

**AUGUST 17, 2010 ZONING HEARING
“OTHER BUSINESS”
COMMISSION DISTRICT 3**

ITEM # 1

PURPOSE

To consider a stipulation amendment for Panayiotis and Zoe Theofanidis regarding application Z-1 (J & J Construction, Inc.) of February 19, 2008, for property located at the southeasterly intersection of Canton Road and Chesterfield Drive in Land Lot 588 of the 16th District.

BACKGROUND

The subject property was zoned to NRC in 2008 with many stipulations. The original developer did not follow through on the development and the property was sold to another party, who are the applicants for this action. The current applicant is amenable to the Z-1 (2008) stipulations, but would like to temporarily use the existing house on the property for office or light retail uses until the property is ripe for redevelopment. The applicant will remove the existing driveway on Chesterfield Drive, install a right-in/right-out access onto Canton Road, and install a small parking area near Canton Road. If approved, all other zoning stipulations would remain in effect. The Board of Commissioners' decision is attached (see Exhibit A). The request has been submitted to Staff for comments. Cobb County D.O.T. has made the following comments:

- Recommend applicant coordinate with Cobb County DOT prior to driveway installation to ensure compatibility with the SPLOST Canton Road project.
- Recommend no access to Chesterfield Drive.
- Recommend applicant verify that minimum intersection sight distance is available and if it is not available, implement remedial measures, subject to the Department's approval, to achieve the minimum requirement of 560 feet.

FUNDING

N/A

RECOMMENDATION

The Board of Commissioners consider the proposed stipulation amendment.

ATTACHMENTS

Zoning stipulations (Exhibit A)
Other Business Application (Exhibit B)
Proposed site plan (Exhibit C)

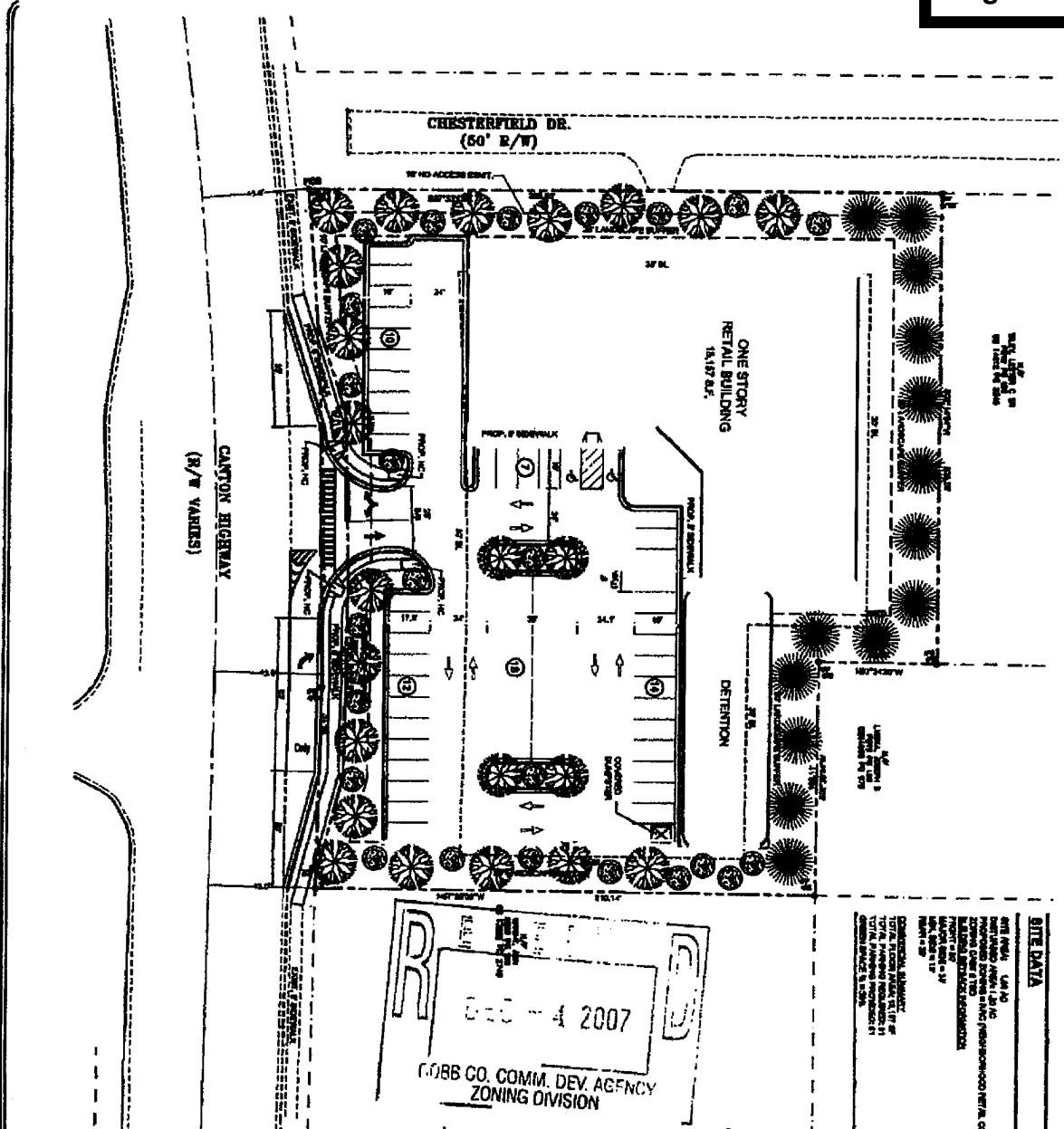
**MINUTES OF ZONING HEARING
COBB COUNTY BOARD OF COMMISSIONERS
FEBRUARY 19, 2008
PAGE 3**

Z-1 **J & J CONSTRUCTION, INC.** (Adriane E. Freeman, owner) requesting Rezoning from **R-20** to **CRC** for the purpose of Retail and Office in Land Lot 588 of the 16th District. Located at the southeasterly intersection of Canton Road and Chesterfield Drive.

MOTION: Motion by Goreham, second by Lee, as part of the Consent Agenda, to delete Rezoning to the NRC zoning district **subject to**

- **site plan received by the Zoning Division December 4, 2007, with the District Commissioner approving minor modifications (attached and made a part of these minutes)**
- **architectural style and composition of buildings to be in substantial conformity to renderings/elevations submitted, with District Commissioner to approve final building architecture and signage (attached and made a part of these minutes)**
- **letter of agreeable conditions from Mr. Garvis L. Sams, Jr. dated January 28, 2008 (attached and made a part of these minutes)**
- **evergreen plantings within 20 foot landscaped buffers to be "staggered"**
- **detention facility walls to include an architectural surface or otherwise be aesthetically compatible with the architecture of the buildings, and if necessary also be screened with landscaping to avoid adverse impacts to adjacent homeowners**
- **restaurants to close by 10:00 p.m. and to install odor-attenuation device to control emissions (smoke and odors)**
- **Fire Department comments and recommendations**
- **Water and Sewer Division comments and recommendations**
- **Stormwater Management Division comments and recommendations (Stormwater Management comments and recommendations at Plan Review shall prevail)**
- **Cobb DOT comments and recommendations**
- **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**

VOTE: **ADOPTED** unanimously

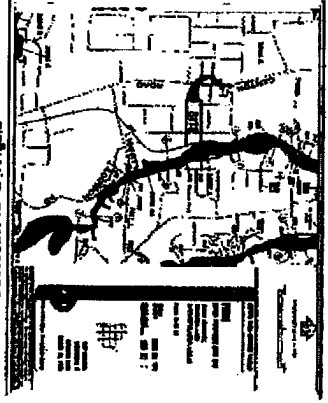


REC-4 2007
COBB CO. COMM. DEV. AGENCY
ZONING DIVISION

SITE DATA

NET AREA	141,570
NET AREA AVAILABLE FOR DEVELOPMENT	141,570
PROPOSED ZONING	COMMERCIAL (C-1)
EXISTING ZONING	COMMERCIAL (C-1)
PROPOSED USE	RETAIL BUILDING
EXISTING USE	RETAIL BUILDING
PROPOSED LOT AREA	141,570
EXISTING LOT AREA	141,570
PROPOSED LOT COVERAGE	100%
EXISTING LOT COVERAGE	100%
PROPOSED BUILDING AREA	14,157
EXISTING BUILDING AREA	14,157
PROPOSED BUILDING HEIGHT	10' 0"
EXISTING BUILDING HEIGHT	10' 0"

Min. Blk. 54 Petition No. 2-1
Doc. Type Site Plan
Meeting Date 2-19-08



Z-1
Project No. 07-088
SHEET 1 OF 1

Zoning Plan For
Canton Road Commercial
Land Lot 506, 1664 D-4 High, 2nd Section
Cobb County, Georgia



ZONING PLAN

Prepared For
J & J Construction Group, Inc.
All Dimensions Given
Survey Date: 2007
1765 DUNWOODY

Prepared By:
TerraNova Engineering, Inc.
3457 CANTON RD. - SUITE 203
Marietta, Georgia 30066
678.445.8866

Item 01
Exhibit "A"
August 2010

SAMS, LARKIN & HUFF
A LIMITED LIABILITY PARTNERSHIP
ATTORNEYS AT LAW
SUITE 100
876 POWDER SPRINGS STREET
MARIETTA, GEORGIA 30064-3448

R
JAN 28 2008
4:44 PM
COBB CO. COMM. DEV. AGENCY
ZONING DIVISION
770-422-7016
TELEPHONE
770-426-6583
FACSIMILE
SAMSLARKINHUFF.COM

GARVIS L. SAMS, JR.
JOEL L. LARKIN
PARKS F. HUFF
JAMES A. BALLI*
MELISSA P. HAISTEN
JUSTIN H. MEEKS

January 28, 2008

*ALSO LICENSED TO PRACTICE
IN ALABAMA

VIA HAND DELIVERY.

Min. Bk. 54 Petition No. Z-1
Doc. Type Letter of
Agreeable Conditions
Meeting Date 2-19-08

Mr. John P. Pederson, AICP, Planner III
Cobb County Zoning Department
Suite 300
191 Lawrence Street
Marietta, Georgia 30060-1661

Re: Application of J&J Construction Group, Inc., to Rezone a 1.68
Acre Tract from R-20 to Neighborhood Retail Commercial (NRC)
(No. Z-1)

Dear John:

You will recall that this firm represents J&J Construction Group, Inc. concerning the above-captioned Application for Rezoning. I previously submitted a letter of agreeable stipulations/conditions, dated January 15, 2008. Since that time, we have continued our dialogue with area residents, business owners, the Northeast Cobb Homeowners Group, Canton Road Neighbors, Inc. and the East Cobb Civic Association.

With respect to the foregoing and consistent with the discussions as described above and the direction received from the County's professional staff, I have been authorized by the applicant to submit this letter of revised agreeable stipulations which, if the Application for Rezoning is approved, as amended and modified hereby, shall become conditions and a part of the grant of the requested rezoning and binding upon the subject property thereafter. The referenced stipulations are as follows, to-wit:

1. The revised stipulations and conditions set forth herein shall replace and supercede in full any and all prior stipulations and conditions in whatsoever form which are currently in place with respect to the subject property.
2. Rezoning of the subject property shall be from R-20 to Neighborhood Retail Commercial (NRC) in substantial conformity to that certain zoning site plan prepared for J&J

SAMS, LARKIN & HUFF
A LIMITED LIABILITY PARTNERSHIP

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Meeting Date 2-19-08
Continued

VIA HAND DELIVERY

Mr. John P. Pederson, AICP, Planner III
Cobb County Zoning Department
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Construction Group, Inc. by TerraNova Engineering, Inc. which was submitted contemporaneously with the Application for Rezoning

3. The total site area of the subject property (1.68 acres) shall be developed as a neighborhood retail center anchored by offices, retail shops and restaurant(s).
4. The architectural style and composition of the neighborhood retail center shall be in substantial conformity to the architectural style and composition depicted in the renderings/elevations being submitted contemporaneously herewith except that the building constructed on the subject property shall be a maximum of one (1) story in height.
5. Entrance signage for the proposed retail center shall be ground-based, monument style, with finished materials and color being in substantial conformity to the architectural style as aforementioned. There shall be no roof signs, exterior temporary signs or banners nor shall there be any flashing sign components. Temporary signage announcing the grand opening, signage indicating the coming development and signage relating to leasing opportunities shall be allowed.
6. Parking area lighting shall be environmentally sensitive, low level, shoe box luminaries fitted with non-glare lenses and cut-off shields to prevent illumination from penetrating outside the boundaries of the subject property.
7. Security lighting on the rear of the buildings shall be wall packs, hooded, environmentally sensitive and shall be fitted with non-glare lenses and cut-off shields to prevent illumination from penetrating outside the boundaries of the subject property.
8. All dumpsters servicing the proposed retail center shall be enclosed with a minimum 6' high enclosure consistent with the architectural style as aforementioned on three (3) sides with an opaque wooden door on the access side which shall remain in a closed position except when the dumpsters are being emptied. All dumpsters shall have rubber lids to minimize noise.
9. The following otherwise permitted uses under the NRC classification shall be prohibited:
 - a. Video arcades as a primary business.
 - b. Tattoo parlors and body piercing shops.

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- c. Billiard parlors.
- d. Pawn shops, title pawn shops or checking cashing establishments.
- e. Shooting ranges.
- f. Houses of worship.
- g. Wholesale establishments which sell only to businesses and not to retail customers.
- h. Any business which principally features sexually explicit products or drug-related paraphernalia.
- i. Car washes.
- j. Commercial produce and agricultural product stands.
- k. Community fairs.
- l. Convenience food stores with self service fuel sales.
- m. Automotive repair establishments.
- n. Designated recycling and collection locations.
- o. Emissions and inspection stations.
- p. Full service gasoline stations.
- q. Group homes.
- r. In-home day care.
- s. Radio, television or other communication towers with antennas, subject to Sec. 134-273.

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- t. Rest homes, personal care homes or convalescent homes.
 - u. Self service laundry facilities.
 - v. No merchandise shall be allowed to be displayed outside on the sidewalks or in the parking lots except for special events (sidewalk sales, grand openings, etc.). During these special events, merchandise shall be moved inside the retail store to which it belongs each night. All long term outside storage shall be prohibited.
 - w. There shall be no outside paging systems, phone bells, or loud speakers.
10. Deliveries to the neighborhood retail center shall be limited to the period of time between 8:00 a.m. until 9:00 p.m. on weekdays and between 10:00 a.m. and 8:00 p.m. on weekends. During the hours that deliveries are prohibited, trucks shall not be allowed to stand or park in the delivery area with running motors.
11. The submission of a landscape plan during the Plan Review process subject to final review and approval by the Community Development Agency, including the following:
- a. The formation of a Landscape Oversight Committee consisting of a representative from the Northeast Cobb Homeowners Group, a representative from Canton Road Neighbors, Inc., a resident from the Jewel Drive/Chesterfield Drive community and the developer. A representative from the Community Development Department shall be an ex officio member of the Landscape Oversight Committee and shall be the final arbiter with respect to the resolution of any issues which can not otherwise be resolved.
 - b. The installation of a 20' landscaped screening buffer along the northern, eastern and southern property lines adjacent to residential areas. Said landscaped screening buffers shall contain a preponderance of evergreen vegetation designed to screen and shield adjacent residences from the commercial utilization of the subject property.
 - c. The installation of a 10' landscaped screening buffer adjacent to Canton Road.
 - d. Species of vegetation which will be utilized shall be ecologically compatible to the site and appropriate for the design circumstances.

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- e. Unless public safety and/or sight distance concerns dictate otherwise, said buffers shall provide a complete visual barrier to a height of 6' within two (2) years of planting.
 - f. Minimum height of plant materials at installation shall be 5' for trees and 2' for shrubs.
 - g. Those areas between sections of the subject property reserved for required parking, as well as public rights-of-way, shall be included in the final landscape plan. The landscaping and foliage contained within the parking islands shall consist of both upper and lower vegetative canopies.
 - h. All landscaping for the proposed retail center shall be professionally designed, maintained and irrigated. Additionally, said landscaped areas shall be perpetually maintained and any dead or irrevocably diseased vegetation shall be replaced as necessary.
 - i. All landscaped and buffer areas may be penetrated for purpose 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.
 - j. All HVAC and/or mechanical systems shall be screened from view from adjacent residences and rights-of-way.
 - k. The detention pond area shall be visually screened from view with attendant landscaping and fencing.
12. Compliance with the following recommendations from the Cobb County Department of Transportation with respect to traffic/transportation issues, as follows:
- a. Compatibility with the future Special Purpose Local Option Sales Tax ("SPLOST") improvements and the Canton Road Corridor Guidelines as adopted by the Cobb County Board of Commissioners.
 - b. The construction of a 150' deceleration lane with a 50' taper on Canton Road.

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- c. The voluntary donation and conveyance of right-of-way so that the County can achieve 50' from the centerline of Canton Road.
 - d. No access to Chesterfield Drive.
13. Compliance with the recommendations from the Stormwater Management Division with respect to the location, configuration and methodology of on site detention and water quality ponds, including, the following:
- a. Exercising height and sensitivity with respect to downstream hydrological conditions.
 - b. An agreement to design and adhere to Best Management Practices and the construction of detention and water quality areas on site with such design and installation based upon a 100-year Stormwater Management design.
14. Compliance with recommendations from the Cobb County Fire Department as set forth in the Zoning Analysis.
15. Compliance with the recommendations of the Cobb County Water System with respect to the availability and acquisition of water and sewer to service the subject property.
16. Minor modifications to the site plan, landscape plan, architectural elevations/renderings and this letter of agreeable stipulations/conditions may be reviewed and approved by the District Commissioner.

Please let me know if you need any additional information or documentation prior to the Work Session with the Planning Commission tomorrow.

SAMS, LARKIN & HUFF
A LIMITED LIABILITY PARTNERSHIP

VIA HAND DELIVERY

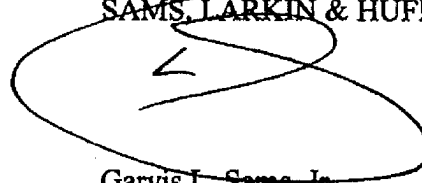
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Cobb County Zoning Department
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With regards, I am

Very truly yours,

SAMS, LARKIN & HUFF, LLP



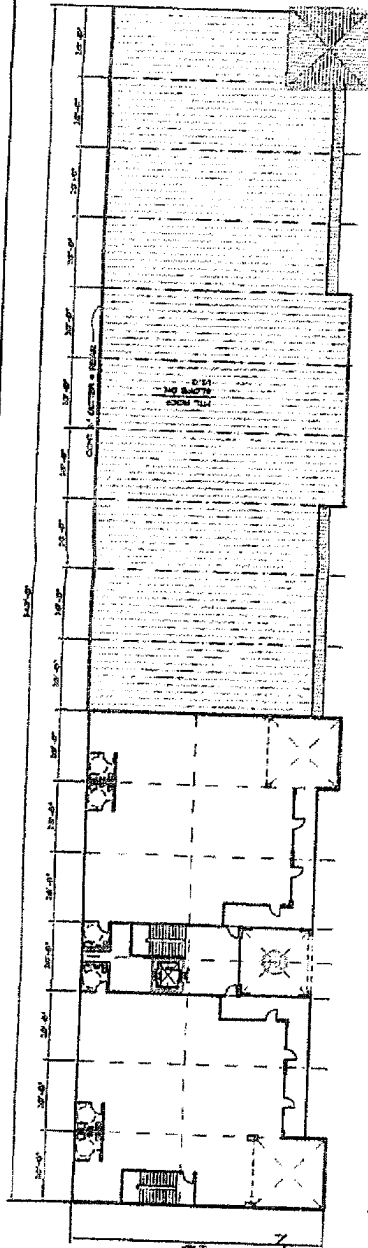
Garvis L. Sams, Jr.
gsams@samslarkinhuff.com

GLSjr/jbmc
Attachments

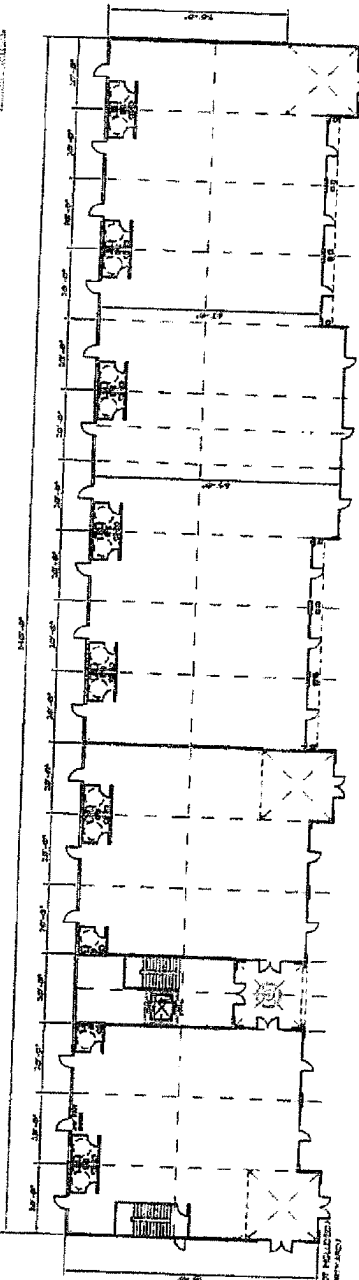
- cc: Members, Cobb County Board of Commissioners – VIA Hand Delivery – w/enclosures
Members, Cobb County Planning Commission – VIA E-Mail and
VIA Hand Delivery c/o John P. Pederson, AICP – w/enclosures
Mr. Robert L. Hosack, Jr., AICP, Director – VIA Hand Delivery – w/enclosures
Mr. Mark A. Danneman, Manager – VIA Hand Delivery – w/enclosures
Mr. John M. Morey – VIA E-Mail - w/attachments
Mr. David Breden – VIA E-Mail – w/attachments
Ms. Karen King, Deputy County Clerk – VIA Hand Delivery – w/enclosures
Ms. Lori Presnell, Deputy County Clerk – VIA Hand Delivery – w/enclosures
Ms. Carol Brown, President, Canton Road Neighbors – VIA E-Mail – w/attachments
Ms. Tricia Clements, President, Northeast Cobb Homeowners Group, Inc. –
VIA E-Mail – w/attachments
Mr. David Poteet – VIA E-Mail and First Class Mail – w/enclosures
Mr. Mark McClellan, President, East Cobb Civic Association – VIA E-Mail –
w/attachments

Min. Bk. 54 Petition No. 2-1
Doc. Type renderings /
elevations
Meeting Date 2-19-08

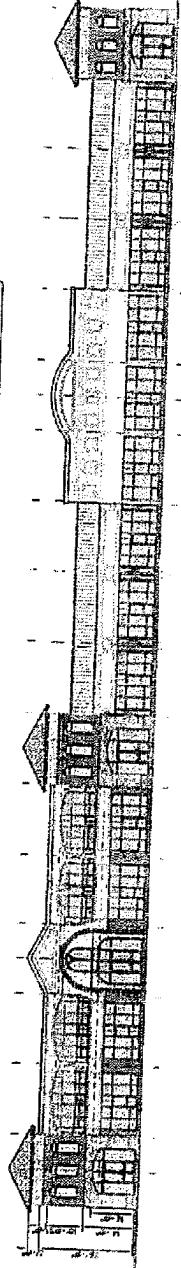
RETAIL OFFICE
EXERCISE BUILDING
FLOOR PLAN



UPPER FLOOR PLAN
SCALE 1/32" = 1'-0"
ARTICLE 16.03 - § 108



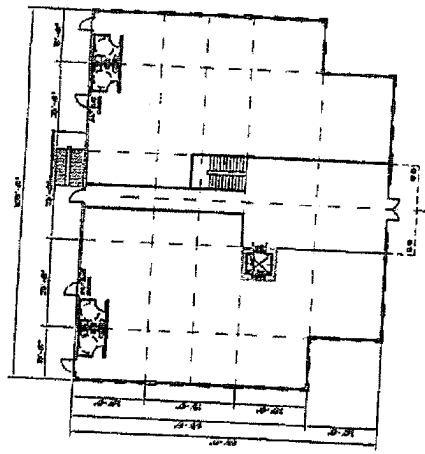
MAIN FLOOR PLAN
SCALE 1/32" = 1'-0"
ARTICLE 16.03 - § 108 (CORRECTION NOT INDICATED)
ARTICLE 16.03 - § 108 (INCLUDING CORRECTION)



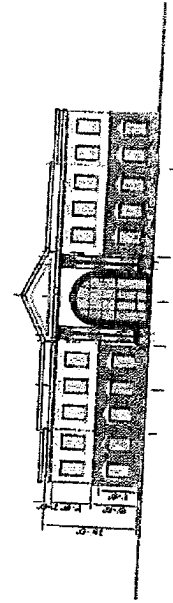
FRONT ELEVATION
SCALE 1/32" = 1'-0"

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Continued

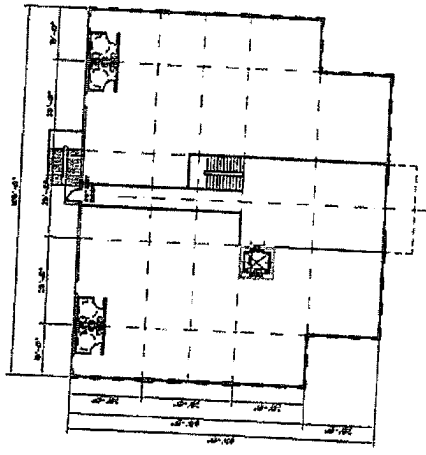
OFFICE BLDG
FLOOR PLANS, ELEVATION



MAIN FLOOR PLAN
SCALE 1/32" = 1'-0"



FRONT ELEVATION
SCALE 1/32" = 1'-0"



UPPER FLOOR PLAN
SCALE 1/32" = 1'-0"

APPLICANT: J & J Construction Group, Inc.

PETITION NO.: Z-1

PRESENT ZONING: R-20

PETITION FOR: CRC

PLANNING COMMENTS:

Staff Member Responsible: John P. Pederson, AICP

Land Use Plan Recommendation: Neighborhood Activity Center

Proposed Number of Buildings: 1 Total Square Footage of Development: 15,157

F.A.R.: 0.21 Square Footage/Acre: 9,022

Parking Spaces Required: 61 Parking Spaces Provided: 61

The applicant is requesting the CRC zoning district to develop a small commercial building. The building will be one story in height with traditional architecture and an exterior composed of brick, stacked stone and EFIS. The applicant anticipates leasing the units to a mixture of small offices, retail, and possible restaurants. The hours and days of operation will vary depending on the final users. The applicant has submitted a letter of agreeable stipulations (see Exhibit "A").

Canton Road Corridor Study (2005): The 2005 Canton Road Corridor Study recommends that the southern portion of the corridor (from Canton Road Connector to Piedmont Road) be redeveloped into a mixed-use loft district due to the existing grid street network. Also, various intersection and road improvements within a half-mile of the site are recommended.

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

Cemetery Preservation: No comment.

FIRE COMMENTS:

Fire Apparatus Access Road

All access roads shall have an all weather driving surface capable of supporting 75,000 pounds with an unobstructed width of not less than 20 feet, 25 feet inside turning radius, 50 foot outside turning radius and unobstructed vertical clearance of not less than 13 feet 6 inches.

Access road shall extend to within 150-feet of all portions of the facility or any portion of the exterior wall of the first floor.

Dead-end access roads in excess of 150-feet shall be provided with a turn-around by one of the following methods:

Commercial: Cul-d-sac without an island to have a 60 foot paved radius or Hammerhead turn-around – total of 110 feet needed (45 feet + 20 foot wide roadway + 45 feet).

Fire Hydrant

Commercial: Fire hydrant within 500 feet of most remote part of structure.

APPLICANT J & J Construction, Inc

PETITION NO. Z-001

PRESENT ZONING R-20

PETITION FOR CRC

NOTE: Comments reflect only what facilities appeared of record at the time of this review. Field verification required by developer.

WATER COMMENTS:

Available at Development? Yes No
 Fire Flow Test Required? Yes No

Size / Location of Existing Water Main(s) 8" DI / E side Canton Rd

Additional Comments:

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

SEWER COMMENTS:

In Drainage Basin? Yes No
 At Development? Yes No

Approximate Distance to Nearest Sewer: At site, Chesterfield Dr

Estimated Waste Generation (in G.P.D.): A D F 1516 **Peak** 3790

Treatment Plant: Noonday

Plant Capacity Available? Yes No

Line Capacity Available? Yes No

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

Dry Sewers Required? Yes No

Off-site Easements Required? Yes* No

Flow Test Required? Yes No

Septic Tank Recommended by this Department? Yes No

Subject to Health Department Approval? Yes No

* If off-site easements are required, Developer must submit easements to CCWS for review / approval as to form and stipulations prior to the execution of easement(s) by the property owner(s). All easement acquisitions are the responsibility of the Developer.

Additional Comments:

Pre-installed grease trap(s) required for each restaurant

Notes FYI: *Dumpster site should be closer to building so that drain can more easily be connected to sewer as required in code*

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

APPLICANT: J & J Construction, Inc.

PETITION NO.: Z-1

PRESENT ZONING: R-20

PETITION FOR: CRC

DRAINAGE COMMENTS

FLOOD HAZARD: YES NO POSSIBLY, NOT VERIFIED

DRAINAGE BASIN: Little Noonday Creek FLOOD HAZARD INFO: Zone X

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

WETLANDS: YES NO POSSIBLY, NOT VERIFIED

Location: _____

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

STREAMBANK BUFFER ZONE: YES NO POSSIBLY, NOT VERIFIED

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

DOWNSTREAM CONDITION

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

APPLICANT: J & J Construction, Inc.

PETITION NO.: Z-1

PRESENT ZONING: R-20

PETITION FOR: CRC

DRAINAGE COMMENTS CONTINUED

SPECIAL SITE CONDITIONS

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

INSUFFICIENT INFORMATION

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

ADDITIONAL COMMENTS

1. This site slopes to the southeast. The existing natural drainage discharges via sheet flow through adjacent residential lots to Jewell Drive. A new house is currently under construction just downstream of this site. Since there is no defined downstream conveyance for the proposed detention facility a drainage easement will be required to provide for a concentrated site discharge through the downstream parcel(s) to the Jewell Drive R/W – preferably to tie directly into the existing Jewell Drive culvert.
2. The proposed commercial development will result in a significant increase in runoff volume over the existing conditions. Due to the limited existing downstream system capacity and several previous downstream drainage complaints elevated detention will be required such that each design storm discharge is controlled not to exceed the allowable discharge of the next lower, more frequent storm event (ie. 5-year storm event released at 2-year rate; 10-year event at 5-year rate; etc. to 100-year event at 50-year rate).

APPLICANT: J & J Construction, Inc.

PETITION NO.: Z-1

PRESENT ZONING: R-20

PETITION FOR: CRC

TRANSPORTATION COMMENTS

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

ROADWAY	AVERAGE DAILY TRIPS	ROADWAY CLASSIFICATION	SPEED LIMIT	JURISDICTIONAL CONTROL	MIN. R.O.W. REQUIREMENTS
Canton Road	31600	Arterial	45 mph	Cobb County	100'
Chesterfield Drive	NA	Local	25 mph	Cobb County	50'

Based on 2006 traffic counting data taken by Georgia DOT.

COMMENTS AND OBSERVATIONS

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

Chesterfield Drive is classified as a Local and according to the available information, the existing right-of-way does meet the minimum requirements for this classification.

Canton Road is identified in the 2005 SPLOST as a corridor improvement project.

No access to Chesterfield Drive.

As necessitated by this development for egress from Canton Road, a deceleration lane will be required.

RECOMMENDATIONS

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

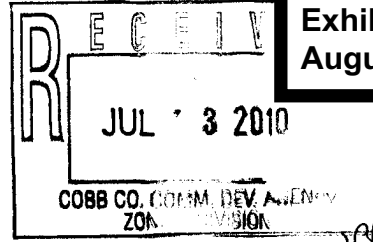
Recommend applicant coordinate with Cobb County DOT prior to development plan approval to ensure compatibility with the proposed road project.

Recommend a deceleration lane.

Recommend no access to Chesterfield Drive.

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

Item 01
Exhibit "B"
August 2010



Application for "Other Business" Cobb County, Georgia

(Cobb County Zoning Division - 770-528-2045)

BOC Hearing Date Requested: 08/17/10

Applicant: Panayiotis and Zoe Theofandidis Phone #: (770) 394-5821
(applicant's name printed)

Address: 5155 Hensley Drive, Dunwoody, GA 30338 E-Mail: N/A

SAMS, LARKIN & HUFF, LLP 376 Powder Springs Street, Suite 100

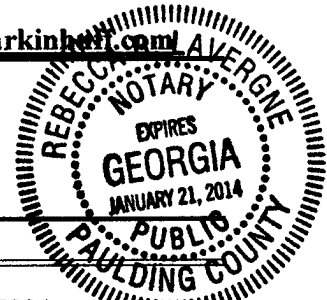
Melissa P. Haisten Address: Marietta, GA 30064

(representative's name, printed)

By: Melissa P. Haisten Phone #: (770) 422-7016 E-Mail: mhaisten@samslarkin.com
Melissa P. Haisten, Attorney for Applicant

Signed, sealed and delivered in presence of:

Rebecca R. Lavergne My commission expires: _____
Notary Public



Titleholder(s) Zoe Theofanidis and Panayiotis Theofanidis Phone #: (770) 394-5821
(property owner's name, printed)

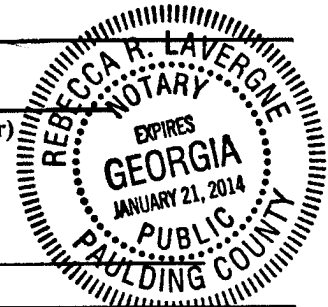
Address 5155 Hensley Drive, Dunwoody, GA 30338 E-Mail: N/A

Zoe Theofanidis
Zoe Theofanidis (Property Owner)

Panayiotis Theofanidis
Panayiotis Theofanidis (Property Owner)

Signed, sealed and delivered in presence of:

Rebecca R. Lavergne My commission expires: _____
Notary Public



Commission District: Thea Powell (3) **Zoning Case:** Z-1 (2008)

Date of Zoning Decision: 02/19/08 **Original Date of Hearing:** 02/19/08

Location: Southeasterly intersection of Canton Road and Chesterfield Drive
(street address, if applicable; nearest intersection, etc.)

Land Lot(s): 588 **District(s):** 16th

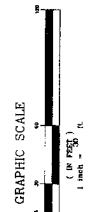
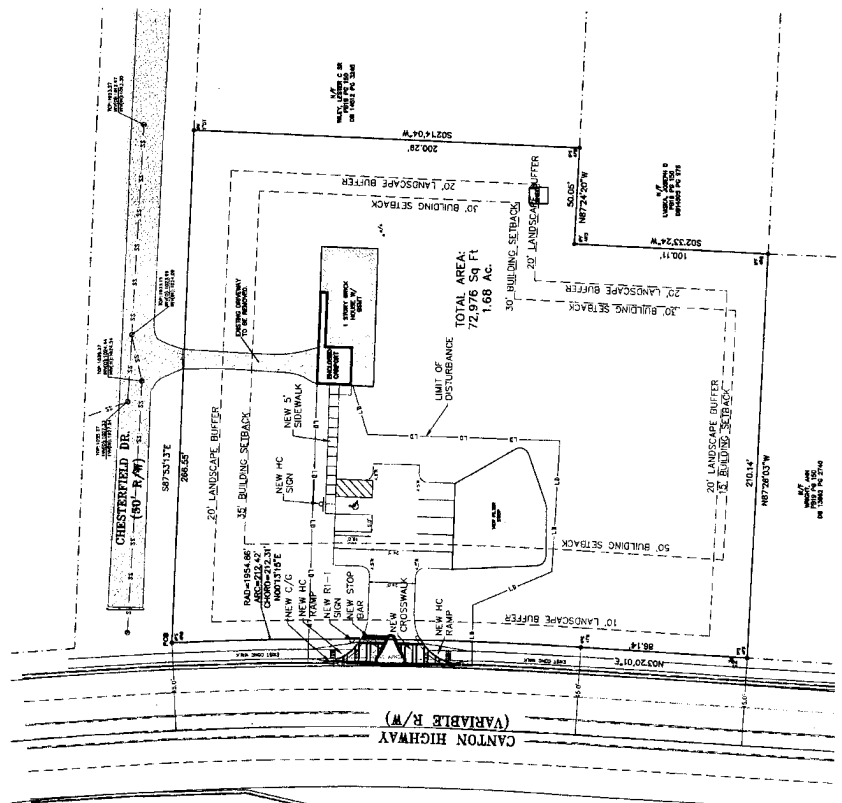
State specifically the need or reason(s) for Other Business: To construct a small parking lot and driveway on Canton Road in order to use the existing structure for office or low-impact retail uses.

To request the delay of the existing stipulations on the property until such time that the property is completely redeveloped.

(List or attach additional information if needed)

R E C E I V E D
JUL 13 2010
COBB CO. COMM. DEV. AGENCY
ZONING DIVISION

PETE & ZOE THEOFANIDIS
PROPOSED SITE PLAN FOR
660 CHESTERFIELD DRIVE
LAND LOT 588, 16TH DISTRICT
OF COBB COUNTY, GEORGIA
EXISTING ZONING: C-1
PIN: 16058800061, 16058800061, 16058800040



24 HOUR CONTACT
PETE THEOFANIDIS
770-394-5921

Site Notes:

1. THE SITE CONTAINS 1.68 ACRES
2. TOTAL DISTURBED AREA: 0.36 ACRES
3. CARRYALL ZONED C-1
4. FRONTYARD SIGNAGE & MARKING, INC. DATED 11/28/09
5. THE SITE IS NOT LOCATED WITHIN A FEMA 1A, AL SHARED ZONE, AS DEFINED BY THE FEDERAL EMERGENCY MANAGEMENT AGENCY (FEMA) DATED 10/19/06 FOR UNDESIGNATED COBB COUNTY, GEORGIA
6. THE UTILITIES SHOWN ON THE PLANS ARE SHOWN FOR THE CONTRACTOR'S USE ONLY. THE CONTRACTOR SHALL VERIFY THE LOCATION AND DEPTH OF ALL UTILITIES PRIOR TO CONSTRUCTION. THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS FROM THE APPROPRIATE AGENCIES FOR ANY UTILITIES TO BE INSTALLED OR RELOCATED. THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS FROM THE APPROPRIATE AGENCIES FOR ANY UTILITIES TO BE INSTALLED OR RELOCATED.
7. CONTRACTOR SHALL CONTACT THE UTILITY LOCATOR AS REQUIRED BY COBB COUNTY. CONTRACTOR SHALL VERIFY THE LOCATION AND DEPTH OF ALL UTILITIES PRIOR TO CONSTRUCTION. THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS FROM THE APPROPRIATE AGENCIES FOR ANY UTILITIES TO BE INSTALLED OR RELOCATED.
8. THE CONTRACTOR SHALL IMMEDIATELY NOTIFY THE OWNER OF ANY DISCREPANCIES OR ERRORS THAT MAY OCCUR IN THESE PLANS.
9. CONTRACTOR TO PROVIDE ALL NECESSARY SIGNAGE, LIGHTS, AND MARKINGS THROUGHOUT THE ENTIRE CONSTRUCTION PROCESS.
10. ALL CONSTRUCTION MUST CONFORM TO THE APPROPRIATE CITY, COUNTY, STATE, AND FEDERAL REGULATIONS.
11. ALL DIMENSIONS ARE TO THE FACE OF CURB UNLESS OTHERWISE NOTED.
12. SIGNAGE EXAMINATION & LAYOUT SHALL BE COORDINATED USING ARCHITECTURAL DRAWINGS.
13. ARCHITECTURAL DRAWINGS HAVE PRECEDENCE OVER CDD DRAWINGS CONCERNING SIGNAGE EXAMINATION & LAYOUT.
14. CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS FROM THE APPROPRIATE AGENCIES FOR ANY UTILITIES TO BE INSTALLED OR RELOCATED.
15. UNDEVELOPED LOTS WITHIN THE STRIP OF COURTESY ARE NOT TO BE USED FOR ANY PURPOSES OTHER THAN THE INTENDED USE OF THE STRIP OF COURTESY.
16. CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS FROM THE APPROPRIATE AGENCIES FOR ANY UTILITIES TO BE INSTALLED OR RELOCATED.
17. THE EXISTING DRIVEWAY ON CHESTERFIELD DRIVE IS TO BE MAINTAINED.

Cobb County General Notes:

1. CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS FROM THE APPROPRIATE AGENCIES FOR ANY UTILITIES TO BE INSTALLED OR RELOCATED.
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3595 Canton Road
Atlanta, GA 30306
Ph. (878) 355-9005
www.frontlinelighting.com



BY	DATE	REVISIONS

SITE PLAN		
LAND LOT 588	16TH DISTRICT	2ND SECTION
PETE & ZOE THEOFANIDIS		
COBB COUNTY, GEORGIA		
DRAWN BY: CHB	DRAMA DATE: 07/16/10	SHEET: C-1
RECEIVED BY: CHB	SCALE: 1" = 30'	