

**MARCH 17, 2009 ZONING HEARING
“OTHER BUSINESS”
COMMISSION DISTRICT 3**

ITEM #1

PURPOSE

To consider amending the site plan regarding Z-53 (PALLADIAN, INC.) of November 18, 2008, for property located in Land Lot 967 of the 16th District located on the south side of Roswell Road, west of Robinson Road.

BACKGROUND

The subject property is zoned LRO subject to numerous conditions/stipulations which are attached. During the original application, Mr. Wrigley attempted, through his stipulation letter, to be allowed to increase the size of the buildings to accommodate potential user needs as long as the total square footage of the three buildings did not increase. That proposed stipulation was not approved but it was discussed at the original hearing that Mr. Wrigley could request a change in the building layout through the District Commissioner or as an Other Business item, depending on the amount of increase proposed. This request seeks to increase the size of the first building from 9,000 square feet to 12,000 square feet and reduce the size of the other two buildings from 6,660 square feet to 5,280 square feet and from 8,006 square feet to 6,386 square feet. All three proposed buildings do not exceed two stories. The total square footage is not being increased from the original approval. The proposed site plan is attached. The Other Business application is also attached.

FUNDING

N/A

RECOMMENDATION

The Board of Commissioners consider the revised site plan and if approved, all other previously approved conditions/stipulations should remain in affect.

ATTACHMENTS

Board of Commissioners Decision
Proposed Site Plan
Other Business Application

ORIGINAL DATE OF APPLICATION: 11-18-08

APPLICANTS NAME: PALLADIAN, INC.

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

BOC DECISION OF 11-18-08 ZONING HEARING:

PALLADIAN, INC. (Barry J. Shemaria, Jo Ann M. Weinberg, James A. Merritt and Reba M. Conn, owners) requesting Rezoning from NS and RA-5 to **LRO** for the purpose of Professional Offices in Land Lot 967 of the 16th District. Located on the south side of Roswell Road, west of Robinson Road.

The public hearing was opened and Mr. Craig Wrigley and Mr. Mark McClellan addressed the Board. Following presentation and discussion, the following motion was made:

MOTION: Motion by Thompson, second by Olens, to **approve** Rezoning to the **LRO** zoning district **subject to**:

- **site plan last revised November 10, 2008 with District Commissioner approving minor modifications (attached and made a part of these minutes)**
- **letter of agreeable conditions from Mr. Craig Wrigley dated November 17, 2008 with the following changes (attached and made a part of these minutes):**
 - *delete second sentence in first paragraph*
 - *Item No. 2 - delete in its entirety*
 - *Item No. 9 - add sentence to end of paragraph: "No illumination of light onto adjacent residential properties."*
- **impervious surface for this project not to exceed 70%**
- **landscape plan to be approved by County Arborist after conferring with East Cobb Civic Association or the adjacent subdivision**
- **remove two parking spaces located closest to the southwesterly property line, still permitting the cut for turning movements**
- **Fire Department comments and recommendations**
- **Historic Preservation comments and recommendations**
- **Water and Sewer Division comments and recommendations**
- **Stormwater Management Division comments and recommendations**
- **Cobb DOT comments and recommendations**

VOTE: **ADOPTED** unanimously

November 17, 2008

Cobb County
Board of Commissioners

Re: Zoning Petition No. Z-53 2008
Applicant Stipulation Letter

The applicant, Palladian, Inc., agrees to be bound by the following stipulations and conditions that will attach to the LRO Zoning if approved as submitted. It is the intent of the application for these stipulations to govern if in conflict with comments and recommendation of County review staff.

1. The Applicant plans to move or demolish the house on the property, currently being used as sales offices. The Applicant itself will properly document the known history of the structure and its occupants and will submit this documentation with photographs in archival condition to the historic preservation planner before the LDP is issued.
2. The zoning shall be per the site plan dated November 10, 2008, however the buildings may be combined or changed in shape to accommodate user needs so long as the total floor area is not increased, and the general location of buildings and parking does not change, an example of which possible change is attached. All other non-significant site plan changes may be approved by the District Commissioner.
3. Main signage will be a masonry ground-based monument sign within sign ordinance rules.
4. If a commercial type dumpster is required it shall be placed away from the subdivision in the Southeast parking lot. It will be a dark color, void of signage and well-screened.
5. The applicant will present to the adjoining property owners or their representatives the plant material selected for the landscape buffer adjacent to the residential lots after approval by the Cobb County Arborist.
6. The applicant has investigated interparcel access with the eastern property as requested in Transportation Recommendations. The owners of the eastern property have refused access, and the elevation difference due to a retaining wall between the two parcels makes the connection difficult. The Applicant agrees with all other Transportation Recommendations.
7. All site surface drainage will be directed to the water quality pond/detention pond before leaving the site. The pond will be tied directly to the existing storm drainage system within the Roswell Road Right-of-Way. The peak design discharge will be subject to the available system capacity.
8. Fire equipment access, being subject to approval by Fire Officials, necessitated a change in the site plan, which revised site plan dated November 10, 2008 has been submitted as the official plan.
9. The Applicant agrees that parking lot lighting shall be "shoebox" type fixtures directed away from residential neighbors.
10. The Applicant agrees that the buildings will be four-sided brick or stone and have residential-style pitched roofs and details.

Craig Wrigley
President

PALLADIAN, INC.
601 Woodlawn Drive, Suite 330, Marietta, GA 30067-3506
770.509.3390 ~ Fax 770.509.3511
email: Info@palladianproperties.com

Min. Bk. 57 Petition No. Z-53
Doc. Type letter of agreeable
conditions
Meeting Date 11-18-2008

Application for "Other Business"

Cobb County, Georgia

(Cobb County Zoning Division - 770-528-2045)

BOC Hearing Date Requested: 3-17-09 ^{MAP}
2/17/09

Applicant: PALLADIAN INC. Phone #: 770/509-3390
(applicant's name printed)

Address: 601 WOODLAWN DR. SUITE 330, MARIETTA E-Mail: info@palladianproperties.com

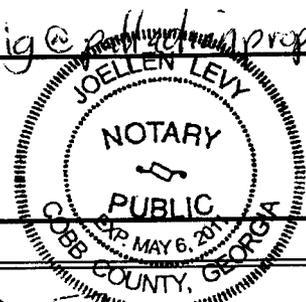
CRAIG WRIGLEY Address: 601 WOODLAWN DR. SUITE 330, MARIETTA
(representative's name, printed)

Craig Wrigley Phone #: 770/605-2690 E-Mail: craig@palladianproperties.com
(representative's signature)

Signed, sealed and delivered in presence of:

Joellen Levy
Notary Public

My commission expires: _____



Commission District: 2 Zoning Case: 2-55

Date of Zoning Decision: 11/14/08 Original Date of Hearing: 11/18/08

Location: 3700 ROSWELL ROAD
(street address, if applicable; nearest intersection, etc.)

Land Lot(s): 967 OF 16th DISTRICT District(s): 16th

State specifically the need or reason(s) for Other Business: _____

WITHOUT INCREASING THE OVERALL SQUARE FOOTAGE OF BUILDING
AREA, THE SIZE OF BUILDING 100 (The Building nearest to Upper
ROSWELL) NEEDS TO BE INCREASED IN SIZE TO MEET THE NEEDS
OF A MEDICAL PRACTICE THAT REQUIRES MORE CONTIGUOUS
SPACE ON THE GROUND FLOOR. THE SIZE OF THE TWO
REMAINING BUILDINGS WILL BE CORRESPONDINGLY REDUCED.
TO INSURE SUCCESS OF THE OFFICE PARK IT IS NECESSARY
TO BE ABLE TO ADJUST RELATIVE BUILDING FOOTPRINTS
TO MEET THE NEEDS OF BUILDING OCCUPANTS.

(List or attach additional information if needed)