Department of Development Services
205 Lawrence Street
Marietta, Georgia 30060
Rusty Roth, AICP, Director

REZONING APPLICATION ANALYSIS

ZONING CASE #: Z2020-07 **LEGISTAR: #20200038**

LANDOWNERS: **Steven Allen Cunningham**
1560 Cunningham Road
Marietta, GA 30008

Harry William Cunningham
172 Camden Knoll
Dallas, GA 30157

Carolyn Swanson
894 Poplar Springs Road
Dallas, GA 30157

APPLICANT: **Venture Communities, LLC**
5500 Interstate North Parkway, Suite 150
Sandy Springs, GA 30328

AGENT: **n/a**

PROPERTY ADDRESS: **1520, 1540, & 1560 Cunningham Road**

PARCEL DESCRIPTION: **District 17, Land Lot 9, Parcels 0040 & 0160**

AREA: ±8.782 **COUNCIL WARD: 2B**

EXISTING ZONING: **R-20 (Single Family Residential – County) &**
R-2 (Single Family Residential 2 units/acre – City)

REQUEST: **PRD-SF (Planned Residential Development – Single Family)**

FUTURE LAND USE: **MDR (Medium Density Residential)**

REASON FOR REQUEST: **To build a fifty-nine (59) unit townhome community**

PLANNING COMMISSION HEARING: Tuesday, August 4th, 2020 – 6:00 pm

CITY COUNCIL HEARING: **Wednesday, August 12th, 2020 – 7:00 pm**

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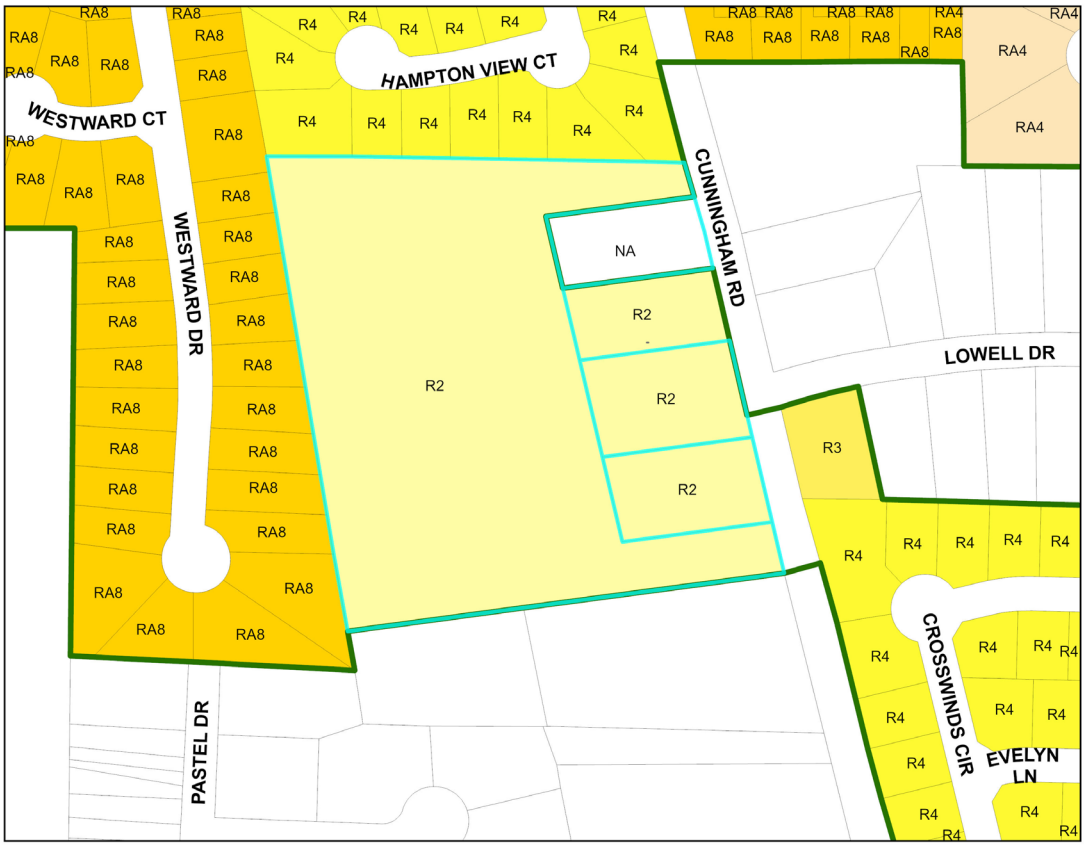
MAP

City of Marietta Area Zoning Map



Zoning

SINGLE FAMILY RESIDENTIAL		**COMMERCIAL**	
R-1	One Unit/Acre	NRC	Neighborhood Retail
R-2	Two Unit/Acre	CRC	Community Retail
R-3	Three Unit/Acre	RRC	Regional Retail
R-4	Four Unit/Acre	CBD	Central Business District
ATTACHED FAMILY RESIDENTIAL		PCD	Planned Commercial Dev.
RA-4	Four Unit/Acre	MXD	Mixed-Use Dev.
RA-6	Six Unit/Acre	OIT	Office Institutional Trans.
RA-8	Eight Unit/Acre	LRO	Low-Rise Office
PRD(SF)	Planned Residential Dev.	OI	Office Institutional
MHP	Mobile Home Park	OS	Office Services
MULTI FAMILY RESIDENTIAL		OHR	Office High-Rise
RM-8	Eight Unit/Acre	**INDUSTRIAL**	
RM-10	Ten Unit/Acre	LI	Light Industrial
RM-12	Twelve Unit/Acre	HI	Heavy Industrial
RHR	Residential High Rise	PID	Planned Industrial Dev.
PRD(MF)	Planned Residential Dev.		

District	*Land Lot*	*Parcel*	*Current Zoning*	*Proposed Zoning*
17 17	0009 0009	0040 0160	R-20 (Cobb) R-2 (City)	PRD-SF

Comments:

1520, 1540 & 1560 Cunningham Rd

Date: **6/29/2020**

Planning & Zoning Division

N W E S

1:2,374

Department of Development Services
205 Lawrence Street
Marietta, Georgia 30060
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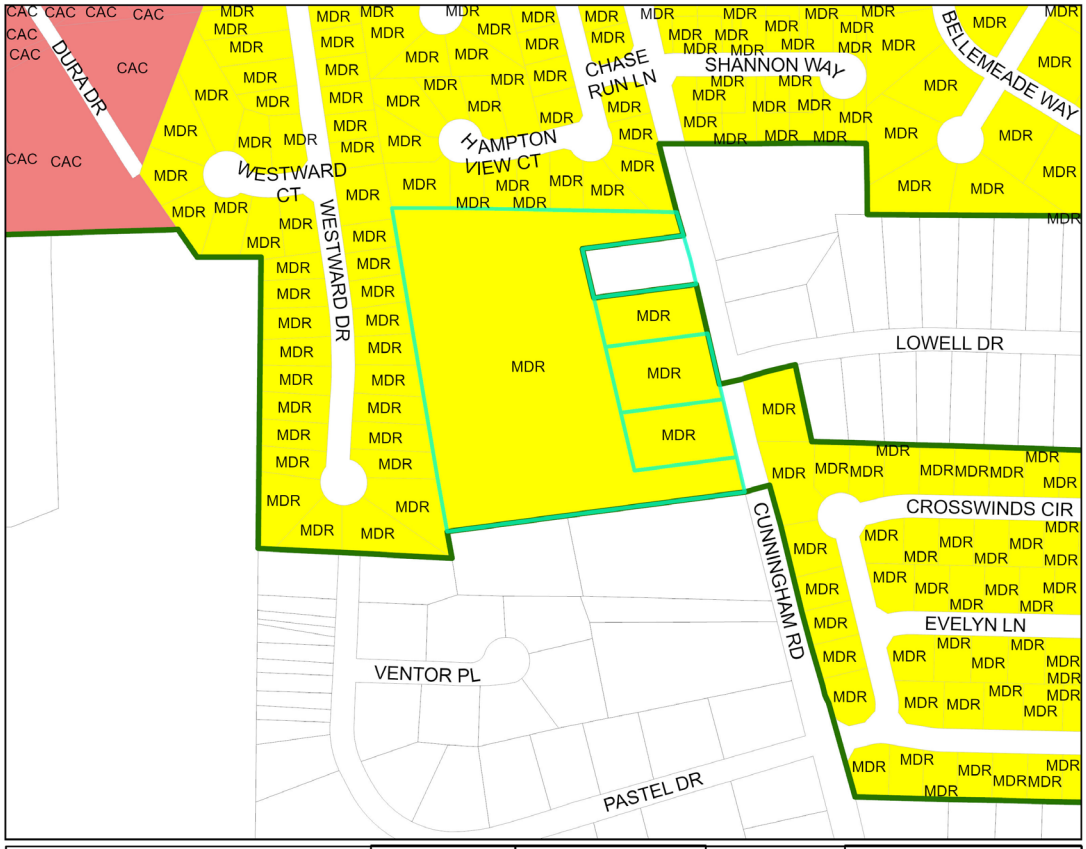
FLU MAP

City of Marietta Area FLU Map



Future Land Use

LDR	Low Density Residential
MDR	Medium Density Residential
HDR	High Density Residential
NAC	Neighobrhood Activity
CAC	Community Activity Center
RAC	Regional Activity Center
CBD	Central Business District
IM	Industrial - Manufacturing
IW	Industrial - Warehousing
OSC	Open Space/Conservation
PR	Parks & Recreation
CSI	Community Service & Institutional
TCU	Transportation, Communication & Utilities
MXD	Mixed Use

District	Land Lot	Parcel	Current FLU	Proposed FLU
17	0009	0040	MDR	MDR
17	0009	0160		

Comments:
1520, 1540 & 1560 Cunningham Rd

Date: **6/29/2020**

Planning & Zoning Division

N W E S
1:3,482

Department of Development Services
205 Lawrence Street
Marietta, Georgia 30060
Rusty Roth, AICP, Director

PICTURES OF PROPERTY

1540 Cunningham Road

1540 & 1560 Cunningham Road

Western portion of property

Western portion of property

Department of Development Services
205 Lawrence Street
Marietta, Georgia 30060
Rusty Roth, AICP, Director

STAFF ANALYSIS

Location Compatibility

Venture Communities, LLC is requesting the rezoning of 8.81 acres at 1520, 1540, & 1560 Cunningham Road to PRD-SF (Planned Residential Development – Single Family) for the construction of fifty-nine (59) new townhomes. The property at 1520 Cunningham Road is 0.5 acres in size and is currently zoned R-20 (Single Family Residential) in Cobb County. The remaining 8.3 acres are within the City of Marietta and zoned R-2 (Single Family Residential – 2 units/acre). There are three (3) single family residences on the property.

The Westview Subdivision, zoned RA-8 (Single Family Residential – Attached), is located immediately to the west; while Hampton Chase, zoned R-4 (Single Family Residential – 4 units/acre) is to the north. A church, zoned R-20 in Cobb County, is directly to the south. Across Cunningham Road to the east is a single-family residential neighborhood zoned RM-12 in Cobb County, as well.

Use Potential and Impacts

The proposed development would consist of fifty-nine (59) townhomes arranged along a new, public roadway with two access points from Cunningham Road. Fifty-nine (59) townhomes on 8.81 acres yields a density of 6.7 units per acre, which is comparable to the surrounding residential area. The proposed density is lower than other, recently approved townhouse developments in the City, as shown below:

Development	Townhouse Units	Acreage	Density	Open Space
Parkside East	59	5.24	11.25	38.9%
Powder Springs Rd 1400	72	8.03	9.0	18.4%
Booth Road Townhomes	51	6.42	7.94	29.6%
Grammercy Park	32	3.29	9.72	12.8%
Wylie Road	150	12.13	12.37	30%
Frey's Gin	123	9.58	12.84	28.5%

Construction under PRD-SF zoning has minimum standards for tract size, lot size, floor area, and impervious surface coverage. Fee simple townhomes built in PRD-SF zones are subject to additional requirements, such as having a 5% rental limit, active and passive recreation components, guest parking spaces, driveways at least twenty (20) feet in depth, and compliance with the "Four-Sided Architecture" requirement. The proposed plan adequately provides the required guest parking spaces and driveway depths required for townhome communities developed under PRD-SF. However, the following variance would be necessary:

- Variance to reduce the minimum lot size requirement from 4,000 sq. ft. to the footprint of the smallest unit for fee simple townhomes. [*§708.09 (H.)*]

Concerning the open space and recreation requirements, the applicant has indicated the entire site will be graded for the development and that there will be 1.72 acres of passive recreation provided (approximately 19.5% of the site), but no active recreational feature would be provided. The applicant has indicated that a 59-unit homeowner's association could not afford the maintenance expense an active amenity requires. As a result, the following variances are being requested:

- Variance to waive the active recreation feature. [*§708.09 (B.2.i)*]
- Variance to waive the 25% open space requirement to allow the entire site to be disturbed. [*§708.09 (H)*]

Marietta's Comprehensive Plan, last updated in October 2017, designates the future land use (FLU) of these parcels as Medium Density Residential (MDR). Properties with a FLU of MDR are appropriate for single family detached homes, clustered housing, and townhomes with densities ranging from five (5) to eight (8) units per acre. The requested PRD-SF zoning at a density of 6.7 units/acre is consistent with and supported by the City's Comprehensive Plan.

Environmental Impacts

Most of the site was wooded until sometime in the 1990s when most of the trees were cleared. The vegetation that has taken its place is not mature and contains a lot of invasive shrubbery. City maps indicate state waters running from north to south; however, after numerous site visits, City Engineering staff and a private consultant determined no state waters are present. The proposed plan by Venture Communities will again clear the site of all vegetation. However, the resulting development will be expected to comply with the Tree Protection and Landscaping Ordinance as well as the City's stormwater requirements.

Economic Functionality

The subject property has contained at least two homes on it since the 1950s; and currently there are three residences on the 8.81 acres. This translates to a density of 0.34 units/acre, which is low for a suburban environment. While the property is functional as currently zoned, the property could support the proposed higher density, which is similar to other developments in the surrounding area.

Infrastructure

This proposed development would have new public streets that would comply with the required minimum width of fifty (50) feet and would have internal sidewalks. Sidewalks are also shown along the Cunningham Road property frontage and would fill in a large, existing gap in sidewalk in this area. Because the proposed neighborhood contains more than fifty-one (51) units, two vehicular access points to arterial or collector roads are required. Although Cunningham Road functions as a collector road, the City Thoroughfare Map classifies it as a local road. As a result, the following variance is required:

- Variance to allow a single-family development with more than 51 dwelling units provide two access points to a local street, rather than arterial or collector street. [*§730.01 (A)*]

A 150-foot acceleration lane and a 150-foot deceleration lane with appropriate tapers will be required by Public Works but is not shown on the plan. A variance would be required to omit these features.

Overhead Electrical/Utilities

There are overhead utility lines on the opposite side of Cunningham Road, so there should be no conflicts with new street trees or buildings. All new utilities for the development will be required to be underground.

History of Property

This property, except for 1520 Cunningham Road, was annexed into the City of Marietta in 2005 and rezoned from R-20 to R-2 (Z2005-31). The purpose of the annexation was not to develop the property but to make another property across Cunningham Road (Crosswinds Subdivision) eligible for annexation and development in the City limits.

Historical Impacts

There is no indication that any historical structures or features are located at this site.

Other Issues

The PRD-SF zoning district is intended to bring cohesiveness and resourcefulness when it comes to land planning techniques for the city and allows both detached and attached residential units. PRD-SF is a site-specific zoning, which requires City Council approval of a detailed plan prior to beginning construction. Detailed plans, which include a site plan, tree plan, and building elevations, must be submitted to Council by way of the Judicial Legislative Committee. The plan approved with the rezoning will become the General Plan.

Marietta GEORGIA

Department of Development Services
205 Lawrence Street
Marietta, Georgia 30060
Rusty Roth, AICP, Director

ANALYSIS & CONCLUSION

Venture Communities, LLC is requesting the rezoning of 8.81 acres at 1520, 1540, & 1560 Cunningham Road to PRD-SF for the construction of fifty-nine (59) new townhomes and would include the annexation of 0.5 acres from Cobb County. The properties are currently zoned R-20 in Cobb County and R-2 in the City and currently contain three (3) single family residences. Surrounding properties are also zoned residential and include RA-8, R-4, R-20 (Cobb), and RM-12 (Cobb).

The proposed development would be arranged along a new, public roadway with two access points from Cunningham Road. Fifty-nine (59) townhomes on 8.81 acres yields a density of 6.7 units per acre, which is comparable to the surrounding residential area. The proposed density is lower than other, recently approved townhouse developments in the City.

The following variances would be necessary to develop the property as shown on the submitted plan:

1. Variance to waive the active recreation feature. [*§708.09 (B.2.i)*]
2. Variance to waive the 25% open space requirement to allow the entire site to be disturbed. [*§708.09 (H)*]
3. Variance to reduce the minimum lot size requirement from 4,000 sq. ft. to the footprint of the smallest unit for fee simple townhomes. [*§708.09 (H)*]
4. Variance to allow a single-family development with more than 51 dwelling units provide two access points to a local street, rather than arterial or collector street. [*§730.01 (A)*]
5. Variance to waive the required acceleration and deceleration lanes.

Detailed plans, which include a site plan, tree plan, and building elevations, must be submitted to Council by way of the Judicial Legislative Committee. The plan approved with the rezoning will become the General Plan

Marietta's Comprehensive Plan designates the future land use (FLU) of these parcels as Medium Density Residential (MDR). Properties with a FLU of MDR are appropriate for single family detached homes, clustered housing, and townhomes with densities ranging from five (5) to eight (8) units per acre. The requested PRD-SF zoning at a density of 6.7 units/acre is consistent with and supported by the City's Comprehensive Plan.

Prepared by: Shelly Britt

Approved by: Rusty Roth

Department of Development Services
205 Lawrence Street
Marietta, Georgia 30060
Rusty Roth, AICP, Director

DATA APPENDIX CONTINUED

COBB COUNTY WATER & WASTEWATER

DRAINAGE AND ENVIRONMENTAL CONCERNS

Does flood plain exist on the property:	No
What percentage of the property is in the flood plain?	N/A
What is the drainage basin for the property?	Olley Creek
Is there potential for the presence of wetlands as determined by the U.S. Environmental Protection Agency?	Yes
If so, is the use compatible with the possible presence of wetlands?	No
Do stream bank buffers exist on the parcel?	No
Are there other topographical concerns on the parcel?	No
Are there storm water issues related to the application?	No
Potential presence of endangered species in the area?	No

- Full site development plans required (Cobb Water and Sewer Authority approval required).
- A second entrance will be required based on the number of units proposed (as shown on 7/10/20 email update)
- All streets must comply with City standards
- Sidewalks required along frontage. Some interior sidewalks as proposed will require crosswalks.
- Acceleration and deceleration lanes will be required

TRANSPORTATION

What is the road affected by the proposed change?	Cunningham Road
What is the classification of the road?	Collector
What is the traffic count for the road?	4,100 (2016 Cobb)
Estimated # of trips generated by the proposed development?	Daily 287
Estimated # of pass-by cars entering proposed development?	AM 28
Do sidewalks exist in the area?	PM 30
Transportation improvements in the area?	0
If yes, what are they?	Yes

- Center left turn lane along Cunningham Road connecting with center lane to south and north is recommended.

- Acel/decel lane is required per City Code; however, Transportation is willing to waive the Acel lane requirement if the developer agrees to the center lane construction above.
- 25' deceleration lane taper to begin at southern property line of out parcel.
- 5' sidewalk with 2' grass strip required along entire parcel frontage of Cunningham Road.
- Recommend developer continue sidewalk improvements across outparcel frontages.
- Request 15' right of way donation across entire parcel frontage.
- Entirety of Cunningham Road to the south of this parcel is owned and maintained by Cobb DOT - Cobb DOT approval required.

EMERGENCY SERVICES

Nearest city or county fire station from the development?	54 Chestnut Hill
Distance of the nearest station?	1.9 Miles
Most likely station for 1st response?	54
Service burdens at the nearest city fire station (under, at, or above capacity)?	under

Comments:

- All units will be required to be protected throughout by an approved automatic fire sprinkler system per Marietta City Code 2-6-140.

MARIETTA POWER - ELECTRICAL

Does Marietta Power serve this site? Yes_____ No___x_____

If not, can this site be served? Yes_____ No___x_____

What special conditions would be involved in serving this site?

Not Marietta Power territory

DATA APPENDIX CONTINUED

MARIETTA CITY SCHOOLS

Marietta City Schools Impact Assessment:

Elementary School System Servicing Development:	**Dunleith Elementary School**
Middle School Servicing Development:	**Marietta Middle School**
High School Servicing Development:	**Marietta High School**
Capacity at Elementary School:	**625**
Capacity at Middle School:	**1,350**
Capacity at Marietta Sixth Grade Academy:	**775**
Capacity at High School:	**2,150**
Current enrollment of Elementary School:	**564**
Current enrollment of Middle School:	**1,390**
Current enrollment of High School:	**2,455**
Number of students generated by present development:	**0**
Number of students projected from the proposed development:	**22**
New schools pending to serve this area:	**0**
Comments:	

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Marietta GEORGIA

Department of Development Services
205 Lawrence Street
Marietta, Georgia 30060
Phone (770) 794-5440

APPLICATION FOR REZONING

(OWNER/APPLICANT OR REPRESENTATIVE MUST BE PRESENT AT ALL PUBLIC HEARINGS)
(NOTE: CORRESPONDENCE IS HANDLED VIA EMAIL UNLESS OTHERWISE REQUESTED)

For Office Use Only:

Application #: 22020-07 Legistar #: 20200038 PZ #: —

Planning Commission Hearing: 8-4-20 City Council Hearing: 8-12-20

Owner's Name Steven Allen Cunningham

EMAIL Address: stevecunningham@mindspirng.com

Mailing Address 1560 Cunningham Road, Marietta, GA Zip Code: 30008 Telephone Number (404) 307-7106

COMPLETE ONLY IF APPLICANT IS NOT OWNER:

Applicant: Venture Communities, LLC (c/o Sean G. Randall)

EMAIL Address: seanr@totalpropertyadvisors.com

Mailing Address 5500 Interstate North Pkwy., Ste. 150, Sandy Springs, GA Zip Code: 30328

Telephone Number (770) 616-7517 Email Address: terric@venture-ga.com

Address of property to be rezoned: 1520, 1540, 1560 Cunningham Road, Marietta, Georgia

Land Lot (s) ~~889~~ 0009 District 17th Parcel _____ Acreage 8.782 Ward 2B Future Land Use: MDR

Present Zoning Classification: R-2 RY(CY) Proposed Zoning Classification: PRD-SF

17000900040 and 17000900160

REQUIRED INFORMATION

Applicant must submit the following information by **4:00 p.m.** on or before the application deadline. Failure to submit any item, or any additional information that might be requested, on or before the deadline will result in the application being held until the next scheduled meeting of the Planning Commission.

1. **The original application must be submitted with ALL ORIGINAL SIGNATURES - Copies of the application or signature(s) will NOT be accepted. ALL rezoning submittals must include proposed plans, supplementary material, etc. in Adobe Acrobat on computer disk.**
2. Legal Description. **Legal description must be in a WORD DOCUMENT.**
3. Application fee ($500)
4. Copy of the deed that reflects the current owner(s) of the property.
5. Copy of current tax bill showing payment or a certification from the City of Marietta Tax Office stating that taxes have been paid.
6. Site plan, plat or survey prepared by an architect, engineer (P.E. or Civil Engineer), Landscape Architect or Land Surveyor whose state registration is current and valid, and whose seal shall be affixed to the site plan/plat/survey.
   Copies Required: One (1) - (8 ½" x 11") -or- (11" x 17") drawn to scale. Optional Additional Plat size: (24"x 36").
   If providing (24"x 36") then 5 copies REQUIRED.
   The following information must be included:
   - Specific use or uses proposed for the site
   - Acreage, bearing and distances, other dimensions, and location of the tract(s)
   - Locations, sizes and setbacks of proposed structures, including the number of stories and total floor area
   - Detention/retention areas, and utility easements
   - Public or private street(s) - right of way and roadway widths, approximate grades
   - Location and size of parking area with proposed ingress and egress
   - Specific types and dimensions of protective measures, such as buffers
   - Landscaping
   - Wetlands, stream buffers, and 100 year floodplain
7. A detailed written description of the proposed development/project must be submitted with the application.

CAMPAIGN CONTRIBUTIONS

The Owner and Applicant herein certify that he/she ☐has ☑has not made campaign contributions or gifts aggregating $250.00 or more to the Mayor, any member of Council or any member of the Planning Commission within the two (2) years preceding the filing of the this application.

Signature of Owner

Signature of Applicant

Steven Allen Cunningham

Print Name

Sean G. Randall

Print Name

FINANCIAL INTEREST

The Applicant herein certifies that he/she ☐has ☑has not a financial interest in the property which is ten percent (10%) or more.

Sean G. Randall

Print Name

Signature of Applicant

OWNER/APPLICANT CERTIFICATION

- The Owner or Applicant certifies that all information in this application, and all information furnished in support of this application, is true and complete to the best of the Applicant's knowledge and belief. Should any portion not be true, then the application may be rejected.
- Penalty for false or fraudulent statement: Whoever, in any matter, knowingly and willingly falsifies or makes any false, fictitious or fraudulent statement of representatives concerning this application shall be denied the request stated in this application.
- The Owner or Applicant hereby gives permission to enter on the property for inspection during the time application is pending.

Signature

Steven Allen Cunningham

Please Print

1560 Cunningham Road, Marietta, GA 30008-4040

Address

6/17/2020

Date

Signed, sealed and delivered in the presence of:

My Commission Expires: 12-04-2022

S. MANCINAS NOTARY EXPIRES GEORGIA December 4, 2022 PUBLIC COBB COUNTY

Note: Owner, Applicant or Representative must be present at meeting in order for case to be heard.

Marietta GEORGIA

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(OWNER/APPLICANT OR REPRESENTATIVE MUST BE PRESENT AT ALL PUBLIC HEARINGS)
(NOTE: CORRESPONDENCE IS HANDLED VIA EMAIL UNLESS OTHERWISE REQUESTED)

For Office Use Only:

Application #: Z 2020-07 **Legistar #:** 2020 0038 **PZ #:** —

Planning Commission Hearing: 8-4-20 **City Council Hearing:** 8-10-20 8-12-20

Owner's Name Harry William Cunningham

EMAIL Address: mchc002@aol.com

Mailing Address 172 Camden Knoll, Dallas, GA Zip Code: 30157 Telephone Number (770) 401-3340

COMPLETE ONLY IF APPLICANT IS NOT OWNER:

Applicant: Venture Communities, LLC (c/o Sean G. Randall)

EMAIL Address: seanr@totalpropertyadvisors.com

Mailing Address 5500 Interstate North Pkwy., Ste. 150, Sandy Springs, GA Zip Code: 30328

Telephone Number (770) 616-7517 Email Address: terric@venture-ga.com

Address of property to be rezoned: 1520, 1540, 1560 Cunningham Road, Marietta, Georgia

Land Lot (s) 8 & 9 District 17th Parcel _____ Acreage 8.782 Ward _____ Future Land Use: MDR

Present Zoning Classification: R-2 Proposed Zoning Classification: PRD-SF

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6. Site plan, plat or survey prepared by an architect, engineer (P.E. or Civil Engineer), Landscape Architect or Land Surveyor whose state registration is current and valid, and whose seal shall be affixed to the site plan/plat/survey.
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Signature of Owner | Signature of Applicant

Harry William Cunningham | Sean G. Randall

Print Name | Print Name

FINANCIAL INTEREST

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Sean G. Randall

Print Name | Signature of Applicant

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Signature | **Please Print** Harry William Cunningham

172 Camden Knoll, Dallas, GA 30157 | Harry William Cunningham

Address

6-17-2020

Date

Rita Sexton
Notary Public
Expires - October 20, 2023
Paulding County
State of Georgia

Signed, sealed and delivered in the presence of:

Rita Sexton **My Commission Expires:** 10/20/23

Note: Owner, Applicant or Representative must be present at meeting in order for case to be heard.

Marietta GEORGIA

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For Office Use Only:

Application #: Z2020-07 **Legistar #:** 20200038 **PZ #:** –

Planning Commission Hearing: 8-4-20 **City Council Hearing:** 8-12-20

Owner's Name Carolyn Swanson

EMAIL Address: swanson_c@bellsouth.net

Mailing Address 894 Poplar Springs Road, Dallas, GA Zip Code: 30157 Telephone Number (770) 713-5558

COMPLETE ONLY IF APPLICANT IS NOT OWNER:

Applicant: Venture Communities, LLC (c/o Sean G. Randall)

EMAIL Address: seanr@totalpropertyadvisors.com

Mailing Address 5500 Interstate North Pkwy., Ste. 150, Sandy Springs, GA Zip Code: 30328

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   - Public or private street(s) - right of way and roadway widths, approximate grades
   - Location and size of parking area with proposed ingress and egress
   - Specific types and dimensions of protective measures, such as buffers
   - Landscaping
   - Wetlands, stream buffers, and 100 year floodplain
7. A detailed written description of the proposed development/project must be submitted with the application.

CAMPAIGN CONTRIBUTIONS

The Owner and Applicant herein certify that he/she ☐has ☑has not made campaign contributions or gifts aggregating $250.00 or more to the Mayor, any member of Council or any member of the Planning Commission within the two (2) years preceding the filing of the this application.

Carolyn Swanson
Signature of Owner

Signature of Applicant

Carolyn Swanson
Print Name

Sean G. Randall
Print Name

FINANCIAL INTEREST

The Applicant herein certifies that he/she ☐has ☑has not a financial interest in the property which is ten percent (10%) or more.

Sean G. Randall
Print Name

Signature of Applicant

OWNER/APPLICANT CERTIFICATION

- The Owner or Applicant certifies that all information in this application, and all information furnished in support of this application, is true and complete to the best of the Applicant's knowledge and belief. Should any portion not be true, then the application may be rejected.
- Penalty for false or fraudulent statement: Whoever, in any matter, knowingly and willingly falsifies or makes any false, fictitious or fraudulent statement of representatives concerning this application shall be denied the request stated in this application.
- The Owner or Applicant hereby gives permission to enter on the property for inspection during the time application is pending.

Carolyn Swanson
Signature

Carolyn Swanson
Please Print

894 Poplar Springs Road, Dallas, GA 30157 Carolyn Swanson
Address

6-17-2020
Date

Rita Sexton
Notary Public
Expires - October 20, 2023
Paulding County
State of Georgia

Signed, sealed and delivered in the presence of:

Rita Sexton **My Commission Expires:** 10/20/23

Note: Owner, Applicant or Representative must be present at meeting in order for case to be heard.

Marietta
GEORGIA

Department of Development Services
205 Lawrence Street
Marietta, Georgia 30060
Phone (770) 794-5440

APPLICATION FOR ANNEXATION

(OWNER/APPLICANT OR REPRESENTATIVE MUST BE PRESENT AT ALL PUBLIC HEARINGS)
(NOTE: CORRESPONDENCE IS HANDLED VIA EMAIL UNLESS OTHERWISE REQUESTED)

For Office Use Only:

Application#: A2020-04 Legistar#: 20200547 PZ #: —

PC Hearing: 8-4-20 CC Hearing: 8-15-20

The Honorable Mayor
Members of the City Council
City of Marietta
205 Lawrence Street
Marietta, GA 30060

Dear Mayor and Council:

This application/letter is a request that the City of Marietta annex into the city the property described below:

Property Owner's Name (please print): Steven Allen Cunningham

Address of property to be Annexed: 1520 Cunningham Road, Marietta, Georgia

Land Lot 8 & 9 District: 17th Parcel: _____ Number of Acres: _____

Property owner's signature, date of signature and telephone number:

Steven Allen Cunningham 6/17/2020 (404) 307-7106
(Property owner's signature) *(Date)* *(Telephone Number)*

Property owner's EMAIL: stevecunningham@mindspirng.com

Property owner's mailing address if different from property being annexed:
1560 Cunningham Road, Marietta, GA 30008-4040

Current land use of the property: residential
(i.e., commercial, residential, vacant, etc.)

If the current land use of the property is residential, how many people are living on the property: _____.

THE FOLLOWING INFORMATION MUST BE SUBMITTED BY THE PROPERTY OWNER BEFORE THE APPLICATION DEADLINE:

1. Legal Description.
2. One (1) copy of survey.
3. One (1) copies of county tax plat.
4. Copy of the Certificate of Occupancy (CO) from Cobb County Building Inspections Department (if applicable). If the property is vacant, no CO is necessary.

Marietta
GEORGIA

Department of Development Services
205 Lawrence Street
Marietta, Georgia 30060
Phone (770) 794-5440

APPLICATION FOR ANNEXATION

(OWNER/APPLICANT OR REPRESENTATIVE MUST BE PRESENT AT ALL PUBLIC HEARINGS)
(NOTE: CORRESPONDENCE IS HANDLED VIA EMAIL UNLESS OTHERWISE REQUESTED)

For Office Use Only:

Application#: A2020-04 Legistar#: 20200547 PZ #: –

PC Hearing: 8-4-20 CC Hearing: 8-18-20

The Honorable Mayor
Members of the City Council
City of Marietta
205 Lawrence Street
Marietta, GA 30060

Dear Mayor and Council:

This application/letter is a request that the City of Marietta annex into the city the property described below:

Property Owner's Name (please print): Carolyn Swanson

Address of property to be Annexed: 1520 Cunningham Road, Marietta, Georgia

Land Lot 8 & 9 District: 17th Parcel: _____ Number of Acres: _____

Property owner's signature, date of signature and telephone number:

Carolyn Swanson 6-17-2020 (770) 713-5558
(Property owner's signature) *(Date)* *(Telephone Number)*

Property owner's EMAIL: swanson_c@bellsouth.net

Property owner's mailing address if different from property being annexed:
894 Poplar Springs Road, Dallas, GA 30157

Current land use of the property: residential
(i.e., commercial, residential, vacant, etc.)

If the current land use of the property is residential, how many people are living on the property: _____.

THE FOLLOWING INFORMATION MUST BE SUBMITTED BY THE PROPERTY OWNER BEFORE THE APPLICATION DEADLINE:

1. Legal Description.
2. One (1) copy of survey.
3. One (1) copies of county tax plat.
4. Copy of the Certificate of Occupancy (CO) from Cobb County Building Inspections Department (if applicable). If the property is vacant, no CO is necessary.

Marietta
GEORGIA

Department of Development Services
205 Lawrence Street
Marietta, Georgia 30060
Phone (770) 794-5440

APPLICATION FOR ANNEXATION

(OWNER/APPLICANT OR REPRESENTATIVE MUST BE PRESENT AT ALL PUBLIC HEARINGS)
(NOTE: CORRESPONDENCE IS HANDLED VIA EMAIL UNLESS OTHERWISE REQUESTED)

For Office Use Only:

Application#: A2020-04 Legistar#: 20200547 PZ #: —

PC Hearing: 8-4-20 CC Hearing: 8-~~10~~ 12-20

The Honorable Mayor
Members of the City Council
City of Marietta
205 Lawrence Street
Marietta, GA 30060

Dear Mayor and Council:

This application/letter is a request that the City of Marietta annex into the city the property described below:

Property Owner's Name (please print): Harry William Cunningham

Address of property to be Annexed: 1520 Cunningham Road, Marietta, Georgia

Land Lot 8 & 9 District: 17th Parcel: _____ Number of Acres: _____

Property owner's signature, date of signature and telephone number:

Harry William Cunningham 6-17-2020 (770) 401-3340
(Property owner's signature) *(Date)* *(Telephone Number)*

Property owner's EMAIL: mchc002@aol.com

Property owner's mailing address if different from property being annexed:
172 Camden Knoll, Dallas, GA 30157

Current land use of the property: residential
(i.e., commercial, residential, vacant, etc.)

If the current land use of the property is residential, how many people are living on the property: _____.

THE FOLLOWING INFORMATION MUST BE SUBMITTED BY THE PROPERTY OWNER BEFORE THE APPLICATION DEADLINE:

1. Legal Description.
2. One (1) copy of survey.
3. One (1) copies of county tax plat.
4. Copy of the Certificate of Occupancy (CO) from Cobb County Building Inspections Department (if applicable). If the property is vacant, no CO is necessary.

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TO: **Marietta Daily Journal**

FROM: **City of Marietta**

RUN AD DATE: **July 17, 2020**

CITY OF MARIETTA
PUBLIC NOTICE OF REZONINGS, SPECIAL LAND USE PERMITS, and CODE AMENDMENTS

The City of Marietta hereby gives notice that a public hearing will be held on the following by the Planning Commission on **Tuesday, August 4th, 2020, 6:00 P.M.,** City Hall, for a recommendation to the City Council at their meeting on **Wednesday, August 12th, 2020, 7:00 p.m.,** City Hall, for a final decision to be made.

Z2020-07 [REZONING] VENTURE COMMUNITIES, LLC is requesting the rezoning of 8.782 acres located in Land Lot 9, District 17, Parcels 0040 & 0160 of the 2nd Section, Cobb County, Georgia, and being known as 1520, 1540, & 1560 Cunningham Road from R-20 (Single Family Residential – County) and R-2 (Single Family Residential – 2 units/acre – City) to PRD-SF (Planned Residential Development – Single Family). Ward 2B.

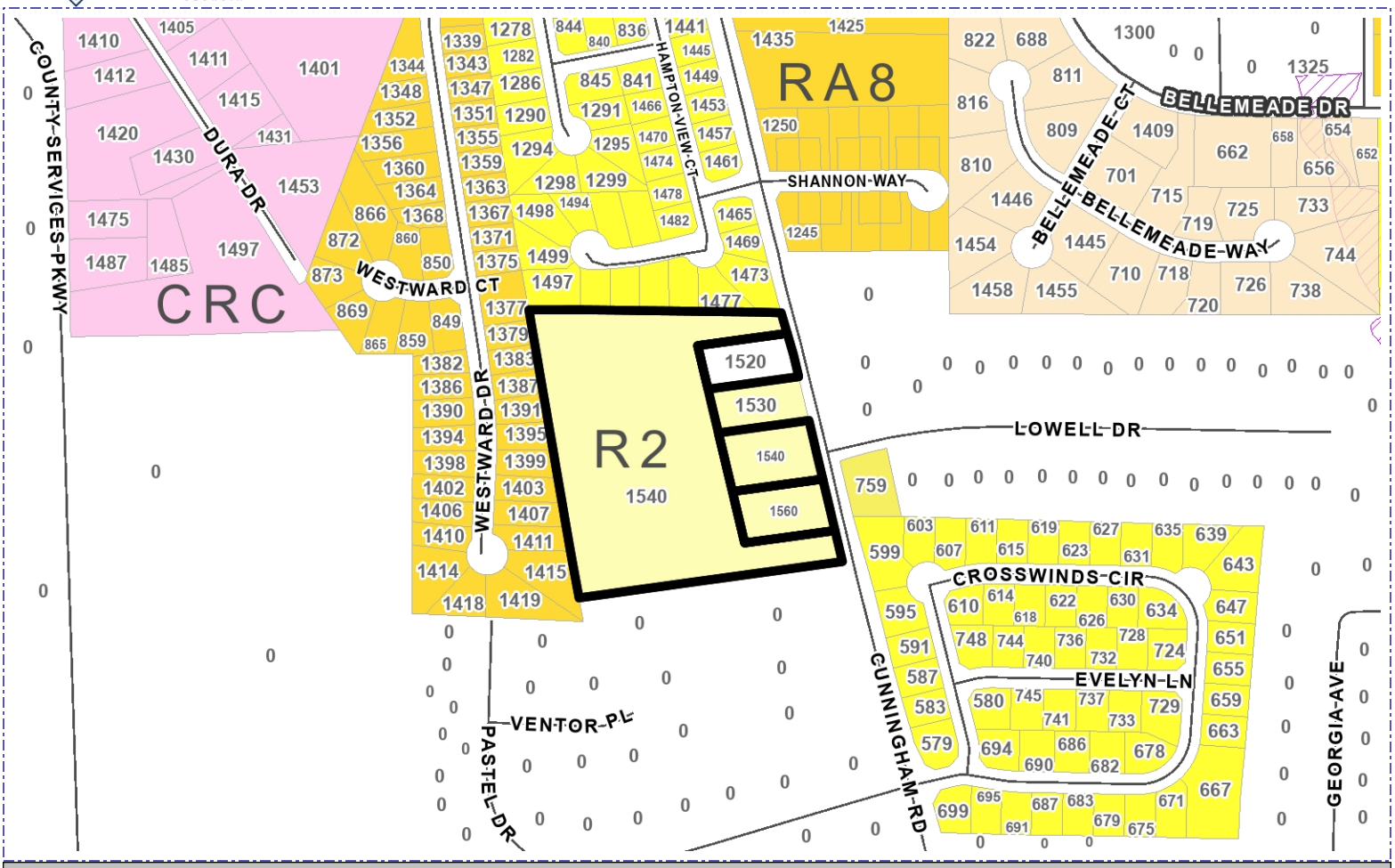
A description and plat of the property sought for the rezoning, special land use permit, and variances are on file in the Planning and Zoning Office, City Hall, and is available for inspection between 8:00 A.M. and 5:00 P.M., Monday through Friday. Anyone wishing to attend may do so and be heard relative thereto. You may also review the property file at www.mariettaga.gov and enter the case # in the search box.

For additional information including questions about virtual participation, please call the Planning and Zoning Office (770) 794-5669.

Accessibility to Meetings: If you believe you may need the City/BLW to provide special accommodations in order to attend/or participate in any of the above meetings, please call ADA Coordinator at 770-794-5558 no later than 48 hours before the date of the above meeting.

City of Marietta
205 Lawrence Street
Marietta, Georgia 30060

Rezoning



Address	Parcel Number	Acreage	Ward	Zoning	FLU
1540 CUNNINGHAM RD	17000900040	0.731	2B	R2	MDR
1560 CUNNINGHAM RD	17000900160	0.642	2B	R2	MDR
1540 CUNNINGHAM RD	17000900040	6.963	2B	R2	MDR
1520 CUNNINGHAM RD		0.543		NA	MDR

Property Owner: Cunningham/Swanson

Applicant: Venture Communities

Proposed Zoning: R4 (Cty), R2 to PRD-SF

Agent:

Proposed Use:

Planning Commission Date: 08/04/2020

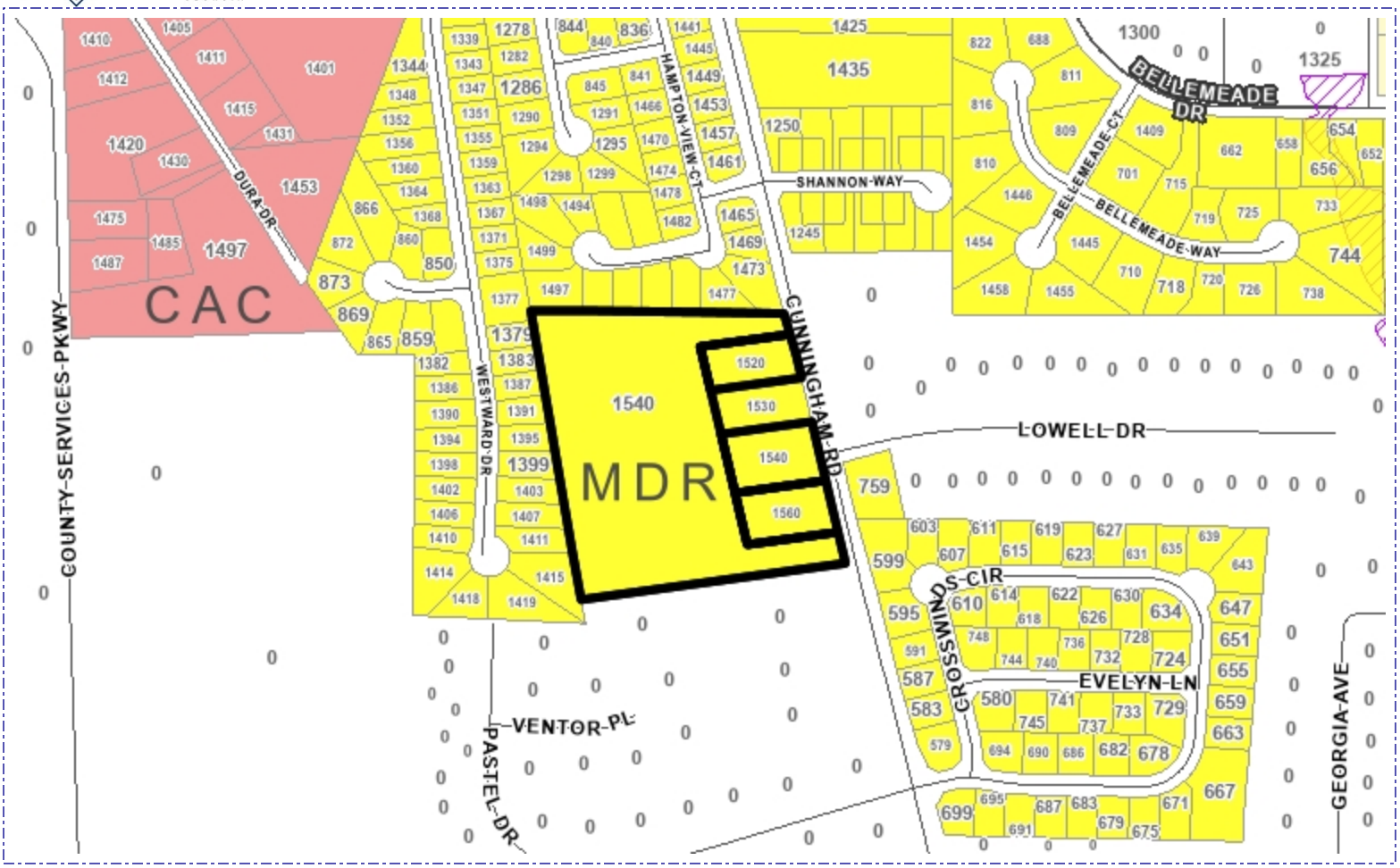
City Council Hearing Date: 08/12/2020 Case Number: Z2020-07

City of Marietta Planning & Zoning

Zoning Symbols

- Railroads
- City Limits
- Cobb County Pockets
- NA
- R1 - Single Family Residential (1 unit/acre)
- R2 - Single Family Residential (2 units/acre)
- R3 - Single Family Residential (3 units/acre)
- R4 - Single Family Residential (4 units/acre)
- RA4 - Single Family Residential - Attached
- RA6 - Single Family Residential - Attached
- RA8 - Single Family Residential - Attached
- MHP - Moble Home Park
- PRD-SF - Planned Residential Dev. Single Family
- RM8 - Multi Family Residential (8 units/acre)
- RM10 - Multi Family Residential (10 units/acre)
- RM12 - Multi Family Residential (12 units/acre)
- RHR - Residential High Rise
- PRD-MF - Planned Residential Dev Multi Family
- NRC - Neighborhood Retail Commercial
- CRC - Community Retail Commercial
- RRC - Regional Retail Commercial
- PCD - Planned Commercial Development
- LI - Light Industrial
- HI - Heavy Industrial
- PID - Planned Industrial Development
- MXD - Mixed Use Development
- CBD - Central Business District
- OIT - Office Institutional Transitional
- LRO - Low Rise Office
- OI - Office Institutional
- OS - Office Services
- OHR - Office High Rise

Future Land Use



Address	Parcel Number	Acreage	Ward	Zoning	FLU
1540 CUNNINGHAM RD	17000900040	0.731	2B	R2	MDR
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1520 CUNNINGHAM RD		0.543		NA	MDR

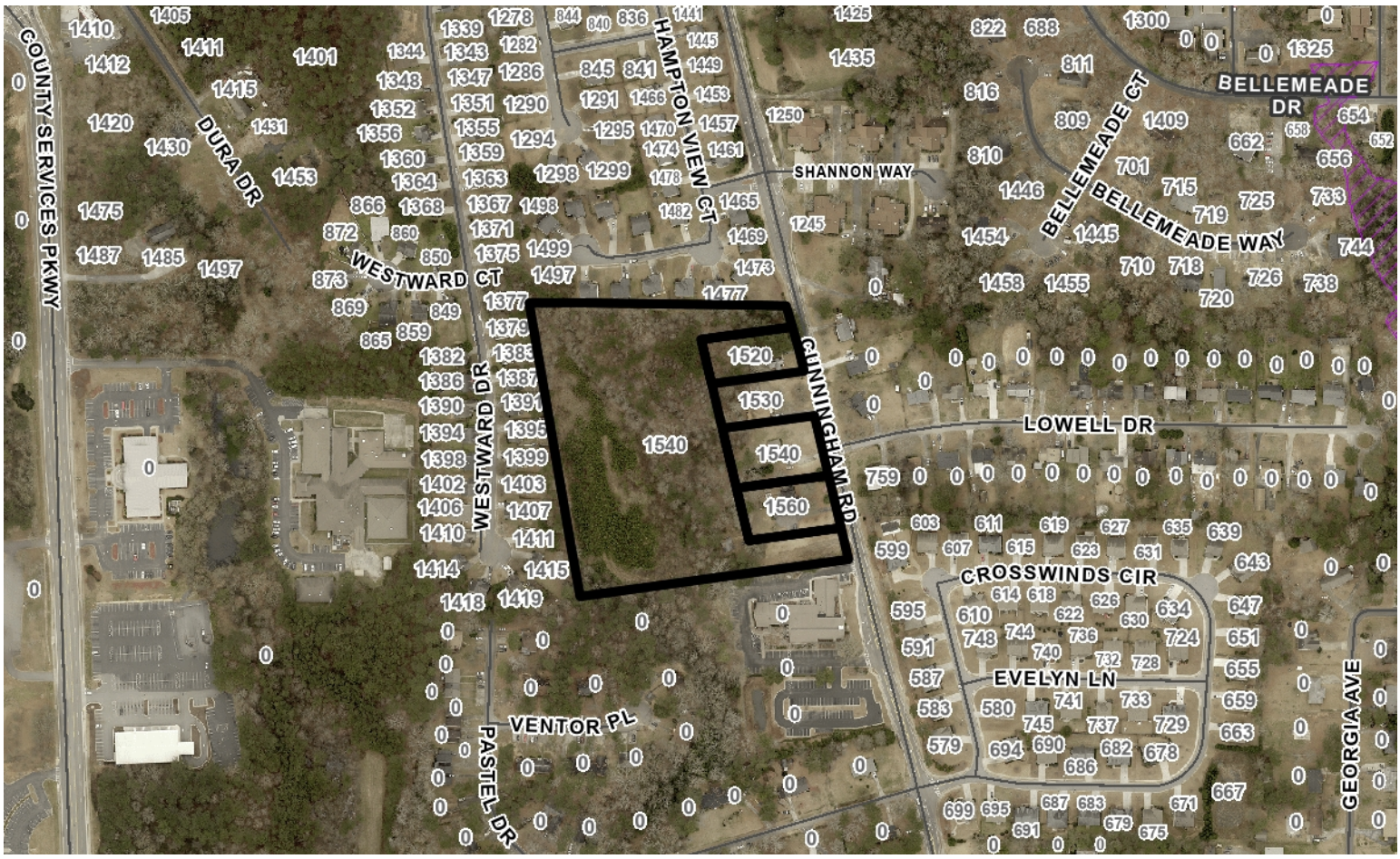
Planning Commission Hearing Date:	08/04/2020
City Council Hearing Date:	08/12/2020
Future Land Use:	MDR
Case Number:	Z2020-07
Comments:	

City of Marietta Planning & Zoning

Future Land Use Symbols

- Railroads
- City Limits
- Cobb County Pockets
- RAC - Regional Activity Center
- CAC - Community Activity Center
- NAC - Neighborhood Activity Center
- CBD - Central Business District
- MXD - Mixed Use Development
- CSI - Community Service and Institutional
- HDR - High Density Residential
- MDR - Medium Density Residential
- LDR - Low Density Residential
- OSC - Open Space / Conservation
- PR - Parks / Recreation
- IW - Industrial Warehousing
- IM - Industrial Manufacturing
- TCU - Transportation and Utilities

Aerial Map



Address	Parcel Number	Acreage	Ward	Zoning	FLU
1540 CUNNINGHAM RD	17000900040	0.731	2B	R2	MDR
1560 CUNNINGHAM RD	17000900160	0.642	2B	R2	MDR
1540 CUNNINGHAM RD	17000900040	6.963	2B	R2	MDR
1520 CUNNINGHAM RD		0.543		NA	MDR

Property Owner: Cunningham/Swanson

Applicant: Venture Communities

City Council Hearing Date: 08/12/2020

Planning Commission Hearing Date: 08/04/2020

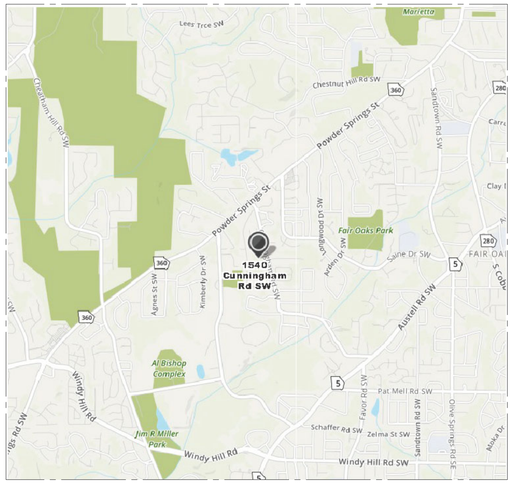
BZA Hearing Date: Case Number: Z2020-07

Comments:

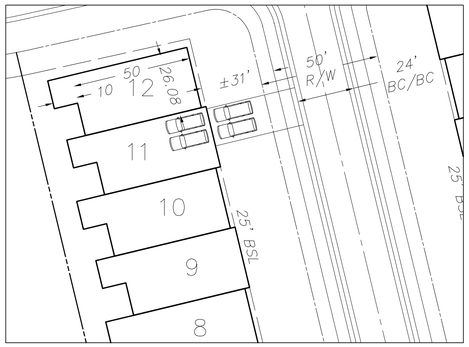
City of Marietta Planning & Zoning

Legend

- Railroads
- City Limits
- Cobb County Pockets



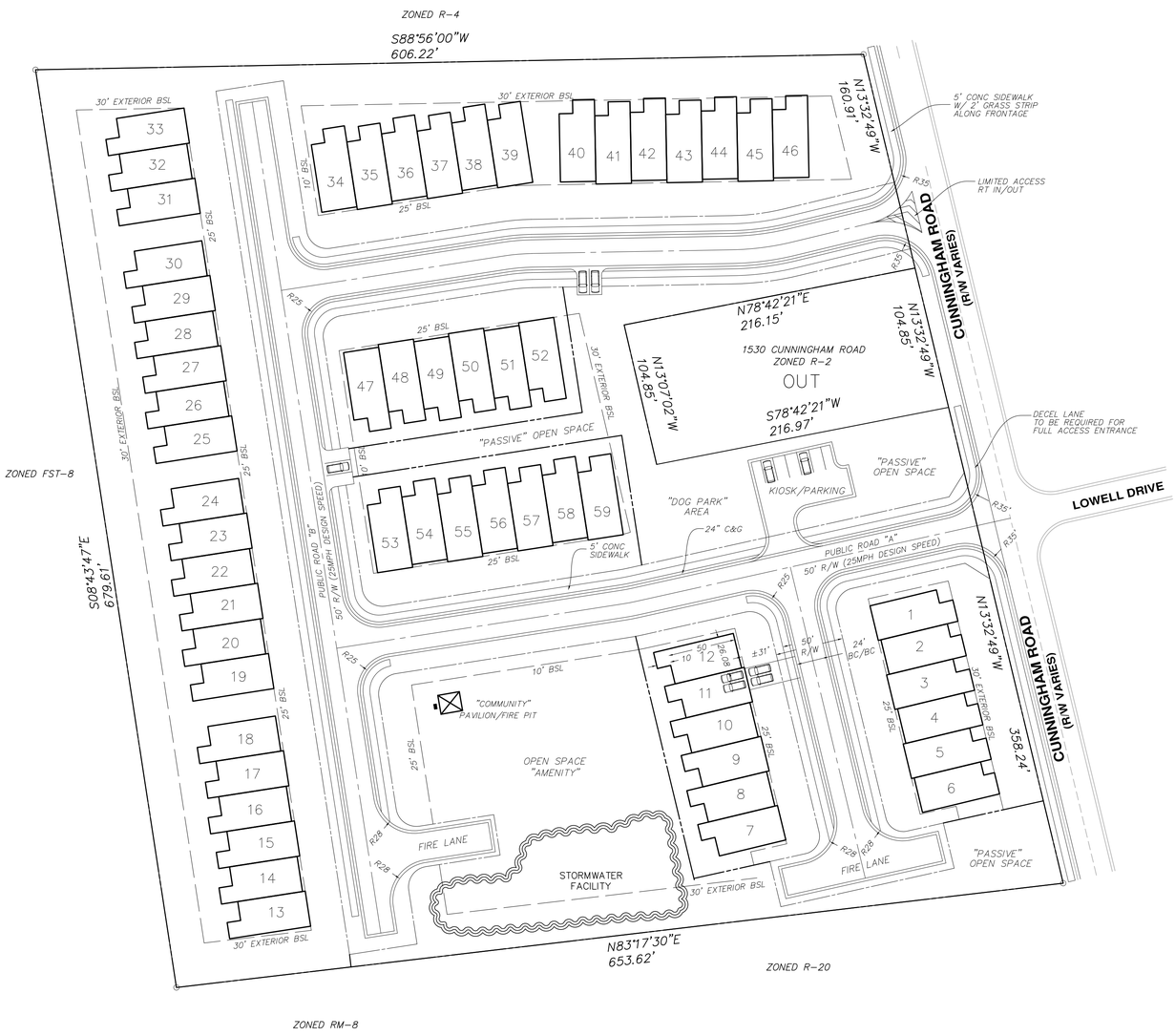
VICINITY MAP
N.T.S.



TYP HOUSE PARKING SECTION
1":30'

ZONING NOTES:

- EXISTING ZONING: "R-2"
- PROPOSED ZONING: PRD-SF (MAX DENSITY: 7 U/AC)
- TOPOGRAPHIC & BOUNDARY SURVEY COMPLETED BY: COBB COUNTY GIS & TAX PLATS
- TOTAL NUMBER OF LOTS: 59
- TOTAL AREA: ±8.81 ACRES (PURCHASE AREA)
- NET DENSITY: 6.70 UNITS/ACRE
- AREAS ARE RESERVED FOR AMENITIES.
- LOTS WILL BE SERVED BY PUBLIC WATER & SANITARY SEWER.
- STATE WATERS ARE NOT LOCATED ON SITE PER SITE VISIT WITH CITY PERSONNEL.
- SITE IS UNDEVELOPED PROPERTY.
- GARAGE PARKING SPACES PROVIDED: 236 (4/UNIT)
- GUEST PARKING: 0.2 SPACES/UNIT=12 REQUIRED
- TOTAL PARKING: 248 SPACES
- ALL PARKING SPACES SHALL BE 9'X19' & CARS CAN'T EXTEND OVER INTO SIDEWALK SO AS TO BLOCK PEDESTRIAN ACCESS
- OPEN SPACE REQUIRED (25%)=2.20 ACRES
- OPEN SPACE PROVIDED (20%)=1.72 ACRES (VARIANCE)
- AMENITY/RECREATIONAL AREA REQUIRED: 1 ACRE
- AMENITY/RECREATIONAL AREA PROVIDED: 1 ACRE (INCLUDED WITHIN OPEN SPACE CALCULATIONS)



IF YOU DIG GEORGIA...
CALL US FIRST!
811
(METRO ATLANTA ONLY)
UTILITIES PROTECTION CENTER
IT'S THE LAW

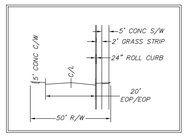
APPLICANT
LIFESTYLE BUILDERS, LLC
5500 INTERSTATE NORTH PKWY
SUITE 150
SANDY SPRINGS, GA 30328
ROB WHITE: 404-735-9165

NORTH: **SCALE:**

GRID

0 50' 75' 100'

**PER IFC APPENDIX "D" PAVEMENT WIDTH @ FIRE HYDRANTS SHALL BE A MINIMUM OF 26' WIDE, NOT INCLUDING CURB & GUTTER. 26' WIDTH SHALL EXTEND 20' IN EITHER DIRECTION OF FIRE HYDRANT C/L



ROAD SECTION(S)

*ENGINEER CERTIFIES THAT MINIMUM SIGHT DISTANCE FOR THIS PROJECT MEET OR EXCEED REQUIREMENTS AND ADEQUATE SIGHT DISTANCE IS AVAILABLE FOR THIS PROJECT

CAUTION

THE UTILITIES SHOWN HEREON ARE FOR THE CONTRACTORS CONVENIENCE ONLY. THERE MAY BE OTHER UTILITIES NOT SHOWN ON THESE PLANS. THE SURVEYOR ASSUMES NO RESPONSIBILITY FOR THE LOCATIONS SHOWN AND IT SHALL BE THE CONTRACTOR'S RESPONSIBILITY TO VERIFY ALL UTILITIES WITHIN THE LIMITS OF THE WORK. ALL DAMAGE MADE TO EXISTING UTILITIES BY THE CONTRACTOR SHALL BE THE SOLE RESPONSIBILITY OF THE CONTRACTOR.

ALL UTILITIES ARE TO BE SERVED BY UNDERGROUND SERVICE, EXISTING UTILITIES TO BE DEMOLISHED. IT IS THE RESPONSIBILITY OF THE OWNER/DEVELOPER TO COORD. ALL DEMOLITION ACTIVITIES WITH THE LOCAL UTILITY PROVIDER.

NO CULTURE FEATURES EXIST WITHIN BOUNDARIES

SITE NOTES

1. ALL WORK SHALL BE PERFORMED IN ACCORDANCE WITH THE PLANS AND SITE WORK SPECIFICATIONS AND SHALL COMPLY APPLICABLE FEDERAL, STATE AND LOCAL CODES.
2. REFERENCE ARCHITECTURAL PLANS FOR BUILDING DIMENSIONS, SIDEWALKS, STEPS, TRANSFORMER PADS, ETC.
3. TOPOGRAPHIC BOUNDARY SURVEY, PROPERTY LINES, LEGAL DESCRIPTION, EXISTING UTILITIES, SITE TOPOGRAPHY WITH SPOT ELEVATIONS, OUTSTANDING PHYSICAL FEATURES AND EXISTING STRUCTURE LOCATIONS WAS PROVIDED BY THE OWNER AND THE FOLLOWING COMPANY:
   BOUNDARY & TOPOGRAPHY: COBB COUNTY GIS MAPS
4. ALL DIMENSIONS AND RADII ARE TO THE BACK OF CURB, UNLESS OTHERWISE NOTED. ALL DIMENSIONS SHOWN TO BUILDINGS ARE TO OUTSIDE FACE OF BUILDING.
5. ALL HANDICAP ACCESSIBLE PARKING SIGNS AND STRIPING SHALL BE IN ACCORDANCE WITH THE AMERICAN WITH DISABILITY ACT (ADA) REQUIREMENTS AND STATE CODE.
6. ALL TRAFFIC SIGNS SHALL CONFORM TO THE UNIFORM TRAFFIC CONTROL MANUAL AND THE STATE OF GEORGIA DEPARTMENT OF TRANSPORTATION.
7. THE CONTRACTOR IS RESPONSIBLE FOR REPAIR OF ANY DAMAGE TO ANY EXISTING IMPROVEMENTS, ONSITE OR OFF SITE, SUCH AS PAVEMENT, UTILITES, STORM DRAINAGE, ETC. THE REPAIR MUST BE APPROVED BY THE OWNER'S REPRESENTATIVE AND BE EQUAL OR BETTER THAN EXISTING CONDITIONS. CONTRACTOR SHALL OBTAIN ALL PERMITS BEFORE CONSTRUCTION BEGINS.
8. SITE CONTRACTOR SHALL SUPPLY AS-BUILT PLANS INDICATING ALL CHANGES AND DEVIATIONS.
9. ANY DEVIATION FROM THESE PLANS MAY CAUSE THE WORK TO BE UNACCEPTABLE.
10. ANY UNANTICIPATED CONDITIONS ENCOUNTERED DURING THE CONSTRUCTION PROCESS SHALL BE IDENTIFIED TO THE ENGINEER IMMEDIATELY.
11. ALL CONCRETE SHALL BE 3,000 PSI 28 DAY COMPRESSIVE STRENGTH. UNLESS NOTED OTHERWISE. SEE SPECIFICATION SECTION 03300.
12. PROJECT SIGNAGE SHALL BE THE RESPONSIBILITY OF THE GENERAL CONTRACTOR.
13. ALL CURB WITHIN THE DEVELOPMENT SHALL BE 24" ROLL BACK CURB.
14. ENGINEER CERTIFIES THAT MINIMUM INTERSECTION & STOPPING SIGHT DISTANCE REQUIREMENTS ARE SATISFIED WITHIN THE DESIGN & LAYOUT OF THESE PLANS.
15. RADIUS AT INTERSECTION OF ROADS= 25' UNLESS OTHERWISE NOTED.
16. TRASH COLLECTION BY INDIVIDUAL PICKUP.

**COVENANTS SHALL BE DUE FOR REVIEW BEFORE FINAL PLAT WILL BE APPROVED

ALL CURB RAMPS SHALL BE PER GDOT A3 WITH RED PANEL DETECTION SET FLUSH IN WET CONCRETE PER GDOT A4

24 HOUR EMERGENCY CONTACT: ROB WHITE 404-735-9165

DATE
07/09/2020

1540 & 1560 CUNNIGHAM ROAD
REZONING
CITY OF MARIETTA, GEORGIA
LAND LOT: 9
DISTRICT: 17TH

BH&D JOB#: 19038 BH&D FILE NAME: REZONE5

BH&D Engineering, Inc.
110 SAVANNA ESTATES DRIVE
CANTON, GEORGIA 30115
PHONE: (678) 462-4021
EMAIL: BHICKS@BHDENG.COM

SUBMITTALS

REVISIONS

GEORGIA REGISTERED PROFESSIONAL ENGINEER No. 028411 MICHAEL P HENDERSON

SHEET:
REZONING PLAN
C-01

NOT ISSUED FOR CONSTRUCTION