

Z-5
(2014)

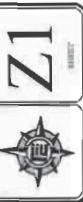
PLANNERS AND ENGINEERS COLLABORATIVE
"WE PROVIDE SOLUTIONS"
Sams, Larkin, Huff, LLP / c/o Vincent Picardi
A Master Planned Office Development
5421 Dallas Highway
378 Franklin Springs Street
Franklin Springs, Georgia 30752
Telephone: 770-472-7818
3600 Peachtree Dunwoody Road, N.E.
Atlanta, Georgia 30328

REVISION

NO.	DATE	DESCRIPTION

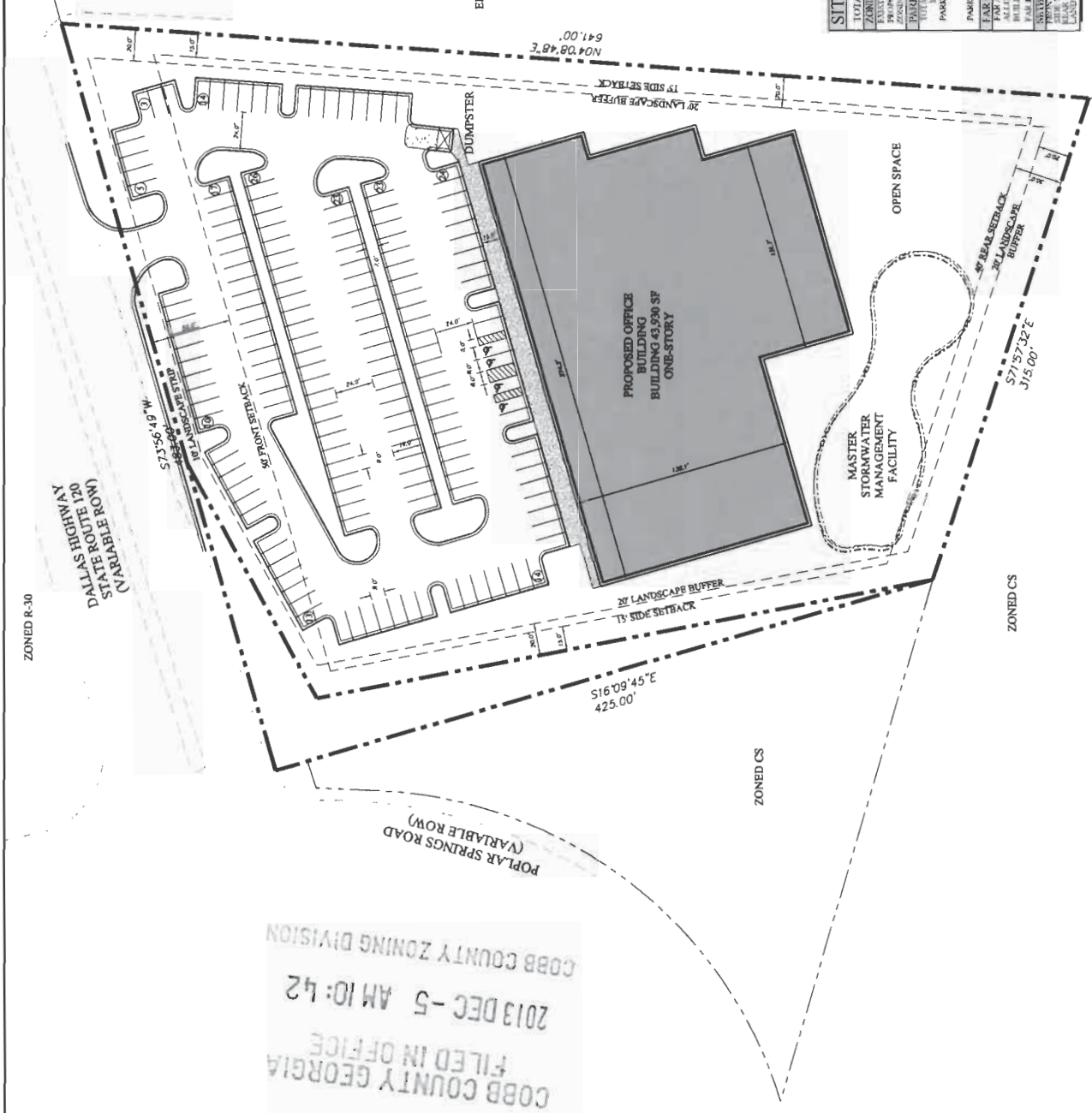
REZONING
SITE PLAN-1

SHEET TITLE
SCALE 1" = 30'
DATE November 18, 2013
PROJECT 132506100
THE PLAN IS ONLY VALID AS SHOWN ON THIS SHEET. ALL OTHER SHEETS OF THIS PROJECT ARE VOID.



BEFORE YOU DIG
UTILITY PROTECTION CENTER
CALL FREE IN METRO ATLANTA
(770) 673-4344
PROFESSIONAL GEORGIA
TRAFFIC ENGINEER DAVID BOSTON, P.E. & C.E.

ZONED R-30
EDGE OF NEIGHBORHOOD ACTIVITY CENTER



SITE DATA:

TOTAL SITE AREA	4.70 ACRES
EXISTING ZONING	R-30 RESIDENTIAL
PROPOSED ZONING	EDUCATIONAL / LOW DENSITY RESIDENTIAL
ZONING JURISDICTION	COBB COUNTY
PROJECT ACRES	4.80
MIN. LOT SIZE	20,000 SF (40' x 500')
PARKING REQUIRED	154 Spaces
EXISTING PAVED PARKING	43,000 SF
PARKING PROVIDED	177 Spaces
FAIR CALCULATIONS	
FAIR OFFER	\$1.20 PER SF
FAIR OFFER TOTAL	\$1.20 PER SF
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COBB COUNTY ZONING DIVISION
2013 DEC -5 AM 10:42
FILED IN OFFICE
COBB COUNTY GEORGIA

APPLICANT: The Picardi Family Trust
(480) 794-0600

REPRESENTATIVE: Garvis L. Sams, Jr. (770) 422-7016
Sams, Larkin & Huff, LLP

TITLEHOLDER: The Picardi Family Trust

PROPERTY LOCATION: South side of Dallas Highway, east of
Poplar Springs Road
(5421 Dallas Highway).

ACCESS TO PROPERTY: Dallas Highway

PHYSICAL CHARACTERISTICS TO SITE: Single-family house
and accessory barn

PETITION NO: Z-5

HEARING DATE (PC): 02-04-14

HEARING DATE (BOC): 02-18-14

PRESENT ZONING: R-30

PROPOSED ZONING: LRO

PROPOSED USE: Professional Offices

SIZE OF TRACT: 4.4 acres

DISTRICT: 19

LAND LOT(S): 81

PARCEL(S): 6

TAXES: PAID X DUE _____

COMMISSION DISTRICT: 1

CONTIGUOUS ZONING/DEVELOPMENT

- NORTH:** R-30/Church
- SOUTH:** CS/Poplar Springs Subdivision
- EAST:** R-30/Cobb EMC Station
- WEST:** R-30/Cobb County Property and CS/Poplar Springs Subdivision

OPPOSITION: NO. OPPOSED **PETITION NO:** _____ **SPOKESMAN** _____

PLANNING COMMISSION RECOMMENDATION

APPROVED _____ **MOTION BY** _____

REJECTED _____ **SECONDED** _____

HELD _____ **CARRIED** _____

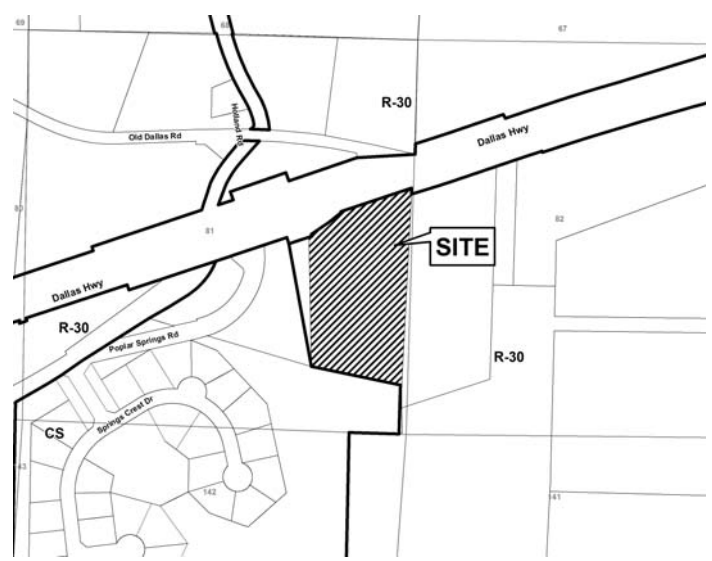
BOARD OF COMMISSIONERS DECISION

APPROVED _____ **MOTION BY** _____

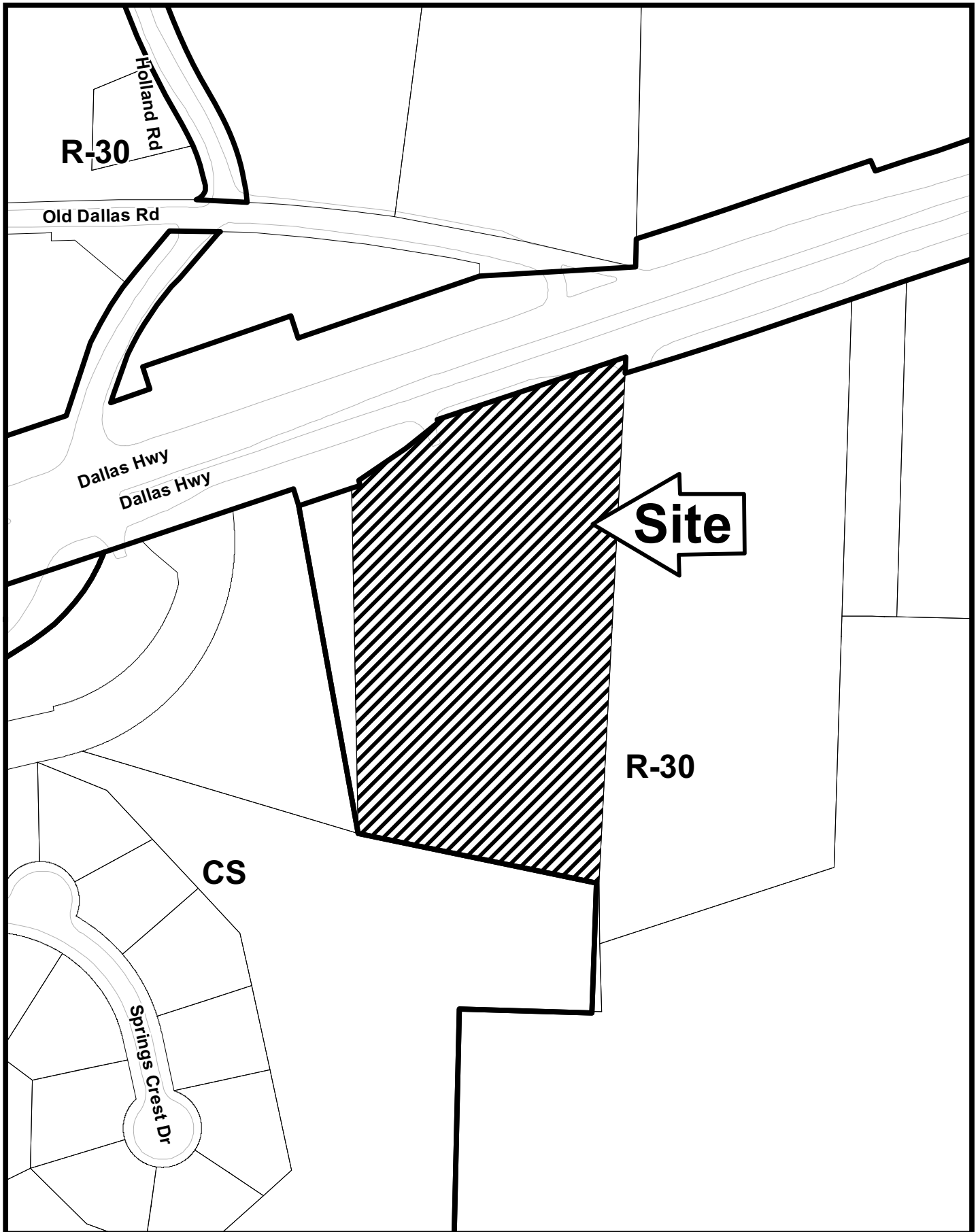
REJECTED _____ **SECONDED** _____

HELD _____ **CARRIED** _____

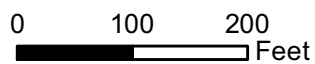
STIPULATIONS:





Z-5



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



-  City Boundary
-  Zoning Boundary

APPLICANT: The Picardi Family Trust

PETITION NO.: Z-5

PRESENT ZONING: R-30

PETITION FOR: LRO

ZONING COMMENTS:

Staff Member Responsible: Jason A. Campbell

Land Use Plan Recommendation: Very Low Density Residential (0-2 units per acre)

Proposed Number of Buildings: 1 **Total Square Footage of Development:** 43,930

F.A.R.: 0.229 **Square Footage/Acre:** 9,984

Parking Spaces Required: 154 **Parking Spaces Provided:** 172

Applicant is requesting the Low Rise Office (LRO) zoning category for the purpose of a one-story professional office development. The hours of operation will be from 8 a.m. to 5 p.m. Monday through Friday. The building will be traditional.

Cemetery Preservation: No comment.

FIRE COMMENTS:

Fire apparatus access roads shall extend to within 150 feet of all portions of the facility or any portion of the exterior wall of the first floor (State Modifications IFC 503.1 2006 Edition).

All access roads shall meet the American Association of State and Highway Transportation Officials (AASHTO) design manual live load standard HS20 (75,000 lbs.) with an unobstructed width of not less than 20 feet, 25 foot inside radius, 50 foot outside turning radius and unobstructed vertical clearance of not less than 13 feet 6 inches.

Maximum slope of the access road in reference to the apparatus is 10% Front to Back and 5% Side to Side. Maximum grade of roadways leading to Fire Access roads refer to the Cobb County Development Standard Section 400: 14% for Non-Residential. Maximum angle of departure is 8.5%.

Dead-end access roads in excess of 150 feet shall be provided with a turn-around (IFC 503.2.5 2006 Edition). Cul-de-sac with or without an island: minimum 60-foot radius to outside curb, measured to inside of curb and a minimum lane width = 24 feet (Cobb County Development Standard 401.09). Single-Family cul-de-sac without island: 38-foot outside radius with island reverts to commercial dimensions. Hammerhead turn-around: total of 110 feet needed (45 feet + 20 feet wide roadway + 45 feet).

Aerial apparatus access shall be required for all structures over 30 feet in height measured from the lowest level of fire department access to the ceiling height of the highest occupied floor level. Aerial fire apparatus access roads shall be a minimum width of 24 feet maximum of 40 feet from the structure and be positioned parallel to one entire side of the building. No overhead utility and power lines shall be located within the aerial fire apparatus access. (Cobb County Development Standards 401.08.02.1)

APPLICANT: The Picardi Family Trust

PETITION NO.: Z-5

PRESENT ZONING: R-30

PETITION FOR: LRO

PLANNING COMMENTS:

The applicant is requesting a rezoning from R-30 to LRO for the purpose of professional office use. The 4.4 acre site is located at the south side of Dallas Highway, east of Poplar Springs Road.

Comprehensive Plan

The parcel is within a Very Low Density Residential (VLDR) future land use category, with R-30 zoning designations. The purpose of the Very Low Density Residential (VLDR) category is to provide for areas that are suitable for very low density housing, particularly in locations which may not have basic services such as sewer, or where the existing or desired residential development pattern is zero to two (2) dwelling units per acre.

Master Plan/Corridor Study

Not applicable.

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.

Design Guidelines

Is the parcel in an area with Design Guidelines? Yes No

If yes, design guidelines area Dallas Highway Design Guidelines

Does the current site plan comply with the design requirements?

- Pedestrian access to buildings
 Yes No Not applicable
- Streetscape elements
 Yes No Not applicable
- Building Frontage
 Yes No Not applicable
- Parking Standard
 Yes No Not applicable
- Architecture standard
 Yes No Not applicable

APPLICANT: The Picardi Family Trust

PETITION NO.: Z-5

PRESENT ZONING: R-30

PETITION FOR: LRO

PLANNING COMMENTS: **Continued**

Incentive Zones

Is the property within an Opportunity Zone? Yes No

The Opportunity Zone is an incentive that provides \$3,500 tax credit per job in eligible areas if two or more jobs are being created. This incentive is available for new or existing businesses.

Is the property within an Enterprise Zone? Yes No

The Enterprise Zone is an incentive that provides tax abatements and other economic incentives for qualifying businesses locating or expanding within designated areas for new jobs and capital investments.

Is the property eligible for incentives through the Commercial and Industrial Property Rehabilitation Program? Yes No

The Commercial and Industrial Property Rehabilitation Program is an incentive that provides a reduction in ad valorem property taxes for qualifying redevelopment in eligible areas.

YES *indicates applicant has met the corresponding issue.*

NO *indicates applicant has not met the corresponding issue and/or there is not enough information provided.*

N/A *indicates issue is not applicable.*

APPLICANT The Picardi Family Trust

PETITION NO. Z-005

PRESENT ZONING R-30

PETITION FOR LRO

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

Available at Development: Yes No

Fire Flow Test Required: Yes No

Size / Location of Existing Water Main(s): **8" DI / S side of Dallas Highway**

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

In Drainage Basin: Yes No

At Development: Yes No

Approximate Distance to Nearest Sewer: **20' S with easement**

Estimated Waste Generation (in G.P.D.): **ADF 1757 Peak= 4393**

Treatment Plant: **South Cobb**

Plant Capacity: Available Not Available

Line Capacity: Available Not Available

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

Drv Sewers Required: Yes No

Off-site Easements Required: 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 easements by the property owners. All easement acquisitions are the responsibility of the Developer

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

Additional Comments:

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 offsite easements, dedication of on and/or offsite 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: The Picardi Family Trust

PETITION NO.: Z-5

PRESENT ZONING: R-30

PETITION FOR: LRO

STORMWATER MANAGEMENT COMMENTS

FLOOD HAZARD: YES NO POSSIBLY, NOT VERIFIED

DRAINAGE BASIN: Mill 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 receiving system.

APPLICANT: The Picardi Family Trust

PETITION NO.: Z-5

PRESENT ZONING: R-30

PETITION FOR: LRO

STORMWATER MANAGEMENT COMMENTS – Continued

SPECIAL SITE CONDITIONS

- Provide comprehensive hydrology/stormwater controls to include development of out parcels.
- Submit any future 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 is predominately wooded with average slopes less than 10%. The site drains to the southwest into an open space parcel associated with the adjacent Poplar Springs Subdivision. There is no existing defined stormwater conveyance to receive runoff from the site. However, there is a well-defined existing channel that runs parallel to the western site boundary that currently carries runoff from the Dallas Highway right-of-way and surrounding area. Either a drainage easement must be obtained from the adjacent Subdivision HOA to convey site runoff to the existing channel located just west of the site or sheet flow conditions must be restored at the property line.

APPLICANT: The Picardi Family Trust

PETITION NO.: Z-5

PRESENT ZONING: R-30

PETITION FOR: LRO

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
Dallas Highway	37,700	Arterial	55 mph	Georgia DOT	60'

Based on 2007 traffic counting data taken by Georgia DOT (Dallas Highway)

COMMENTS AND OBSERVATIONS

Dallas Highway is classified as an Arterial, and according to the available information, each existing right-of-way does meet the minimum requirements for its classification.

RECOMMENDATIONS

Recommend curb, gutter, and sidewalk along the Dallas Highway frontage.

Recommend a deceleration lane for ingress from Dallas Highway.

Recommend GDOT permits for all work that encroaches upon State right-of-way.

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

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STAFF RECOMMENDATIONS

Z-5 THE PICARDI FAMILY TRUST

- A. It is Staff's opinion that the applicant's rezoning proposal will not permit a use that is suitable in view of the use and development of adjacent and nearby properties. Surrounding properties are residentially zoned with single-family residential uses, a church and a power substation.
- B. It is Staff's opinion that the applicant's rezoning proposal will have an adverse affect on the usability of adjacent or nearby property. Adjacent and nearby properties are used for single-family residential uses along with a church and a power substation. This portion of Dallas Highway maintains a residential feel and is west of the nearest commercial node.
- C. It is Staff's opinion that the applicant's rezoning proposal will result in a use which would cause an excessive or burdensome use of existing streets, transportation facilities, utilities, or schools. This opinion can be supported by the departmental comments contained in this analysis.
- D. It is Staff's opinion that the applicant's rezoning proposal is in conformity with the policy and intent of the *Cobb County Comprehensive Plan*, which delineates this property to be within the Very Low Density (VLDR) land use category with densities ranging from 0-2 units per acre. For many years, commercial land use nodes have been concentrated at a few major intersections along Dallas Highway. The subject property is west of one of those intersections many properties west, north and south of the power substation are also VLDR on the *Cobb County Comprehensive Plan*.
- E. It is Staff's opinion that there are existing and changing conditions affecting the use and development of the property which give supporting grounds for denying the applicant's rezoning proposal. The surrounding area is populated with single-family uses, a church and a power substation. While the church and power substation do not necessarily give a residential appearance, the land use plan for the subject property (Very Low Density Residential) does not support this low intensity zoning category of Low Rise Office (LRO).

Based on the above analysis, Staff recommends DENIAL.

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.

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COBB COUNTY GEORGIA
FILED IN OFFICE

Application No. 2-5

Feb. 2014

2013 DEC -5 AM 10:00

Summary of Intent for Rezoning *

COBB COUNTY ZONING DIVISION

.....
Part 1. Residential Rezoning Information (attach additional information if needed)

- a) Proposed unit square-footage(s): _____
 - b) Proposed building architecture: _____
 - c) Proposed selling prices(s): _____
 - d) List all requested variances: _____
- _____
- _____
- _____

.....
Part 2. Non-residential Rezoning Information (attach additional information if needed)

- a) Proposed use(s): Professional Offices
 - b) Proposed building architecture: Traditional and as will be shown by renderings/elevations
 - c) Proposed hours/days of operation: Monday-Friday from 8:00 a.m. to 5:00 p.m.
 - d) List all requested variances: None at this time.
- _____
- _____
- _____

.....
Part 3. Other Pertinent Information (List or attach additional information if needed)

The subject property is adjacent to a Neighborhood Activity Center (NAC) and contiguous to a Power Sub Station.

.....
Part 4. Is any of the property included on the proposed site plan owned by the Local, State, or Federal Government? (Please list all Right-of-Ways, Government owned lots, County owned parcels and/or remnants, etc., and attach a plat clearly showing where these properties are located). Not Applicable

*The Applicant reserves the right to amend the Summary of Intent for Rezoning and the preliminary information provided therein at any time during the rezoning process.

ZONING IMPACT STATEMENT FOR THE REZONING
APPLICATION OF THE PICARDI FAMILY TRUST

COBB COUNTY GEORGIA
PLANNING DEPARTMENT
2015 DEC -5 AM 10:43
COBB COUNTY ZONING DIVISION

COMES NOW, THE PICARDI FAMILY TRUST, and, pursuant to §134-121(a)(7) of the Cobb County Zoning Ordinance, files this Zoning Impact Statement, as follows:

- A. The zoning proposal will permit a use of the property which is suitable in the context of development and existing zonings along this section of the Dallas Highway Corridor.

- B. The zoning proposal will have no adverse effect or impact upon the existing uses or usability of adjacent or nearby properties with the subject property. The property is adjacent to a Neighborhood Activity Center (NAC) under Cobb County’s Future Land Use Map. The property is also contiguous to a Power Sub Station.

- C. The subject property to be affected by the zoning proposal has no reasonable economic use as currently zoned in that the fair market value of same falls below the range of values of similarly zoned and situated properties with equivalent utility. Additionally, the present owner of the subject property is suffering a significant economic detriment by virtue of the continuation of the present nonconforming classification of R-30.

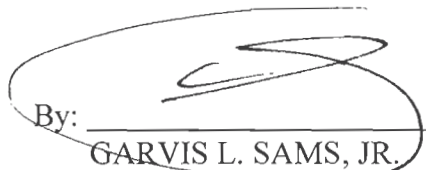
- D. The zoning proposal will have no adverse impact upon the existing County infrastructure including, but not limited to, existing streets, transportation facilities, utilities or schools.

- E. The zoning proposal is located contiguous to a Neighborhood Activity Center (NAC) and is consistent with those uses and purposes contemplated under Cobb County's Comprehensive Land Use Plan and Future Land Use Map.

- F. There is no substantial relationship between the existing zoning classification of R-30 which limits the property in terms of its present utilization and the public health, safety and general welfare. Additionally, considered in the context of development along this section of the Dallas Highway Corridor, there are no established land use planning principles or political considerations which would vitiate the zoning proposal.

Respectfully submitted, this the 5th day of December, 2013.

SAMS, LARKIN & HUFF, LLP

By: 
GARVIS L. SAMS, JR.
Attorney for Applicant
Ga. Bar No. 623950

SAMS, LARKIN & HUFF
A LIMITED LIABILITY PARTNERSHIP

GARVIS L. SAMS, JR.
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JUSTIN H. MEEKS

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

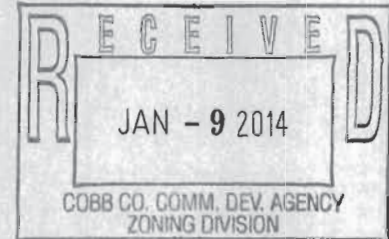
770-422-7016
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SAMSLARKINHUFF.COM

January 9, 2014

VIA EMAIL

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



Re: Application of The Picardi Family Trust to Rezone a 4.4 ± Acre Tract
from R-30 to LRO (No. Z-5)

Dear John:

As you know, this firm has been engaged by and represents The Picardi Family Trust, the Applicant and Property Owner concerning the above-captioned Application for Rezoning. The Application is scheduled to be heard and considered by the Cobb County Planning Commission on February 4, 2014 and, thereafter, is scheduled to be heard and considered for final action by the Cobb County Board of Commissioners on February 18, 2014.

The Application seeks a rezoning of the subject property to the Low-Rise Office ("LRO") district for the purposes of professional offices. The subject property's contiguity a large Georgia Power Substation and its adjacency to the existing Community Activity Center ("CAC") and Neighborhood Activity Center ("NAC") provide a textbook transition/step-down and establishes a firm cutoff for non-residential development going westward on the south side of Dallas Highway (State Route 120).

During the pendency of this Application, we have established a dialogue with the County's professional staff and with others. In that regard, we have been authorized by the Property Owner to submit this letter of agreeable stipulations which, if the Application for Rezoning is approved as submitted, 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 stipulations and conditions set forth herein shall replace and supersede in full any and all prior stipulations and conditions in whatsoever form which are currently in place concerning the property which constitute the subject matter of the above-captioned Application for Rezoning.

SAMS, LARKIN & HUFF
A LIMITED LIABILITY PARTNERSHIP

VIA EMAIL

Mr. John P. Pederson, AICP, Manager
Cobb County Zoning Division
January 9, 2014
Page 2

2. Rezoning of the subject property shall be from R-30 to LRO in substantially conformity to that certain site plan prepared by Planners and Engineers Collaborative which was submitted contemporaneously with the Application for Rezoning.
3. The total site area of the subject property consists of 4.40± acres which shall be developed solely and exclusively for professional offices situated within a one-story building.
4. As a part of the development of the subject property, there shall be Protective Covenants and the formation of a Business Owners Association which shall be responsible for the oversight, upkeep and maintenance of the office building, entrance areas, common areas, parking, landscaping, stormwater management, Open Space and other components ancillary to the proposed office development.
5. Entrance signage on Dallas Highway shall be ground-based, monument-style signage with finish, materials and color being in substantial conformity to the architectural style embodied in the proposed office building. There shall be no billboard signs, no roof signs and no temporary signs excepting only Grand Opening signage and signage indicating the coming development.
6. Lighting within the proposed office development shall be environmentally sensitive, appropriately spaced for safe lighting purposes (i.e. per a photometric plan) and, whenever possible, shall be themed to the architectural style of the office building to be constructed. All efforts shall be undertaken to ensure that all lighting is as unobtrusive as possible.
7. All setbacks and buffer areas may be penetrated for purposes of detention, utilities and stormwater management as long as such encroachments satisfy Cobb County regulations.
8. An agreement to comply with Cobb County Development Standards and Ordinances related to project improvements except as otherwise approved by the Board of Commissioners, the Cobb County Department of Transportation or the Cobb County Community Development Agency, as their respective authority may allow.

SAMS, LARKIN & HUFF
A LIMITED LIABILITY PARTNERSHIP

VIA EMAIL

Mr. John P. Pederson, AICP, Manager
Cobb County Zoning Division
January 9, 2014
Page 3

9. The hours of operation for the proposed Office Complex shall be from Monday through Saturday from 8:00 a.m. until 6:00 p.m.

10. Compliance with recommendations from the Stormwater Management Division with respect to the location, configuration and methodology of water quality and on site detention. Additionally, an agreement to the following:
 - a. All above-ground detention areas shall be landscaped and/or fenced in accordance with Cobb County Development Standards.
 - b. The development shall be designed to adhere to Best Management Practices in the construction of detention and water quality areas on site with such design and installation based upon Cobb County Development Standards.
 - c. If necessary, securing off site stormwater easements in order to direct stormwater from the site in an appropriate direction. Presently, the stormwater which emanates from and across the site "sheet flows" in a direction from the northeastern portion of the subject property to the southwestern portion of the property.

11. 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. Additionally, compliance with recommendations from the Cobb County-Marietta Water Authority with respect to that entity's waterline which traverses the subject property and which runs roughly parallel to Dallas Highway.

12. Subject to recommendations from the Cobb County Department of Transportation, including the following:
 - a. The point of ingress/egress on Dallas Highway shall be designated as "right-in/right-out" only as a result of the median on Dallas Highway.
 - b. The installation of a deceleration lane and appropriate taper on Dallas Highway.
 - c. The installation of sidewalk, curb and gutter along the subject property's frontage on Dallas Highway.
 - d. Securing approval from the Georgia Department of Transportation ("GDOT") with respect to any encroachments within Dallas Highway which is denominated and considered a State Route.

SAMS, LARKIN & HUFF
A LIMITED LIABILITY PARTNERSHIP

VIA EMAIL

Mr. John P. Pederson, AICP, Manager
Cobb County Zoning Division
January 9, 2014
Page 4

13. There shall be no tenant vehicles or vehicles of any type permanently parked in front of the proposed development containing tenant identification signage or advertising signage. This provision shall be contained within any lease between the Property Owner and any prospective tenant and the Property Owner agrees to undertake its best efforts to enforce these provisions against any tenant which violates the foregoing.
14. The Open Space shown on the site plan filed with the Application shall remain undisturbed in perpetuity.
15. The following otherwise permitted uses within the LRO district shall be prohibited:
 - a. Churches, chapels, temples, synagogues or other places of worship.
 - b. Recycling collection locations.
 - c. Funeral homes, group homes, in-home day care.
 - d. Nursery schools and child daycare centers.
 - e. Radio, television, cellular and other communication towers.
 - f. Temporary uses.
16. There shall be no outside storage facilities or any outside storage allowed on the subject property as such terms are used and defined within the Cobb County Zoning Ordinance.
17. Landscaping for the proposed development shall be pursuant to that certain Landscape Plan which shall be submitted during the Plan Review process, reference being made to said Plan for a more particular delineation and location of plantings and species to be planted.

SAMS, LARKIN & HUFF
A LIMITED LIABILITY PARTNERSHIP

VIA EMAIL

Mr. John P. Pederson, AICP, Manager
Cobb County Zoning Division
January 9, 2014
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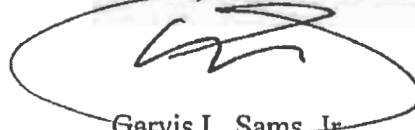
18. Prior to the issuance of building permits, the District Commissioner shall review and have the authority to approve the architectural style and composition of the building and all landscaping attendant thereto.
19. Minor modifications to the within stipulations/conditions, site plan, lighting, landscaping, architecture, site features and the like may be approved by the District Commissioner as needed or necessary except for those that:
 - a. Reduce the size of an approved buffer adjacent to property that is zoned the same or in a more restrictive zoning district.
 - b. Relocate a structure closer to the property line of an adjacent property that is zoned the same or in a more restrictive zoning district.
 - c. Increase the height of a building that is adjacent to property that is zoned the same or in a more restrictive zoning district.
 - d. Change access location to a different roadway.

The requested rezoning is an appropriate use of the subject property particularly when considered in the context of existing and planned development (existing Commercial Activity Centers & large Power Substation) along this section of the Dallas Highway Corridor. In that regard, please do not hesitate to contact me should you or your staff have any questions regarding these matters or if you need additional information or documentation prior to the formulation of your Zoning Analysis and Staff Recommendations.

With kind regards and best wishes for the New Year, I am

Very truly yours,

SAMS, LARKIN & HUFF, LLP



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

SAMS, LARKIN & HUFF
A LIMITED LIABILITY PARTNERSHIP

VIA EMAIL

Mr. John P. Pederson, AICP, Manager
Cobb County Zoning Division
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cc: Members, Cobb County Board of Commissioners (via email)
Members, Cobb County Planning Commission (via email)
Mr. Robert L. Hosack, Jr., AICP Director (via email)
Mr. Dana Johnson, Planning Manager (via email)
Mr. Jason Campbell, Planner III (via email)
Mr. David Breden, PE, Cobb County Stormwater Management (via email)
Ms. Jane Stricklin, PE, Cobb County DOT (via email)
Ms. Karen King, Assistant County Clerk (via email)
Ms. Lori Barton, Deputy County Clerk (via email)
Ms. Keli Gambrill, President, PLAN (via email)
Mr. Kenneth J. Wood, P.E., LEED AP (via email)
The Picardi Family Trust (via email)