

MAY 31 2011

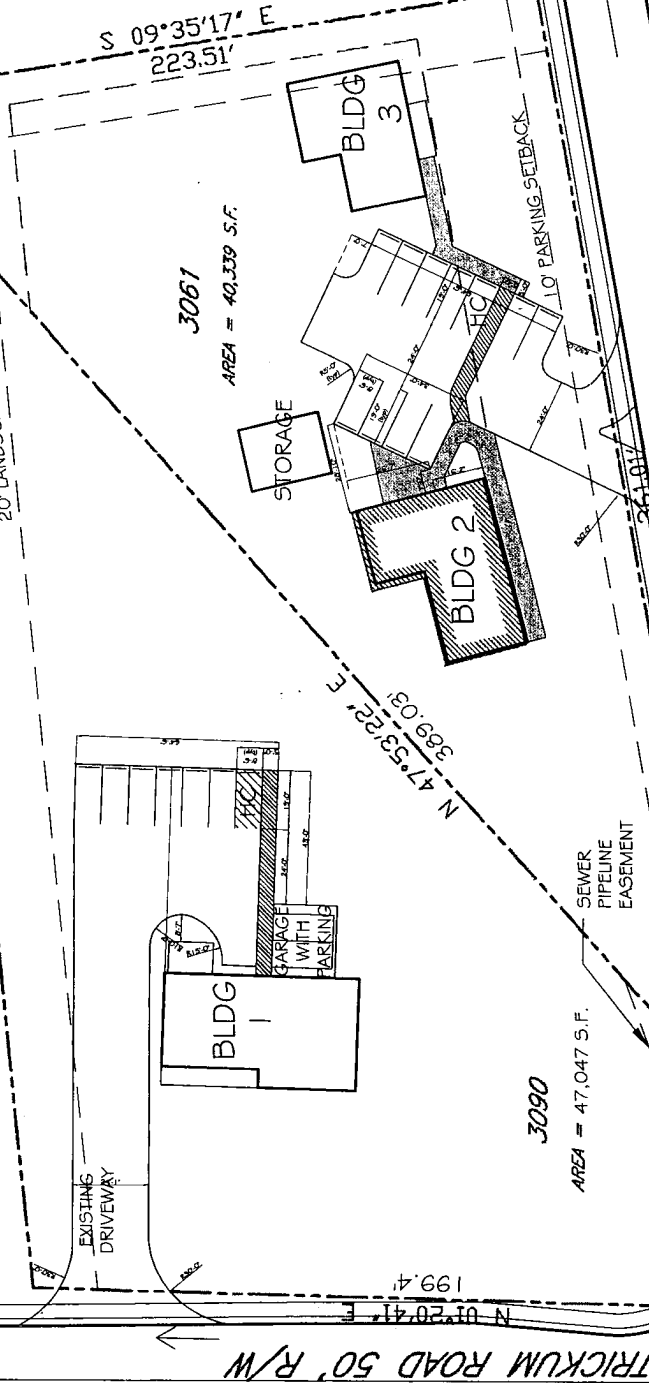
**PARKING REQUIREMENTS**  
 3090 TRICKUM RD.  
 BLDG 1 - 2465 S.F. = 9 SPACES  
 3061 SANDY PLAINS  
 BLDG 2 - 1788 S.F.  
 BLDG 3 - 1332 S.F.  
 TOTAL - 3120 S.F. = 11 SPACES

**PARKING NOTES:**  
 - BUILDING S.F. BASED ON COBB CO. TAX RECORDS.  
 - PARKING BASED ON 1 SPACE PER 285 SF  
 - PARKING BAYS = 19' X 8.5'  
 - PASSAGEWAYS = 24' WIDE

HILLCREST OAKS SUBDIVISION

N 83°40'41" E 352.90'

20' LANDSCAPE BUFFER



**NOTES:**  
 THIS PLAT IS BASED ON A SURVEY BY GA. LAND SURVEYING COMPANY FOR RONALD BROWN, DATED 5-3-2004, AND A SURVEY BY ROBERT WEAVER FOR JAMES DAVENPORT, DATED JUNE 2, 1967.

**CHERRY TREE LANE SUBDIVISION**

Notes (05/25/11):  
 • Buildings are existing residential buildings. Building size and shape based on Cobb Co. Tax Assessor records. Building locations base on Cobb Co. GIS plat and aerial photo.  
 • New Road Widening Easement boundary based on Trickum Rd. and Sandy Plains Rd. base on Walden, Ashworth, & Associates, Inc. plat dated 02/20/89. Property boundaries and new boundary dimensions and area based on this drawing.  
 • Sidewalks, roads, and manhole location based on Co. GIS aerial photo.

Z-27 (2011)

# SITE PLAN FOR LRO ZONING

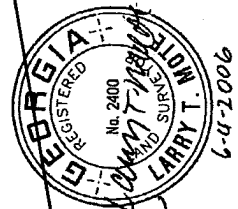
## BOUNDARY SURVEY PLAT FOR ASAD NEZAMABADI

LL 482, 16TH DISTRICT, 2ND SECTION  
 COBB COUNTY, GEORGIA  
 DATE: JUNE 04, 2006



LARRY T. MOTE  
 CIVIL ENGINEER &  
 LAND SURVEYOR

MOTE ENGINEERING, LLC  
 3077 SYCAMORE LANE  
 MARIETTA, GA 30066  
 770-977-0898, 977-6165 FAX



PARKING LAYOUT BY  
 LILLIAN HUFFMAN,  
 LANDSCAPE ARCHITECT  
 770-402-5353

**APPLICANT:** Asad Nezamabadi  
770-944-1009

**REPRESENTATIVE:** Asad Nezamabadi

**TITLEHOLDER:** Asad Nezamabadi

**PROPERTY LOCATION:** At the northeast intersection of Sandy Plains Road and Trickum Road.

**ACCESS TO PROPERTY:** Sandy Plains Road and Trickum Road

**PHYSICAL CHARACTERISTICS TO SITE:** Single-family houses and storage building

**FUTURE LAND USE MAP:** Neighborhood Activity Center

**CONTIGUOUS ZONING/DEVELOPMENT**

- NORTH:** RA-4/Hillcrest Oaks Subdivision and R-20/Single-family house
- SOUTH:** R-20/Sandy Plains Subdivision
- EAST:** R-15/Cherry Tree Lane Subdivision
- WEST:** LRC/CVS Pharmacy

**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:**

**PETITION NO:** Z-27

**HEARING DATE (PC):** 08-02-2011

**HEARING DATE (BOC):** 08-16-2011

**PRESENT ZONING:** R-15

**PROPOSED ZONING:** LRO

**PROPOSED USE:** CPA/Professional Office

**SIZE OF TRACT:** 2.0 acres

**DISTRICT:** 16

**LAND LOT(S):** 482

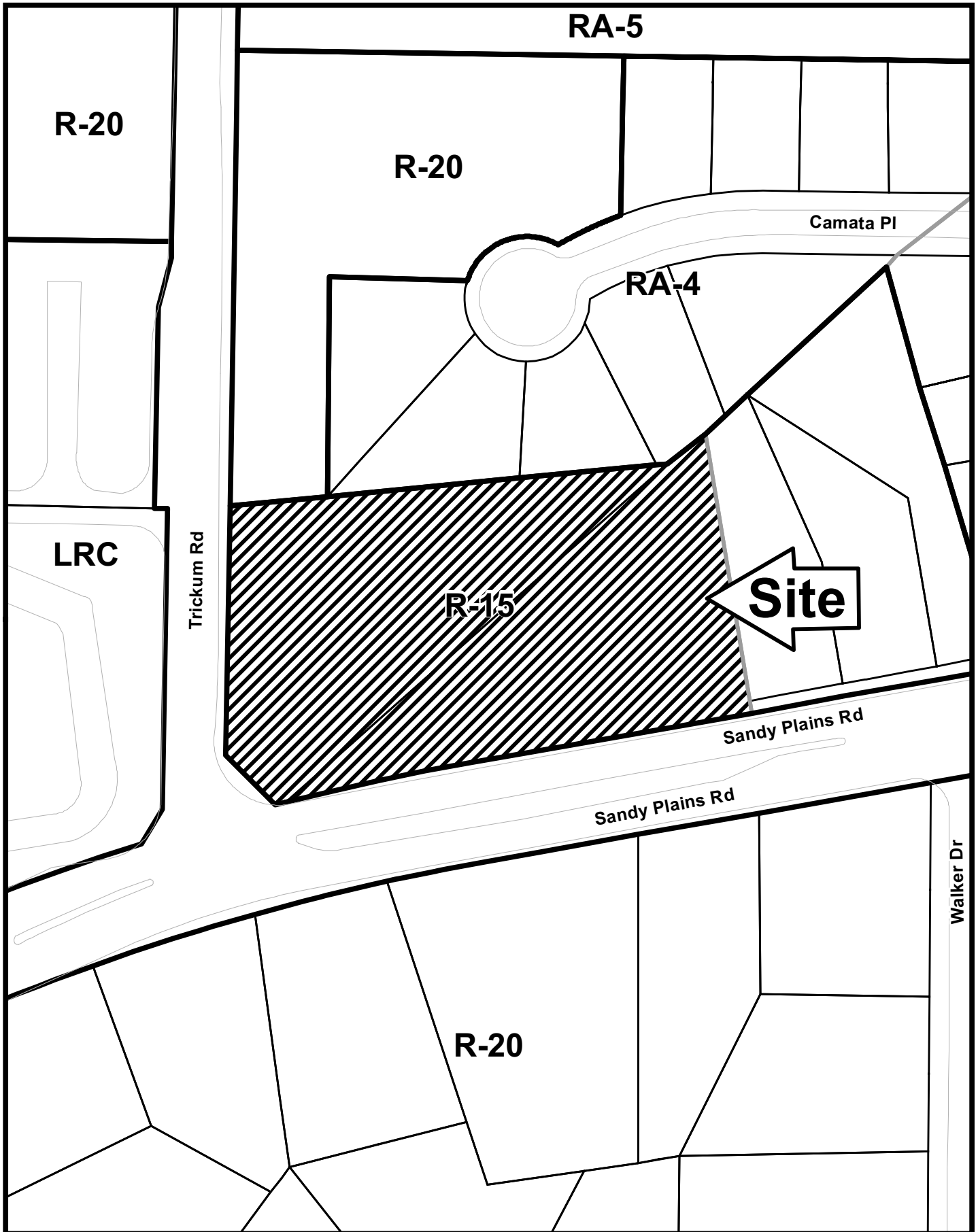
**PARCEL(S):** 3, 32

**TAXES:** **PAID**  **DUE**

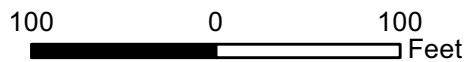
**COMMISSION DISTRICT:** 3





# Z-27



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



-  City Boundary
-  Zoning Boundary

**APPLICANT:** Asad Nezamabadi

**PETITION No.:** Z-27

**PRESENT ZONING:** R-15

**PETITION FOR:** LRO

\*\*\*\*\*

**ZONING COMMENTS:**

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

**Land Use Plan Recommendation:** Neighborhood Activity Center

**Proposed Number of Buildings:** 3 and 1 Storage  
(All Existing)

**Total Square Footage of Development:** 5,585

**F.A.R.:** .063

**Square Footage/Acre:** 2,792

**Parking Spaces Required:** 18

**Parking Spaces Provided:** 18

Applicant is requesting the Low Rise Office category for the purpose of converting the existing single-family houses to professional offices. There will be a CPA's office and other professional offices. The hours of operation will be Monday through Friday from 9 a.m. until 5 p.m. The applicant plans to utilize the existing brick and concrete buildings and install 18 parking spaces along with additional lighting, new painting and landscaping. Applicant has attached a Summary of Intent and an Impact Analysis for your review.

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

**Cemetery Preservation:** No comment.

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**FIRE COMMENTS:**

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

APPLICANT Asad Nezamabadi

PETITION NO. Z-027

PRESENT ZONING R-15

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 Sandy Plains Rd

Additional Comments: Records show both lots connected and active

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.

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**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: In Sandy Plains Rd

Estimated Waste Generation (in G.P.D.): **A D F** +0 new **Peak=** +0 new

Treatment Plant: **Sutton**

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: Records show both properties as connected

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: Asad Nezamabadi

PETITION NO.: Z-27

PRESENT ZONING: R-15

PETITION FOR: LRO

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**DRAINAGE COMMENTS**

FLOOD HAZARD:  YES  NO  POSSIBLY, NOT VERIFIED

DRAINAGE BASIN: Rubes 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 \_\_\_\_\_.

**APPLICANT: Asad Nezamabadi**

**PETITION NO.: Z-27**

**PRESENT ZONING: R-15**

**PETITION FOR: LRO**

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DRAINAGE COMMENTS CONTINUED

SPECIAL SITE CONDITIONS

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

INSUFFICIENT INFORMATION

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

ADDITIONAL COMMENTS

1. This site is located at the northeast intersection of Sandy Plains and Trickum Roads. There are currently three residential structures and a storage building on the property. The tract is relatively flat and drains to the northwest corner through the corner of an adjacent residential parcel to the right-of-way of Trickum Road.
2. The proposed reconfiguration of the existing driveways to parking areas will result in a net impervious area increase of approximately 3800 square feet. This is well below the 5000 sf threshold that would trigger stormwater management to be provided for this development. The total impervious coverage proposed will be approximately 23% which is also well below the 35% maximum allowed for the current R-15 residential use.

**APPLICANT: Asad Nezamabadi**

**PETITION NO.: Z-27**

**PRESENT ZONING: R-15**

**PETITION FOR: LRO**

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**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
Sandy Plains Road	29000	Arterial	45 mph	Cobb County	100'
Trickum Road	9100	Major Collector	35 mph	Cobb County	80'

*Based on 2009 traffic counting data taken by Cobb County DOT (Sandy Plains Road)  
Based on 2004 traffic counting data taken by Cobb County DOT (Trickum Road)*

**COMMENTS AND OBSERVATIONS**

Sandy Plains 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.

Trickum Road is classified as a major collector and according to the available information the existing right-of-way does not meet the minimum requirements for this classification.

**RECOMMENDATIONS**

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

Recommend applicant consider entering into a development agreement pursuant of O.C.G.A. 36-71-13 for dedication of the following system improvements to mitigate traffic concerns: a) donation of right-of-way on the east side of Trickum Road, a minimum of 40' from the roadway centerline.

Recommend one driveway on Sandy Plains Road and Trickum Road.

Recommend the driveway on Sandy Plains Road and Trickum Road comply with the commercial standards.

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



## STAFF RECOMMENDATIONS

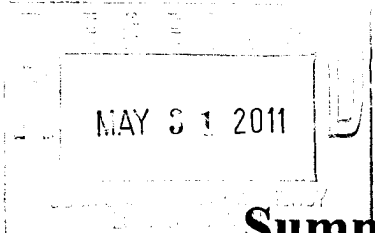
### **Z-27 ASAD NEZAMABADI**

- A. It is Staff's opinion that the applicant's rezoning proposal will permit a use that is suitable in view of the use and development of adjacent and nearby properties. Nearby properties include a pharmacy, daycare and a senior living facility. The professional office use for the subject properties will be less intense.
- B. It is Staff's opinion that the applicant's rezoning proposal will not have an adverse affect on the usability of adjacent or nearby property. Applicant plans to use the existing structures for professional offices. The site plan indicates the required 20-foot landscape buffer abutting residentially zoned properties.
- C. It is Staff's opinion that the applicant's rezoning proposal will not 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 the subject parcels to be within a Neighborhood Activity Center. The applicant is requesting the zoning category that has the least impact, Low Rise Office, and plans to use the property professional offices.
- 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 approving the applicant's rezoning proposal. Applicant's parcels are within the Neighborhood Activity Center land use category. The LRO zoning category is compatible with the land use category. Nearby properties to the west are zoned LRC and contain a pharmacy, daycare and a senior living facility.

Based on the above analysis, Staff recommends APPROVAL subject to the following conditions:

- Site plan submitted to the Zoning Division on May 31, 2011, with the District Commissioner approving minor modifications;
- Landscape plan to be approved by the County Arborist;
- Water and sewer comments and recommendations;
- Stormwater Management Division comments and recommendations;
- DOT comments and recommendations; and
- 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.

**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 No. Z-27  
Aug. 2011

# Summary of Intent for Rezoning

.....  
**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): CPA office, other Professional offices.
  - b) Proposed building architecture: Already existing Concrete and Brick buildings only adding 18 parking spaces.
  - c) Proposed hours/days of operation: 9-5 Monday through Fridays
  - d) List all requested variances: \_\_\_\_\_
- \_\_\_\_\_
- \_\_\_\_\_
- \_\_\_\_\_

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

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

.....  
**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).**

\_\_\_\_\_

\_\_\_\_\_

**Analysis of the impact of the proposed zoning**  
From MDR to Office (LRO)

Z-27  
Aug. 2011

- A The proposed zoning is a major improvement for the properties' appearance and landscaping comparing to existing tenant's poor sanitation and lawn's poor upkeeps. 18 parkings are being added to the existing buildings with additional lightings, new painting, and landscaping.
  
- B The proposed zoning is one of the lowest impact commercial zoning and not only does not adversely affect the existing properties it will be an improvement to the adjoining properties due to additional lighting, new painting, landscaping and attractiveness.
  
- C The proposed zoning will get a better usage of the properties due to being at the corner of Sandy Plains Road and Trickum Road with traffic lights across from the CVS Drugstore and other businesses.
  
- D There will be no impact on the schools and it may reduce some traffic due to providing some professional services to the community nearby.
  
- E The proposed zoning is in conformity with the Cobb County Future Land Use Plan, adapted on January 2009 Commissioners meeting
  
- F These properties currently are being used as residential rentals and it is very difficult to keep quality tenants in there due to the age and location of these properties, some of the renters live very unsanitary, some of them got in trouble with the law, some of them were evicted which I lost a lot of money and time going to court, some broke the lease and moved out after few months due to the traffic, high noise level, and being very close to the road.  
I get a lot of inquiries about commercial use when ever I put "For Rent" sign on the front of these properties.