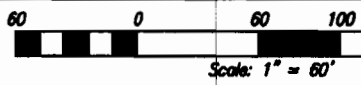


Z-11  
(2016)



VETERANS MEMORIAL HIGHWAY  
80' R/W

R-1542.38' A-148.92'  
N80° 48' 03"E C-148.86'

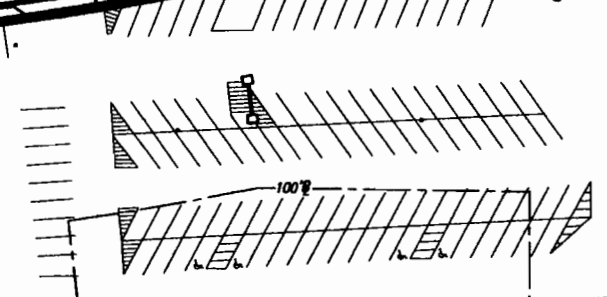
OLD POWDER  
SPRINGS ROAD  
50' R/W

S89° 16' 37"E -192.70'

L.P.F.

POWELL DRIVE  
50' R/W  
R-2809.01' A-297.16'  
N5° 49' 49"W C-287.02'

DEC - 3 2015



N/F  
HILSWEPOW, LLC  
TAX I.D. #18003400010  
ZONED: PSC

BLDG. FOOTPRINT-30,220 SQ. FT.

ELEVATED WALKWAY  
ASPHALT  
TRANS. EAS.

S88° 48' 56"W 199.85'

N/F  
380 ALLEN STREET, LLC  
TAX I.D. #18003400090  
ZONED: LI

PROPERTY ZONED: PSC (PLANNED SHOPPING CENTER)  
R-20

BUILDING SETBACK LINES FOR PSC  
FRONT - 100 FEET  
SIDE (MAJOR) - 50 FEET  
SIDE (MINOR) - 50 FEET  
REAR - 50 FEET

MINIMUM LOT SIZE - 200,000 SQ. FT.  
MINIMUM LOT WIDTH AT BUILDING LINE - 200 FEET  
MINIMUM PUBLIC ROAD FRONTAGE - 100 FEET

BUILDING SETBACK LINES FOR R-20  
FRONT - 35 FEET  
SIDE - 10 FEET  
REAR - 35 FEET

TOTAL AREA - 131,566 SQ. FT. or 3.0203 ACRES

MAXIMUM BUILDING HEIGHT - 75 FEET  
(NO MORE THAN SIX STORIES)

N/F  
WILLIE A. POSTON, JR.  
TAX I.D. #18003400100  
ZONED: NRC

N/F  
VERNON M. BROOKS  
TAX I.D. #18003400120  
ZONED: R-20

N/F  
JUAN OLVERA  
TAX I.D. #18003400130  
ZONED: R-20

N/F  
BOBBY GENE & PATSY FAYE HALL  
TAX I.D. #18003400210  
ZONED: R-20

APPROX. ZONING LINE  
PER E.A.S.



N/F  
HILSWEPOW, LLC  
TAX I.D. #18003400010  
ZONED: R-20



FLOOD STATEMENT  
THIS PROPERTY IS NOT LOCATED IN A SPECIAL FLOOD  
HAZARD AREA ACCORDING TO F.I.R.M. PANEL #13067C0203 H  
LAST REVISED ON MARCH 4, 2013.

SURVEY OF

SURVEYED REG. CS  
CALCULATED REG. RAM  
DRAWN VETERANS MEMORIAL  
DWG. NAME 1391  
DATE NOV. 30, 2015

RONALD E. GUDGER, LS  
404-731-8898  
SITE WORKS  
SURVEYS & PLANNING  
4780 ASHFORD DUNWOODY ROAD  
SUITE 540-208  
ATLANTA, GEORGIA 30328  
PHONE: 770-396-8011  
e-mail: gudgersurveying@bellsouth.net

HILLTOP SHOPPING CENTER  
1391 VETERANS MEMORIAL HIGHWAY  
L.L. 34, DISTRICT 18, SECT. 2  
CITY OF ATLANTA  
COBB COUNTY, GEORGIA

**APPLICANT:** Manouchehr Jahangard

**PHONE#:** (770) 652-5552 **EMAIL:** mmesbahi1@gmail.com

**REPRESENTATIVE:** Manouchehr Jahangard

**PHONE#:** (770) 652-5552 **EMAIL:** mmesbahi1@gmail.com

**TITLEHOLDER:** Hilswepow, LLC

**PROPERTY LOCATION:** Southeast corner of Veterans Memorial

Highway and Powell Drive, and on the south side of Old Powder Springs  
Road (1391 Veterans Memorial Highway).

**ACCESS TO PROPERTY:** Veterans Memorial Highway and  
Powell Drive

**PHYSICAL CHARACTERISTICS TO SITE:** Existing retail center

**PETITION NO:** Z-11

**HEARING DATE (PC):** 02-02-16

**HEARING DATE (BOC):** 02-16-16

**PRESENT ZONING** PSC, R-20

**PROPOSED ZONING:** NRC

**PROPOSED USE:** Climate-Controlled  
Self-Storage Facility

**SIZE OF TRACT:** 3.02 acres

**DISTRICT:** 18

**LAND LOT(S):** 34

**PARCEL(S):** 1

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

**COMMISSION DISTRICT:** 4

**CONTIGUOUS ZONING/DEVELOPMENT**

- NORTH:** GC/Retail center
- SOUTH:** LI/Undeveloped; NRC/Auto repair
- EAST:** LI/Undeveloped
- WEST:** GC/Bakery; Auto repair

***Adjacent Future Land Use:***

- Northeast: Neighborhood Activity Center (NAC)
- Southeast: Neighborhood Activity Center (NAC)
- Southwest: Neighborhood Activity Center (NAC)
- Northwest: Neighborhood Activity Center (NAC)

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

**PLANNING COMMISSION RECOMMENDATION**

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

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

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

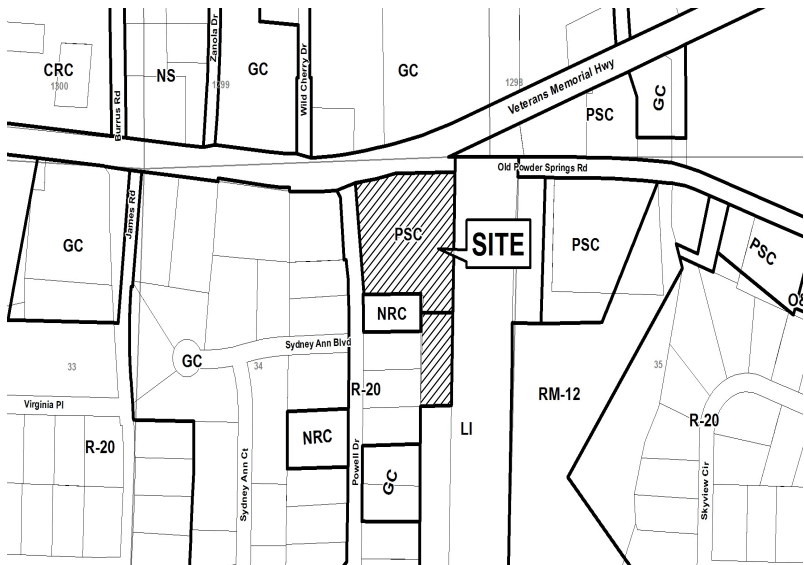
**BOARD OF COMMISSIONERS DECISION**

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

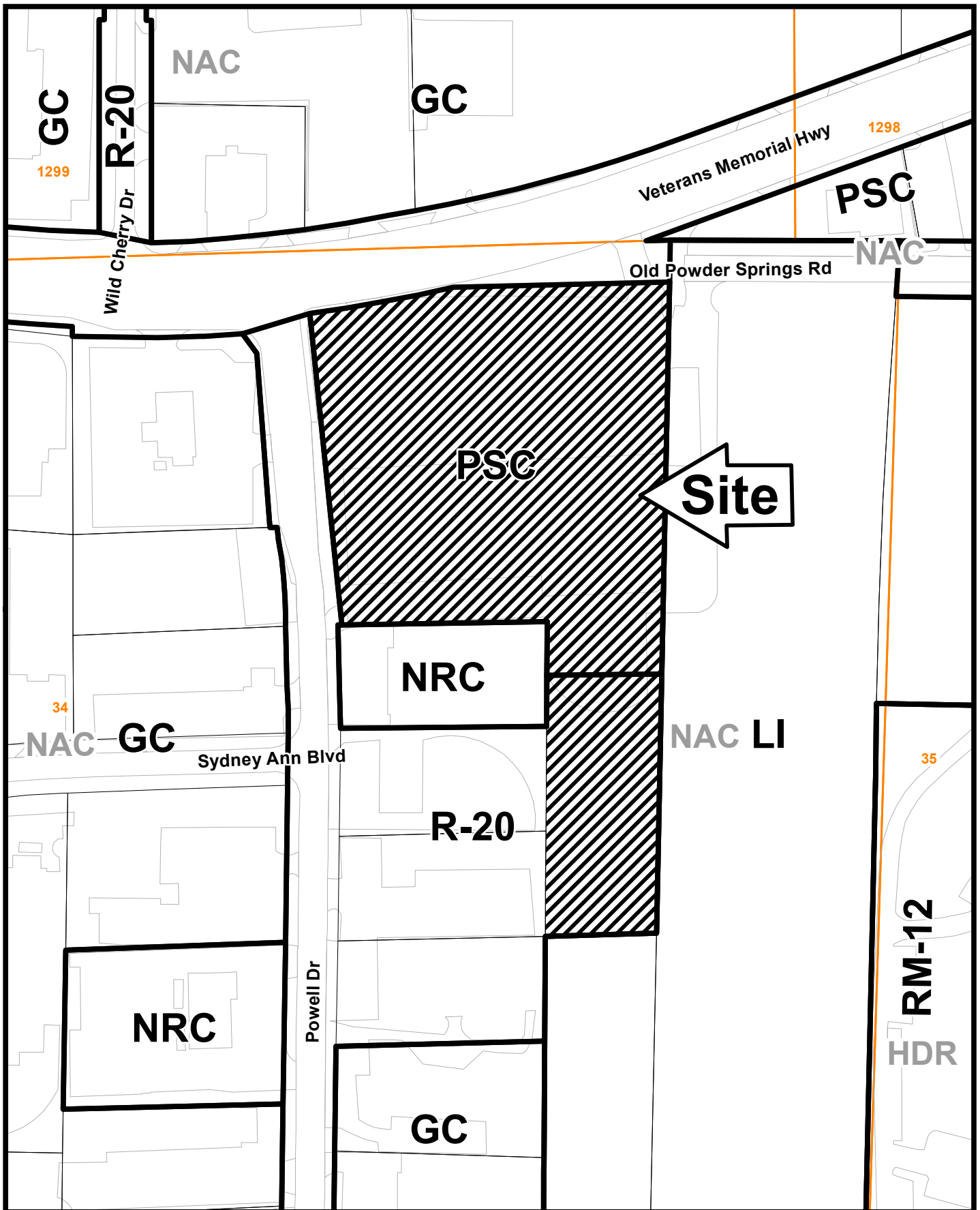
**REJECTED** \_\_\_\_\_ **SECONDED** \_\_\_\_\_

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

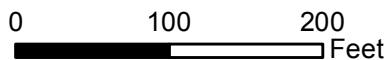
**STIPULATIONS:**





# Z-11



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



-  City Boundary
-  Zoning Boundary

APPLICANT: Manouchehr Jahangard

PETITION NO.: Z-11

PRESENT ZONING: PSC, R-20

PETITION FOR: NRC

\*\*\*\*\*

**ZONING COMMENTS:**

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

**Land Use Plan Recommendation:** Neighborhood Activity Center (NAC)

**Proposed Number of Buildings:** 1(Existing) **Total Square Footage of Development:** 37,018

**F.A.R.:** 0.229 **Square Footage/Acre:** 10,005

**Parking Spaces Required:** 5 **Parking Spaces Provided:** 121

Applicant is requesting to requesting the Neighborhood Retail Commercial (NRC) zoning district in order to convert the existing retail center into a climate controlled self-storage facility. The hours of operation will be seven days per week with access from 7 a.m. until 10 p.m. Applicant has indicated that the retail businesses in the center have been exposed to an increase in crimes in recent history. The applicant has also indicated that as tenant leases have not been renewed and he feels that the conversion of the entire center into a climate controlled self-storage facility will set a higher and more desirable standard and that the proposed use will generate less traffic than the retail center. The applicant has submitted the attached rendering of how the center will look once converted to the storage facility.

**Cemetery Preservation:** There is no significant impact on the cemetery site listed in the Cobb County Cemetery Preservation Commission's Inventory Listing which is located in this, or adjacent land lot.

\*\*\*\*\*

**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:** Manouchehr Jahangard

**PETITION NO.:** Z-11

**PRESENT ZONING:** PSC, R-20

**PETITION FOR:** NRC

\*\*\*\*\*

**PLANNING COMMENTS:**

The applicant is requesting a rezoning from PSC and R-20 to NRC for the purpose of a climate-controlled self-storage facility. The 3.02 acre site is located on the southeast corner of Veterans Memorial Highway and Powell Drive, and on the south side of Old Powder Springs Road.

**HB-489 Intergovernmental Agreement Zoning Amendment Notification:**

Is the application site within one half (1/2) mile of a city boundary?  Yes  No  
If yes, has the city of \_\_\_\_\_ been notified?  Yes  No / N/A

**Comprehensive Plan**

The parcel is within a Neighborhood Activity Center (NAC) future land use category, with PSC and R-20 zoning designation. The purpose of the Neighborhood Activity Center (NAC) category is to provide for areas that serve neighborhood residents and businesses. Typical land uses for these areas include small offices, limited retail and grocery stores.

**Specific Area Policy Guidelines:**

There are no specific policy guidelines for this area in the Comprehensive Plan.

**Adjacent Future Land Use:**

Northeast: Neighborhood Activity Center (NAC)  
Southeast: Neighborhood Activity Center (NAC)  
Southwest: Neighborhood Activity Center (NAC)  
Northwest: Neighborhood Activity Center (NAC)

**Master Plan/Corridor Study**

The property is not located within the boundary of a Plan or Corridor Study

**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 \_\_\_\_\_  
Does the current site plan comply with the design requirements?

**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.

APPLICANT: Manouchehr Jahangard

PETITION NO.: Z-11

PRESENT ZONING: PSC, R-20

PETITION FOR: NRC

\*\*\*\*\*

**PLANNING COMMENTS:** (Continued)

Is the property within an Enterprise Zone?  Yes  No

The South Cobb 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.

For more information on incentives, please call the Community Development Agency, Planning Division at 770.528.2018 or find information online at <http://economic.cobbcountyga.gov>.

**Special Districts**

Is this property within the Cumberland Special District #1 (hotel/motel fee)?

Yes  No

Is this property within the Cumberland Special District #2 (ad valorem tax)?

Yes  No

Is this property within the Six Flags Special Service District?

Yes  No

Is the property within the Dobbins Airfield Safety Zone?

Yes  No

If so, which particular safety zone is this property within?

CZ (Clear Zone)  APZ I (Accident Potential Zone I)

APZ II (Accident Potential Zone II)

APPLICANT Manouchehr Jahangard

PETITION NO. Z-011

PRESENT ZONING PSC, R-20

PETITION FOR NRC

\*\*\*\*\*

**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 Veterans Memorial

Additional Comments: Existing water customer

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: ROW along property frontage

Estimated Waste Generation (in G.P.D.): A D F= 160 Peak= 400

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 Sewer service to property to be verified upon redevelopment/permitting  
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:** Manouchehr Jahangard

**PETITION NO.:** Z-11

**PRESENT ZONING:** PSC, R-20

**PETITION FOR:** NRC

\*\*\*\*\*

**STORMWATER MANAGEMENT COMMENTS**

FLOOD HAZARD:  YES  NO  POSSIBLY, NOT VERIFIED

DRAINAGE BASIN: Pine 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 CONDITIONS

- 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 any proposed site improvements on downstream receiving system.



**APPLICANT: Manouchehr Jahangard**

**PETITION NO.: Z-11**

**PRESENT ZONING: PSC, R-20**

**PETITION FOR: NRC**

\*\*\*\*\*

**STORMWATER MANAGEMENT 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. No significant site improvements are currently proposed. Any site improvement or expansion must meet current stormwater management requirements.

**APPLICANT: Manouchehr Jahangard**

**PETITION NO.: Z-11**

**PRESENT ZONING: PSC, R-20**

**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	ROADWAY CLASSIFICATION	SPEED LIMIT	JURISDICTIONAL CONTROL	MIN. R.O.W. REQUIREMENTS
Veterans Memorial Highway	28,600	Arterial	45 mph	Georgia DOT	100'
Powell Drive	N/A	Local - Nonresidential	25 mph	Cobb County	60'

*Based on 2008 traffic counting data taken by Cobb County DOT for Veterans Memorial Highway.*

**COMMENTS AND OBSERVATIONS**

Veterans Memorial Highway is classified as a state route, an arterial and according to the available information the existing right-of-way does not meet the minimum requirements for this classification.

Powell Drive is classified as a local and according to the available information the existing right-of-way may meet the minimum requirements for this classification.

**RECOMMENDATIONS**

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

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 south side of Veterans Memorial Highway, a minimum of 50' from the roadway centerline.

GDOT permits will be required for all work that encroaches upon State right-of-way.

Recommend no parking on the right-of-way.

Recommend closing the western driveway on Veterans Memorial Highway.

Recommend Powell Drive driveways be reconstructed as two commercial driveways per Section 402.08, Non-Residential Driveways, of the Cobb County Development Standards.

## STAFF RECOMMENDATIONS

### **Z-11 MANOUCHEHR JAHANGARD**

- 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 uses include auto repair, retail, multi-family and single-family residential.
- 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. The proposed use will generate less traffic than the existing retail center.
- 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 this property as being in the Neighborhood Activity Center (NAC) land use category which is to provide areas that serve neighborhood residents and businesses. The Neighborhood Retail Commercial (NRC) zoning district is compatible with the NAC land use category, and the proposed use is permitted under NRC.
- 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. The property is grandfathered under the Planned Shopping Center (PSC) zoning district and tenant leases are not being renewed and the proposed changes require rezoning. Neighboring properties in the area are utilized for more intense uses compared to the proposed storage use.

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

1. Site plan received by the Zoning Division December 3, 2015, with the District Commissioner approving minor modifications;
2. Water and Sewer Division comments and recommendations;
3. Stormwater Management Division comments and recommendations;
4. Department of Transportation comments and recommendations; and
5. 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.**

DEC - 3 2015

Application No. Z-11

Feb. 2016

## Summary of Intent for Rezoning

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

- a) Proposed unit square-footage(s): N/A
  - 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): CLIMATE CONTROLLED SELF STORAGE FACILITY
  - b) Proposed building architecture: EXISTING RETAIL TO SELF STORAGE FACILITY CONVERSION SIMILAR IN
  - c) Proposed hours/days of operation: 7 DAYS PER WEEK 7:00AM-10:00 PM ACCESS
  - d) List all requested variances: ZONING
- \_\_\_\_\_
- \_\_\_\_\_
- \_\_\_\_\_

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

SUBJECT PROPERTY IS DIRECTLY ADJACENT TO LIGHT INDUSTRIAL PROPERTY. OWNER DOES NOT WISH TO RE-ZONE CURRENTLY ZONED RESIDENTIAL PROPERTY.

.....  
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).

NONE

DEC - 3 2015

RE: Rezoning from PSC to LI

Location: 1391 Veterans Memorial Highway / L.L. 34, District 18, Sect. 2 / Cobb County, GA

The owner/developer of the retail facility located 1391 Veterans Memorial Highway in Mableton is requesting the rezoning of the property from Planned Shopping Center (PSC) to Light Industrial (LI) zoning.

The current retail center has struggled to produce and attract retail business customers and has been exposed to increases in crime in recent history. The property has been subjected to multiple robberies and been the location of shootings. All efforts to maintain current tenants and acquire new tenants have been unsuccessful. As the retail space has been vacated and efforts to lease space have produced no results, the property has been subjected to constant vagrants, vandalism, squatting, and dumping of trash. Current leases are due to expire and tenants have notified owner that they do not intend to renew leases.

The owner is seeking to find a suitable use for the property that can provide usefulness of the property and better serve the community. To that end, the owner wishes to convert the existing building into self-storage.

We propose the re-development of the property for self-storage will provide a more suitable use of the property that is consistent with local and adjacent properties. The adjoining property to the east is currently zoned light industrial and could accommodate self-storage without rezoning. Powell Drive that runs directly adjacent to the west of the subject property services many automotive repair shops and like businesses. In our opinion this use of the property would not adversely affect the subject property or those properties in the area. To the contrary, we believe the rezoning and usefulness of this property redeveloped will better serve those surrounding properties. To redevelop the property with new self-storage features, and by setting a higher and more desirable standard, we set a higher standard for other aging storage facilities in the area. Additionally, the use as self-storage provides a reduction in traffic burden in contrast to that of a retail use.

We respectfully ask that the Cobb County Planning Commission support this rezoning and that Cobb County Board of Commissioners grant the rezoning to light industrial for the use of self-storage as requested.

