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## **REZONING APPLICATION ANALYSIS**

**ZONING CASE #:** Z2017-02

**LEGISTAR:** 20161208

**LANDOWNERS:** GDCI GA4, LP  
Kevin Seifert  
5755 Dupree Drive  
Suite 130

**APPLICANT:** Same as above

**AGENT:** N/A

**PROPERTY ADDRESS:** A portion of 195 Easy Pines Way

**PARCEL DESCRIPTION:** A portion of 16 12870 2220

**AREA:** 711 sq. ft.

**COUNCIL WARD:** 1A

**EXISTING ZONING:** PRD-MF (Planned Residential Development – Multi Family)

**REQUEST:** R-4 (Single Family Residential – 4 units / acre)

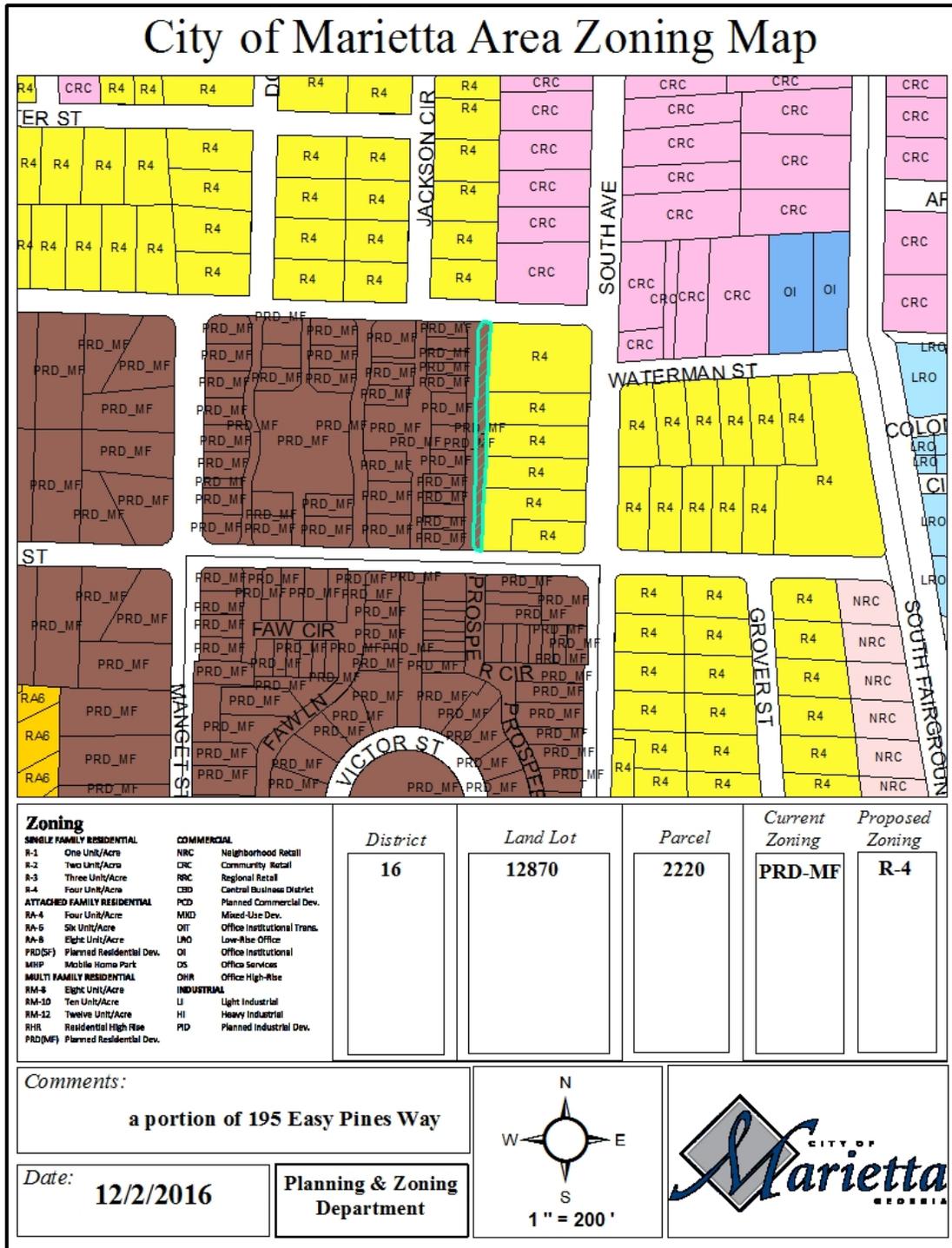
**FUTURE LAND USE:** MDR (Medium Density Residential)

**REASON FOR REQUEST:** The applicant is requesting the rezoning of 711 square feet to R-4 so it may be combined with the adjacent property to the east.

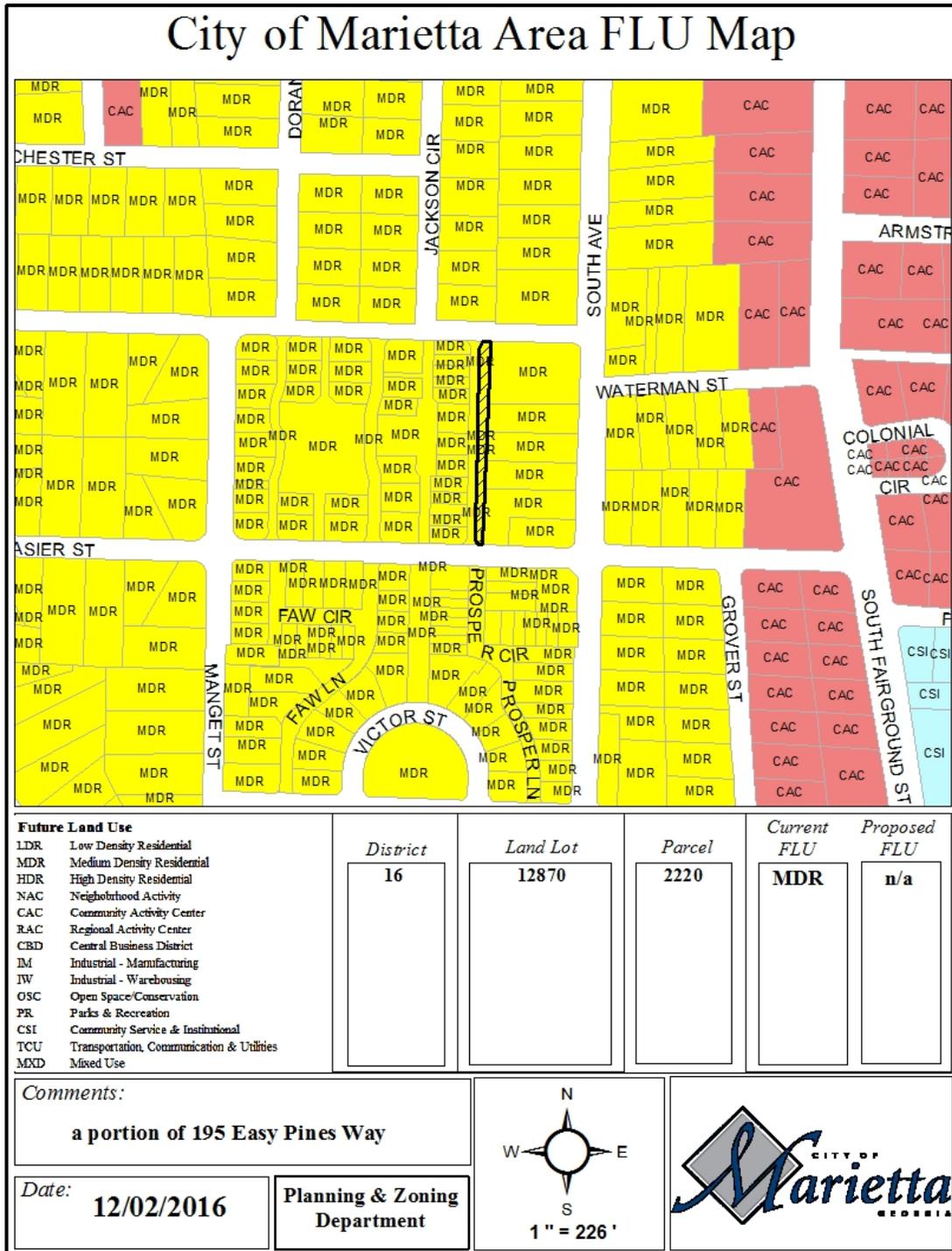
**PLANNING COMMISSION HEARING:** Tuesday, January 3, 2017 – 6:00 p.m.

**CITY COUNCIL HEARING:** Wednesday, January 11, 2017 – 7:00 p.m.

# MAP



## FLU MAP



**PICTURES OF PROPERTY**



**Subject property**



**220 South Avenue**

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## STAFF ANALYSIS

### *Location Compatibility*

GDCI GA4, LP, developer for the Manget development, is requesting the rezoning of 711 square feet from PRD-MF (Planned Residential Development – Multifamily) to R-4 (Single Family Residential – 4 units/acre). The applicant wishes to rezone this area, located at 195 Easy Pines Way, so it may be sold to and combined with the adjacent property to the east. This portion of land is located in the southern strip of the buffer along the eastern side of Manget Phase II.

### *Use Potential and Impacts*

The purpose of this rezoning is to allow driveway access from Easy Pines Way for the property at 220 South Avenue, which contains a house built approximately in the 1920s. This area is included in the Marietta Residential Infill Development Overlay District, which encourages the increased density of single family detached homes as a way to maximize the use of existing City infrastructure. This rezoning may make the parcel at 220 South Avenue eligible for development under the Infill Ordinance. Otherwise, the rezoning of this small piece of land should not have any adverse impact on the surrounding neighborhood.

The purpose of the future land use category MDR (Medium Density Residential) is to provide for areas that are suitable for medium-density housing with densities ranging from three (3) to six (6) dwelling units per acre in the form of single family detached, clustered housing, and/or townhomes. According to the Comprehensive Plan, both PRD-MF and R-4 zoning districts are considered compatible.

### *Environmental Impacts*

There is no indication of any wetlands, streams, or endangered species existing on the property.

### *Economic Functionality*

This property currently serves as a buffer between the Manget development and the single family homes on South Avenue, so it is functional as zoned. However, rezoning to R-4 would allow a more intensive use of the adjacent parcel.

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## STAFF ANALYSIS CONTINUED

### *Infrastructure*

The property will continue utilizing the water, sewer, sanitation, and electric services provided by the City. There will be minimal impact to the traffic and transportation. No additional students are expected from this rezoning.

### *History of Property*

This property was originally developed as part of the open space/buffer area requirement for Manget Phase II.

### *Other Issues*

Rezoning and selling this small tract will reduce the required open space and buffer that was originally approved with the Manget Phase 2 detailed plan. As a result, the following stipulation would be advisable if this rezoning is approved:

- Reduction of the buffer and open space requirement for Manget Phase 2 by 711 square feet.

## ANALYSIS & CONCLUSION

GDCI GA4, LP is requesting the rezoning of 711 square feet from PRD-MF to R-4. This portion of land is located in the southern strip of the buffer along the eastern side of Manget Phase II. The applicant wishes to rezone this area, located at 195 Easy Pines Way, so it may be sold to and combined with the adjacent property to the east.

The purpose of this rezoning would allow driveway access from Easy Pines Way for the potential construction of an additional unit on the backside of 220 South Avenue under the City's Residential Infill Development ordinance. The rezoning of this small piece of land should not have any adverse impact on the surrounding neighborhood.

The purpose of the future land use category MDR (Medium Density Residential) is to provide for areas that are suitable for medium-density housing with densities ranging from three (3) to six (6) dwelling units per acre in the form of single family detached, clustered housing, and/or townhomes. According to the Comprehensive Plan, both PRD-MF and R-4 zoning districts are considered compatible.

Should this rezoning request be approved, the following stipulation would address the nonconformities being created for the Manget development:

- Reduction of the buffer and open space requirement for Manget Phase 2 by 711 square feet.

Prepared by: Shelly Grice

Approved by: Rusty Roth



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## DATA APPENDIX

### *CITY OF MARIETTA - WATER*

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Is there a water line adjacent to the property?	Yes
If not, how far is the closest water line?	_____
Size of water line?	8 Inch
Capacity of water line?	Fire flow test may be required
Approximate water usage by proposed use?	Not provided
	_____

### *CITY OF MARIETTA - SEWER*

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Is a sewer line adjacent to the property?	No
If not, how far is the closest sewer line?	~100 Feet
Size of sewer line?	8 Inch
Capacity of the sewer line	A.D.F.
Peak	_____
Estimated waste generated by proposed development?	Not Provided
Treatment Plant Name?	N/A
Treatment Plant Capacity?	N/A
	_____



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## DATA APPENDIX CONTINUED

### *DRAINAGE AND ENVIRONMENTAL CONCERNS*

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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?	ROTTENWOOD CREEK
Is there potential for the presence of wetlands as determined by the U.S. Environmental Protection Agency?	No
If so, is the use compatible with the possible presence of wetlands?	N/A
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

### *TRANSPORTATION*

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What is the road effected by the proposed change?	EASY PINES WAY
What is the classification of the road?	LOCAL
What is the traffic count for the road?	N/A
Estimated # of trips generated by the proposed development?	N/A
Estimated # of pass-by cars entering proposed development?	N/A
Do sidewalks exist in the area?	NO
Transportation improvements in the area?	NO
If yes, what are they?	N/A



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## DATA APPENDIX CONTINUED

### *EMERGENCY SERVICES*

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Nearest city or county fire station from the development?	51
Distance of the nearest station?	0.9 mi
Most likely station for 1 <sup>st</sup> response?	51
Service burdens at the nearest city fire station (under, at, or above capacity)?	none

Proposed new buildings must comply with the Marietta Fire Sprinkler Ordinance

Address posted - All owners and occupants of improved real property lying within the city are required to post the address of such real property owned or occupied by them with the street address assigned to such property by the City of Marietta, in such manner that said address is clearly visible and legible from the street on which the improvement on such property fronts. The obligation hereby imposed shall be the joint duty of all owners and occupants of improved real property lying within the city who are over 18 years of age.

### *MARIETTA POWER - ELECTRICAL*

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Does Marietta Power serve this site?      Yes \_\_\_\_\_      No   X  

If not, can this site be served?      Yes   X        No \_\_\_\_\_

What special conditions would be involved in serving this site?

Additional comments:



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

## APPLICATION FOR REZONING

(OWNER/APPLICANT OR REPRESENTATIVE MUST BE PRESENT AT ALL PUBLIC HEARINGS)

*For Office Use Only:*

Application #: 22017-02 Registrar #: \_\_\_\_\_ PZ #: 16-622  
 Planning Commission Hearing: 1-3-17 City Council Hearing: 1-11-17

Owner's Name GDCI GA4, LP Email Address: KSeifert@pacificgroupinc.com  
 Mailing Address 5755 Dupree Dr, Ste 130 Atlanta, GA Zip Code: 30327 Telephone Number 678-409-8557

**COMPLETE ONLY IF APPLICANT IS NOT OWNER:**

Applicant: \_\_\_\_\_  
 Mailing Address \_\_\_\_\_ Zip Code: \_\_\_\_\_  
 Telephone Number \_\_\_\_\_ Email Address: \_\_\_\_\_

Address of property to be rezoned: a portion of 195 Easy Pines Way  
 Land Lot (s) 12870 District 16 Parcel 2220 Acreage \_\_\_\_\_ Ward 1A Future Land Use: MDR  
 Present Zoning Classification: PRD-MF Proposed Zoning Classification: R-4

**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. **ALL rezoning submittals must include proposed plans, supplementary material, etc. in Adobe Acrobat on computer disk. The original application must be submitted with ALL original signatures - Copies of the application or signature(s) will NOT be accepted.**
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.
3. Site plan/plat/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. Five (5) copies, drawn to scale and no larger than 24" x 36"; and one (1) copy 11' x 17' or smaller, must be submitted. 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
4. A detailed written description of the proposed development/project must be submitted with the application.

## **Description of Proposed Rezoning:**

We are requesting to rezone the area outlined in RED on the included exhibit titled: Fleming Easement Exhibit. This request would allow us to combine this small portion of land to the neighboring property owner's lot (that fronts South Ave.), giving them rear access to the private drive, Easy Pines Way.

Based on our discussions with Brian Binzer, see e-mail below, the rezoning of this small portion of land is part of the recommended process.

**From:** Binzer, Brian [<mailto:BBinzer@mariettaga.gov>]  
**Sent:** Thursday, September 1, 2016 5:37 PM  
**To:** Kevin Seifert <[kseifert@pacificgroupinc.com](mailto:kseifert@pacificgroupinc.com)>  
**Subject:** RE: Question Regarding Manget Phase 2

Kevin:

I think if you just did an easement it would be a detailed plan change which would show the easement and new driveway. Selling it however, I think the land would likely require a rezoning. My thought is by subdividing and not zoning it would be too small. Rezoning the parcel to the zoning of the other parcel will allow it to be combined with the new owner's other property.

Thanks,

Brian J. Binzer

Director of Development Services  
City of Marietta  
205 Lawrence Street  
Marietta, GA 30060  
770-794-7217

**From:** Kevin Seifert [<mailto:kseifert@pacificgroupinc.com>]  
**Sent:** Thursday, September 01, 2016 8:25 AM  
**To:** Binzer, Brian <[BBinzer@mariettaga.gov](mailto:BBinzer@mariettaga.gov)>  
**Subject:** Question Regarding Manget Phase 2

Brian,

Hope all is well. Wanted to get your advice/direction. If we have a neighboring property owner that wants to have driveway access from our private drive in Phase 2 to the rear of their property that fronts South Ave. and we were to sell them the outlined area in RED on the attached pdf rather than grant them an easement for access, could you help us on the proper process of subdividing that small area of common area?

What is your suggestion on what would need to be done to divide out that small rectangle from Common Area #1 so we could sell a formally subdivided parcel.

Thanks,

Kevin Seifert

The Pacific Group, Inc.

Cell: 678.409.8557

**TO: Marietta Daily Journal**

**FROM: City of Marietta**

**RUN AD DATE: December 16, 2016**

**CITY OF MARIETTA  
PUBLIC NOTICE OF REZONINGS, SPECIAL LAND USE PERMIT and CODE AMENDMENT**

The City of Marietta hereby gives notice that a public hearing will be held on the following by the Planning Commission on **Tuesday, January 3, 2017, 6:00 P.M.**, City Hall, for a recommendation to the City Council at their meeting on **Wednesday, January 11, 2017, 7:00 p.m.**, City Hall, for a final decision to be made.

**Z2017-02 [REZONING] GDCI GA4, LP** is requesting the rezoning of approximately 711 square feet located in Land Lot 1287, District 16, Parcel 2220, 2<sup>nd</sup> Section, Marietta, Cobb County, Georgia, and being known as a portion of 195 Easy Pines Way from PRD-MF (Planned Residential Development – Multi Family) to R-4 (Single Family Residential – 4 units / acre). Ward 1A.

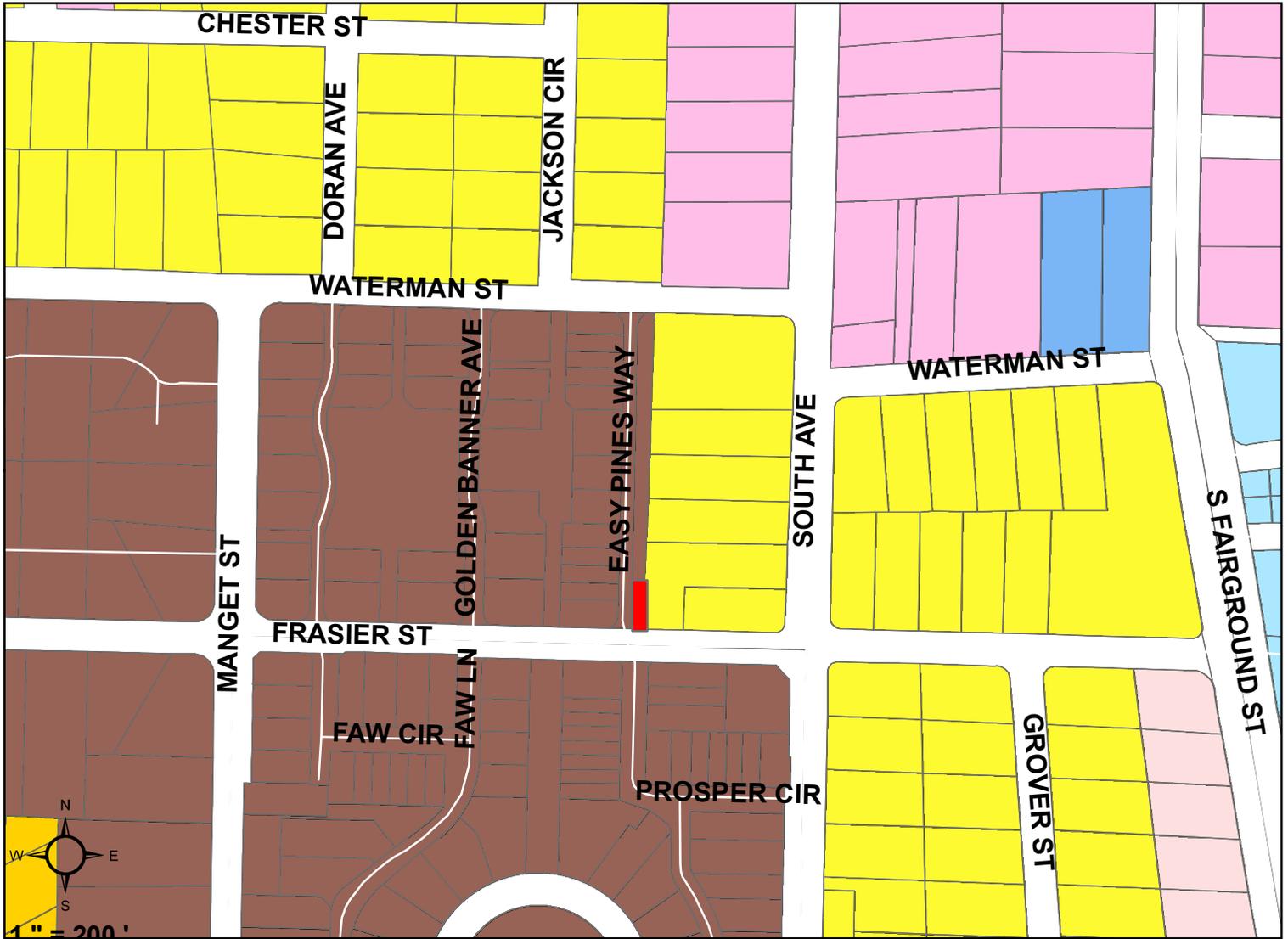
A description and plat of the property sought for the rezoning and future land use assignment are on file in the Planning and Zoning Office, City Hall, and is available for inspection between 8:00 A.M. and 5:00 P.M., Monday through Friday. Anyone wishing to attend may do so and be heard relative thereto.

For additional information 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 Mr. Patrick Henley, ADA Coordinator, at 770-794-5558 (voice) or 770-794-5560 (TDD) no later than 48 hours before the date of the above meeting.

City of Marietta  
205 Lawrence Street  
Marietta, Georgia 30060

# Rezoning



Address	District	Land Lot	Parcel	Acreage	Ward	Current Zoning
195 Easy Pines Way, Portion of	16	12780	2220	0.251	1A	PRD_MF

**Name of Applicant/  
Petitioner:** GDCI GA4, LP

**Property Owner:**

**Agent:** **Proposed Zoning:** R4

**Proposed Use:**

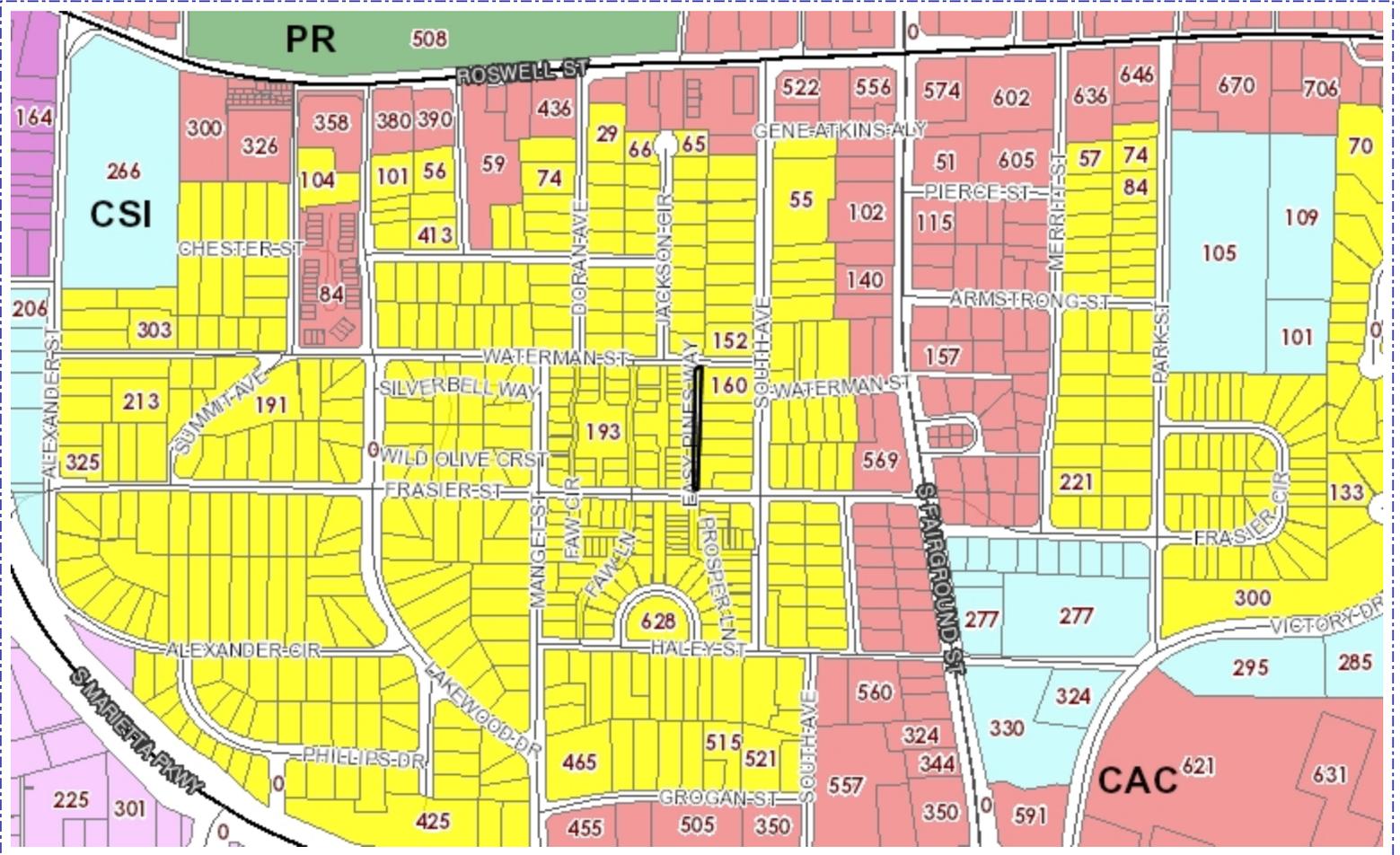
**Planning Commission Hearing Date:** 1/3/17 **Case Number:** Z2017-02

**City Council Hearing Date:** 1/11/17

**ZONING SYMBOLS**

- RAILROAD
- CITY LIMITS
- PARCELS
- 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 - Mobile 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

**Planning & Zoning Department**



Address	Parcel Number	Acreage	Ward	Zoning	FLU
195 EASY PINES WAY, PORTION OF	16128702220	0.251	1A	PRD_MF	MDR
Planning Commission Hearing Date:	01/03/2017	<b>Future Land Use Symbols</b> <ul style="list-style-type: none"> <li>Railroads</li> <li>City Limits</li> <li>Cobb County Pockets</li> <li>RAC - Regional Activity Center</li> <li>CAC - Community Activity Center</li> <li>NAC - Neighborhood Activity Center</li> <li>CBD - Central Business District</li> <li>MXD - Mixed Use Development</li> <li>CSI - Community Service and Institutional</li> <li>HDR - High Density Residential</li> <li>MDR - Medium Density Residential</li> <li>LDR - Low Density Residential</li> <li>OSC - Open Space / Conservation</li> <li>PR - Parks / Recreation</li> <li>IW - Industrial Warehousing</li> <li>IM - Industrial Manufacturing</li> <li>TCU - Transportation and Utilities</li> </ul>			
City Council Hearing Date:	01/11/2017				
Future Land Use:	MDR				
Case Number:					
Comments:					
<b>City of Marietta Planning &amp; Zoning</b>					

# Aerial Map



Address	District	Land Lot	Parcel	Acreage	Ward	Current Zoning
195 Easy Pines Way, Portion of	16	12870	2220	0.251	1A	PRD_MF

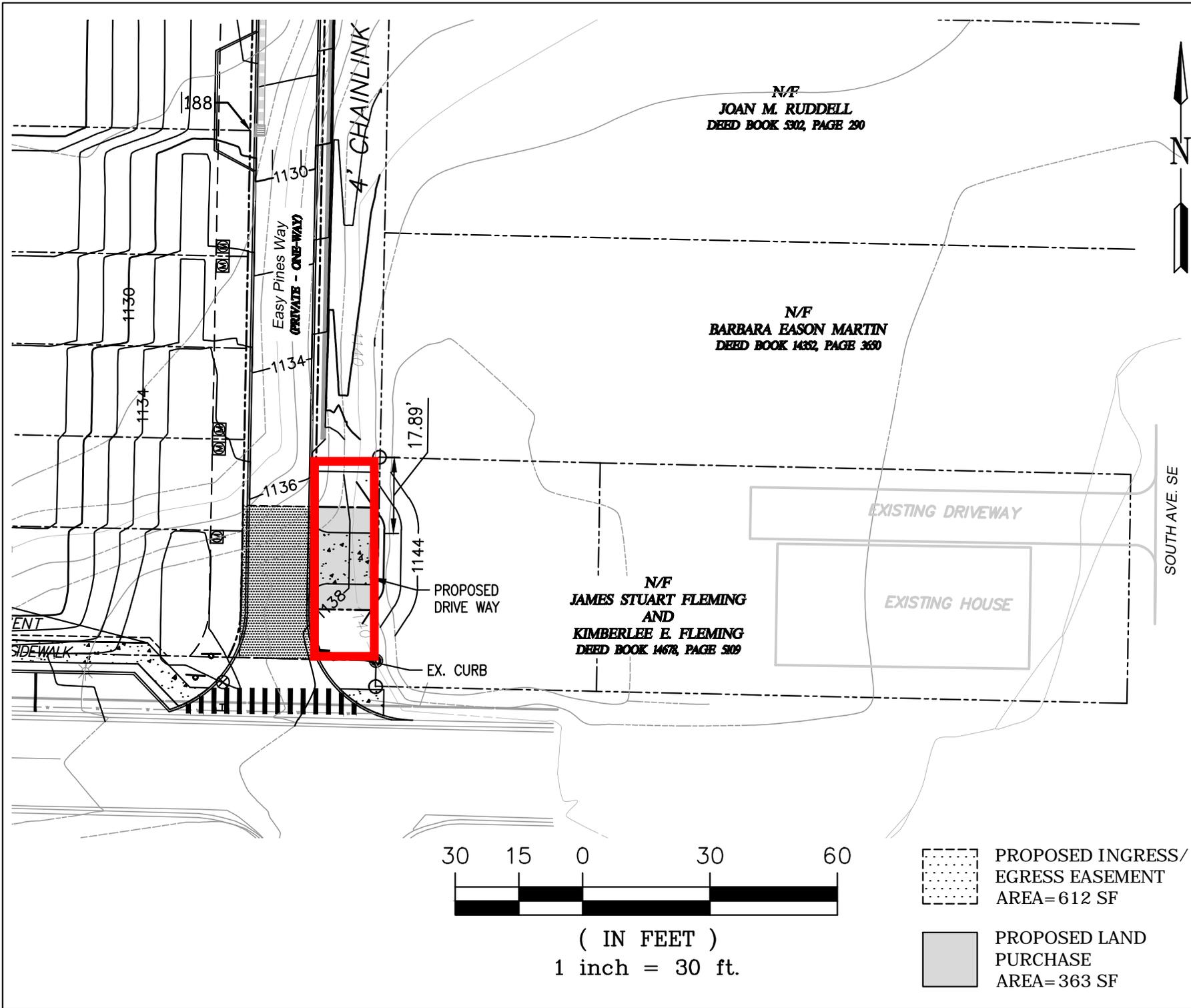
Name of Applicant/ Petitioner: GDCI GA4, LP	
Property Owner:	
Agent:	Proposed Zoning: R4
Proposed Use:	
Planning Commission Hearing Date: 1/3/2017	Case Number:
City Council Hearing Date: 1/11/2017	Z2017-02



**LEGEND**

-  RAILROAD
-  CITY LIMITS
-  PARCELS

**Planning & Zoning Department**



FLEMING EASEMENT EXHIBIT

**GREYDEN**  
ENGINEERING  
Roswell, Georgia 30076  
PH: 770-573-4801 FAX: 678-302-6362

PROJECT : FLEMING EXHIBIT

PROJECT #: 16-077

DATE : 7/21/16

SCALE : 1"=30'