security code and is monitored by surveillance cameras.

Please feel free to join us on November 1st if you have any questions.

Sincerely,

A handwritten signature in blue ink, appearing to read "David Kraxberger".

David Kraxberger

President

P: 770.441.7600 ♦ F: 770.441.7611

400 Northridge Road ♦ Suite 620 ♦ Atlanta ♦ Georgia ♦ 30350

www.adevco.com

Packet page:...

VYSARPADISADAGOPAN RAJU
2293 PERNOSHAL CT
DUNWOODY GA 30338

MOORE JUSTIN M
2299 PERNOSHAL CT
DUNWOODY GA 30338

DUNWOODY TRAIL APARTMENTS
3901 ROSWELL RD
MARIETTA GA 30062

FISHMAN JOYCE N
2276 PERNOSHAL CT
DUNWOODY GA 30338

PRESSNALL KIMBERLY A
2289 PERNOSHAL CT
DUNWOODY GA 30338

MCCARTHY CONSTANCE G
2285 PERNOSHAL CT
DUNWOODY GA 30338

WATERFORD PARK LLC
4480 N SHALLOWFORD RD
DUNWOODY GA 30338

OVERSMITH RUTH A
2282 PERNOSHAL CT
DUNWOODY GA 30338

SADDAVI ZAHRA
2300 PERNOSHAL CT
DUNWOODY GA 30338

BILLS MARVIN D
2270 PERNOSHAL CT
DUNWOODY GA 30338

LOGSDON PETER
2254 PERNOSHAL CT
DUNWOODY GA 30338

MULTICON PROP INC
4645 EXECUTIVE DR
COLUMBUS OH 43220

DICKSON JANICE M
2251 PERNOSHAL CT
DUNWOODY GA 30338

CAMDEN CREEKSTONE LLC
P.O. BOX 27329
HOUSTON TX 77227

WELLINGTON PLACE CONDOMINIUMS
2051 PERNOSHAL CT
DUNWOODY GA 30338

THOMPSON BURFOD III
3093 WILSON RD
DECATUR GA 30033

CWP MANAGEMENT LLC
5780 PEACHTREE DUNWOODY RD
ATLANTA GA 30342

DUNN KEVIN J REVOCABLE TRUST
991 HICKORY VIEW CT
MARIETTA GA 30064

CITY OF DUNWOODY
41 PERIMETER CTR E
DUNWOODY GA 30346

TUEME DIEGO ALEJANDRO
2278 PERNOSHAL CT
DUNWOODY GA 30338

PETERS JENNY
2252 PERNOSHAL CT
DUNWOODY GA 30338

FIRST BAPTIST CHURCH OF ATL
4400 N PEACHTREE RD
ATLANTA GA 30338

4484 NORTH SHALLOWFORD ROAD LLC
1 SEAGATE
TOLEDO OH 43604

DUNWOODY PARK PARTNERS INC
3756 LAVISTA RD
TUCKER GA 30084

WILLIAMS PATRICK
6119 PATTILLO WAY
LITHONIA GA 30058

CSP COMMUNITY OWNER LLC
11 GREENWAY PLZ
HOUSTON TX 77046

DUNWOODY CONGREGATION JEHOVAH
5399 N PEACHTREE RD
DUNWOODY GA 30338

DUNWOODY GA SUB LLC
801 GRAND AVE
DES MOINES IA 50309

CITY OF DUNWOODY
41 PERIMETER CTR E
DUNWOODY GA 30346

DUNWOODY PARK PARTNERS INC
3756 LAVISTA RD
TUCKER GA 30084

COBRE PROPERTIES LLC
P O BOX 61558
KING OF PRUSSIA PA 19406

BURNHAM KENNETH D
2290 PERNOSHAL CT
ATLANTA GA 30338

WATERFORD PARK LLC
4480 N SHALLOWFORD RD
DUNWOODY GA 30338

LEE JI WON
2284 PERNOSHAL CT
DUNWOODY GA 30338

FIRST BAPTIST CHURCH OF ATL
4400 N PEACHTREE RD
ATLANTA GA 30338

SANDERS DONALD M
2255 PERNOSHAL CT
DUNWOODY GA 30338

PONCE MERCEDES ELIZABETH
2277 PERNOSHAL CT
DUNWOODY GA 30338

WAITS DOROTHY L
2295 PERNOSHAL CT
ATLANTA GA 30338

SANDOUK NAJIB
2280 PERNOSHAL CT
DUNWOODY GA 30338

CITY OF DUNWOODY
41 PERIMETER CTR E
DUNWOODY GA 30346

WILKINSON GEORGIA IDAHO LLC
303 INTERNATIONAL CIR
HUNT VALLEY MD 21030

NAULT LYNNE MARIE
2273 PERNOSHAL CT
DUNWOODY GA 30338

ALEMANY LUIS G
7370 GENTRY WAY
CUMMING GA 30041

TUEME JACOBO A
2292 PERNOSHAL CT
DUNWOODY GA 30338

SEAY MARIE L
2296 PERNOSHAL CT
DUNWOODY GA 30338

MEISTER HILLARY GAYLE
2279 PERNOSHAL CT
DUNWOODY GA 30338

MORGUARD SAVOY APARTMENTS LLC
3520 NE PIEDMONT RD
ATLANTA GA 30305

XING RUJUAN
2291 PERNOSHAL CT
ATLANTA GA 30338

GEORGIA POWER CO
241 RALPH MCGILL BLVD NE
ATLANTA GA 30308

ENGEL ULRICH
2067 HOWELL MILL RD NW
ATLANTA GA 30318

HPT IHG 3 PROPERTIES LLC
PO BOX 56607
ATLANTA GA 30343

ZHU CHUNHUA
2271 PERNOSHAL CT
DUNWOODY GA 30338

MCNEELY JR OLIN E
2272 PERNOSHAL CT
DUNWOODY GA 30338

ERDMAN SHELBY L
2281 PERNOSHAL CT
DUNWOODY GA 30338

GUADAGNINO LAUREN
2288 PERNOSHAL CT
DUNWOODY GA 30338

DLPS INVESTMENTS LLC
6065 LAKE FORREST DR NW
ATLANTA GA 30328

WIDING PHILIP
5490 SUWANEE DAM RD
SUWANEE GA 30024

WANG WEI
2298 PERNOSHAL CT
DUNWOODY GA 30338

KWOK JENNIFER S
2275 PERNOSHAL CT
ATLANTA GA 30338

BRASWELL JOHN G
2287 PERNOSHAL CT
DUNWOODY GA 30338

Étiquettes faciles à peeler
Utilisez le gabarit AVERY® 5160®

Sens de
chargement

Repliez à la hachure afin de
révéler le rebord Pop-Up™

www.avery.com
1-800-GO-AVERY

WATKINS AMANDA J
1078 ABINGTON CT
BROOKHAVEN GA 30319

SMITH MARK W
2294 PERNOSHAL CT
DUNWOODY GA 30338



October 11, 2018

NOTICE OF SPECIAL LAND USE APPLICATION

Dear Neighbor,

On behalf of ADEVCO Corporation this letter is to notify you of a Special Land Use Application that will be filed regarding the redevelopment of the property located at 4444 North Shallowford Road. A meeting will be held on Thursday, November 1, at 5:30pm at the property at 4444 North Shallowford Road to answer any questions or concerns you may have about the redevelopment.

In summary, we plan to develop a Class A climate controlled storage facility on the property similar to the rendering attached with this letter. The rendering attached is a three (3) story building and is representative of the size and scale of the building to be developed. **The property is zoned O-D (Office Distribution) with a stipulation that it be developed as a storage facility** however we are requesting modification of the height limitation from thirty five feet (35) to forty three feet eight inches (43.8). We are also requesting a modification to allow a three (3) story building. Current zoning limits the number of stories to two (2) stories.

Our development plans will include the demolition of the existing building but most existing infrastructure (i.e. paving and utilities) will be kept in place pretty much "as is" with the exception that the building will be larger. The new building will be a combination of brick and stucco similar to the rendering. It will be enhanced with additional landscaping.

Storage is a "quiet" use for the property as we typically have very little impact on traffic (usually 12-15 vehicles per day) and we do not have any impact on schools yet pay commercial property taxes. The operating hours are typically from 9:30am to 5:30pm weekdays and Saturday and closed on Sunday. After-hours access is only available to customers with a valid security code and is monitored by surveillance cameras.

Please feel free to join us on November 1st if you have any questions.

Sincerely,

A handwritten signature in blue ink, appearing to read "David Kraxberger".

David Kraxberger

President

P: 770.441.7600 ♦ F: 770.441.7611

400 Northridge Road ♦ Suite 620 ♦ Atlanta ♦ Georgia ♦ 30350

www.adevco.com

Packet page:...

EXPLANATION STATEMENT

The applicant is requesting two Special Land Use Permits (SLUP's) in order to redevelop the 2.84 acres of land located at 4444 North Shallowford Road (parcel number 18 344 03 001) which is located in the Georgetown Character District. The applicant is proposing to redevelop the former postal distribution site into a modern climate controlled storage facility. The property is zoned OD (Office Distribution) which permits storage. The SLUP's the applicant is requesting are as follows:

- A. To increase the height of the building from the allowed 35' to 43'8".**
- B. To allow the building to have 3 floors within the building height as opposed to the allowed 2 stories.**

IMPACT ANALYSIS

The criteria considered by the City in granting a SLUP are listed in Article V, Division 3 of the Code. The requested SLUP's should be granted as all applicable criteria are met.

- 1. Whether the proposed use is consistent with the policies of the comprehensive plan.**
The property is located in the Georgetown Character Area and is consistent with the policies and vision of the comprehensive plan and future land use plan which calls for a "dynamic mix of uses" and allows for 4-8 story mid-rise development.
- 2. Whether the proposed use complies with the requirements of the zoning ordinance.**
The property is zoned O-D (Office – Distribution) which permits self-storage. Applicant is requesting to a) modify the maximum height requirement of 35' to 43' 8" and b) modify the number of stories from 2 to 3. The future land use plan allows 4-8 stories.
- 3. Whether the proposed site provides adequate land area for the proposed use, including provision of all required open space, off street parking and all other applicable requirements of the zoning district.**
The site is 2.84 acres which is more than adequate for the proposed use and all applicable requirements of the zoning district. Note – we have also agreed with the City of Dunwoody to allow overflow parking on the subject property when the city needs it for special events from the office building next door occupied by the City.
- 4. Whether the proposed use is compatible with adjacent properties and land uses, including consideration of:**
The proposed use is compatible with adjacent properties and should provide a benefit to the occupants of the apartment community across North Shallowford Road and will serve as a buffer to the adjacent Georgia Power facility. Additionally, the land use plan calls for the

extension of Peachford Road adjacent to the site which will separate the site from the office building on the adjacent site to the north.

5. **Whether the proposed use will create adverse impacts upon any adjoining land by reason of noise, smoke, odor, dust or vibration generated by the proposed use.**

The self-storage use is a quiet use for the property and typically only generates 10-15 customers per day. There should be minimal noise and no smoke, odor, dust or vibration of any kind.

6. **Whether the proposed use will create adverse impacts upon any adjoining land use by reason of the hours of operation of the proposed use.**

The office hours of operation are 9:30am to 6:00pm Monday thru Saturday and closed on Sunday. Tenants may access their units with a security code after hours until 12 midnight. The operating hours are normal business hours and there is typically limited afterhours access by security code so the hours of operation should not have any adverse impact by reason of hours of operation.

7. **Whether the proposed use will create adverse impacts upon any adjoining land use by reason of the manner of operation of the proposed use.**

There will be no adverse impact on adjoining land uses as all storage units are internal and can only be accessed by a security code. Traffic generated by the use is minimal at typically 10 to 15 vehicles per day.

8. **Whether the proposed use will create adverse impacts upon any adjoining land use by reason of the character of the vehicles or the volume of traffic generated by the proposed use.**

The types of vehicles entering the property ranges from cars, pick-up trucks, 12 foot box trucks and 26 foot box trucks occasionally. The site is designed to allow these types of vehicles ingress/egress without interference with adjoining land uses. The volume of traffic is typically 10 to 15 vehicles per day which should not create any adverse impact on adjoining land uses.

9. **Whether the size, scale and massing of the proposed buildings are appropriate in relation to the size of the subject property and in relation to the size, scale and massing of adjacent and nearby lots and buildings.**

The size and scale of the building being proposed is appropriate in relation to the size of the property which is 2.84 acres. We have developed a similar building on 1.6 acres in Gwinnett County. The building is also appropriate in relation to the apartments across North Shallowford Road and the office building on the property to the north. Additionally, the future land use plan calls for 4 to 8 story properties in the Georgetown character district.

10. **Whether the proposed plan will adversely affect historic buildings, sites, districts or archaeological resources.**

The applicant knows of no historic buildings, sites, districts or archaeological resources either on the subject property or located in the immediate vicinity that would suffer adverse impacts from the requested SLUP.

11. Whether public services, public facilities and utilities, including motorized and non-motorized transportation facilities are adequate to serve the proposed use.

Any vehicular traffic generated by the proposed development can be accommodated by the existing roadways and future extension of Peachford Road. There is sufficient utility, water and sewer capacity to supply the site as the current utility infrastructure required will be less than the site's former use of a postal facility. There will be no impact on school enrollment.

12. Whether adequate means of ingress and egress are proposed, with particular reference to non-motorized and motorized traffic safety and conscience, traffic flow and control and emergency vehicle access.

The proposed development will be serviced by existing driveways on North Shallowford Road and the future extension of Peachford Road. Ingress and egress and traffic flow should not be impacted by the proposed use.

13. Whether adequate provision has been made for refuse and service areas.

Adequate service areas and provisions for refuse have been provided on the site plan.

14. Whether the proposed building as a result of its height will create a negative shadow impact on any adjoining lot or building.

The proposed height of the building should not create a negative shadow impact on any adjoining lot or building. The property is adjoining the Georgia Power facility to the south and an office building to the north which is approximately 195' away from the proposed building.



Campaign Disclosure Statement

Community Development

4800 Ashford Dunwoody Road | Dunwoody, GA 30338

Phone: (678) 382-6800 | Fax: (770) 396-4828

Have you, within the two years immediately preceding the filing of this application, made campaign contributions aggregating \$250.00 or more to a member of the City of Dunwoody City Council or a member of the City of Dunwoody Planning Commission? ☐ YES ☒ NO

* Applicant / Owner:

Signature: *David G. ... (MANAGER)* Date: 11.2.18
Address: 400 NORTHRIDGE RD, SUITE 620, ATLANTA, GA 30350

If the answer above is yes, please complete the following section:

Date	Government Official	Official Position	Description	Amount

Neighborhood Communications Summary Report

Applicant sent out sixty two (62) "Notice of Special Land Use Permit Application" letters (see attached) to property owners within 1000 feet of 4444 Shallowford Road. Applicant gave notice of a meeting to be held on November 1, 2018 at the 4444 Shallowford Road location to begin at 5:30pm to address any questions or concerns from the neighbors. There was **no participation** from the neighbors at the meeting. Applicant was at the location from 5:00pm until 6:05pm. The meeting was also attended by Cindi Hammock representing the City of Dunwoody.

Applicant has attached as part of the application the list of addresses the notices were mailed to, a copy of the notice provided and the sign-in sheet from the meeting. The signatures on the sign in sheet are all representing the applicant and the City of Dunwoody.

Mike Bell

From: Ronnie Kurtz <Ronnie.Kurtz@dunwoodyga.gov>
Sent: Thursday, October 18, 2018 2:17 PM
To: Mike Bell
Subject: RE: Pre-Application Meeting

Good Afternoon Mike,

Yes, you are correct—the pre-App requirement has been satisfied.

Additionally, thank you for sending along a copy of the notice for the applicant initiated meeting. One of our Planners, Ms. Tammy Hiler, plans on being in attendance.



Ronnie Kurtz

Planner II

City of Dunwoody

***** Please Note Our New City Hall Address *****

4800 Ashford Dunwoody Road

Dunwoody, Georgia 30338

P 678.382.6717

@DunwoodyGA dunwoodyga.gov

From: Mike Bell [mailto:mike.bell@adevco.com]

Sent: Thursday, October 18, 2018 1:12 PM

To: Ronnie Kurtz

Cc: Dave Kraxberger; Steve Bennett

Subject: Pre-Application Meeting

Ronnie, we are in the process of completing our SLUP application for the storage facility at 4444 N Shallowford Road. We met with Jeff Mueller on October 1 to discuss storm water and you joined us for a few minutes to discuss several issues. I believe you said we could consider that meeting our Pre-Application Meeting but I want to confirm with you that is acceptable.

Regards, Mike

J. Michael Bell

Executive Vice President



D 678.461.4750 C 404.374.5693

400 Northridge Road, Suite 620

Atlanta, GA 30350