1. Planning Commission Agenda - REVISED3
   
   Documents:
   
   APR 2, 2019 PC AGENDA-REV3.PDF

2. Z2019-04 Lower Roswell Rd Indian Trl - Update Memo (3.20.19 Plan)
   
   Documents:
   
   Z2019-04 LOWER ROSWELL RD INDIAN TRL - UPDATE MEMO (3.20.19 PLAN) FOR PC,CC.PDF

   
   Documents:
   
   Z2019-04 LOWER ROSWELL RD, INDIAN TRL PARCELS-STIP LTR 4.1.19 REVISED2.PDF

4. Z2019-04 Lower Roswell Rd, Indian Trl Parcels-Revised2
   
   Documents:
   
   Z2019-04 LOWER ROSWELL RD, INDIAN TRL PARCELS-REVISED2.PDF
**NOTE:** Applicant and those in favor have a total of 15 minutes to make their presentation to the Commission. Applicant may reserve any portion of this time for rebuttal. All those opposed have a total of 15 minutes to present comments to the Commission.

**CALL TO ORDER & ROLL CALL:**

**MINUTES:**

<table>
<thead>
<tr>
<th>Number</th>
<th>Description</th>
</tr>
</thead>
<tbody>
<tr>
<td>20190258</td>
<td>March 5, 2019 Regular Planning Commission Meeting Minutes</td>
</tr>
</tbody>
</table>

Review and Approval of the March 5, 2019 Regular Planning Commission Meeting Minutes.

**REZONINGS:**

<table>
<thead>
<tr>
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<th>Description</th>
</tr>
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<tbody>
<tr>
<td>20190009</td>
<td>Z2019-04 [REZONING] Traton Homes, LLC (53 Indian Trail, LLC; 56 Indian Trail, LLC; 63 Indian Trail, LLC; 76 Indian Trail, LLC; Alvaro &amp; Elizabeth Arauz)</td>
</tr>
</tbody>
</table>

Z2019-04 [REZONING] Traton Homes, LLC (53 Indian Trail, LLC; 56 Indian Trail, LLC; 63 Indian Trail, LLC; 76 Indian Trail, LLC; Alvaro & Elizabeth Arauz) are requesting the rezoning of approximately 7.48 acres located Land Lot 1206, District 16, Parcels 0030, 0070, 0300, 0280, 0040, 0250, 0050, 0060, 0270 of the 2nd Section, Cobb County, Georgia and being known as 1895, 1905, 1923, & 1935 Lower Roswell Road and 53, 56, 63, 73, & 76 Indian Trail from R-20 (Single Family Residential - Cobb County) and CRC (Community Retail Commercial - City) to PRD-SF (Planned Residential Development Single Family - City). Ward 6A.
**A2019-01 [ANNEXATION] TRATON HOMES, LLC (53 INDIAN TRAIL, LLC; 56 INDIAN TRAIL, LLC; 63 INDIAN TRAIL, LLC; 76 INDIAN TRAIL, LLC; ALVARO & ELIZABETH ARAUZ)**

A2019-01 [ANNEXATION] TRATON HOMES, LLC (53 INDIAN TRAIL, LLC; 56 INDIAN TRAIL, LLC; 63 INDIAN TRAIL, LLC; 76 INDIAN TRAIL, LLC; ALVARO & ELIZABETH ARAUZ) are requesting the annexation of properties located in Land Lot 1206, District 16, Parcels 0030, 0040, 0250, 0050, 0060, 0270 of the 2nd Section, Cobb County, Georgia and being known as **1895 Lower Roswell Road; 53, 56, 63, 73, & 76 Indian Trail**, and any associated right of way, consisting of approximately 5.5 acres. Ward 6A.

**CA2019-01 [CODE AMENDMENT]**

CA2019-01 [CODE AMENDMENT] In conjunction with the requested annexation of properties located in Land Lot 1206, District 16, Parcels 0030, 0040, 0250, 0050, 0060, 0270 of the 2nd Section, Cobb County, Georgia and being known as **1895 Lower Roswell Road; 53, 56, 63, 73, & 76 Indian Trail**, the City of Marietta proposes to designate the Future Land Use of said property as HDR (High Density Residential). Ward 6A.

**Z2019-07 [REZONING] WAYMON AHART, TRUSTEE (JOE KNIGHT)**

Z2019-07 [REZONING] WAYMON AHART, TRUSTEE (JOE KNIGHT) is requesting the rezoning of approximately 3.77 acres located in Land Lot 02900, District 17, Parcel 0640, 2nd Section, Marietta, Cobb County, Georgia, and being known as **521 Atlanta Street** from OI (Office Institutional) to OS (Office Services). Ward 1A.

**TABLED AT APPLICANT REQUEST**

**Z2019-10 [REZONING] Traton Homes, LLC (Hartwood investments llc)**

Z2019-10 [REZONING] Traton Homes, LLC (Hartwood investments llc) is requesting the rezoning of 9.58 acres located in Land Lot 505, District 17, Parcel 0170 and Land Lot 1282, District 16, Parcels 0720, 0710, 0700, & 0690 of the 2nd Section, Cobb County, Georgia, and being known as **315 Frey’s Gin Road; 1222, 1230, 1238, & 1246 Banberry Road** from LI (Light Industrial) and R-4 (Single Family Residential - 4 units/acre) to PRD-SF (Planned Residential Development Single Family). Ward 7A.

**TABLED AT APPLICANT REQUEST**
20190082 WITHDRAWN

Z2019-11 [REZONING] EVOQ MARIETTA, LLC

Z2019-11 [REZONING] EVOQ MARIETTA, LLC is requesting the rezoning of 2.47 acres located in Land Lot 1014, District 16, Parcels 1070, 1120, 1090, & 1060 of the 2nd Section, Cobb County, Georgia, and being known as 100, 120, & 150 Florence Street and 900 Campbell Hill Street from OI (Office Institutional) and RHR (Residential High Rise) to RHR (Residential High Rise). Ward 5B.

WITHDRAWN BY APPLICANT

OTHER BUSINESS:

20190290 Board Attorney

According to Code Section 1-10-6-100 (F), consideration by the Marietta Planning Commission for attorney services provided by Haynie, Litchfield, Crane, & White.

ADJOURNMENT:
MEMORANDUM

TO: Honorable Mayor Tumlin and City Council Members
Marietta Planning Commission Members

THRU: William F. Bruton, Jr., City Manager
Rusty Roth, Director of Development Services

FROM: Shelby Little, Planning & Zoning Manager
Jasmine Thornton, Zoning Administrator

SUBJECT: Revised Plan for Z2019-04 dated 3.20.19

DATE: April 1, 2019

BACKGROUND: The annexation and rezoning request for Z2019-04 Lower Roswell Rd & Indian Trail was originally received by staff at the end of December 2018. The original plan was for sixty-three (63) total units (62 townhomes and 1 detached home) and was forwarded to Cobb County on January 2, 2019. Cobb County sent a formal objection to the annexation on February 1st, 2019. On March 26th, 2019, staff received a revised plan for the development, which reduced the number of units to fifty-two (52) units - 15 detached and 37 attached townhomes. Staff immediately notified Cobb County of the revised plan.

ISSUE: Based on the revised plan, Traton Homes is requesting to build 37 townhomes and 15 detached residences on the subject property. The development proposes new private roads off Indian Trail and private alleys to access the townhome units. This proposed development would yield a density of 6.95 units/acre. In addition to other issues identified by Public Works that must be addressed, the following variances would be necessary to implement the revised plan:
1. Variance to reduce the required driveway length from 20 feet to 18 feet, as measured from back of curb or sidewalk. [§708.09 (B.2.e)]
2. Variance to waive the active recreational feature. [§708.09 (B.2.i)]
3. Variance to reduce the minimum open space from 25% to 21% (1.63 acres). [§708.09 (H)]
4. Variance to reduce the minimum lot size requirement from 4,000 sq. ft. to the footprint of the smallest unit. [§708.09 (H)]
5. Variance to reduce the minimum centerline radii from 100 feet to what is shown on the plan dated 3/20/19 (received by staff 3/26/19). [§730.01 (H)]
6. Variance to waive the requirement to install a sidewalk along S. Marietta Parkway. [§732.07]
7. Variance to allow sidewalks as designated on the plans dated 3/20/19 (received by staff 3/26/19). [§732.07 (C)]
8. Variance to waive the requirements of an acceleration and deceleration lane into the new subdivision. [§730.01 (I.4.b)]
9. Variance to allow a single-family development of more than 51 dwelling units to provide one access point to an arterial street. [§730.01 (A.1)]
10. Variance to allow a billboard outside 100’ of I-75. [§714.04 (G)]
11. Variance to waive the requirement that a billboard be regulated as a principal use. [§714.04 (G.1)]
12. Variance to allow a billboard within 500’ of a residential zoning district. [§714.04 (G.2)]
13. Variance to increase the allowable number of faces for a billboard from two (2) to three (3). [§714.04 (G.4)]

14. Variance to allow a billboard remain within 1000’ radius of another billboard. [§714.04 (G.5)]

15. Variance to allow a billboard on property zoned PRD-SF. [§714.04 (G.11)]

The Future Land Use (FLU) designation for the parcels within Cobb County are classified as LDR (Low Density Residential). The parcels within City limits are classified as CAC (Community Activity Center). The City’s Comprehensive Plan describes LDR as appropriate for single family dwellings up to four (4) units per acre, and CAC is suitable for retail and service including businesses and professional offices. Should the properties be annexed and rezoned, the City would assign a future land use classification of MDR (Medium Density Residential) for consistency with the requested density of 6.95 units/acre.
April 1, 2019

Hand Delivered

Ms. Shelby Little, AICP
Zoning Manager
Department of Planning and Zoning
City of Marietta
205 Lawrence Street
Marietta, Georgia 30060

RE: Application for Rezoning - Zoning Case No.: Z2019-04

Applicant: Traton Homes, LLC

Property Owners: 1905 Lower Roswell Road, LLC; 1923 Lower Roswell Road, LLC; 1935 Lower Roswell Road, LLC; 53 Indian Trail, LLC; 56 Indian Trail, LLC; 63 Indian Trail, LLC; 76 Indian Trail, LLC; and Alvaro A. Arauz and Elizabeth S. Arauz

Property: 7.48 acres, more or less, located at the intersection of the northerly side of Lower Roswell Road and the easterly side of South Marietta Parkway, and along the northerly and southerly sides of Indian Trail, being 53, 56, 63, 73, and 76 Indian Trail and 1895, 1905, 1923, and 1935 Lower Roswell Road, Land Lot 1206, 16th District, 2nd Section, City of Marietta, Cobb County, Georgia

Dear Shelby:

The undersigned and this firm represent Traton Homes, LLC, the Applicant (hereinafter referred to as “Applicant”), and the Property Owners listed in the Application for Rezoning (hereinafter collectively referred to as “Owners” or “Property Owners”), in their request for rezoning of approximately 7.48 acres of property located at the intersection of the northerly side of Lower Roswell Road and the easterly side of South Marietta Parkway, and along the northerly and
southerly sides of Indian Trail, and being more particularly known as 53, 56, 63, 73, and 76 Indian Trail and 1895, 1905, 1923, and 1935 Lower Roswell Road, Land Lot 1206, 16th District, 2nd Section, City of Marietta, Cobb County, Georgia (hereinafter the “Property” or “Subject Property”). After conferences and communications with Planning and Zoning Staff and various City Staff, and reviewing the City’s Rezoning Application Analysis, we have been authorized by the Applicant to submit this letter of agreeable stipulations and conditions which, if the Application for Rezoning is approved, as submitted, shall become a part of the grant of the requested zoning and shall be binding upon the Subject Property. The proposed stipulations are as follows:

(1) Applicant seeks rezoning of the Subject Property from the existing zoning categories of R-20 (Cobb County) and Community Retail Commercial (“CRC”) (City of Marietta) to the proposed zoning category of PRD-SF (Planned Residential Development – Single Family), site plan specific to the revised Zoning Plan prepared for Applicant by Gaskins Surveying Company, Inc., dated and last revised March 20, 2019, and filed contemporaneously with this letter of agreeable stipulations and conditions. A reduced copy of the revised Zoning Plan is attached hereto for ease of reference as Exhibit “A” and incorporated herein by reference.

(2) The Subject Property consists of 7.48 acres, more or less, and shall be developed for a residential community, consisting of both single-family attached and detached residences, as follows:

   a) Thirty-seven (37) attached townhomes; and

   b) Fifteen (15) detached, single-family residences.

(3) The proposed townhomes shall be Traditional in style and architecture, and shall be substantially similar to the elevations attached collectively as Exhibit “B” and incorporated herein by reference.

(4) The proposed single-family homes shall be Traditional and Craftsman in style and architecture, and shall be substantially similar to the elevation attached as Exhibit “C” and incorporated herein by reference.

(5) All homes shall have facades consisting of brick, stone, stacked stone, cedar shake shingles, board and batten, cementitious siding, or combinations thereof, with complementary accents, in compliance with the City of Marietta’s “four-sided architecture” requirement.
(6) All homes shall have two-car garages. No garage areas within the proposed community shall be converted into heated living space for the units.

(7) All homes within the proposed community shall be “for sale” units. There shall be no more than a maximum of five (5) percent of the units being leased at any one time, which restriction shall be included in the Declaration of Covenants, Easements, and Restrictions.

(8) Applicant agrees to the recording and enforcement of a Declaration of Covenants, Easements, and Restrictions which shall contain covenants, rules, and regulations applicable to the proposed community.

(9) Additionally, and in conjunction with the Declaration of Covenants, Easements, and Restrictions, Applicant agrees to the creation of a mandatory homeowners association which shall be responsible for the upkeep and maintenance of the entrance area, signage, all common areas, open space, landscaped areas, general landscaped areas, mail kiosk, private streets and alley ways, fencing, open space and amenity areas, and the like contained within the community.

(10) The proposed residential community shall not be subject to the “Georgia Condominium Act.”

(11) The entrance signage for the proposed community shall be ground based, monument-style signage, and shall consist of brick, stone, stacked stone, or combinations thereof, with accents consistent with the architecture and style of the residences; and shall comply with the City of Marietta Sign Ordinance. The entrance landscaping shall be professionally designed, implemented, and maintained, and shall be irrigated.

(12) Applicant agrees to establish an extensive landscaping presentation along Lower Roswell Road. The landscaping presentation may contain berms, fencing, and a variety of plant and tree material, or combinations of such features to achieve the quality intended.

(13) The proposed community shall have a total of 1.63 acres (21.5 percent) of open space, as more particularly shown and reflected on the referenced, revised Zoning Plan.
(14) The proposed community shall have passive amenities consisting of community open space and “gathering” areas for the use and enjoyment of the residents and their guests.

(15) Setbacks for the proposed development shall be as shown and reflected on the referenced, revised Zoning Plan.

(16) The proposed community shall have private alley ways and streets. The private streets shall be twenty-four (24) feet in width, from back-of-curb to back-of-curb. Construction of the private alley ways and streets shall comply in all respects as to materials, base, and other requirements with the City of Marietta Code. Guest parking areas shall be provided, as more particularly shown and reflected on the referenced, revised Zoning Plan.

(17) Street lighting within the proposed community shall be environmentally sensitive, decorative, and themed to the architecture and style of the residences, as offered by the power provider.

(18) The detention areas shall be as shown and reflected on the revised Zoning Plan. The area shall be fenced with a black, vinyl-clad chain link fence, a minimum of six (6) feet in height, with landscaping to the exterior for purposes of visual screening. The landscaping shall be approved by the City Arborist during the Plan Review and Permitting Process. All vegetation and landscaping surrounding the detention area shall be maintained by the mandatory homeowners association.

(19) All setbacks, landscape, and buffer areas may be penetrated for purposes of fencing, access, utilities, and stormwater management; including, but not limited to, drainage and detention facilities and any and all slopes or other required engineering features of the foregoing. Any disturbed area shall be restored with comparable plantings as allowed by the City of Marietta or any utility provider.

We believe the requested zoning, together with the revised Zoning Plan and the stipulations set forth herein, is an appropriate use of the Subject Property while taking into consideration uses of properties in the surrounding area. The proposed residential community will be a quality development, will be an asset to the City; as well as, an enhancement to the Subject Property, and compatible with the surrounding residential neighborhoods and the community as a whole. Thank you for your consideration in this request.
With kindest regards, I remain

Very truly yours,

MOORE INGRAM JOHNSON & STEELE, LLP

J. Kevin Moore

JKM:cc
Attachments

c: Russell J. Roth, AICP
    Development Director
    City of Marietta
    (With Copies of Attachments)

    Traton Homes, LLC
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MEMORANDUM

TO: Honorable Mayor Tumlin and City Council Members
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THRU: William F. Bruton, Jr., City Manager
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FROM: Shelby Little, Planning & Zoning Manager
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Ms. Shelby Little, AICP
Zoning Manager
Department of Planning and Zoning
City of Marietta
205 Lawrence Street
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(Legislar No. 20190009)

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With kindest regards, I remain

Very truly yours,

MOORE INGRAM JOHNSON & STEELE, LLP

J. Kevin Moore

JKM:cc
Attachments

c: Russell J. Roth, AICP
Development Director
City of Marietta
(With Copies of Attachments)

Traton Homes, LLC
(With Copies of Attachments)
Good morning, Ines.

I am emailing you in response to an agenda item the Planning Commission will be considering during the April 2 meeting. The applicant, Traton Homes, is requesting the annexation of six parcels at the intersection of Lower Roswell Road and the 120 Loop, which will in-turn be used to construct 52 town homes (the property was recently revised from proposing 63 units).

I believe it would be a reckless decision on behalf of the city to approve this annexation for a number of reasons, specifically if the purpose will be to build so many town homes in a well-established and quaint single-family home neighborhood.

My family and I purchased our first home at 273 Indian Trail (in the neighborhood behind this proposed development/annexation) four years ago in hopes that our now 8-year-old son would be raised in a neighborhood surrounded by loving friends and that it would a safe place to call home, as well as for him to play. He is one of probably two dozen children living in the neighborhood, who on any given day of the week you will find playing hide and seek between a few neighbors' homes, playing ball in our front yards, or even riding their bikes to and from the nearby library and gas station.

I fear that this development will make our neighborhood unsafe for children, as it could add upward of 100-plus cars to the already congested traffic at the intersection. I am also concerned that the traffic at the intersection itself will get much worse. Oftentimes, cars are backed up to the library trying to turn north or south on to the 120 Loop, and it's not much different for anyone turning onto Lower Roswell from either direction of the Loop.

I don't have all the answers as to what should happen on these six parcels - although my son Jack insists there needs to be a pizza restaurant - but I don't believe approving this annexation for a proposed development like 52 town homes is the answer. We love our neighborhood, which dates back to the 1950s and many of the original homeowners still live there, and I would hate to be pushed out because a developer is trying to cram as many people as they can into one six-acre property.

Thank you for your time and consideration,

Lindsay Penticuff, Writer/Editor
lindsaypenticuff@gmail.com
(229) 221-5501

“If a nation loses its storytellers, it loses its childhood.” — Peter Handke
Good Morning Members of the Marietta Planning Commission,

My name is William Warwick and my wife and I are the homeowners at the property 66 Indian Trail, Marietta Ga 30068. We will be speaking before the planning commission on Tuesday April 2nd and the City Council on April 10th. It is important for you to understand exactly what our community of Sewell Manor is opposed to with the revised plans that have been submitted to the planning commission and the City of Marietta by Traton Homes. I have attached a copy of those revised plans to this email.

According to the **ZONING ORDINANCE DIVISION 708 DISTRICT STANDARDS AND PERMITTED USES**

*The PRD (SF) district is intended to allow flexible site planning and building arrangements under a unified plan of development so that innovative land planning methods may be utilized which foster natural resource conservation and neighborhood cohesiveness as well as neo-traditional developments. This may permit buildings to be clustered or arranged in an unconventional manner to maximize open space, create a pedestrian scale and other public benefits.*

The site plan, as presented, does not accommodate, by design, fostering of natural resources such as our old-growth trees, cohesiveness with the neighborhood or maximization of open space, pedestrian scale or any other public benefits for the residentially zoned area.

*In this district smaller lots than might otherwise be permitted under traditional zoning districts may be allowed; however, the purpose is not merely to allow smaller lots or reduce development requirements but to achieve other goals including the protection of sensitive environmental, historic, or aesthetic resources as well as the provision of site amenities such as sparks, open space, walking trails, etc.*
The site plan, as presented, fails to achieve any goals other than those of an aggressive developer and land owner to produce a highly dense housing area which will not protect our trees, the wildlife, or provide any amenities. By reducing the length of driveways, it actually contributes to the elimination of open space as is enjoyed in the rest of the neighborhood.

*The PRD district is not intended to encourage greater density of development, but rather to encourage ingenuity and resourcefulness in land planning techniques which result in quality residential patterns that conserve and create open space, reduce vehicle trips and provide stable developments which enhance the surrounding area.*

The site plan, as presented, fails to present ingenuity or resourcefulness in land planning. There is no reason to annex residential lots into the City of Marietta to force high-density housing into a low density neighborhood. It fails to create open space, protect the environment, reduce vehicle trips or provide a stable development that can enhance the surrounding area in any way. These goals are only met by the commercial development of the 3 commercial properties facing Lower Roswell Rd and allow for the residential lots to be rebuilt as residential homes matching the existing neighborhood.

*Permitted Uses.*

The townhouses shall be “for sale” only, and no more than five percent (5%) of all the homes within the residential development shall be allowed to be renter occupied at any time.

All townhouses shall have two-car garages, and the parking pads/driveway in front of the garage shall be a minimum of 20 feet in length in order to accommodate two additional cars. The garages shall be used for the parking and storage of vehicles and may not be enclosed to provide for additional residential space. A recital of this requirement shall be contained within the Covenants to ensure enforcement.

In consideration of the existing homes on that street, reduced driveway lengths are unacceptable to the residents of Sewell Manor. All homes in the same neighborhood should be held to the same standard. To maintain property values, new construction must enhance both the aesthetic as well as the quality of life for residents. The site plan, as presented, does neither.

*Temporary/Conditional Uses Allowed by Director.*

*Limited Home Occupations (see standards set forth in Section 712.04).*

The residents of Sewell Manor are heartily in favor of maintaining the Limited Home Occupation Standards as we, as homeowners, have done in the existing neighborhood, for the protection of our quality of life and to maintain the standards set by Cobb County that protect our safety and property values.

*Summary and Conclusion:*  
The proposed development does not meet the requirement for cohesiveness or the preservation of natural resources such as our wooded lots, wildlife habitat, or aesthetic cohesiveness as outlined in the ZONING ORDINANCE-DIVISION 708, DISTRICT STANDARDS AND PERMITTED USES. It does not conserve or create open space or reduce vehicle trips. It is disruptive to our "stable development" and will not enhance the surrounding area which includes the remainder of Sewell Manor subdivision.
Residents of Sewell Manor have grave concerns about the entrance to our long-established neighborhood being burdened by the additional traffic and associated safety concerns.

The removal of old-growth trees will also increase the noise coming from the 120-Loop. It will additionally impact wildlife, watershed, and other ecological factors such as air quality. These plans will bring a total of 52 new houses/townhouses all with 2 car garages for a total of 104 additional cars. This is a many cars in this new development as there are cars in our entire subdivision of Sewell Manor.

If annexed, neighborhood children will be divided between school systems and, by necessity, duplicative services will have to be provided for trash disposal and other services thereby increasing noisy truck traffic on Indian Trail.

Because there is no current sewer service provided to the residential lots included in the plan, considerable construction will have to take place, which will create further disruption to the area. As streets are torn up and the land cleared of old-growth trees for all new infrastructure to support the dense rezoning, the stark difference between Sewell Manor and the proposed construction will become glaringly apparent.

It is not infrequent that current residents of Sewell Manor may have to wait several minutes to turn right from Indian Trail onto west-bound Lower Roswell Rd. to access the 120-Loop. Left turns onto Lower Roswell Rd. are all but impossible to safely accomplish during most times of the business day. Sewell Manor residents therefore have to travel in the opposite direction to Worthington Dr. and then to Sewell Ln. to exit the neighborhood for travel eastbound on Lower Roswell toward the schools, library, shopping and other amenities. Because there are no sidewalks in Sewell Manor, residents of the proposed new site plan would add many dozens of additional vehicles travelling though the core of the subdivision during busy times of the day when our children are getting to school and coming home after school and outside playing. This is a huge concern to Sewell Manor residents as we value our children above all else. It is totally inexcusable to allow additional cars, buses, trucks and service vehicles to wind through our subdivision to accommodate high density housing that does not meet the existing standards.

The residents of Sewell Manor urge, in the strongest possible terms, that the City of Marietta reject this plan as Cobb County has done. Changing Cobb County property to City of Marietta property does nothing to mitigate the circumstances of this ill-prepared plan for the use of properly zoned low-density housing lots.

I have attached copies of the revised site plans from Traton Homes.

William Warwick
wwarwick72@gmail.com
March 28, 2019

Kenneth Weisbrod
201 Worthington Dr
Marietta, Ga  30068
540.667.5569
KenWeisbrod@yahoo.com

Case # 22019-04 City of Marietta Zoning Notice

The city officials, engineers, planners, and possibly TxDOT should probably use a travel demand model to estimate the capacity of the increased traffic in regards to safety issues. This is especially important because there are no sidewalks in the subdivision, The road and corridor specific data should be gathered and analyzed to consider the potential congestion mitigation and safety issues of the project. Other useful information include the current level of congestion, and the current roadway geometry. This data can be used to identify whether or not this project should be approved. The added bus routes, and garbage collection routes, landscaping company vehicles with trailers holding lawn mowing equipment, and other service vehicles should be factored in the congestion mitigation for Lower Roswell, Indian Trail, Worthington Dr, and Sewell Lane.

The current roadway geometry does not lend itself to traffic safety.

Residents of Sewell Manor and the proposed increased traffic with the new project, have many an extended wait time to turn right from Indian Trail onto west-bound Lower Roswell Rd to access the 120 - Loop. As it stands now left hand turns onto Lower Roswell are all but impossible to safely accomplish during much of the business day especially with the busy Quick Trip traffic across from Indian Trail coming head on toward traffic trying to exit Indian Trail, whether you turn left or right.

Sewell Manor residents (and new residents) will have to travel in the opposite direction to Worthington Dr, and then to Sewell Ln to exit the neighborhood for travel eastbound on Lower Roswell toward the schools, library, shopping and other amenities. [Note The Kiddie College on 2000 Lower Roswell Road is directly across the Sewell Lane exit onto Lower Roswell which also presents a safety hazard] Note because there are no sidewalks this additional traffic on roads used by children, families walking baby carriages, and families walking dogs will create unacceptable safety hazards. This is a fact. Whom may I ask will be responsible for the safety of residents, when it could have been avoided? Current roadway geometry does not lend itself for even more traffic which will impact pedestrian safety in a negative way.

Allowing additional, cars, buses, trucks, and service vehicles to drive through our subdivision and increasing the probability of Safety Issues to accommodate high density housing which can only be approved with waivers on standards is inexcusable.

When the Sewell Mill Library and Cultural Center was built at 2051 Lower Roswell Rd were the road and corridor specific data analyzed so the public could enter and leave the cultural center library and park in a reasonable amount of time to include this added traffic on Lower Roswell? (Sewell Park is also involved with this) With the traffic delayed even more so with traffic trying to leave Sewell Manor, there is a greater chance of accidents by individuals trying to get somewhere on time.
Possible Public outrage for the added congestion should not be encouraged with the approval of this project. Note traffic backs up on Lower Roswell Rd in the evening from The Loop way past the Library and Cultural Center and Sewell Park affecting unsafe entrance and egress which will be congested further by the increased number of residents, visitors and services trying to leave the Sewell Manor Subdivision area.

Respectfully,

Kenneth Weisbrod
Members of the Marietta Planning Commission:

I would like to thank all of you so very much for working with our neighborhood both in the past and presently to represent our concerns involving our neighborhood. You have always been proactive in communicating everything with us regarding these ongoing issues involving our homes and community. I as others in Sewell Manor Subdivision appreciate this greatly. I have been a homeowner @ 247 Indian Trail for 46 years. Our neighborhood will be meeting before the planning commission on Tuesday, April 2nd and the City Council on April 10th.

Sewell Manor subdivision was built, established and has maintained to be a low density single family home community for over 50 years. As it is now zoned we live in an extremely low density neighborhood. Our neighborhood cannot handle the development of 52 new townhomes x 2 cars = 104 vehicles. This would cause a horrible jam on both Lower Roswell Road and the 120 Loop, not to mention the impact that it would have on our neighborhood. It is already difficult to get out onto Lower Roswell Road via our exit! The developer is also trying to keep part of our neighborhood in the county while having the city annex other parts. This is absurd! We would have both county & city school issues and the 911 emergency system would be confused as to where to go? There are also no sidewalks in our neighborhood. I believe our childrens safety would be compromised as currently we have narrow streets and no sidewalks! The City of Marietta would incur multiple problems if this happens. All said this is of great concern to all families within our neighborhood. I will appreciate your support for us..Thank you, Laura Holcomb, 247 Indian Trail.
REZONING APPLICATION ANALYSIS

ZONING CASE #: Z2019-04  LEGISTAR: 20190009

LANDOWNERS:

<table>
<thead>
<tr>
<th>Owner</th>
<th>Address</th>
</tr>
</thead>
<tbody>
<tr>
<td>53 Indian Trail, LLC</td>
<td>53 Indian Trail/ 1895 Lower Roswell Road</td>
</tr>
<tr>
<td>56 Indian Trail, LLC</td>
<td>56 Indian Trail</td>
</tr>
<tr>
<td>63 Indian Trail, LLC</td>
<td>63 Indian Trail</td>
</tr>
<tr>
<td>Alvaro A. Arauz &amp; Elizabeth Arauz</td>
<td>73 Indian Trail</td>
</tr>
<tr>
<td>76 Indian Trail, LLC</td>
<td>76 Indian Trail</td>
</tr>
<tr>
<td>1905 Lower Roswell Road, LLC</td>
<td>1905 Lower Roswell Road</td>
</tr>
<tr>
<td>1923 Lower Roswell Road, LLC</td>
<td>1923 Lower Roswell Road</td>
</tr>
<tr>
<td>1935 Lower Roswell Road, LLC</td>
<td>1935 Lower Roswell Road</td>
</tr>
</tbody>
</table>

APPLICANT: Traton Homes, LLC
720 Kennesaw Avenue
Marietta, GA 30060

AGENT: J. Kevin Moore, Esq.
Moore, Ingram, Johnson, & Steele, LLP
326 Roswell Street
Marietta, GA 30060

To
PROPERTY ADDRESS: 53, 56, 63, 73, & 76 Indian Trail and 1895, 1905, 1923, & 1935 Lower Roswell Road

PARCEL DESCRIPTION: 16120600040, 16120600250, 16120600050, 16120600060, 16120600270, 16120600030, 16120600070, 16120600300, 16120600280

AREA: ~7.48  COUNCIL WARD: 6A

EXISTING ZONING: R-20 (Cobb County Single Family Residential Zoning) & CRC (Community Retail Commercial)

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

FUTURE LAND USE: LDR (Cobb County Low Density Residential) & CAC (Community Activity Center)

REASON FOR REQUEST: The applicant is requesting the annexation of six (6) parcels and the rezoning of nine (9) parcels to PRD-SF in order to develop sixty-three (63) townhome units and one (1) single-family residence.

PLANNING COMMISSION HEARING: Tuesday, April 2nd, 2019 – 6:00 p.m.

CITY COUNCIL HEARING: Wednesday, April 10th, 2019 – 7:00 p.m.
City of Marietta Area FLU Map

Future Land Use
- LDR: Low Density Residential
- MDR: Medium Density Residential
- HDR: High Density Residential
- NAC: Neighborhood Activity Center
- CAC: Community Activity Center
- RAC: Regional Activity Center
- CBD: Central Business District
- IM: Industrial - Manufacturing
- IN: Industrial - Warehousing
- O&O: Open Space/Conservation
- PR: Parks & Recreation
- CI: Community Service & Institutional
- TCU: Transportation, Communication & Utilities
- MU: Mixed Use

Comments:
- 1895, 1905, 1923, & 1935 Lower Roswell Rd; 53, 56, 63, 73, & 76 Indian Trail

Date: 1/4/2019

Planning & Zoning Division

1" = 333 ft
PICTURES OF PROPERTY

53 & 63 Indian Trail and 1895 Lower Roswell Road

56 Indian Trail
Facing South Marietta Parkway from Indian Trail

1905 Lower Roswell Road
North – South direction portion of Indian Trail

1923 & 1935 Lower Roswell Road
Location Compatibility

The applicant, Traton Homes, LLC, is requesting the annexation of six (6) parcels (53, 56, 63, 73 & 76 Indian Trail and 1895 Lower Roswell Road) into the City of Marietta limits and, along with three (3) parcels (1905, 1923, and 1935 Lower Roswell Road) that are already within the City limits, rezone the nine (9) parcels to accommodate a new residential development. Collectively, the subject property would total approximately 7.48 acres. The parcels within Cobb County are zoned R-20 (Single Family Residential) and the parcels within the City limits are zoned CRC (Community Retail Commercial). The applicant wishes to rezone all the parcels to PRD-SF (Planned Residential Development – Single Family).

Adjacent to the development is an established single-family neighborhood within Cobb County that is zoned R-20. Across Lower Roswell Road to the south is a QuikTrip that is zoned CRC. The overall development would lie at the northeastern corner of South Marietta Parkway and Lower Roswell Road.

Use Potential and Impacts

Traton Homes is proposing to construct a 63-unit townhome development along with one (1) single family detached residence. The new single-family detached residence would be developed on the parcel at 76 Indian Trail and the townhome units would be developed on the remaining parcels. The development proposes new private roads off Indian Trail and private alleys to access the townhome units. This proposed development would yield a density of 8.56 units/acre. Townhouse developments at other locations within the City of Marietta have been approve at densities like that proposed for this project, as shown below:

<table>
<thead>
<tr>
<th>Development</th>
<th>Townhome Units</th>
<th>Acreage</th>
<th>Density</th>
</tr>
</thead>
<tbody>
<tr>
<td>Allgood Rd/Lawanna Dr</td>
<td>59</td>
<td>5.24</td>
<td>11.25</td>
</tr>
<tr>
<td>Roseline St</td>
<td>22</td>
<td>1.87</td>
<td>11.76</td>
</tr>
<tr>
<td>White St 271</td>
<td>16</td>
<td>1.45</td>
<td>11.03</td>
</tr>
<tr>
<td>Powder Springs Rd 1400</td>
<td>72</td>
<td>8.03</td>
<td>9.0</td>
</tr>
<tr>
<td>North Square</td>
<td>90</td>
<td>13.92</td>
<td>6.5</td>
</tr>
<tr>
<td>Cambridge Walk</td>
<td>30</td>
<td>4.27</td>
<td>7.0</td>
</tr>
<tr>
<td>The Registry</td>
<td>12</td>
<td>1.02</td>
<td>11.8</td>
</tr>
<tr>
<td>Frasier St</td>
<td>32</td>
<td>3.29</td>
<td>9.72</td>
</tr>
</tbody>
</table>

The purpose of the requested zoning (PRD-SF) is to allow flexibility with design standards (setbacks, density, etc.) for site plan specific developments. However, PRD-SF does have additional requirements for townhome construction, such as open space and impervious surface regulations.
Attached units are required to provide a 2-car garage and a driveway at least 20 feet in length to accommodate 2 additional cars. According to the plans, the applicant is requesting a variance to reduce the driveway length to 18 feet. There is also a guest parking requirement of 0.2 spaces per unit for the 63 attached units. Based on this standard, the proposed development would require 13 parking spaces; the plans show 23 guest spaces.

PRD-SF zoning also requires a recreation area to be provided at a ratio of 1 acre per 50 units (or a proportional percentage thereof) with a minimum of 10,000 square feet provided. This area is required to contain at least one passive recreational feature, such as a walking trail, pavilion, gazebo or picnic area, and at least one active recreational feature. A 63-unit development would require 1.26 acres of recreation space. The site plan that has been submitted shows “open space” but does not indicate any amenities to be provided other than a pool and pool house for their active feature. In addition, PRD-SF requires a minimum lot size of 4,000 sq. ft. Like recently approved townhome developments by Traton Homes, a variance is being requested to reduce the minimum lot size to the footprint of each unit; the remainder of the property will be common space.

Considering the proposed site plan has a number of features that do not meet current requirements under the PRD-SF zoning classification, the following variances would be necessary for approval of the plan as submitted:

- Variance to reduce the required driveway length from 20 feet to 18 feet, as measured from back of curb or sidewalk. [§708.09 (B.2.e)]
- Variance to waive the requirement for passive recreational features. [§708.09 (B.2.i)]
- Variance to reduce the recreation area from 1.26 acres to 0.94 acres. [§708.09 (B.2.i)]
- Variance to reduce the required open space from 25% (1.87 acres) to 12.6% (0.94 acres). [§708.09 (H)]
- Variance to reduce the minimum lot size requirement from 4,000 sq. ft. to the footprint of the smallest unit. [§708.09 (H)]

The Future Land Use (FLU) designation is used to describe the anticipated land uses in a long-term perspective. The parcels within Cobb County are classified as LDR (Low Density Residential). The parcels within City limits are classified as CAC (Community Activity Center). The City’s Comprehensive Plan describes LDR as appropriate for single-family dwellings up to four (4) units per acre; and CAC is suitable for retail and service including businesses and professional offices. Should the property be annexed and rezoned, the City would propose a future land use classification of HDR (High-Density Residential) for consistency with the requested density of 8.56 units/acre. The City’s Comprehensive Plan describes HDR as appropriate for housing with densities ranging from nine (9) to twelve (12) units per acre.

**In a letter dated February 1, 2019, Cobb County has formally objected to the annexation because the proposed density exceeds that identified the 2004 HB 489 Agreement. Under this agreement, the agreed upon density for residential developments in the proposed area is up to 4 units per acre.**
Environmental Impacts

The proposed housing development, or any development, would substantially increase the amount of impervious surface and runoff given that only one (1) out of the nine (9) parcels is currently developed. There is no floodplain or indication of endangered species on the site. City staff has identified state waters at the northwestern corner of the subject property (63 Indian Trail), which may impact the proposed design of the project.

Economic Functionality

Although functional as currently zoned, structures on portions of the subject property have been demolished since 2016. There is one remaining parcel that is functioning as zoned. Limited vehicular accessibility for the commercial parcels along Lower Roswell Road due to congestion at the signalized intersection is an issue impacting the functionality of these parcels as zoned.

Infrastructure

Access to the overall development would be from Lower Roswell Road and the Indian Trail neighborhood to the east. The individual units would be accessed from private roads or alleys. All private roads must be designed and constructed according to public road standards including easements, visibility, intersections, paving widths, etc.

The proposed roads and alleys cannot accommodate curbside pick-up by City sanitation vehicles. Dumpsters, trash pads, and/or trash corrals would have to be provided in locations that accommodate City sanitation vehicles. Also, the Fire Department and Public Works have expressed concern that the long hammerheads may create an issue for adequate access. Additional issues identified by Public Works are listed in the “Appendix” to this report.

Sidewalks must be incorporated along all streets and public improvements. Sidewalks - minimum width five (5) feet - must be provided within the development and along the perimeter of the development.

When new subdivisions intersect with arterial and collector streets, an acceleration and deceleration lane is required with the minimum standards of being 200 feet in length, including a 50 foot taper. There have been previous proposals to relocate the north-south section of Indian Trail further away from the major intersection of South Marietta Parkway and Lower Roswell Road, which would improve safety and accessibility to the subject property and Indian Trail neighborhood.

The Zoning Ordinance requires residential developments containing more than 51 units to provide at least two access points to an arterial or collector street. Lower Roswell Road, an arterial road, is the primary access point with an alternative access point from Indian Trail, a local road.
Because of the potential traffic hazards created by adding this many units to an already hazardous intersection, a traffic impact study will be required.

The following are transportation related variances that would be necessary to proceed with the submitted plan:

- Variance to reduce the minimum centerline radii from 100 feet to what is shown on the plan dated 12/14/18. [§730.01 (H)]
- Variance to waive the requirement to install a sidewalk along S. Marietta Parkway. [§732.07]
- Variance to allow sidewalks as designated on the plans submitted (dated: 12/14/2018). [§732.07 (C)]
- Variance to waive the required acceleration and deceleration lane on Lower Roswell Road. [§730.01 (I.4.b.)]
- Variance to allow a single-family development of more than 51 dwelling units provide one access point to an arterial street. [§730.01 (A.)]

Sewer availability for the northern portion of this property will be a significant issue. A gravity sanitary sewer system will not work on this site without considerable changes in topography.

Overhead Electrical/Utilities

The proposed location of the units facing Lower Roswell Road may create a conflict with the existing power poles. Structures shall be set at least 10 feet from the utility poles and lines.

Due to the short distance between the townhome buildings and Lower Roswell Road, there is a high probability for conflict with the proposed buildings and existing power lines. If the power poles or utility lines are affected by the development, they must be relocated underground at the developer’s expense. This would also minimize potential conflicts with street trees.

History of Property

The subject properties within the city limits were annexed from Cobb County in 1998.

Other Issues

Should the property be annexed and rezoned as submitted, separate hearings would be necessary for the right of way exchange and rezoning. The existing billboard at the corner of South Marietta Parkway and Lower Roswell Road would be removed as part of this project.

The elementary school serving this area would be Lockheed.
ANALYSIS & CONCLUSION

The applicant, Traton Homes, LLC, is requesting the annexation of six (6) parcels (53, 56, 63, 73 & 76 Indian Trail and 1895 Lower Roswell Road) into the City of Marietta limits and, along with three (3) parcels (1905, 1923, and 1935 Lower Roswell Road) that are already within the City limits, rezone the nine (9) parcels to accommodate a new residential development. Collectively, the subject property would be approximately 7.48 acres. The current zoning classification for the parcels within Cobb County are zoned R-20 and the parcels within the City limits are zoned CRC. The applicant wishes to rezone all the parcels to PRD-SF.

Traton Homes is proposing to develop a 63-unit townhome development with one (1) single family residence. The new single-family residence would be developed on the parcel at 76 Indian Trail and the townhome units would be developed on the remaining parcels. The development proposes new private roads off Indian Trail and private alleys to access the townhome units. This proposed development would yield a density of 8.56 units/acre.

In addition to other issues identified by Public Works that must be addressed, the following variances would be necessary:
1. Variance to reduce the required driveway length from 20 feet to 18 feet, as measured from back of curb or sidewalk. [§708.09 (B.2.e)]
2. Variance to waive the requirement passive recreational features. [§708.09 (B.2.i)]
3. Variance to reduce the recreation area from 1.26 acres to 0.94 acres. [§708.09 (B.2.i)]
4. Variance to reduce the minimum open space from 25% to 12.6%. [§708.09 (H)]
5. Variance to reduce the minimum lot size requirement from 4,000 sq. ft. to the footprint of the smallest unit. [§708.09 (H)]
6. Variance to reduce the minimum centerline radii from 100 feet to what is shown on the plan dated 12/14/18. [§730.01 (H)]
7. Variance to waive the requirement to install a sidewalk along S. Marietta Parkway. [§732.07]
8. Variance to allow sidewalks as designated on the plans submitted (dated: 12/14/2018). [§732.07 (C)]
9. Variance to waive the requirements of an acceleration and deceleration lane into the new subdivision. [§733.01 (L.4.b)]
10. Variance to allow a single-family development of more than 51 dwelling units provide one access point to an arterial street. [§730.01 (A.1)]

The Future Land Use (FLU) designation for the parcels within Cobb County are classified as LDR (Low Density Residential). The parcels within City limits are classified as CAC (Community Activity Center). The City’s Comprehensive Plan describes LDR as appropriate for single family dwellings up to four (4) units per acre, and CAC is suitable for retail and service including businesses and professional offices. Should the properties be annexed and rezoned, the City would assign a future land use classification of HDR (High-Density Residential) for consistency with the requested density of 8.56 units/acre.

In a letter dated February 1, 2019, Cobb County has formally objected to this annexation because the proposed density violates the 2004 HB 489 Agreement, which limits residential density for annexation in this area to be no more than 4 units per acre.

Prepared by: ________________

Approved by: ________________
**DATA APPENDIX**

### CITY OF MARIETTA - WATER

<table>
<thead>
<tr>
<th>Question</th>
<th>Answer</th>
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<tbody>
<tr>
<td>Is a water line adjacent to the property?</td>
<td>Yes</td>
</tr>
<tr>
<td>If not, how far is the closest water line?</td>
<td>N/A</td>
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<tr>
<td>Size of the water line?</td>
<td>6” DIP</td>
</tr>
<tr>
<td>Capacity of the water line?</td>
<td>A fire flow test may be required</td>
</tr>
<tr>
<td>Approximate water usage by proposed use?</td>
<td>Not provided</td>
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### CITY OF MARIETTA - WASTEWATER

<table>
<thead>
<tr>
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<tbody>
<tr>
<td>Is a sewer line adjacent to the property?</td>
<td>Yes</td>
</tr>
<tr>
<td>If not, how far is the closest sewer line?</td>
<td>N/A</td>
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<tr>
<td>Size of the sewer line?</td>
<td>8”</td>
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<td>Capacity of the sewer line?</td>
<td>A.D.F. Peak</td>
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<tr>
<td>Estimated waste generated by proposed development?</td>
<td>Not provided</td>
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<tr>
<td>Treatment Plant Name?</td>
<td>R. L Sutton</td>
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<tr>
<td>Treatment Plant Capacity?</td>
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</tr>
<tr>
<td>Future Plant Availability?</td>
<td>N/A</td>
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*There is a major change in elevation on this site. A gravity sanitary sewer system will not work on this site without considerable changes in topography.*
### DRAINAGE AND ENVIRONMENTAL CONCERNS

<table>
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<tr>
<th>Question</th>
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<td>Does flood plain exist on the property:</td>
<td>No</td>
</tr>
<tr>
<td>What percentage of the property is in the flood plain:</td>
<td>N/A</td>
</tr>
<tr>
<td>What is the drainage basin for the property?</td>
<td>Sope Creek</td>
</tr>
<tr>
<td>Is there potential for the presence of wetlands as determined by the U.S. Environmental Protection Agency?</td>
<td>Yes (63 Indian Tlr)</td>
</tr>
<tr>
<td>If so, is the use compatible with the possible presence of wetlands?</td>
<td>Yes</td>
</tr>
<tr>
<td>Do stream bank buffers exist on the parcel?</td>
<td>Yes (63 Indian Tlr)</td>
</tr>
<tr>
<td>Are there other topographical concerns on the parcel?</td>
<td>Yes</td>
</tr>
<tr>
<td>Are there storm water issues related to the application?</td>
<td>No</td>
</tr>
<tr>
<td>Potential presence of endangered species in the area?</td>
<td>No</td>
</tr>
</tbody>
</table>

### TRANSPORTATION

<table>
<thead>
<tr>
<th>Question</th>
<th>Answer</th>
</tr>
</thead>
<tbody>
<tr>
<td>What is the road effected by the proposed change?</td>
<td>Lower Roswell Rd; Indian Tlr</td>
</tr>
<tr>
<td>What is the classification of the road?</td>
<td>Arterial; Local</td>
</tr>
<tr>
<td>What is the traffic count for the road?</td>
<td>Traffic study needed; contact Cobb DOT to see if they have recently performed a study</td>
</tr>
<tr>
<td>Estimated # of trips generated by the proposed development?</td>
<td>370 per day</td>
</tr>
<tr>
<td>Estimated # of pass-by cars entering proposed development?</td>
<td>(27 peak AM hr, 32 peak PM hr)</td>
</tr>
<tr>
<td>Do sidewalks exist in the area?</td>
<td>0 per day</td>
</tr>
<tr>
<td>Transportation improvements in the area?</td>
<td>Yes, on Lower Roswell Rd</td>
</tr>
<tr>
<td>If yes, what are they?</td>
<td>Yes, by Cobb DOT</td>
</tr>
</tbody>
</table>

- The existing location and configuration of Indian Trail (a Cobb County roadway) is proposed as the subdivision’s entrance. The subdivision’s entrance is in close proximity to the intersection of Lower Roswell Road with South Marietta Parkway, situated approximately 275-ft to the east of South Marietta Parkway. The proposed entrance presents traffic concerns including, but not limited to, the following items:
  - Lower Roswell Road: Westbound vehicles stacking and blocking vehicles attempting to enter and exit Indian Trail.
- Lower Roswell Road: Eastbound vehicles stacking into South Marietta Parkway, due to eastbound vehicles attempting to turn left onto Indian Trail.
- Indian Trail: Vehicles stacking on Indian Trail, due to vehicles attempting to turn left onto Lower Roswell Road.
- Private Alley D: Southbound vehicles unable to turn left onto Indian Trail, due to vehicles attempting to enter Lower Roswell Road.

- Full site development plans required.
- State Waters exist at the northwestern corner of 63 Indian Trail. The stream head exists near a stand of three magnolias and a stacked stone wall surrounds the bowl. City staff placed two flags at the head on 01/09/19. The drainage area is less than 25-acres, so only the State-required 25-ft undisturbed stream buffer applies.
- Modifications to County rights-of-way require approval by Cobb County Department of Transportation.
- Deceleration lane required.
- Private roads must be constructed to City street standards.
- Roads and alleys have centerline radii less than the required minimum of 100-ft. Adjustments of roadway configurations and/or variances would be required.
- Proposed roads and alleys cannot accommodate curbside pick-up by City sanitation vehicles. Dumpsters, trash pads, and/or trash corrals must be provided in locations that accommodate City sanitation vehicles. Trash corrals, rather than trash pads, are required if bins are to be permanently stored on the pad.
- All intersections, curves, hill crests, and other locations of roadway and alleys must meet AASHTO sight distance requirements. In cases where the sight line is not contained within the right of way or easement, a sight distance easement will be required. Areas of concern include, but are not limited to reduced centerline radii locations, corner lots, tree locations, and access points. These will be further reviewed as part of the site development plan review process but warrant comment at this time.
- Any items that require electric service (e.g. amenities area, mail kiosk, entrance signs, sewage pump, etc.) must have a separate address.
DATA APPENDIX CONTINUED

EMERGENCY SERVICES

Nearest city or county fire station from the development? 52
Distance of the nearest station? 2 MI
Most likely station for 1st response? 52
Service burdens at the nearest city fire station (under, at, or above capacity)? EDGE OF CITY LIMITS

Comments:
1. Provide a fire access road inside the development to serve lots 56-64 and lots 2-11.
2. The maximum allowable dead end for a fire access road is 150’ without providing an acceptable turnaround.
3. Single-family developments containing more than 51 dwelling units shall provide at least two access points to arterial or collector streets.
4. Accessibility for fire equipment on hard surfaced sub-base (subgrade plus an asphalt first layer or bound crushed stone) shall be maintained through all stages of construction from the time framing begins.
5. Minimum turning radius shall be 35 feet
6. Access to the Mail Kiosk and other amenities shall provide all necessary features to facilitate accessibility and comply with the Georgia Accessibility Code.

MARIETTA POWER - ELECTRICAL

Does Marietta Power serve this site? Yes x No x
If not, can this site be served? Yes x No

What special conditions would be involved in serving this site?

Some parcels are served by Cobb EMC and some parcels are served by Marietta Power.

**Customer Choice**
**DATA APPENDIX CONTINUED**

**MARIETTA CITY SCHOOLS**

Marietta City Schools Impact Assessment:

<table>
<thead>
<tr>
<th>Elementary School System Servicing Development:</th>
<th>Lockheed Elementary</th>
</tr>
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<tbody>
<tr>
<td>Middle School Servicing Development:</td>
<td>Marietta Middle School</td>
</tr>
<tr>
<td>High School Servicing Development:</td>
<td>Marietta High School</td>
</tr>
<tr>
<td>Capacity at Elementary School:</td>
<td>775</td>
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<tr>
<td>Capacity at Middle School:</td>
<td>1,350</td>
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<tr>
<td>Capacity at Marietta Sixth Grade Academy:</td>
<td>775</td>
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<td>Capacity at High School:</td>
<td>2,150</td>
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<tr>
<td>Current enrollment of Elementary School:</td>
<td>671</td>
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<tr>
<td>Current enrollment of Middle School:</td>
<td>1,339</td>
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<tr>
<td>Current enrollment of High School:</td>
<td>2,392</td>
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<tr>
<td>Number of students generated by present development:</td>
<td>0</td>
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<tr>
<td>Number of students projected from the proposed development:</td>
<td>30</td>
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<tr>
<td>New schools pending to serve this area:</td>
<td>0</td>
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</table>

**Comments:**
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 #: 22019-04  Legistar #: PZ #: 18-609
Planning Commission Hearing: 02/05/2019  City Council Hearing: 02/13/2019

Owner's Name: See Exhibit "A" Attached Collectively
EMAIL Address: See Attached Property Owner Contact Information

Mailing Address: Zip Code: Telephone Number

COMPLETE ONLY IF APPLICANT IS NOT OWNER:
Applicant Representative: J. Kevin Moore - Moore Ingram Johnson & Steele, LLP
Applicant: Traton Homes, LLC

EMAIL Address: clif@tratonhomes.com
Mailing Address: 720 Kennesaw Avenue, Marietta, GA 30060
Telephone Number (770) 427-9064

Address of property to be rezoned:

Land Lot(s) 12060 District 16 Parcel 0040 Acreage 7.48± Ward 6A Future Land Use: CAC (City)
Present Zoning Classification: CRC (City) Proposed Zoning Classification: PRD-SF R-20 (Cobb County)

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 1/2" 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.
Application No.: 
Legistar No.: 
Hearing Dates: February 5, 2019
February 13, 2019

Applicant: Traton Homes, LLC
Property Owner: 53 Indian Trail, LLC

53 INDIAN TRAIL, LLC

BY: Garrett Boyd
Managing Member

Date Executed: December 15, 2018

Address: Suite 400
600 Kennesaw Avenue
Marietta, Georgia 30060

Telephone: (404) 252-5174
E-mail: gboyd@rayboydproperties.com

Signed, sealed, and delivered in the presence of:

[Notary Seal]

Notary Public
My Commission Expires:
Application No.: __________________________
Legistar No.: __________________________
Hearing Dates: February 5, 2019
              February 13, 2019

Applicant: Traton Homes, LLC
Property Owner: 56 Indian Trail, LLC

56 INDIAN TRAIL, LLC

BY: __________________________
Garrett Boyd
Managing Member

Date Executed: December 15, 2018

Address: Suite 400
         600 Kennesaw Avenue
         Marietta, Georgia 30060

Telephone: (404) 252-5174
E-mail: gboyd@rayboydproperties.com

Signed, sealed, and delivered in the presence of:

__________________________
Notary Public
My Commission Expires: __________________________

[Notary Seal]
Application No.: 
Legistar No.: 
Hearing Dates: February 5, 2019
February 13, 2019

Applicant: Traton Homes, LLC
Property Owner: 63 Indian Trail, LLC

63 INDIAN TRAIL, LLC

BY: 
Garrett Boyd
Managing Member

Date Executed: December 18, 2018

Address: Suite 400
600 Kennesaw Avenue
Marietta, Georgia 30060

Telephone: (404) 252-5174
E-mail: gboyd@rayboydproperties.com

Signed, sealed, and delivered in the presence of:

Notary Public
My Commission Expires: [Notary Seal]
Application No.: 
Legistar No.: 
Hearing Dates: February 5, 2019
February 13, 2019

Applicant: Traton Homes, LLC
Property Owners: Alvaro A. Arauz and Elizabeth Arauz

[Signature]
Alvaro A. Arauz

[Signature]
Elizabeth S. Arauz

Date Executed: December 18, 2018

Address: 73 Indian Trail
Marietta, GA 30060

Telephone: (678) 360-3211
E-mail: [email]

Signed, sealed, and delivered in the presence of:

[Signature]
Terri Gaddis
Notary Public
My Commission Expires:

[Notary Seal]
Application No.: 
Legistar No.: 
Hearing Dates: February 5, 2019
February 13, 2019

Applicant: Traton Homes, LLC
Property Owner: 76 Indian Trail, LLC

76 INDIAN TRAIL, LLC

BY: ____________________________
Garrett Boyd
Managing Member

Date Executed: December __/__, 2018

Address: Suite 400
600 Kennesaw Avenue
Marietta, Georgia 30060

Telephone: (404) 252-5174
E-mail: gboyd@raybovdproperties.com

Signed, sealed, and delivered in the presence of:

[Notary Seal]
Application No.: __________________________
Legistar No.: __________________________
Hearing Dates: February 5, 2019
February 13, 2019

Applicant: Traton Homes, LLC
Property Owner: 1905 Lower Roswell Road, LLC

1905 LOWER ROSWELL ROAD, LLC

BY: __________________________
    Garrett Boyd
    Managing Member

Date Executed: December 13, 2018
Address: Suite 400.
         600 Kennesaw Avenue
         Marietta, Georgia 30060

Telephone: (404) 252-5174
E-mail: gboyd@raybovdproperties.com

Signed, sealed, and delivered in the presence of:

[Notary Seal]
Application No.: ____________________________
Legistar No.: ____________________________
Hearing Dates: February 5, 2019
February 13, 2019

Applicant: Traton Homes, LLC
Property Owner: 1923 Lower Roswell Road, LLC

1923 LOWER ROSWELL ROAD, LLC

BY: ________________________________
Garrett Boyd
Managing Member

Date Executed: December 18, 2018

Address: Suite 400
600 Kennesaw Avenue
Marietta, Georgia 30060

Telephone: (404) 252-5174
E-mail: gboyd@rayboydproperties.com

Signed, sealed, and delivered in the presence of:

______________________________
[Notary Seal]
PAGE 2 - EXHIBIT “A” - ATTACHMENT TO APPLICATION FOR REZONING

Applicant: Traton Homes, LLC
Property Owner: 1935 Lower Roswell Road, LLC

Application No.: ____________________________
Legistar No.: ____________________________
Hearing Dates: February 5, 2019
February 13, 2019

1935 LOWER ROSWELL ROAD, LLC

BY: ____________________________
Garrett Boyd
Managing Member

Date Executed: December 18, 2018

Address: Suite 400
600 Kennesaw Avenue
Marietta, Georgia 30060

Telephone: (404) 252-5174
E-mail: gboyd@rayboydproperties.com

Signed, sealed, and delivered in the presence of:

Notary Public
My Commission Expires:

[Notary Seal]
ATTACHMENT TO APPLICATION FOR REZONING

Application No.: ____________________________
Legistar No.: ____________________________
Hearing Dates: February 5, 2019
February 13, 2019

Applicant: Traton Homes, LLC
Titleholders: 1905 Lower Roswell Road, LLC; 1923 Lower Roswell Road, LLC; 1935 Lower Roswell Road, LLC; 53 Indian Trail, LLC; 56 Indian Trail, LLC; 63 Indian Trail, LLC; 76 Indian Trail, LLC; and Alvaro A. Arauz and Elizabeth S. Arauz

DESCRIPTION OF PROPOSED DEVELOPMENT/PROJECT

The property which is the subject of the Application for Rezoning by Applicant, Traton Homes, LLC (hereinafter “Applicant”) is an assemblage of nine parcels totaling 7.48 acres, more or less, located in Land Lot 1206, 16th District, 2nd Section, Cobb County, Georgia, and are more particularly identified in the Property Owner/Parcel Listing submitted with the Application for Rezoning (hereinafter collectively the “Property” or the “Subject Property”). Six of the parcels are located within unincorporated Cobb County; and, therefore, Applications for Annexation for those parcels are filed contemporaneously with the Application for Rezoning of the overall tract. The Rezoning Application seeks approval of a request to rezone the Subject Property from the existing R-20 (Cobb County) and Community Retail Commercial (“CRC”) (City of Marietta) zoning classifications to the PRD-SF zoning classification. Applicant is seeking rezoning for a townhome community.

The assembled parcels are located on the northerly side of Lower Roswell Road (1905, 1923, and 1935 Lower Roswell Road), the easterly side of the North Marietta Parkway (1895 Lower Roswell Road), and the northerly and southerly sides of Indian Trail (53, 63, 73, 56, 76 Indian Trail). The properties contain either small businesses, single-family residences, or are vacant lots. Applicant proposes the construction of a maximum of sixty-two (62) townhome units and one (1) single-family residence. All residences shall be traditional or Craftsman style in architecture and design, with the exteriors consisting of brick, stone, stacked stone, cedar shake, board and batten, and combinations thereof. All residences shall have two car garages. Access to the proposed development will be as shown on the Zoning Plan submitted with the Application for Rezoning.

Extensive landscaping will be done for the overall project. Approximately 0.94 acres of open space shall be provided for the use and enjoyment of residents for passive recreational activities and gatherings. However, Applicant will seek a waiver for the required minimum open space area of 1.87 acres.

Applicant will supplement its Application for Rezoning with additional items; including, but not limited to the following, throughout the rezoning process:

1) Updated and revised Zoning Plan, if necessary;
2) Landscape Plan for buffer areas and proposed Open Space areas;
3) Elevations, floorplans, and finishes; and
4) Details for open space and amenity areas.
A detailed letter of agreeable zoning stipulations and conditions will be submitted on behalf of Applicant prior to the hearings before the Planning Commission and City Council. Variances for required open space and minimum driveway length are set forth on the Zoning Plan submitted with the Application for Rezoning; however, any additional required variances will be more particularly set forth during the rezoning process.

Applicant is very excited with the opportunity of this new project within the City of Marietta. The project will redevelop the Property for a quality product in a highly sought after area of the City, in close proximity to Downtown Marietta and with interstate connectivity.
RUN AD DATE: March 15, 2019

CITY OF MARIETTA
PUBLIC NOTICE OF REZONINGS, CODE AMENDMENT and VARIANCES

The City of Marietta hereby gives notice that a public hearing will be held on the following by the Planning Commission on Tuesday, April 2nd, 2019, 6:00 P.M., City Hall, for a recommendation to the City Council at their meeting on Wednesday, April 10th, 2019, 7:00 p.m., City Hall, for a final decision to be made.

Z2019-04 [REZONING] TRATON HOMES, LLC (53 INDIAN TRAIL, LLC; 56 INDIAN TRAIL, LLC; 63 INDIAN TRAIL, LLC; 76 INDIAN TRAIL, LLC; ALVARO & ELIZABETH ARAUZ) are requesting the rezoning of approximately 7.48 acres located Land Lot 1206, District 16, Parcels 0030, 0070, 0300, 0280, 0040, 0250, 0050, 0060, 0270 of the 2nd Section, Cobb County, Georgia and being known as 1895, 1905, 1923, & 1935 Lower Roswell Road and 53, 56, 63, 73, & 76 Indian Trail from R-20 (Single Family Residential – Cobb County) and CRC (Community Retail Commercial - City) to PRD-SF (Planned Residential Development Single Family - City). Ward 6A.

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 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 Ms. Nicole Curl, 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
---|---|---|---|---|---
1935 LOWER ROSWELL RD	| 16120600280	| 0.343	| 6A	| CRC	| CAC
1923 LOWER ROSWELL RD	| 16120600300	| 0.592	| 6A	| CRC	| CAC
1905 LOWER ROSWELL RD	| 16120600070	| 0.887	| 6A	| CRC	| CAC
56 INDIAN TRL	| NA	| 0.374	| NA	| NA	| NA
76 INDIAN TRL	| NA	| 0.384	| NA	| NA	| NA
53 INDIAN TRL	| NA	| 1.056	| NA	| NA	| NA
73 INDIAN TRL	| NA	| 1.62	| NA	| NA	| NA
63 INDIAN TRL	| NA	| 1.435	| NA	| NA	| NA
0	| C	| 0.283	| | | |

#### Property Owner:
Various

#### Applicant:
Traton Homes

#### Proposed Zoning:
R20 (Cty) CRC (Cty) to PRD-SF

#### Agent:
J. Kevin Moore, Esq.

#### Proposed Use:

#### Planning Commission Date:
04/02/2019

#### City Council Hearing Date:
04/10/2019

#### Case Number:
Z2019-04

City of Marietta Planning & Zoning
<table>
<thead>
<tr>
<th>Address</th>
<th>Parcel Number</th>
<th>Acreage</th>
<th>Ward</th>
<th>Zoning</th>
<th>FLU</th>
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<td>CRC</td>
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<td>56 INDIAN TRL</td>
<td>NA</td>
<td>0.374</td>
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<tr>
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<td>NA</td>
<td>1.62</td>
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</tr>
<tr>
<td>63 INDIAN TRL</td>
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<td>1.435</td>
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<td>NA</td>
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</tr>
<tr>
<td>0</td>
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</tbody>
</table>

**Future Land Use:** CAC

**Case Number:**

**Comments:**

**Planning Commission Hearing Date:** 04/02/2019

**City Council Hearing Date:** 04/10/2019

City of Marietta Planning & Zoning
### Address and Parcel Information

<table>
<thead>
<tr>
<th>Address</th>
<th>Parcel Number</th>
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</tbody>
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### Property Owner

Various

### Applicant

Traton Homes

### City Council Hearing Date

04/10/2019

### Planning Commission Hearing Date

04/02/2019

### BZA Hearing Date

Case Number: Z2019-04

### Comments

City of Marietta Planning & Zoning