

**JULY 19, 2016 ZONING HEARING
“OTHER BUSINESS”
COMMISSION DISTRICT 4**

ITEM 035

PURPOSE

To consider a stipulation amendment for RaceTrac Petroleum regarding rezoning application Z-21 of 2000 (Metropolitan Foods, Inc.), for property located on the southwest corner of Floyd Road and Clay Road, in Land Lot 34 of the 17th District.

BACKGROUND

The subject property was rezoned to Community Retail Commercial (CRC) in 2000 for convenience store with fuel sales. The applicant is going to remodel the store to fit their new corporate prototype. The current store is limited to a maximum size of 3,952 square feet per the 2000 zoning stipulations. The new store will have a cooler added to the rear which will increase the store size to 4066 square feet (114 square foot increase). Additionally, the new store will have signage on the canopy and freestanding sign that will exceed county criteria unless approved by the Board. Specifically, the freestanding sign will be converted from a static sign to a LED sign of 45 square feet with three panels per side (32 square feet is the maximum with two panels per side). Also, the addition of two canopy signs increases the allowable maximum sign area from 120 square feet to 219 square feet. The building and sign renderings are attached for review. If approved, all previous stipulations not in conflict with this amendment should remain in effect.

STAFF COMMENTS

Cobb DOT: Recommend no monument signs on the right-of-way.

RECOMMENDATION

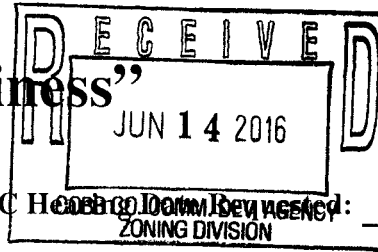
The Board of Commissioners conduct a Public Hearing and consider the proposed site plan and stipulation amendment.

ATTACHMENTS

Other Business application and zoning stipulations.

Application for "Other Business" Cobb County, Georgia

(Cobb County Zoning Division - 770-528-2035)



OB-035-2016

BOC Hearing Form Requested:
ZONING DIVISION

July 19, 2016

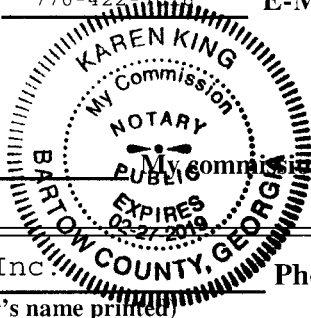
Applicant: RaceTrac Petroleum, Inc. **Phone #:** 229-221-9567
(applicant's name printed)

Address: 3225 Cumberland Blvd., Suite 100, Atlanta, GA 30339 **E-Mail:** _____
SAMS, LARKIN, HUFF & BALLI, LLP
by: Parks F. Huff, Esq.

Address: 376 Powder Springs Street, Suite 100, Marietta, GA 30064
(representative's name, printed)

[Signature] **Phone #:** 770-422-7016 **E-Mail:** phuff@slhb-law.com
(representative's signature)

Signed, sealed and delivered in presence of:
Karen L King **My commission expires:** 2-27-19
Notary Public



Titleholder(s): Mountainprize, Inc. **Phone #:** _____
(property owner's name printed)

Address: _____ **E-Mail:** _____

See Attached
(Property owner's signature)

Signed, sealed and delivered in presence of:

Notary Public **My commission expires:** _____

Commission District: 4 (Cupid) **Zoning Case:** Z-21 of 2000

Size of property in acres: 1.77 **Original Date of Hearing:** February 17, 2000

Location: West side of Floyd Road, south side of Clay Road and east side of Old Floyd Road (5350 Floyd Road)
(street address, if applicable; nearest intersection, etc.)

Land Lot(s): 34 **District(s):** 17th

State specifically the need or reason(s) for Other Business: To amend stipulations to allow
a larger electronic sign, replacing an existing monument sign and revised building
architecture.

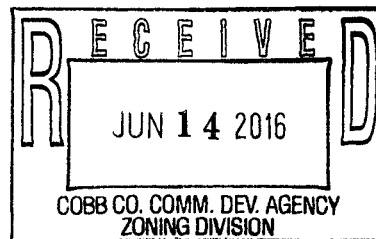
* Applicant specifically reserves the right to amend any information set forth in this Other Business Application at any time during the Other Business process.

(List or attach additional information if needed)

ATTACHMENT TO OTHER BUSINESS APPLICATION

OB Application No.: 06-35
BOC Hearing Date: 7-19-16

Applicant: RACETRAC PETROLEUM INC.
Titleholder: MOUNTAINPRIZE, INC.
PIN#: 17003400680, 17003400370 & 17003400390



PROPERTY OWNER'S CERTIFICATION

The undersigned(s) below, or as attached, is the owner of the property considered in this application.

Sioux Thaul

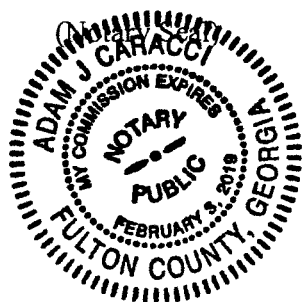
Signature of Owner
MOUNTAINPRIZE, INC.

5/10/16
Date

Address: 3225 Cumberland Blvd. Suite 100
Atlanta Ga. 30339

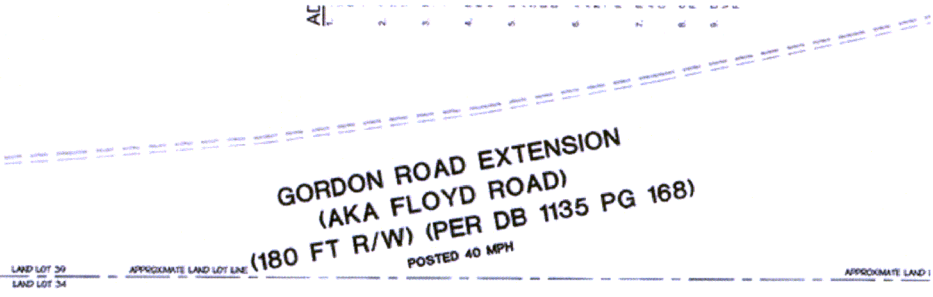
Telephone No.: (229) 221-9567

05/10/2016
Date



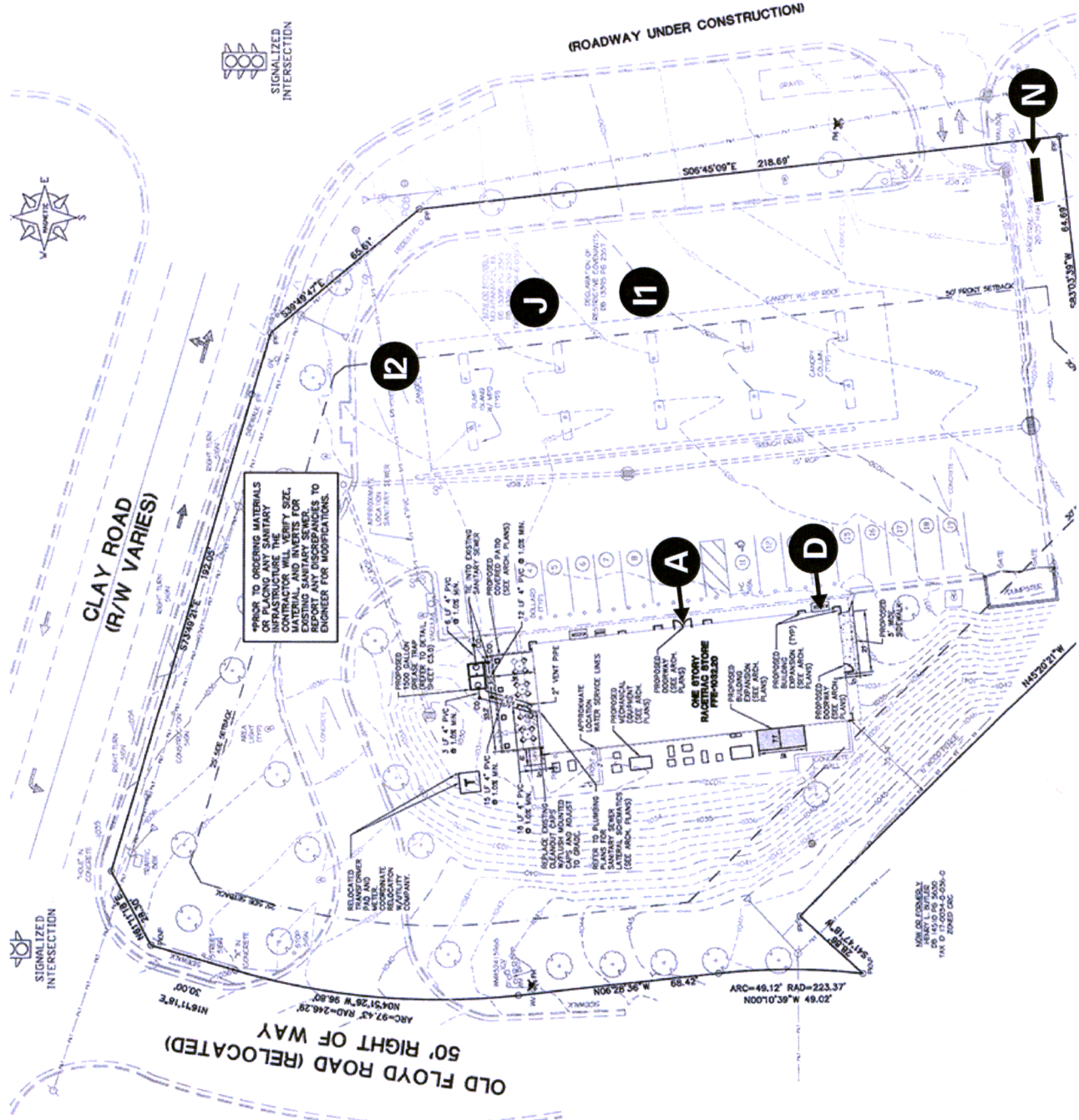
GENERAL NOTE: ALL WORK SHALL BE IN ACCORDANCE WITH RECOMMENDED INDUSTRY STANDARDS, MANUFACTURER'S RECOMMENDATIONS, APPLICABLE STATE AND LOCAL CODES. NO SUBSTITUTIONS ALLOWED.

Sign Legend
A Tower Sign
D Swirl World Sign
I1 Canopy Cloud Sign
I2 Canopy Cloud Sign
J Lit Stripe
N Price Sign



**GORDON ROAD EXTENSION
(AKA FLOYD ROAD)**
(180 FT R/W) (PER DB 1135 PG 168)
POSTED 40 MPH

LAND LOT 39
LAND LOT 34
APPROXIMATE LAND LOT LINE
APPROXIMATE LAND I



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

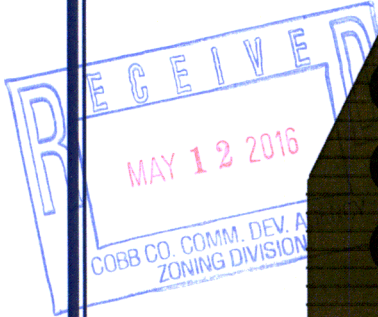
**OLD FLOYD ROAD (RELOCATED)
50' RIGHT OF WAY**

Site Plan

Racetrac

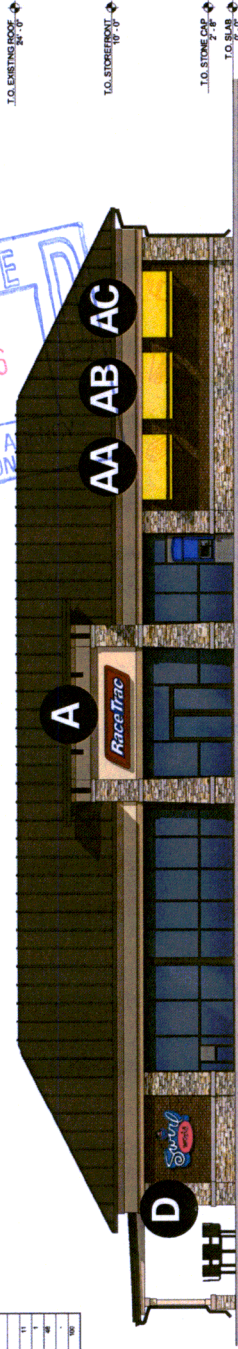
SCALE: 1" = 20'-0" (AS SHOWN)
DATE: 08/20/2008

GENERAL NOTE: ALL WORK SHALL BE IN COMPLIANCE WITH RECOGNIZED INDUSTRY STANDARDS, MANUFACTURER'S RECOMMENDATIONS, AND ALL APPLICABLE STATE AND LOCAL CODES. NO SUBSTITUTIONS ALLOWED.



STANDING BEAM METAL WP ROOF EXCLUDED FROM MATERIAL CALCULATIONS.

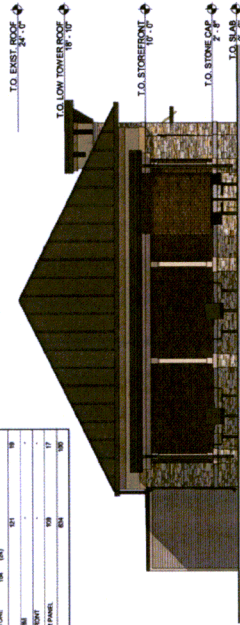
FINISH	AREA (S.F.)	%
BRICK	288	28
STONE	282	28
EIFS	154	15
TRANSITIM	13	1
STOREFRONT	125	12
FREESTYLE PANEL	1	0
TOTAL	1,263	100



FRONT ELEVATION

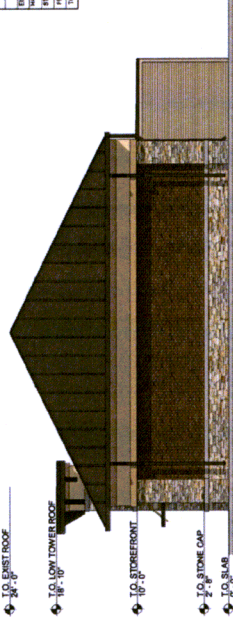
FINISH	AREA (S.F.)	%
BRICK	288	28
STONE	282	28
EIFS	154	15
TRANSITIM	13	1
STOREFRONT	125	12
FREESTYLE PANEL	1	0
TOTAL	854	100

FINISH	AREA (S.F.)	%
BRICK	118	28
STONE	125	28
EIFS	107	25
TRANSITIM	2	0
STOREFRONT	188	45
FREESTYLE PANEL	1	0
TOTAL	441	100

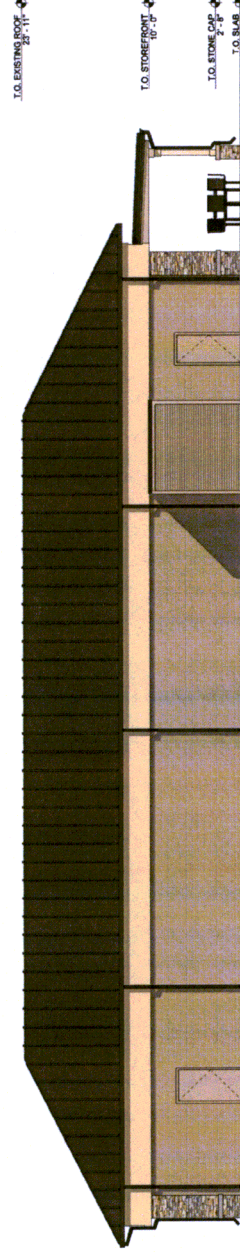


LEFT SIDE ELEVATION

FINISH	AREA (S.F.)	%
BRICK	288	28
STONE	282	28
EIFS	154	15
TRANSITIM	13	1
STOREFRONT	125	12
FREESTYLE PANEL	1	0
TOTAL	864	100



RIGHT SIDE ELEVATION



REAR ELEVATION



RaceTrac
 RaceTrac Petroleum, Inc.
 3225 Cumberland Blvd, Suite 100
 Atlanta, Georgia 30339

Legacy Remodel Program
 Type 104
 Brick Left Hand
 21102018.3.22.18 PM
 0:00 (6/20/18) 2700: GeneralRemodelAgency_T104_IL_S1Lapack_T104_IL_USA_PM



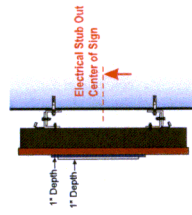
EIFS Tower Sign - 41 SqFt (A)

(A1) (A2) Parallelogram - EIFS Tower Signs



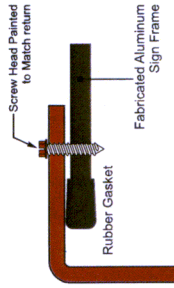
1 RaceTrac Parallelogram - Front View
SCALE: 1/2"=1'

Formed clear polycarbonate face with Sloan V Series White LED illumination and digitally printed red background stripes and white border applied to 2nd surface. Blue area for logo graphic to be embossed 1" and white portion of logo to be embossed 1". RaceTrac letters and outline painted 2nd surface.

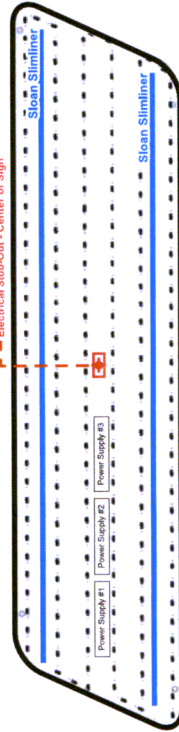


2 Side View
SCALE: 1 1/2"=1'

.177" Thk. Solar Grade Polycarbonate w/ Painted Background Color and Graphics

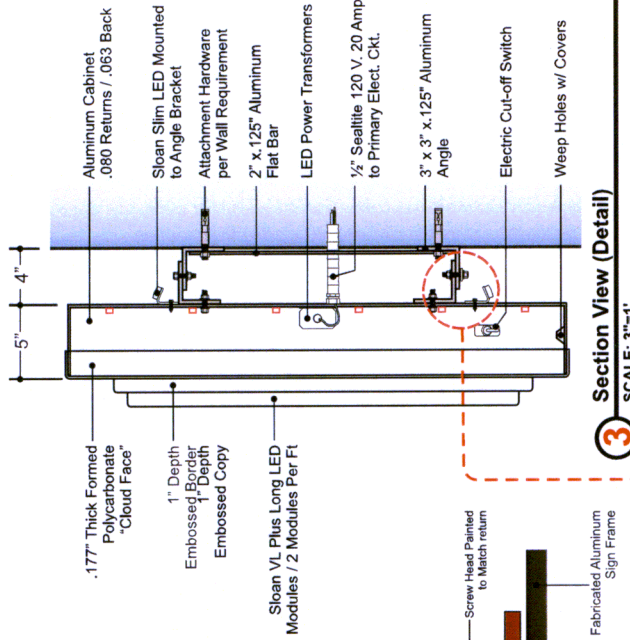


5 Face Mounting Detail
SCALE: NTS

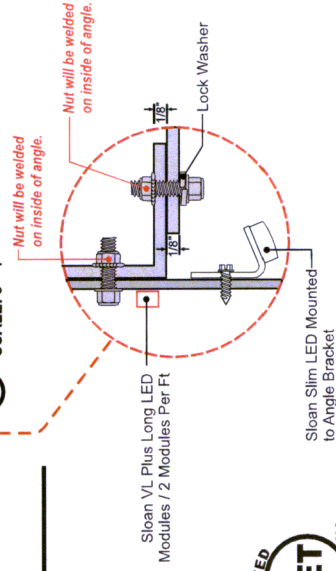


4 LED Layout
SCALE: 1/2"=1'

- ESTIMATED PRODUCT B.O.M. PER SIGN:
- 220 Each VL Plus White 6500K Short Modules - 88'
 - PN: 701269-WVLS-MB
 - 6 Each 46" Lengths of SlimLINER
 - PN: 701956-5WL461
 - 3 Each Modular 60 Power Supplies 12VDC
 - 1 Each 100' Roll of Jacketed Cable

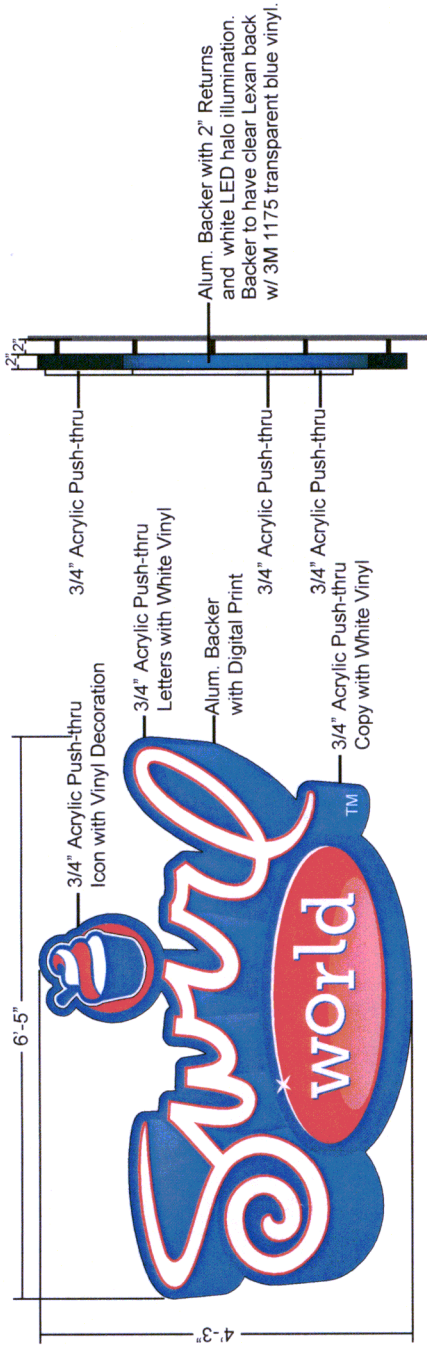


3 Section View (Detail)
SCALE: 3"=1'

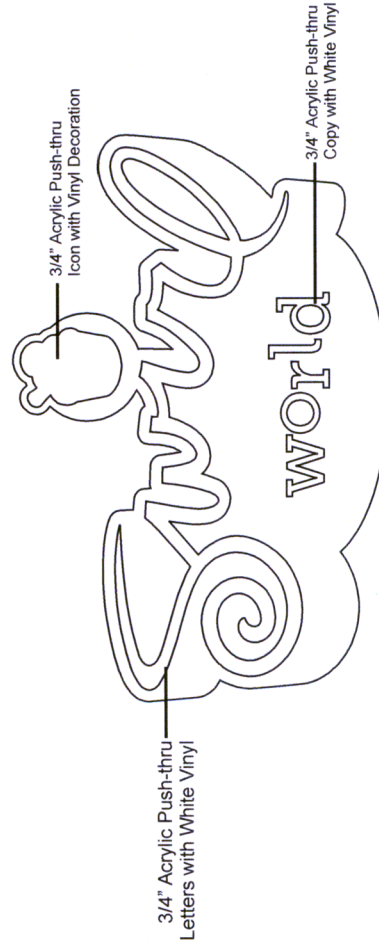


IMPORTANT NOTE:
ALL ELECTRICAL PRIMARY CIRCUITS MUST BE DECATED/ISOLATED CIRCUITS
NOTE: Electrical Requirements 120V
This sign is intended to be installed in accordance with the requirements of Article 606 of the National Electric Code and/or other applicable local codes. This includes proper grounding and bonding of the sign.

Swirl World Sign (D)

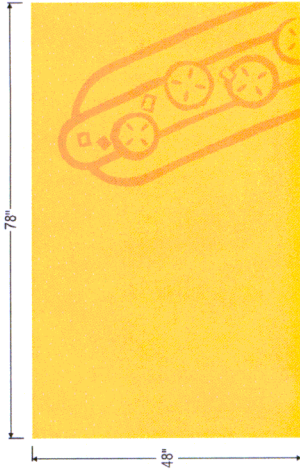


Illuminated Wall Display



Building Awnings - Yellow on Yellow Standard Color Scheme

AWNING AA

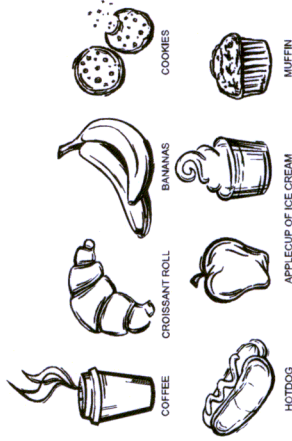


AWNING LAYOUT w/ GRAPHIC LAYOUT

Scale: 1/2" = 1'-0"

COLOR REFERENCE

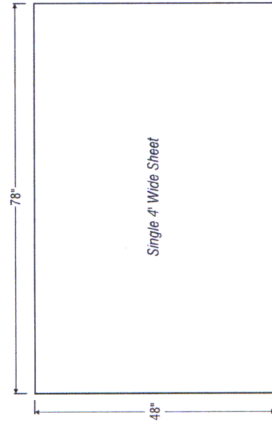
- 1** PAINTED TO MATCH
AKZO SIGN-40077 YELLOW
- 2** PMS 7408 YELLOW MATTE FINISH
DIGITAL PRINT DIE-CUT GRAPHIC
FGS SPECIAL #3 (CO.MS.163.K0)



STANDARD ICONOGRAPHY

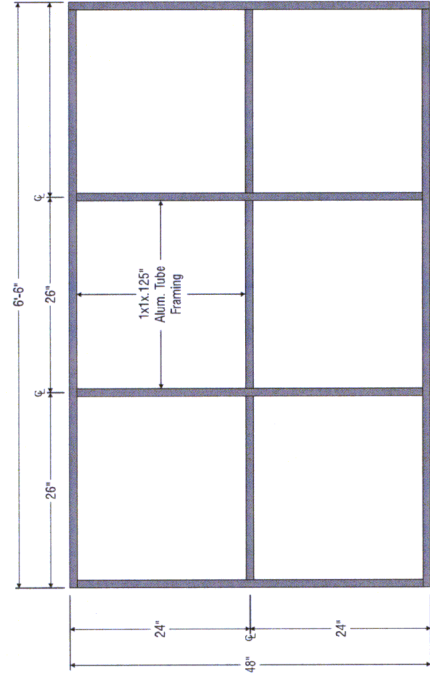
Scale: NTS

AWNING AA



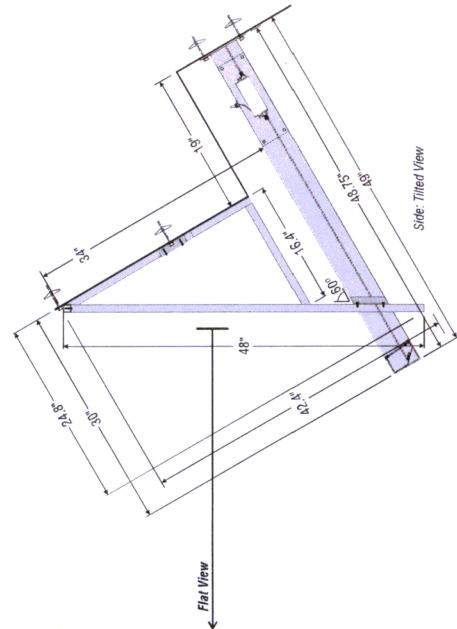
Sheet Aluminum Detail - Front Flat View

Scale: 1/2" = 1'-0"



Panel Frame Detail - Front Flat View

Scale: 3/4" = 1'-0"



55 SF Canopy LED Cloud Sign (I1, I2)

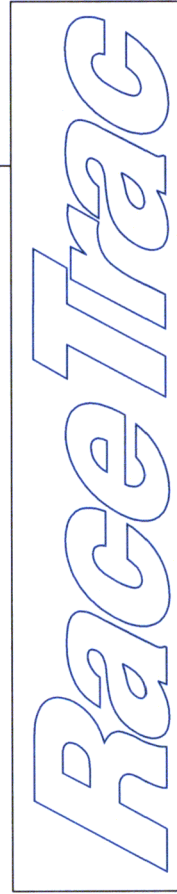
15' - 4 15/16"



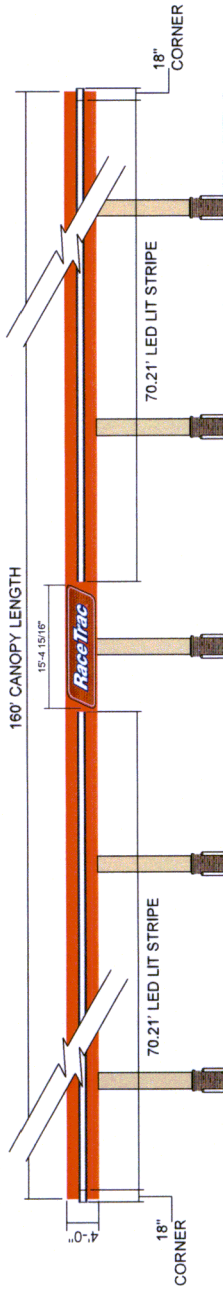
WHITE, FACE-LIT,
**INDIVIDUAL
CHANNEL LETTERS**
WITH WHITE FACES
AND BLUE FABRICATED
RETAINERS AND RETURNS

DIGITALLY PRINTED,
FACE-LIT FACE

BGND PANEL

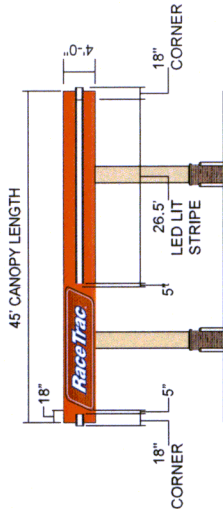


Canopy Stripe - LED Lit Stripe (J)

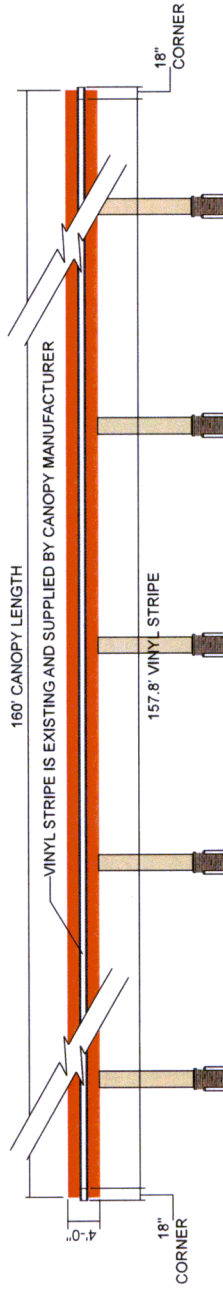


GAS CANOPY FRONT ELEVATION

*REFER TO CANOPY PLANS OR ON-SITE CONDITIONS FOR ARCHITECTURAL FINISHES

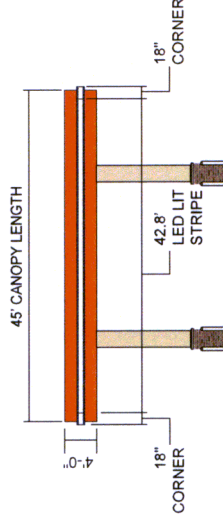


RIGHT SIDE VIEW - RED CANOPY



GAS CANOPY REAR ELEVATION

*REFER TO CANOPY PLANS OR ON-SITE CONDITIONS FOR ARCHITECTURAL FINISHES



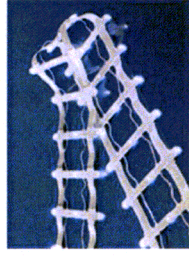
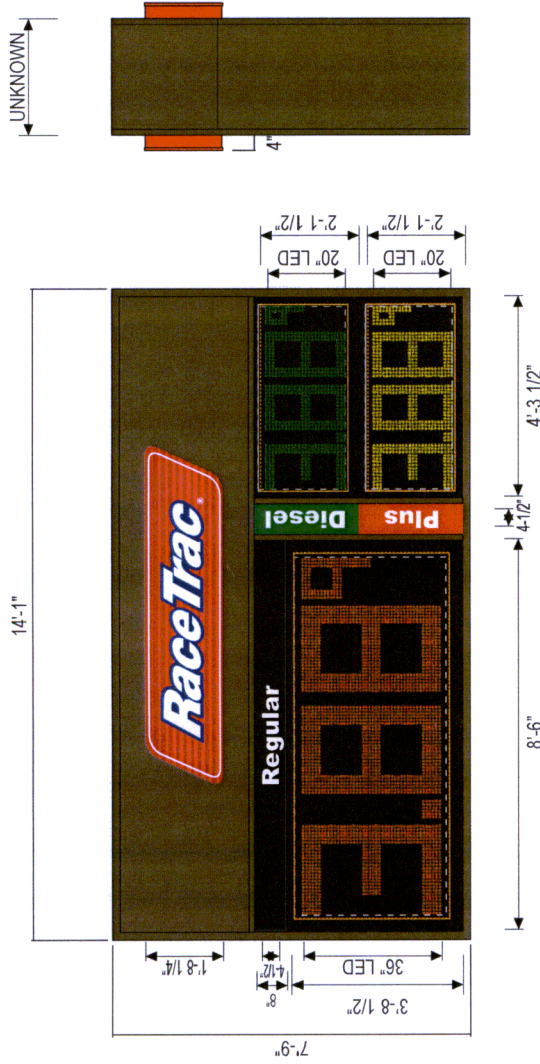
LEFT SIDE VIEW - RED CANOPY

APPLICATION EXAMPLE



Retro-Fit Existing Price Sign Cabinet - 36" & 20" LED (N)

*All sign components to be UL listed. All wiring to conform to UL specifications. Installation to be per NEC requirements. All signs to bear UL labels.



Sloan Sign Box II
LED Interior Illumination

E85

Note: If E85 Fuel Product is required use 3M Translucent Yellow Vinyl 3630-015, (PMS 109 Yellow) Background Color with Black Text Color, Arial Black Letter Font.

Specifications:

Sign Faces:

- Logo panel: Bronze aluminum panel with parallelogram mounted to the surface. Parallelogram to be channel letter-type construction with .177" thick Polycarbonate face panels with 2nd surface applied translucent vinyl graphics. Parallelogram copy to be digitally printed red background stripes and white border with blue area of logo graphic also printed. Cabinet and trim cap to be red to match Axzo Nobel #SIGN20448.
- Regular Unleaded Product Panel: Solar Grade Polycarbonate; Background to be 1st surface applied 3M vinyl opaque 180C-22 Matte Black; "Regular" to be show-through white or 1st surface applied 3M vinyl translucent 3630-020 White.
- Diesel Product Panel: Solar Grade Polycarbonate; Background to be 1st surface applied 3M vinyl translucent 3630-26 Green; "Diesel" to be show-through white or 1st surface applied 3M vinyl translucent 3630-020 White.
- Plus Product Panel: Solar Grade Polycarbonate; background to be 1st surface applied 3M vinyl translucent 3630-33 Red; "Plus" to be show-through white or 1st surface applied 3M vinyl translucent 3630-020 White.

Interior Illumination: Sloan Sign Box II LED Interior Illumination powered by low voltage power supplies. This is behind fuel grade panels, only.

Sign Frame: 2" x 2" x .25" steel tube with .063 aluminum cladding.

Extruded aluminum 1-1/2" wide Divider Bars installed to retain sign panels. Face dividers and retainer to be painted dark bronze and black.

Sign Support: Internal steel pipe support to be welded to steel saddle bracket at top and bottom of sign frame.

External steel sign support to meet building and local sign codes. Size of steel and footing as required per site requirements.

See Color Schedule on Page 2



ORIGINAL DATE OF APPLICATION: 02-17-00

APPLICANTS NAME: METROPOLITAN FOODS, INC.

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

BOC DECISION OF 02-17-00 ZONING HEARING:

METROPOLITAN FOODS, INC. (Lucy G. Barnes, Nell Dailey Lee and Kent Moseley, owners) for Rezoning from **GC and R-20** to **CRC** for the purpose of a Convenience Store in Land Lot 34 of the 17th District. Located at the southwest intersection of Gordon Road Extension and Clay Road, east of Old Floyd Road relocation. Applicant was represented by Mr. Parks Huff. Ms. Mary Butler spoke in opposition to rezoning/use adjacent to her home. Mr. Huff then stated additional agreeable conditions to mediate impact to Butler residence. In conclusion, the Board of Commissioners **approved** Rezoning to the **CRC zoning district subject to: 1) lessening impact to adjoining residentially used property by means of: a) installation of fence (minimum 6 foot high solid privacy fence), b) installing row of Leyland Cypress, or equivalent, to be approved by staff, c) exterior lighting not casting onto residential property (lighting plan to be approved by Staff); 2) reducing number of parking spaces (final number of spaces to be decided in Plan Review – but not to exceed 20 spaces); 3) convenience store to be a maximum of 3,952 square feet (site plan specific for the location of the building); 4) Water and Sewer comments and recommendations; 5) Stormwater Management Division comments and recommendations; 6) Cobb DOT comments and recommendations including stipulation of no access to Clay Road, but allowing full access onto Old Floyd Road (*with location of access to be approved by DOT staff*); 7) 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; 8) those portions of applicant's January 6, 2000 letter of agreeable conditions not in conflict with the above conditions (letter attached and made a part hereof). Motion by Byrne, carried 4-0-1, W. Thompson abstaining to avoid appearance of conflict.**

SAMS & LARKIN
A LIMITED LIABILITY PARTNERSHIP

ATTORNEYS AT LAW
SUITE 100
376 POWDER SPRINGS STREET
MARIETTA, GEORGIA 30064

GARVIS L. SAMS, JR.
JOEL L. LARKIN
PARKS F. HUFF
M. KYLE GREENE
DAVID Y. KWON

OF COUNSEL
DAVID P. HARTIN

January 6, 2000

(770) 422-7016
TELEPHONE
(770) 426-6583
FACSIMILE
SAMSLARKIN@AOL.COM
E-MAIL

VIA HAND DELIVERY

Mr. Edwin Thomas, Principal Planner
Cobb County Zoning Department
Suite 300
191 Lawrence Street
Marietta, Georgia 30060

Min. Bl. 14 Petition No. Z-21
Den. Type Stipulated
within - not in conflict w/ other
Meeting Date 2/17/00 conditions

Re: Application of Metropolitan Foods, Inc. to Rezone a 1.72 Acre Tract from
GC & R-20 to CRC (No. Z-21)

Dear Ed:

As you know, I represent the applicant in connection with the above-captioned application for rezoning. The application is scheduled to be heard by the Cobb County Planning Commission on February 1, 2000 and, thereafter, by the Cobb County Board of Commissioners on February 17, 2000.

As a result of discussions with the staff thus far during the pendency of the application, please allow this letter to serve as the Applicant's expression of agreement with the following stipulations which shall become conditions of and a part of the grant of the rezoning and binding upon the subject property thereafter:

1. Architectural style shall be analogous to the renderings and photographs provided to staff during the pendency of the application. The composition of the building shall be brick. - *Rendering is on file in zoning office*
2. Rezoning of the subject property shall be from GC & R-20 to CRC specifically for purposes of a RaceTrac convenience store with gasoline sales.
3. Landscaping for the proposed development shall be pursuant to a specific landscape plan which shall be submitted during the Plan Review process, subject to staff and the Arborist's review and approval, including the following:

SAMS & LARKIN
A LIMITED LIABILITY PARTNERSHIP

VIA HAND DELIVERY

Mr. Edwin Thomas, Principal Planner
Cobb County Zoning Department
Page 2
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Meeting Date 2/17/00
Continued

- a. All grass planted within the subject property shall be sod.
 - b. Dumpsters shall be incorporated into the landscape plan and shall be screened on at least three (3) sides consistent with the architectural theme and composition as aforementioned. All dumpsters shall have rubber lids or bumpers to minimize noise.
 - c. All HVAC systems and mechanical systems shall be contained within the interior of the subject property and screened by evergreen shrubs and/or fencing.
4. Signage for the proposed development shall consist of ground-based, monument style signage. There shall be no flashing sign components and no exterior illumination of signage by remote floodlighting.
 5. All exterior lighting employed within the proposed development shall be shielded to prevent outward illumination and shall be controlled by a photo-electric cell system. Any and all pole lights on the premises shall be no higher than a maximum of 20 feet with the poles concerning same being black or anodized bronze in color.
 6. Subject to the following Cobb County Department of Transportation's recommendations and compliance with Cobb County developmental standards and ordinances related to project improvements, including the following:
 - a. The construction of acceleration/deceleration lanes adjacent to the subject property's points of ingress and egress.
 - b. Meeting minimum sight distance requirement.
 - c. The voluntary donation and conveyance of right-of-way so that the County can achieve 50 feet from the centerline of Gordon Road Extension and 50 feet from the centerline of Clay Road. It is the applicant's understanding that no right-of-way will be required with respect to Old Floyd Road Relocated.

SAMS & LARKIN
A LIMITED LIABILITY PARTNERSHIP

VIA HAND DELIVERY

Mr. Edwin Thomas, Principal Planner
Cobb County Zoning Department
Page 3
January 6, 2000

Petition No. 7-21
Meeting Date 2/17/00
Continued

- d. Entering into a Development Agreement in order to memorialize the applicant's agreement with the foregoing DOT recommendations.
7. Subject to the Cobb County Development & Inspection Department's recommendations with respect to stormwater, detention/hydrology and down-stream considerations.
8. Unless otherwise required by law, there shall be no outside audio devices. However, the installation and utilization of a two-way individualized speaker at each pump station for safety/ instructional purposes shall be allowed.
9. No vehicles shall be stored or parked on the subject property over night except in emergency situations. Employees working at night shall, of course, be excepted from this stipulation.
10. The granting of a contemporaneous variance with respect to the convenience store arterial prototype which has a footprint of 3,952 square feet.

As you know, the subject property is located along a section of the Gordon Road Extension which is situated within a Community Activity Center (CAC). In that regard, the zoning proposal is appropriate from a land use planning perspective and takes into consideration surrounding property owners and the context of development in which the subject property finds itself positioned.

SAMS & LARKIN
A LIMITED LIABILITY PARTNERSHIP

Petition No. 721
Meeting Date 2/17/00
Continued

VIA HAND DELIVERY

Mr. Edwin Thomas, Principal Planner
Cobb County Zoning Department
Page 4
January 6, 2000

Please do not hesitate to call should you or the staff have any questions whatsoever regarding the application or should you require any further information or documentation prior to formulating your recommendation to the Planning Commission and Board of Commissioners.

Very truly yours,

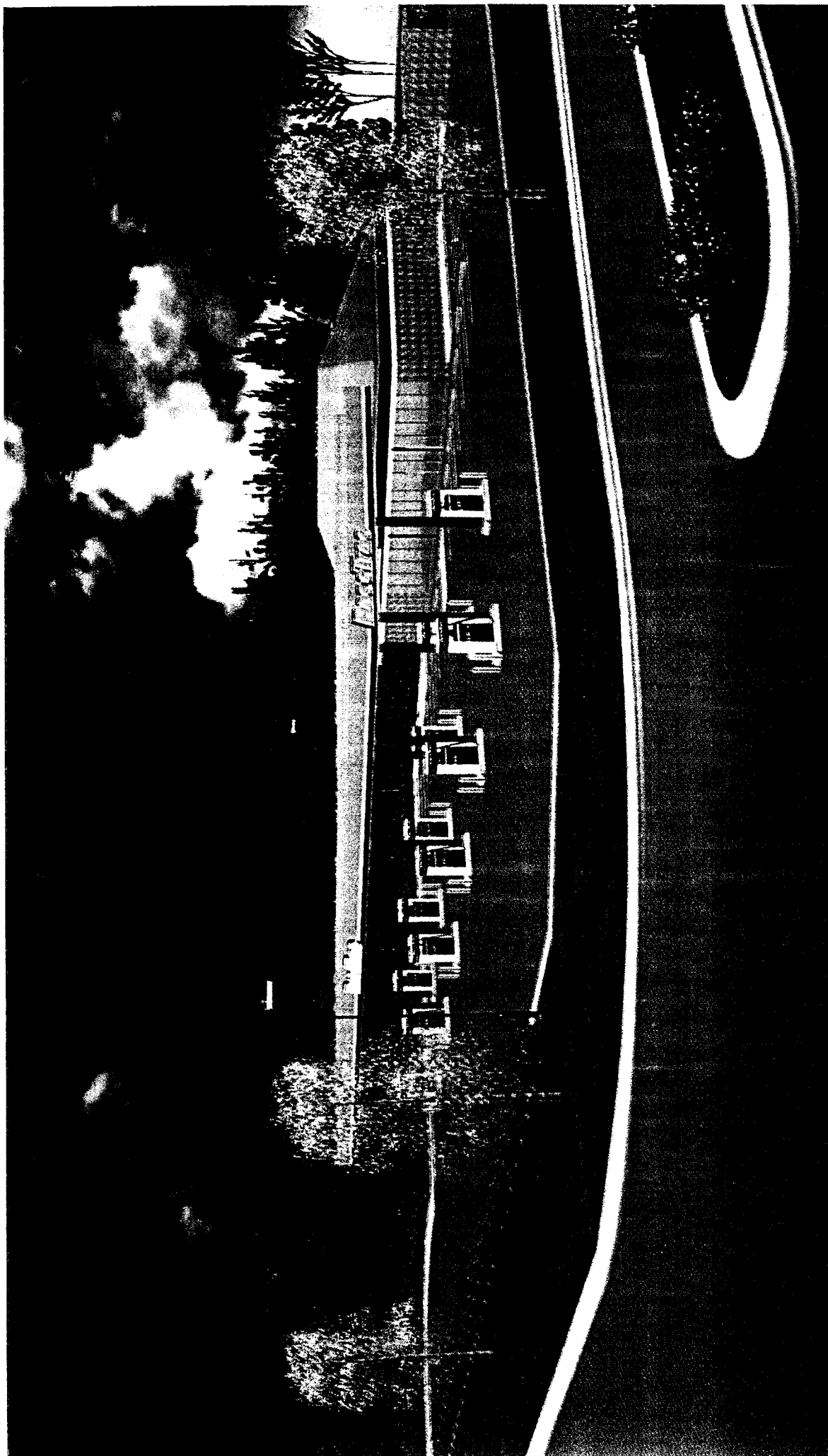
SAMS & LARKIN, LLP



Garvis L. Sams, Jr.

GLS,Jr./mb

cc: Members, Cobb County Planning Commission
Members, Cobb County Board of Commissioners
Ms. Karen King, Deputy Clerk



Petition No. 221-rendering referenced
Meeting Date 2/17/00 in letter
Continued