

LUP-7  
(2013)

STATE WATERS AS UNDISTURBED  
STREAM BUFFER AS MEASURED  
FROM THE TOP OF BANK EACH WAY.

COBB COUNTY GEORGIA  
FILED IN OFFICE OF  
RECORDS AND CLERK  
GEORGIA DEPARTMENT OF  
TRANSPORTATION (SAMER) : 22  
CONCRETE BRIDGE 140' R/W  
CONCRETE BRIDGE ZONING DIVISION

L.L. 999

L.L. 1000

L.L. 998

L.L. 1001



**SOURCING NOTES:**  
THE PURPOSE OF THIS INSTRUMENT IS TO SHOW THE  
LATEST CHANGES TO THE IMPROVEMENTS ON THE  
PROPERTY. THIS PLAT HAS BEEN PREPARED TO  
ACCOMPANY AN APPLICATION FOR A LAND USE PERMIT.  
THE IMPROVEMENTS SHOWN ARE BASED ON  
FIELD SURVEY DONE ON 8/27/14.

**ZONING NOTES:**  
PROPERTY ADDRESS: SECTION 2-028  
BUILDING SETBACKS:  
FRONT: 10'  
SIDE: 5'  
REAR: 10'

PLAT OF SURVEY FOR  
**MICHAEL A. PECORARO**  
**CRESCENT BANK & TRUST COMPANY**  
**COMMONWEALTH LAND TITLE**  
**INSURANCE COMPANY**  
LOCATED IN LAND LOTS 1000 & 1001, 19TH DISTRICT,  
2ND SECTION, COBB COUNTY, GEORGIA  
**AREA = 4.349 ACRES**

REVISIONS	DATE	DESCRIPTION
	10-24-11	SEE REVISION NOTE #1

**THE RUSSELLE COMPANY**  
PROFESSIONAL LAND SURVEYORS  
1400 W. JONES ROAD  
MARIETTA, GEORGIA 30067  
PHONE: (770) 424-4000  
FAX: (770) 424-4001  
EMAIL: BEN@RUSSELLE.COM  
PROJ. NO. COBB13 FILE: COBB13LUP 10-24-11  
FIELD SURVEY DATE: 8/27/14  
PLAT DATE: 10/24/11



10/25/11



**TECHNICAL DATA**  
TRIMBLE PRECISION: 1/ 87,418  
SOUTH PLAT: 1/ 201,320 (LAST SQUARE)  
ELEVATION: TYPICAL 675'-30"  
PLAT PRECISION: 1/ 600,000

**FLOOD STATEMENT**  
I HAVE THIS DATE EXAMINED THE FLOOD  
INSURANCE RATE MAP, COMMUNITY  
NUMBER 1400, AND THE FLOOD ZONE  
EFFECTIVE DATE: 08/28/08 IS 2008  
THE MAP GRAPHICALLY DENOTES THE SUBJECT  
PROPERTY TO BE IN ZONE "X"  
THE CHARACTERISTICS OF THIS ZONE IS  
"AREA OF HIGH FLOOD RISK".

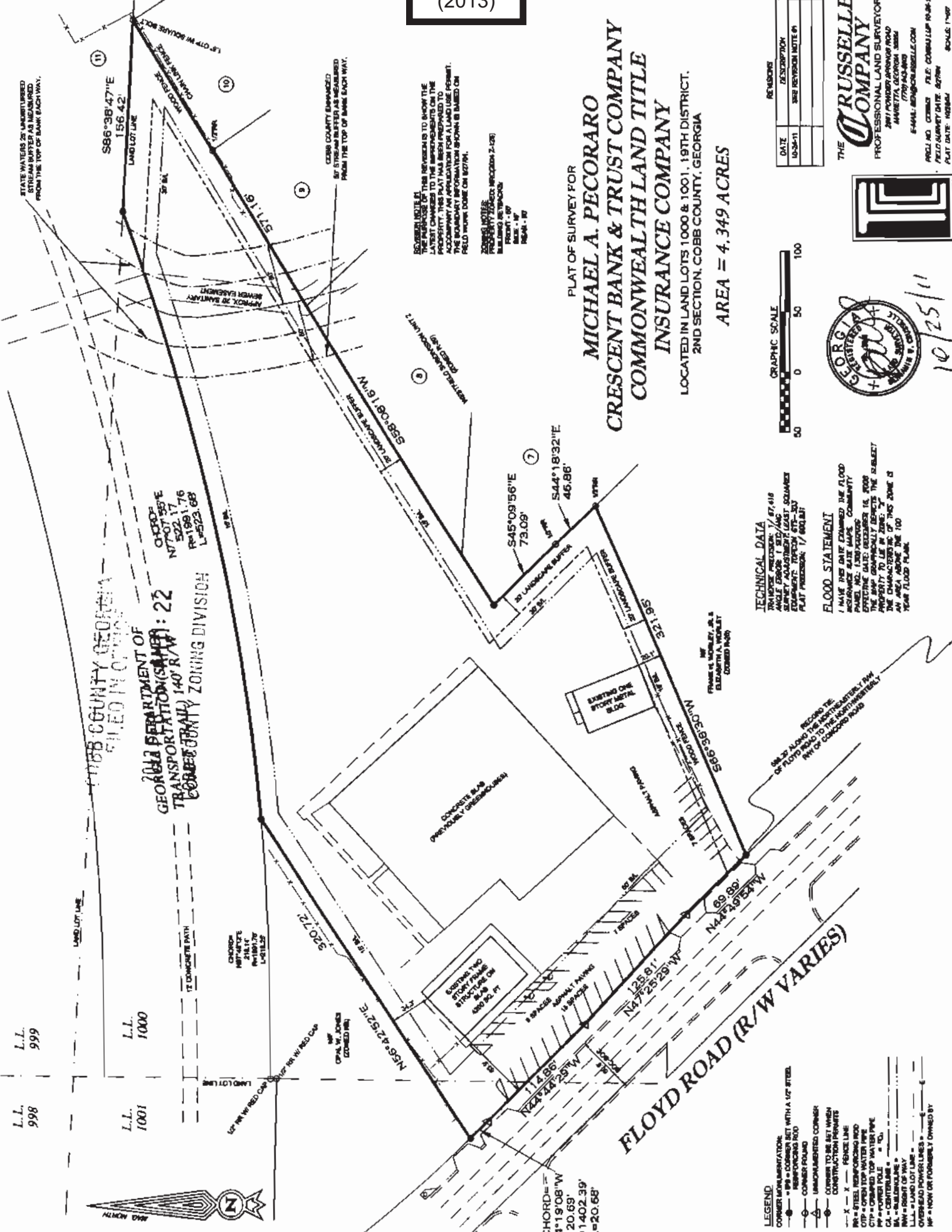
MR. FRANK S. HENLEY, JR. S.  
ELIZABETH A. HENLEY  
COBLED PART

RECORD TO:  
BE 30' BROAD TO THE NORTH-EASTERN CORNER  
OF PLAT TO ROAD TO THE NORTH-EASTERN  
CORNER OF CONCORD ROAD

- LEGEND**
- CORNER MARKER: WITH A 1/2" STEEL
  - CONCRETE FOUNDATION
  - CONCRETE FOUNDATION
  - UNMARKED CORNER
  - CONSTRUCTION PERMITS
  - FRANCE LINE
  - FR = STEEL REINFORCING ROD
  - OTF = OPEN TOP WATER PIPE
  - CP = CORNER TOP WATER PIPE
  - HP = POWER POLE = "O"
  - MA = MAILBOX
  - MA = MAILBOX
  - MA = RIGHT OF WAY
  - LL = LAND LOT LINE
  - OVERHEAD POWER LINES =
  - HP = NOW OR FORMERLY OWNED BY

CHORD =  
N44°19'08"W  
20.63'  
R = 1402.39'  
L = 20.68'

**FLOYD ROAD (R/W VARIES)**



**APPLICANT:** Paradise Concepts, Inc. d/b/a Nature Supply Center  
(678) 398-6788

**REPRESENTATIVE:** Michael A. Pecoraro  
(770) 517-4133

**TITLEHOLDER:** Michael A. Pecoraro

**PROPERTY LOCATION:** East side of Floyd Road, south of Bates Road  
(4391, 4419 Floyd Road).

**ACCESS TO PROPERTY:** Floyd Road

**PHYSICAL CHARACTERISTICS TO SITE:** Existing thrift store and landscape company

**CONTIGUOUS ZONING/DEVELOPMENT**

- NORTH:** Silver Comet Trail and NS/Undeveloped
- SOUTH:** R-20/Single-family houses
- EAST:** R-20/Westfield Subdivision
- WEST:** NRC/Convenience store with fuel sales

**PETITION NO:** LUP-7

**HEARING DATE (PC):** 04-02-13

**HEARING DATE (BOC):** 04-16-13

**PRESENT ZONING:** NRC

**PROPOSED ZONING:** Land Use Permit  
(Renewal)

**PROPOSED USE:** Landscape Supply Company

**SIZE OF TRACT:** 4.349 acre

**DISTRICT:** 19

**LAND LOT(S):** 1000, 1001

**PARCEL(S):** 2, 58

**TAXES: PAID** X **DUE** \_\_\_\_\_

**COMMISSION DISTRICT:** 4

**OPPOSITION: NO. OPPOSED** \_\_\_\_\_ **PETITION NO:** \_\_\_\_\_ **SPOKESMAN** \_\_\_\_\_

**PLANNING COMMISSION RECOMMENDATION**

**APPROVED** \_\_\_\_\_ **MOTION BY** \_\_\_\_\_

**REJECTED** \_\_\_\_\_ **SECONDED** \_\_\_\_\_

**HELD** \_\_\_\_\_ **CARRIED** \_\_\_\_\_

**BOARD OF COMMISSIONERS DECISION**

**APPROVED** \_\_\_\_\_ **MOTION BY** \_\_\_\_\_

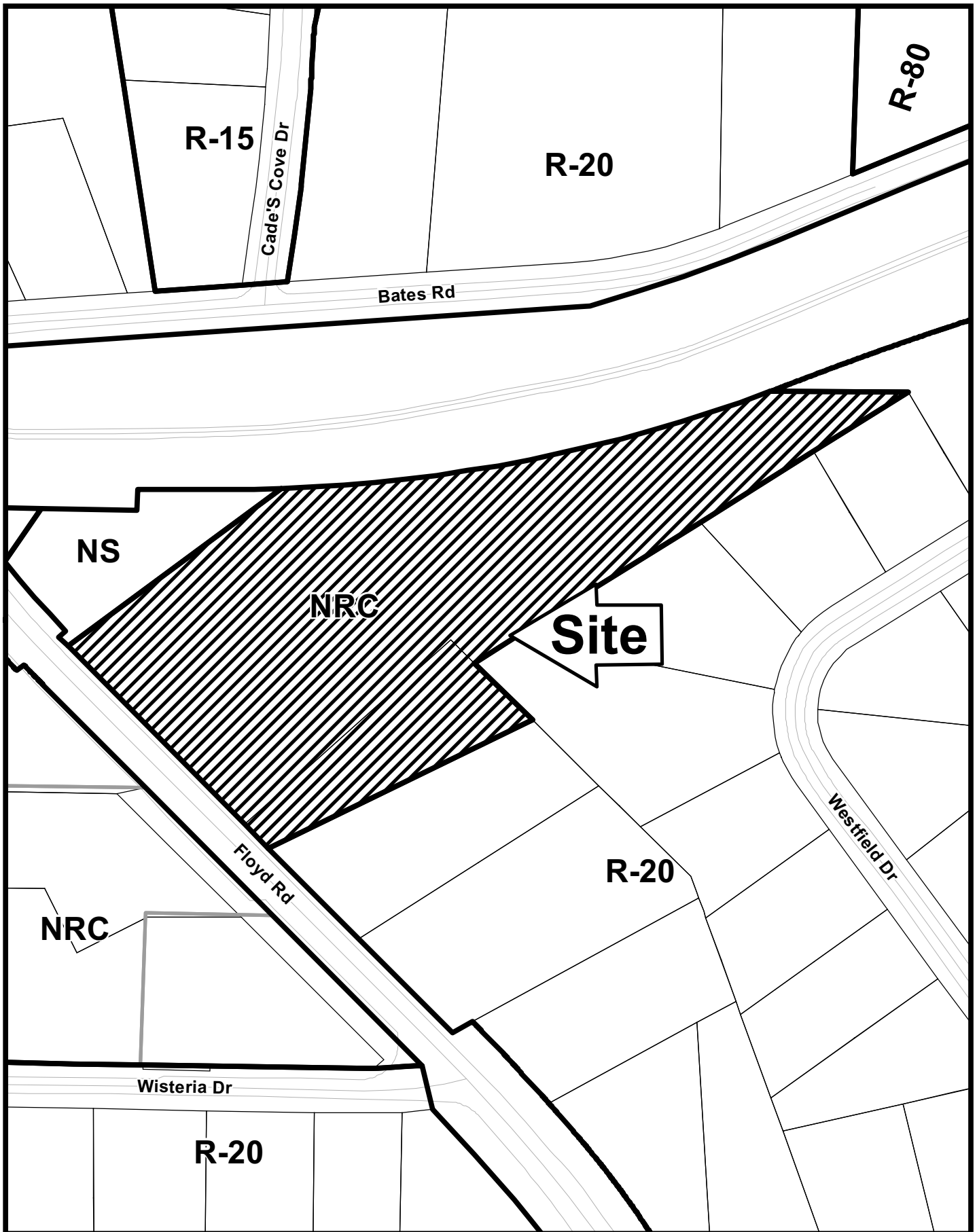
**REJECTED** \_\_\_\_\_ **SECONDED** \_\_\_\_\_

**HELD** \_\_\_\_\_ **CARRIED** \_\_\_\_\_

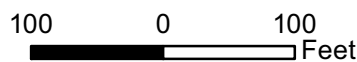
**STIPULATIONS:**





# LUP-7



This map is provided for display and planning purposes only. It is not meant to be a legal description.



-  City Boundary
-  Zoning Boundary

**APPLICANT:** Paradise Concepts, Inc. d/b/a Nature Supply Center      **PETITION NO.:** LUP-7

**PRESENT ZONING:** NRC      **PETITION FOR:** LUP-7

\*\*\*\*\*

**ZONING COMMENTS:**      **Staff Member Responsible:** Donald Wells

Applicant is requesting to renew Land Use Permit for the purpose of operating a landscape supply company and a thrift store. The landscape supply company will be open Monday through Saturday from 8 a.m. until 6 p.m. and have seven employees. The applicant anticipates 10 customers per day/50 per week. The attached worksheet indicates that the applicant is requesting one 8' x 5' sign on the property's frontage on Floyd Road. The business will have two dump trucks and 2 trailers at the property. The worksheet also indicates three deliveries per week via semi-truck. The applicant is also requesting outdoor storage of landscaping stones, similar landscape materials and mulch stored in bins. A stipulation letter with a list of materials to be stored at the property is attached for your review. There was an Other Business Item heard August 21, 2012 to amend the stipulations to display merchandise outside the building, under canopy in front of the thrift store. This request is for a period of 24 months. The property was zoned to NRC in 2004 (Z-26) with stipulations that, among other things, the property was to be retail and professional office use only. The minutes from the previous case also stipulated "no overnight parking of heavy equipment, i.e. dump trucks, bobcats, etc." The minutes from Z-126 of 2004 are attached for your review.

**Historic Preservation:** No comments.

**Cemetery Preservation:** No comment.

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**WATER & SEWER COMMENTS:**

No comments.

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**TRAFFIC COMMENTS:**

Recommend applicant coordinate with Cobb County DOT prior to development plan approval to ensure compatibility with the SPLOST Floyd Road Trail Phase 2 project.

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

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**FIRE COMMENTS:**

After analyzing the information presented for a Preliminary Review, the Cobb County Fire Marshal's Office is confident that all other items can be addressed during the Plan Review Stage.

**APPLICANT: Paradise Concepts, Inc.**

**PETITION NO.: LUP-7**

**PRESENT ZONING: NRC**

**PETITION FOR: LUP**

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<b>DRAINAGE COMMENTS</b>
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This site includes the outdoor storage of sand, gravel, stone and other landscape materials. A Notice of Intent must be filed with the Georgia Environmental Protection Division for coverage under the NPDES General Permit to discharge stormwater associated with industrial activity. Any requirements associated with this permit must be addressed. A copy of the NOI and a stormwater pollution prevention plan must be provided to the County to address potential stormwater quality impacts from the site operations. Any new improvements/development must be current stormwater management requirements.

## **STAFF RECOMMENDATIONS**

### **LUP-7      PARADISE CONCEPTS d/b/a NATURE SUPPLY CENTER**

The subject property was rezoned to the NRC zoning category as Z-126 of 2004, with numerous stipulations such as the uses that were to be allowed on the property and the equipment that was not allowed on the property. The minutes from Z-126 of 2004 are attached to this analysis for review. Those stipulations were very specific and the proposed use of a landscaping business with outside storage of equipment is exactly what is prohibited. Based upon the above analysis, staff recommends DENIAL of this Land Use Permit.

**The recommendations made by the Planning and Zoning Staff are only the opinions of the Planning and Zoning Staff and are by no means the final decision. The Cobb County Board of Commissioners makes the final decisions on all Rezoning and Land Use Permits at an advertised public hearing.**



Application #: LUP-07

PC Hearing Date: APRIL 2, 2013

BOC Hearing Date: APRIL 16, 2013

## TEMPORARY LAND USE PERMIT WORKSHEET

1. Type of business? LANDSCAPE SUPPLY CO.

2. Number of employees? 7

3. Days of operation? MONDAY THROUGH SATURDAY

4. Hours of operation? 8:00 AM UNTIL 6:00 PM.

5. Number of clients, customers, or sales persons coming to the house per day? 10; Per week? 50

6. Where do clients, customers and/or employees park?  
Driveway: \_\_\_\_\_; Street: \_\_\_\_\_; Other (Explain): PARKING LOT

7. Signs? No: \_\_\_\_\_; Yes: X. (If yes, then how many, size, and location): 1 SIGN (8' X 5') ON THE SUBJECT'S PROPERTY ON FLOYD ROAD.

8. Number of vehicles related to this request? (Please also state type of vehicle, i.e. dump truck, bobcat, trailer, etc.): 4 VEHICLES - (2 DUMP TRUCKS & 2 TRAILERS)

9. Deliveries? No \_\_\_\_\_; Yes X (If yes, then how many per day or week, and is the delivery via semi-truck, USPS, Fedex, UPS, etc.)  
3 DELIVERIES PER WEEK VIA SEMI-TRUCK.

10. Does the applicant live in the house? Yes \_\_\_\_\_; No X

11. Any outdoor storage? No \_\_\_\_\_; Yes X (If yes, please state what is kept outside): LANDSCAPING STONES, SIMILAR LANDSCAPE MATERIALS & MULCH STORED IN BINS (SEE ATT. LIST OF MATERIALS)

12. Length of time requested: 24 MONTHS.

13. Any additional information? (Please attach additional information if needed):

THE SUBJECT PROPERTY WAS REZONED TO THE NRC CLASSIFICATION IN 2004 (Z-126); HOWEVER THE PROPOSED MIXED USE RETAIL DEVELOPMENT FOR THIS SITE HAS BEEN HELD IN ABEYANCE DUE TO A STAGNANT REAL ESTATE MARKET.

Applicant signature: Michael Pecoraro Date: FEBRUARY 1, 2013

Applicant name (printed): MICHAEL A. PECORARO

COBB COUNTY GEORGIA  
FILED IN OFFICE  
2013 FEB -6 AM 11:27  
COBB COUNTY ZONING DIVISION

[www.naturesupplycentre.com](http://www.naturesupplycentre.com)

## LIST OF MATERIALS

Creek Rock  
River Slicks  
Slate Chips  
Crimson Stone  
Red Lava Rock  
Marble Chips  
Pea Gravel  
Egg Rock  
Granite 57 stone  
Crusher Run  
Type III Rip Rap  
Masonry Sand  
River Sand  
Granite Sand  
Harwood Mulch  
Cypress Mulch  
Mini Pine Bark Nuggets  
Large Pine Bark Nuggets  
Red, Black, and Brown Dyed Mulch  
Crab Orchard Brown and Grey Flagstone  
Brown and Grey Rubble Strip  
Garden Boulders  
Tenn Fieldstone (thin, medium, and thick)  
Railroad Crossties  
Landscape Timbers (6x6x8)  
Firewood by the piccc, 1/2 cord, or full cord  
Pine Straw  
Wheat Straw  
Fill Dirt  
Screened Topsoil  
Organic Planting Soil

COBB COUNTY GEORGIA  
FILED IN OFFICE  
2013 FEB -6 AM 11:21  
COBB COUNTY ZONING DIVISION



ORIGINAL DATE OF APPLICATION: 02-21-12APPLICANTS NAME: PARADISE CONCEPTS, INC.  
D/B/A NATURE SUPPLY CENTRETHE FOLLOWING REPRESENTS THE FINAL DECISIONS OF THE  
COBB COUNTY BOARD OF COMMISSIONERS**BOC DECISION OF 03-20-12 ZONING HEARING:**

**PARADISE CONCEPTS, INC. D/B/A NATURE SUPPLY CENTRE** (Michael A. Pecoraro, owner) requesting a **Land Use Permit** for the purpose of a Landscape Supply Company and Thrift Store in Land Lots 1000 and 1001 of the 19th District. Located on the northeast side of Floyd Road, north of Concord Road (4391 and 4419 Floyd Road).

MOTION: Motion by Ott, second by Birrell, as part of the Consent Agenda, to **approve** Land Use Permit for **12 months**, subject to:

- letter of agreeable conditions from Mr. Garvis L. Sams, Jr. dated February 21, 2012 including attached list of materials (attached and made a part of these minutes), and with the following changes:
  - Item No. 4 – Sentence 4, change to read: *“The berm shall be planted with ornamental bushes and screening landscaping a maximum of every ~~four feet (4’)~~ three feet (3’) on center, subject to approval by County Arborist, with minimum plantings to be a height of three feet (3’), and to be completed within sixty (60) days of final approval by the Board of Commissioners.”*
  - Item No. 6 – Change to read: *“The foregoing construction, fencing, and landscaping to commence immediately after the approved Land Use Permit and completed within ~~ninety (90)~~ sixty (60) days from the commencement of same unless an extension of said time period is approved by the Landscape Oversight Committee, and with final approval by the District Commissioner of any and all plans and development on this property.”*
  - Item No. 7 – Add to end: *“No other vehicles allowed on this property, with the exception of a maximum of two (2) bobcats.”*
  - Item No. 9 – Add to end: *“There will be no outside sales related to the thrift store or any stores either under the canopy or on the sidewalk under the canopy. Any signs to be compliant with the Sign Ordinance.”*
  - Item No. 10 – Subset e – revise to read: *“Tattoo parlors or title shops.”*
  - Item No. 10 – add Subset g – *“No vehicles of any sort to be used for the purpose of advertising.”*
- no more than two (2) dump truck loads of Granite 57 stone on property
- no more than one (1) trailer of pine straw and wheat straw on property for the purpose of storage
- no more than more than four (4) dump truck loads of tree clippings and/or tree mulch to be on the property
- no more than four (4) dump truck loads of fill dirt on property

ORIGINAL DATE OF APPLICATION: 02-21-12

APPLICANTS NAME: PARADISE CONCEPTS, INC.  
D/B/A NATURE SUPPLY CENTRE

THE FOLLOWING REPRESENTS THE FINAL DECISIONS OF THE  
COBB COUNTY BOARD OF COMMISSIONERS

**BOC DECISION OF 03-20-12 ZONING HEARING (Continued):**

- landscaping buffer consisting of trees, a minimum of three feet (3') in height, to be planted on a three foot (3') center along the southeast property line (for a total of 571 feet), to be approved by the County Arborist
- Fire Department comments and recommendations
- Stormwater Management Division comments and recommendations
- \*Cobb DOT comments and recommendations, with six (6) months from this date to complete deceleration lane on Floyd Road.

VOTE: **ADOPTED** unanimously

\*NOTE: See letter dated May 14, 2012 from Commissioner Woody Thompson concerning "a modification to reflect that the requirement for the construction of a deceleration lane be effective upon a redevelopment of the subject property." (Copy of letter in LUP-1 zoning file)

APPLICANT: Paradise Concepts, Inc. d/b/a Nature Supply Centre PETITION NO.: LUP-1  
PRESENT ZONING: NRC PETITION FOR: LUP

\*\*\*\*\*

**ZONING COMMENTS:** Staff Member Responsible: Jason A. Campbell

Applicant is requesting a Land Use Permit for the purpose of operating a landscape supply company and a thrift store. The landscape supply company will be open Monday through Saturday from 8 a.m. until 6 p.m. and have seven employees. The applicant anticipates 10 customers per day/50 per week. The attached worksheet indicates that the applicant is requesting one 8' x 5' sign on the property's frontage on Floyd Road. The business will have two dump trucks and 2 trailers at the property. The worksheet also indicates three deliveries per week via semi-truck. The applicant is also requesting outdoor storage of landscaping stones, similar landscape materials and mulch stored in bins. A stipulation letter with a list of materials to be stored at the property is attached for your review. This request is for a period of 24 months. The property was zoned to NRC in 2004 (Z-26) with stipulations that, among other things, the property was to be retail and professional office use only. The minutes from the previous case also stipulated "no overnight parking of heavy equipment, i.e. dump trucks, bobcats, etc." The minutes from Z-126 of 2004 are attached for your review.

**Historic Preservation:** No comments.

**Cemetery Preservation:** No comment.

\*\*\*\*\*

**WATER & SEWER COMMENTS:**

No comments.

\*\*\*\*\*

**TRAFFIC COMMENTS:**

Recommend a deceleration lane on Floyd Road. Recommend applicant be required to meet all Cobb County Development Standards and Ordinances related to project improvements.

\*\*\*\*\*

**FIRE COMMENTS:**

C/O: Plans must be submitted to the Cobb County Fire Marshal's Office to initiate the Certificate of Occupancy process.

**GATE:** Gates securing fire apparatus access shall be a minimum 14 feet in clear width for a single lane and 20 feet for a double lane. Gate shall be swing or sliding type. Electric gates shall be equipped with a means of opening the gate by fire department personnel for emergency access (Knox Switch). Emergency opening devices shall be approved by the Cobb County Fire Marshal's Office. (Cobb County Development Standards 401.08.02.1)

APPLICANT: Paradise Concepts, Inc.

PETITION NO.: LUP-1

PRESENT ZONING: NRC

PETITION FOR: LUP

\*\*\*\*\*

**DRAINAGE COMMENTS**

The proposed site includes the outdoor storage of sand, gravel, stone and other landscape materials. A Notice of Intent must be filed with the Georgia Environmental Protection Division for coverage under the NPDES General Permit to discharge stormwater associated with industrial activity. This facility will likely be classified under SIC Code 5211 for building material storage. Any requirements associated with this permit must be addressed. A stormwater pollution prevention plan must be provided to the County to address potential stormwater quality impacts from the site operations. Any new improvements/development must be current stormwater management requirements.

Min. Bk. 65 Petition No.  
Doc. Type letter of  
alib conditi  
Meeting Date 3

LUP-7 (2013)  
Previous  
Minutes

**SAMS, LARKIN & HUFF**  
A LIMITED LIABILITY PARTNERSHIP

SUITE 100  
376 POWDER SPRINGS STREET  
MARIETTA, GEORGIA 30064-3448

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

February 21, 2012

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VIA E-MAIL AND  
HAND DELIVERY

Mr. John P. Pederson, AICP, Manager  
Cobb County Community Development Agency  
Zoning Division  
1150 Powder Springs Road, Suite 400  
Marietta, GA 30064

Re: Application of Paradise Concepts, Inc., d/b/a Nature Supply Centre for Temporary  
Land Use Permit (No. LUP-1)

Dear John:

As you know, this firm represents Paradise Concepts, Inc., d/b/a Nature Supply Centre ("Nature Supply Centre") concerning the above-captioned Application for a Land Use Permit. The Application was continued earlier this month and is now scheduled to be heard and considered by the Planning Commission and the Board of Commissioners next month on March 6, 2012 and March 20, 2012, respectively.

Since the Application was continued, we have continued our dialogue with the County's staff. Additionally, we have continued our discussions with representatives of the Mableton Improvement Coalition ("MIC"). In that regard, I have been authorized to submit this additional letter of revised stipulations which, if the Application is approved as submitted and revised, shall become conditions and a part of the grant of the approval and binding upon the subject property thereafter. The referenced revised stipulations are as follows, to wit:

1. The revised stipulations and conditions set forth herein shall supercede and control where in conflict with the stipulations/conditions embodied within the original rezoning of the subject property to NRC in 2004 (No. Z-126).

Petition No. LUP-  
Meeting Date 3/20  
Continued

SAMS, LARKIN & HUFF  
A LIMITED LIABILITY PARTNERSHIP

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VIA E-MAIL AND  
HAND DELIVERY

Mr. John P. Pederson, AICP, Manager  
Cobb County Community Development Agency  
Zoning Division  
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February 21, 2012

2. The subject property, a 4.39 acre tract of land which is contiguous to the Silver Comet Trail and zoned NRC, shall be utilized as a landscape supply center which will include typical landscaping materials, most of which will be stored in outside bins (see attached list of materials).<sup>1</sup>
3. The hours of operation of the landscape supply center shall be from 8:00 a.m. until 6:00 p.m. Monday through Saturday. The business shall be closed for operation on Sunday.
4. The construction of a six foot (6') wood privacy fence with decorative pillars at least every eight feet (8') along the subject property's frontage on Floyd Road. The fence shall be located in line with the front of the building at the north side of the property, behind the parking and in front of the display bins. The fence shall be located on top of an earthen berm with a minimum height of two feet (2'). The berm shall be planted with ornamental bushes and screening landscaping a maximum of every four feet (4') on center. The fence shall have a gate of a size able to accommodate trucks and shall be kept closed and locked during non-business hours. The fencing and landscaping shall be maintained as long as this or any future land use permits are in effect.
5. The formation of a Landscape Oversight Committee consisting of a representative from MIC, a representative from Nature Supply Centre and the Director of the Community Development Agency who shall facilitate agreements between the parties and who shall act as the final arbiter with respect to all landscaping and fencing issues in circumstances where concurrence can not otherwise be achieved.
6. The foregoing construction, fencing and landscaping shall be commenced immediately after the approved of the Land Use Permit and completed within ninety (90) days from the commencement of same unless an extension of said time period is approved by the Landscape Oversight Committee.

<sup>1</sup> The subject property was rezoned to NRC in 2004 (No. Z-126); however, the Planned Mixed-Use Retail Development which was proposed did not come to fruition primarily as a result of the depressed real estate market.

Petition No. LUP-  
Meeting Date 3/1  
Continued

SAMS, LARKIN & HUFF  
A LIMITED LIABILITY PARTNERSHIP

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VIA E-MAIL AND  
HAND DELIVERY

Mr. John P. Pederson, AICP, Manager  
Cobb County Community Development Agency  
Zoning Division  
Page 3  
February 21, 2012

7. The number of vehicles associated with the landscape supply center business on the subject property shall be limited to four (4) vehicles which will include two (2) dump trucks and two (2) trailers. The trailers will be used primarily for the storage and protection of pine straw and similar landscaping products and shall be screened from view from Floyd Road. The dump trucks, which are used primarily for the pickup and delivery of landscape materials to and from the subject property, shall be screened from view from Floyd Road when not in use.
8. There shall be no wood or log splitting or chipping conducted on the subject property.
9. Except with respect to the outside storage of landscaping materials and products as mentioned above, there shall be no outside storage of retail products associated with other businesses which may operate from the subject property with said outside storage ceasing upon approval of the Land Use Permit.
10. The following uses shall be prohibited on the subject property:
  - a. Automobile related businesses.
  - b. Check cashing businesses.
  - c. Retail sales of guns, knives or weapons as a principal use.
  - d. Pawn shops; however, this provision shall not prohibit the Thrift Store which is presently operating from the subject property.
  - e. Tattoo parlors.
  - f. The burning of wood, trash or debris.

SAMS, LARKIN & HUFF  
A LIMITED LIABILITY PARTNERSHIP

Petition No. LUP-1  
Meeting Date 3/20/12  
Continued

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VIA E-MAIL AND  
HAND DELIVERY

Mr. John P. Pederson, AICP, Manager  
Cobb County Community Development Agency  
Zoning Division  
Page 4  
February 21, 2012

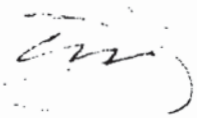
11. The Applicant agrees to limit this initial Land Use Permit to a period of twelve (12) months with the knowledge and understanding that, should circumstances warrant same, the Applicant intends to file a subsequent Application for a Land Use Permit seeking the maximum time frame of twenty-four (24) months.
12. Minor modifications to the within stipulations/conditions may be approved by the District Commissioner as needed or necessary during the Plan Review Process and thereafter.

The subject property is located within the confines of a Commercial Activity Node and is shown on Cobb County's Future Land Use Map as being within a Neighborhood Activity Center ("NAC"). In that regard, the uses proposed to be continued by Nature Supply Centre are entirely appropriate from a land use planning perspective and when considered in the context of development in which the subject property is situated.

Please do not hesitate to contact me should you or members of your staff have any questions concerning these matters or if you need additional information or documentation prior to the Application being heard and considered by the Planning Commissioners and Board of Commissioners next month. With kind regards, I am

Very truly yours,

SAMS, LARKIN & HUFF, LLP



Garvis L. Sams, Jr.  
[gsams@samslarkinhuff.com](mailto:gsams@samslarkinhuff.com)

GLS/dsj  
Enclosure/Attachment



Petition No. LUP-1  
Meeting Date 3/20/12  
Continued

SAMS, LARKIN & HUFF  
A LIMITED LIABILITY PARTNERSHIP

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**VIA E-MAIL AND  
HAND DELIVERY**

Mr. John P. Pederson, AICP, Manager  
Cobb County Community Development Agency  
Zoning Division  
Page 5  
February 21, 2012

- cc: Members, Cobb County Board of Commissioners – (via email w/attachment and hand delivery w/enclosure)
- Members, Cobb County Planning Commission – (via email w/attachment)
- Mr. Robert L. Hosack, Jr., AICP, Director – (via email w/attachment and hand delivery w/enclosure)
- Mr. Jason Campbell, Planner II – (via email w/attachment and hand delivery w/enclosure)
- Ms. Jane Stricklin, P.E. – (via email w/attachment)
- Mr. Dave Breaden, P.E. – (via email w/attachment)
- Ms. Karen King, Assistant County Clerk – (via email w/attachment)
- Ms. Lori Presnell, Deputy County Clerk – (via email w/attachment)
- Mr. Ben Clopper, Mableton Improvement Coalition – (via email w/attachment)
- Ms. Robin Meyer, Mableton Improvement Coalition – (via email w/attachment)
- Mr. Mike Pecoraro – (via email w/attachment)
- Mr. Parks Kennerly – (via email w/attachment)

Petition No. LUP-1  
Meeting Date 3/1/2010  
Continued

[www.naturesupplycentre.com](http://www.naturesupplycentre.com)

## LIST OF MATERIALS

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Creek Rock  
River Slicks  
Slate Chips  
Crimson Stone  
Red Lava Rock  
Marble Chips  
Pea Gravel  
Egg Rock  
Granite 57 stone  
Crusher Run  
Type III Rip Rap  
Masonry Sand  
River Sand  
Granite Sand  
Harwood Mulch  
Cypress Mulch  
Mini Pine Bark Nuggets  
Large Pine Bark Nuggets  
Red, Black, and Brown Dyed Mulch  
Crab Orchard Brown and Grey Flagstone  
Brown and Grey Rubble Strip  
Garden Boulders  
Tenn Fieldstone (thin, medium, and thick)  
Railroad Crossties  
Landscape Timbers (6x6x8)  
Firewood by the piece, 1/2 cord, or full cord  
Pine Straw  
Wheat Straw  
Fill Dirt  
Screened Topsoil  
Organic Planting Soil



COBB COUNTY  
BOARD OF COMMISSIONERS

100 Cherokee Street, Suite 300  
Marietta, Georgia 30090-7000  
(770) 528-3312 • fax: (770) 528-2606

G. Woody Thompson, Jr.  
Commissioner, District 4

May 14, 2012

*Please forward  
to John P  
for zoning  
file*  


VIA EMAIL

Mr. Robert L. Hosack, Jr., AICP, Director  
Cobb County Community Development Agency  
Suite #00  
1150 Powder Springs Road  
Marietta, GA 30064

Re: Application of Paradise Concepts, Inc., d/b/a Nature Supply Centre for a  
Temporary Land Use Permit (LUP-1)

Dear Rob:

You will recall that the above Application for a Land Use Permit was unanimously approved by the Board of Commissioners on March 20, 2012 on the Consent Agenda. When the Application was approved it included a requirement for the construction of a deceleration lane within six (6) months of approval. While that was an appropriate stipulation from the original rezoning of the subject property in 2004 (No. Z-126), it is really not applicable to Nature Supply Centre's business which utilizes an existing thirty-six foot (36') in width commercial driveway which is presently positioned to allow no more than fifty feet (50') for a deceleration lane without purchasing a portion of the next-door neighbor's residential property.

Another one of the stipulations stated that the District Commissioner could effectuate minor modifications. In that regard, please let your official zoning file reflect a modification to reflect that the requirement for the construction of a deceleration lane be effective upon a redevelopment of the subject property. Please let me know if you have any questions regarding these matters.

Sincerely,

  
George W. Woody Thompson

cc: Mr. John P. Pederson, AICP, Manager (via email)  
Ms. Jane Stricklin, PE (via email)  
Garvis L. Sams, Jr., Esq. (via email)

ORIGINAL DATE OF APPLICATION: 02-21-12APPLICANTS NAME: PARADISE CONCEPTS, INC.  
D/B/A NATURE SUPPLY CENTRE

**THE FOLLOWING REPRESENTS THE FINAL DECISIONS OF THE  
COBB COUNTY BOARD OF COMMISSIONERS**

**BOC DECISION OF 08-21-12 ZONING HEARING:**

**OTHER BUSINESS ITEM #1 – TO CONSIDER A STIPULATION AMENDMENT FOR  
CATHYANN NEAL REGARDING TEMPORARY LAND USE PERMIT APPLICATION  
LUP-1 (PARADISE CONCEPTS, INC. D/B/A NATURE SUPPLY CENTRE) OF 2012**

To consider a stipulation amendment for Cathyann Neal regarding Temporary Land Use Permit application LUP-1 (Paradise Concepts, Inc. D/B/A Nature Supply Centre) of 2012, for property located on the northeast side of Floyd Road, north of Concord Road, in Land Lots 1000 and 1001 of the 19th District.

Mr. John Pederson, Zoning Division Manager, provided information regarding a stipulation amendment to allow the display of merchandise outside of the building under the canopy in front of the thrift store. The public hearing was opened and Ms. Cathyann Neal and Ms. Robin Meyer addressed the Board. Following presentation and discussion, the following motion was made:

MOTION: Motion by Thompson, second by Lee, to **approve** Other Business Item No. 1 for stipulation amendment regarding application LUP-1 (Paradise Concepts, Inc. D/B/A Nature Supply Centre) of 2012, for property located on the northeast side of Floyd Road, north of Concord Road, in Land Lots 1000 and 1001 of the 19th District **subject to:**

- **District Commissioner to approve the spatial limits of outdoor storage and the types of merchandise to be displayed**
- **all previous stipulations and conditions, *not otherwise in conflict*, to remain in effect**

VOTE: **ADOPTED** unanimously

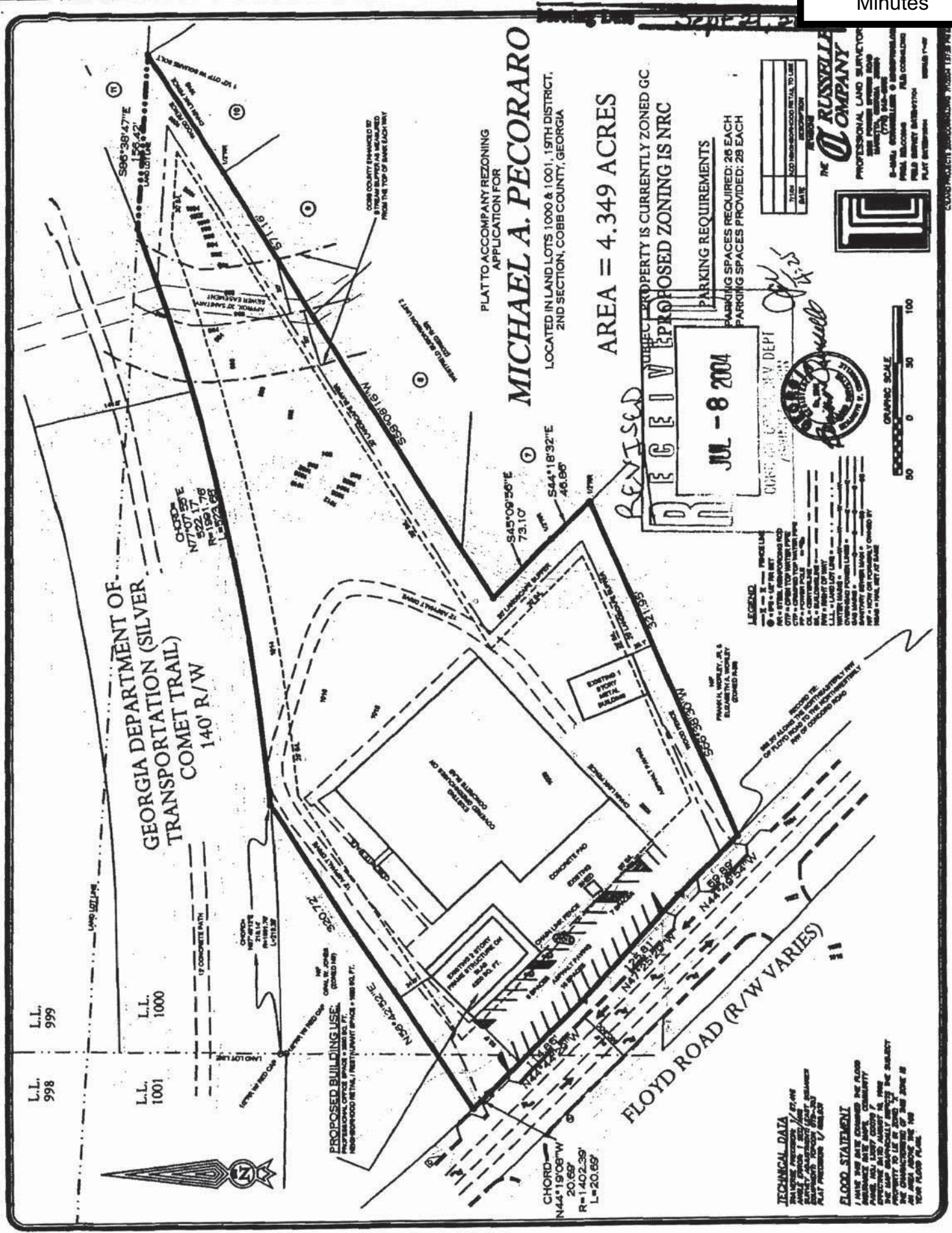
ORIGINAL DATE OF APPLICATION: 09-21-04APPLICANTS NAME: MICHAEL A. PECORAROTHE FOLLOWING REPRESENTS THE FINAL DECISIONS OF THE  
COBB COUNTY BOARD OF COMMISSIONERS**BOC DECISION OF 09-21-04 ZONING HEARING:**

**MICHAEL A. PECORARO** (Sopramco II, LLC, owner) for Rezoning from GC to NRC for the purpose of Retail, Office and Restaurant in Land Lots 1000 and 1001 of the 19<sup>th</sup> District. Located on the northeast side of Floyd Road, south of the Silver Comet Trail.

MOTION: Motion by Olens, second by W. Thompson, as part of the Consent Agenda, to **approve** rezoning to the NRC zoning district subject to:

- “revised” site plan received by the Zoning Division July 8, 2004, with the District Commissioner approving any modifications to the site layout (copy attached and made a part of these minutes)
- District Commissioner to approve the building architecture and site plan for any future changes to the property
- letter of agreeable stipulations from Mr. Patrick Riley dated September 20, 2004 (copy attached and made a part of these minutes)
- 20-foot buffer to be fully planted and approved by County Landscape Architect at Plan Review
- property to be used for retail and professional office use only (no automotive uses)
- written presentation of Mr. Patrick Riley (copy attached and made a part of these minutes)
- building to be cleaned immediately upon Applicant’s ownership of property
- greenhouse to be used for the growing of plant material only; if use ceases, then greenhouse to be removed from the property within one year of the cease of business
- installation of slats in fencing around greenhouse to provide a visual screen within three (3) months of Applicant’s ownership of property
- no overnight parking of heavy equipment, i.e. dump trucks, bobcats, etc.
- Water and Sewer Division comments and recommendations
- Stormwater Management Division comments and recommendations
- 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



LUP-7 (2013)  
Previous Zoning  
Minutes

**PATRICK RILEY  
ATTORNEY AT LAW**

Patrick Riley & Associates, LLC  
965 Piedmont Road  
Suite 115  
Marietta, Georgia 30066

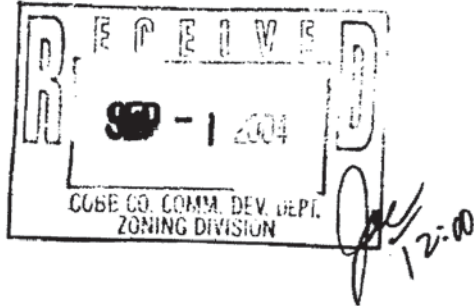
Min. Bk. 30 Petition No. Z-126  
Doc. Type Letter of agreeable  
Stipulations  
Meeting Date Sept. 21, 2004

Office: 770-874-7852  
Cell: 770-315-6302  
Fax: 770-874-1444  
priley@patrickrileylaw.com

September 1, 2004

Jason Campbell  
Zoning Analyst  
Community Development Agency  
Zoning Division  
191 Lawrence Street, 3<sup>rd</sup> Floor  
Marietta, Georgia 30060-1661

Cobb County Planning Commission  
c/o Community Development Agency  
Zoning Division  
191 Lawrence Street, 3<sup>rd</sup> Floor  
Marietta, Georgia 30060-1661



Re: Z-126 - 4419 Floyd road, Mableton, GA

Dear Mr. Campbell:

This firm represents Michael A. Pecoraro in the above-referenced zoning application. As we discussed this morning, I have reviewed the Community Development Agency staff report and recommendations for this rezoning application. While we appreciate the recommendation of the staff approving this application, there are a number of inaccuracies in the report that the applicant would like to clarify, and there are a number of conditions and specific recommendations by the staff that the applicant is not in a position to accept. At your suggestion, I am forwarding this letter outlining the specific concerns of the applicant and request that copies of this letter are provided to each of the Planning Commissioners.

The report states that the short term plan for the property includes the reopening of the plant nursery, and renovating part of the building for a sandwich shop and an ice cream shop. As a matter of clarification, the applicant currently has no specific plans to re-open the nursery or to renovate the building for a sandwich or ice cream shop. While these are possible uses for the property, it is the applicant's intention primarily to renovate part of the interior of the building to lease as professional office space (such as realtor, insurance agency, accountant or similar uses) and the balance of the building interior for retail use. The applicant has considered renovating the balance of the building for use as a sandwich shop as one possible tenant use. Currently, the applicant is negotiating with several prospective tenants for the property, but as of this date has no signed leases with tenants for specific uses of the property.

It is the applicant's intention to use the existing building and the property as presently developed. The applicant does not intend to make any development changes to the exterior of the building, parking lot or property as part of his short-term plan. This intention was discussed at the applicants meeting with the staff. The applicant intends to remove debris and clean up the property to an acceptable office or commercial standard.

Jason Campbell  
September 1, 2004  
Page 2

Petition No. Z-126  
Meeting Date Sept. 21, 2004  
Continued

Applicant is agreeable to connecting the property to existing County water and sewer systems, as recommended by the staff, assuming that such connections are feasible. It is applicant's understanding that a sanitary sewer line crosses the rear of the property, approximately 400-500 feet behind the building. The elevation of the property at that location is significantly different from the rest of the property. Applicant is in the process of determining if, given the topography and other factors on this property, connection to the sanitary sewer facilities is feasible. If so, applicant intends to connect to existing water and sewer systems.

Applicant is concerned with the staff recommendations regarding storm water as they relate to his short term plan. As mentioned previously, applicant intends to use the existing building and other improvements on the property as they are currently constructed and developed. Applicant has no intention as part of his short term plan of modifying impervious surfaces or making any other changes to the property that would alter or increase the flow of storm water from existing conditions on this property. As such, applicant requests that the staff recommendations regarding storm water issues related to redevelopment of the property be addressed at such future time as the property may be redeveloped as part of the long term plans of applicant. Applicant is agreeable to meeting storm water issues raised by the staff at such time as the property is redeveloped.

For similar reasons, applicant is concerned with the DOT staff recommendations regarding Floyd Road, including dedication of right of way, and installation of a deceleration lane, sidewalk, curb and gutter. A dedication of the recommended 50' right of way today would cause the building setback on the property to be nonconforming as the property is proposed to be used by applicant in his short term plan. It would also encroach into the parking lot and the available parking spaces required for use of this property. Moreover, since applicant has no plans to change the property as part of his short term plan, he would request that the DOT staff recommendations regarding Floyd Road be deferred and addressed at such time as the property is actually re-developed.

The concerns outlined above were addressed at the applicant meeting and applicant believed an agreement had been reached with the staff in these regards. We trust that this correspondence is helpful in clarifying the foregoing matters and applicant's concerns.

Please feel free to contact the undersigned if you have any questions or concerns in this regard.

Sincerely,



Patrick Riley

cc: Michael A. Pecoraro



FILED WITH COUNTY CLERK THIS 7th DAY  
OF Sept 2024 BY Patrick Riley  
RE Z-126  
Michael K. Peyer  
COUNTY CLERK/ASST. COUNTY CLERK/DEPUTY COUNTY CLERK  
COBB COUNTY, GEORGIA

Min. Bk. 30 Pet  
Doc. Type written  
Patrick Riley  
Meeting Date Sept

LUP-7 (2013)  
Previous Zoning  
Minutes

PLANNING COMMISSION HEARING

1. Good morning Chairman Holman and commission members.
2. My name is PR and I represent **Michael Pecoraro**, the applicant in **zoning application Z-126**.
3. If you will kindly bear with me I would like to read some **preliminary remarks into the record** regarding this application.
4. Applicant seeks to **rezone** the property located **4119 Floyd Road, Mableton Ga**
  - **from its current zoning of General Commercial, w/special stipulation for plant nursery use only**
  - **to Neighborhood Retail Commercial District.**
5. The property consists of approx. **4.35 acres** and is presently improved with an existing **2 story frame building** of approx. 4200 sq. ft., a **metal out building** of approx. 2300 sq. ft and a **covered greenhouse area** (approx. 28,000 sq. ft.).
6. The **proposed rezoning to NRC is consistent with the Cobb County Comprehensive Plan and the Land Use Plan** recommendations for this property.
7. Applicant has a pending contract to purchase the property (Sopramco II LLC), and once in title he **has both a short term plan and a long term plan** for use of the property

**Under The Short Term Plan:**

8. Upon rezoning and acquiring the property, Applicant desires to **lease the building and structures as they are currently constructed** to third party tenants for use as **professional office space and businesses, retail uses** and perhaps a **limited offering restaurant**.
9. In his short term plan Applicant **does not intend to develop or make any material changes** to the exterior of the buildings, parking lot or other improvements on the property, but **rather just use the property as presently developed**.
10. In the short term, he **does plan to clean and remove debris and weeds** from the property, and **bring the overall condition and appearance of the site up to commercially acceptable standards**.
11. With respect to the **Main Building** on the property (4200 sq. ft) Applicant does **contemplate making alterations to the interior** of the building as **leases with tenants are signed, demising walls are erected** and the building **interior is improved** to conditions suitable for office or retail uses.
  - Applicant would like to **lease approximately 2550 sq ft** of the main building for **professional office space uses**.

- The types of professional businesses applicant desires to lease to include realtors, accountants, attorneys, insurance agencies, mortgage lenders and similar uses that would serve the area and surrounding neighborhoods.
  - Applicant would like to lease the balance of the building (1650 sq. ft.) for retail use or perhaps a sandwich shop type of restaurant.
  - The Applicant is an avid cyclist and has been for over 35 years.
  - The proximity of this property to the Silver Comet Trail is a primary reason driving his interest in acquiring this site.
  - The types of retail businesses or restaurant contemplated by Applicant include those that would complement the use of the Silver Comet Trail, and meet the needs of cyclists, as well as the general public.
12. With respect to the existing Nursery Facilities and Metal Outbuilding (2300 sq. ft.) constructed on the property, Applicant has considered leasing that area in the short term to a tenant in the plant nursery or similar business.
- One prospective tenant presently being considered by Applicant is in the business of raising and selling Leyland cypress trees.
  - Applicant does not intend to make any modifications to the existing nursery facilities and outbuilding.
  - He does plan to perform any repairs or maintenance necessary to restore the facilities to a condition suitable for leasing.
13. While Applicant is actively marketing this property, he does not yet have, at this time, any signed leases with third party tenants.
14. The uses just outlined would be part of Applicant's short term plan for the property. At some point when circumstances permit, Applicant would like to implement a long term plan for the property.

**Under the Long Term Plan;**

15. Applicant contemplates further development of the property. That may include removing some of the existing improvements to the property, such as the nursery facilities or outbuilding, and/or constructing one or more additional buildings. Alternatively, it may entail a complete re-development of this site from the ground up for uses encompassed under NRC zoning.
- Applicant's long term plans have not been developed yet.
16. Applicant's primary intention at this time, however, is to lease and generate revenue from the existing improvements on the property until such time as his long terms plans have crystallized and he is in a position to further develop or redevelop this site.

17. In reviewing the Community Development Agency's staff report, Applicant is grateful for the staff's recommendation of approval for this rezoning request and would like to thank the staff for their time and effort in this regard.

- However, there are a number of staff recommendations and conditions in the report regarding approval that are of concern to Applicant.
- I have noted those recommendations and concerns in my letter to the staff and this commission, dated September 1, 2004.
- Without listing all of them now, they include recommendations from:
  - a. the Stormwater Management Division, including obtaining wetland permits, securing required R.O.W's to receive concentrated discharges, and other requirements.
    - As mentioned previously, applicant intends to use the existing building and other improvements on the property as they are currently constructed and developed.
    - Applicant has no intention as part of his short term plan of modifying impervious surfaces or making any other changes to the property that would alter or increase the flow of storm water from existing conditions on this property.
  - b. They also include recommendations from the DOT regarding dedication of a 50' ROW, installation of a 150' deceleration lane and installation of sidewalk, curb and gutters along Floyd Road.
    - As indicated in my letter of September 1<sup>st</sup>, such a R.O.W. dedication would create a number of problems including rendering the property non-conforming as to building setback requirements and encroaching into the parking lot and available parking spaces required for the short term plans for the use of the property.
    - Construction of a deceleration lane and other improvements along Floyd Road also do not seem appropriate at this time, given the Applicants' short term plans for the property.
- The Storm Water and DOT recommendations and conditions would clearly relate to what we have described as Applicant's long term plans for the re-development of this property. They do not appear to be applicable to Applicant's short term plans to use the building and improvements on the property as currently developed.
- As such, it would not seem appropriate to impose these conditions at this time with respect to this application for rezoning.

- Applicant submits that these issues **could be adequately addressed at the plan review and permitting process** at such time in the future, if ever, that Applicant **moves to further develop** or redevelop the property.
- Applicant would **not wish to encumber the property** with such conditions **until such time** as his **long term plans have been established** and he is actually in a position to move forward with those plans.

Applicant would like to note that he **has met with the Mableton Improvement Association** to discuss this rezoning application and the proposed uses of the property. The meeting **went well** and we understand that the **Association is in support** of this proposed rezoning.

**Based upon the foregoing, Applicant respectfully requests approval of Application No. Z-126.**

**That concludes my formal presentation** in this matter.

Thank you.

APPLICANT Michael A. Pecoraro

PETITION NO.

PRESENT ZONING GC

PETITION FOR RE

\*\*\*\*\*

NOTE: Comments reflect only what facilities were in existence at the time of this review.

**WATER COMMENTS:**

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

Size / Location of Existing Water Main(s): 6" DI / E side Floyd

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: On site in rear

Estimated Waste Generation (in G.P.D.): A D F add'l unkn **Peak** add'l unkn

Treatment Plant: S Cobb

- 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
- Letter of Allocation issued?  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:

Sewer also across Floyd. New buildings/businesses subject to code requiring sewer connection

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: Michael A. Pecoraro

PETITION NO.: Z-1

PRESENT ZONING: GC

PETITION FOR: NE

\*\*\*\*\*

**DRAINAGE COMMENTS**

FLOOD HAZARD:  YES  NO  POSSIBLY, NOT VERIFIED  
Concord Creek of

DRAINAGE BASIN: Nickajack Creek System FLOOD HAZARD INFO: Undefined in Eastern and Southeast corners

- 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: within Flood Hazard

- 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 stormdrainage system.

APPLICANT: Michael A. Pecoraro

PETITION NO.: 2

LUP-7 (2013)  
Previous Zoning  
Minutes

PRESENT ZONING: GC

PETITION FOR:

\*\*\*\*\*

**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. **(To be re-developed)**
- 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 **must be addressed at Plan Review**.
- 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/SUGGESTIONS

- 1) The exhibit plan is a survey of the current site conditions. Former greenhouse operation existed for a long period starting before any detention or water quality requirements.
- 2) At Staff /Applicant meeting, applicant verbally indicated his intent to re-develop tract but did not produce any proposed plan or other documents concerning a proposed re-development. Stormwater Management cannot provide comments in the absence of any plan. Stormwater Management reserves rights to future comments.

APPLICANT: Michael A. Pecoraro

PETITION NO.: Z-126

LUP-7 (2013)  
Previous Zoning  
Minutes

PRESENT ZONING: GC

PETITION FOR: NRC

\*\*\*\*\*

**TRANSPORTATION COMMENTS**

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

ROADWAY	AVERAGE DAILY TRIPS	CLASSIFICATION	MIN. R.O.W. REQUIREMENTS
Floyd Road	20171	Arterial	100'

*Based on 2002 estimated traffic counting data taken by GADOT.*

Floyd 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.

As necessitated by this development for egress from Floyd Road, a minimum 150' deceleration will be required.

Install sidewalk, curb and gutter along the road frontage.

**RECOMMENDATIONS**

Recommend applicant consider entering into a development agreement pursuant to 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 Floyd Road, a minimum of 50' from the roadway centerline.

Recommend a minimum 150' deceleration lane.

Recommend installing sidewalk, curb and gutter along the road frontage.

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