

1. Virtual Participation Information:

To Join Event Online:

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2. Enter the event password: mariettapc

3. Click "Join Now".

-

For Audio Participation:

Dial: +1-408-418-9388

Enter Access code: 794 161 287

2. Planning Commission Agenda-REV2 (Incl Virtual Info)

Documents:

[\\_JUN 2, 2020 PC AGENDA-REV2 \(INCL VIRTUAL INFO\).PDF](#)

3. Z2020-11 Powder Springs St 888 & 898

Documents:

[Z2020-11 POWDER SPRINGS ST 888, 898.PDF](#)

4. Z2020-11 Powder Springs St 888 & 898-Stip Ltr 5.22.20

Documents:

[Z2020-11 POWDER SPRINGS ST 888, 898-STIP LTR 5.22.20.PDF](#)

5. Z2020-11 Powder Springs St 888, 898-Stip Ltr-Addl-5.29.20

Documents:

[Z2020-11 POWDER SPRINGS ST 888, 898-STIP LTR-ADDL-5.29.20.PDF](#)

6. Z2020-19 Atlanta St 521

Documents:

[Z2020-19 ATLANTA ST 521.PDF](#)

7. Z2020-19 Atlanta St 521-Stip Ltr 5.22.20

Documents:

[Z2020-19 ATLANTA ST 521-STIP LTR 5.22.20.PDF](#)

8. Z2020-20 Montgomery St 308

Documents:

[Z2020-20 MONTGOMERY ST 308.PDF](#)

9. Z2020-22 Cobb Pkwy 565 S

Documents:

[Z2020-22 COBB PKWY 565 S.PDF](#)

10. Z2020-23 Rose Dr 401

Documents:

[Z2020-23 ROSE DR 401.PDF](#)

11. Z2020-23 Rose Dr 401-Stip Ltr 5.29.20

Documents:

[Z2020-23 ROSE DR 401-STIP LTR 5.29.20.PDF](#)

12. Z2020-24 Crescent Cir 224, 226

Documents:

[Z2020-24 CRESCENT CIR 224, 226.PDF](#)

13. Z2020-24 Crescent Cir 224, 226-Stip Ltr 5.29.20

Documents:

[Z2020-24 CRESCENT CIR 224, 226-STIP LTR 5.29.20.PDF](#)



# City of Marietta

205 Lawrence Street  
Post Office Box 609  
Marietta, Georgia 30061

## Meeting Agenda - **REVISED**

### To Join Event Online:

**1. Go to**

<https://mariettaga.webex.com/mariettaga/j.php?MTID=e1920a00e35b831c057e39ad4de7d1f38>

**2. Enter the event password: mariettapc**

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### PLANNING COMMISSION

*Bob Kinney - Chairman  
Jay Davis, Ward 1  
Frasure Hunter, Ward 2  
Boozer McClure, Ward 3  
Byron "Tee" Anderson, Ward 4  
Brenda McCrae, Ward 5  
Stephen Diffley, Ward 7*

### For Audio Participation:

**Dial: +1-408-418-9388**

**Enter Access code: 794 161 287**

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Tuesday, June 2, 2020

6:00 PM

City Hall Council Chambers

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**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:

**20200408      May 5, 2020 Regular Planning Commission Meeting Minutes**

Review and Approval of the May 5, 2020 Regular Planning Commission Meeting Minutes.

### REZONINGS:

**20200143      Z2020-11 [REZONING] ALI GHADRAN (STEPHEN THOMPSON)**

**Z2020-11 [REZONING] ALI GHADRAN (STEPHEN THOMPSON)** are requesting the rezoning of 3.15 acres located in Land Lots 140 & 141, District 17, Parcel 0200 of the 2nd Section, Cobb County, Georgia, and being known as **888 (& 898) Powder Springs Street** from R-2 (Single Family Residential - 2 units/acre) to PRD-SF (Planned Residential Development - Single Family). Ward 2B.

**20200167**      **Z2020-13 [REZONING] CAMPUS REALTY ADVISORS, LLC**  
**TABLED**      **(HARTWOOD INVESTMENTS, LLC)**

**Z2020-13 [REZONING] CAMPUS REALTY ADVISORS, LLC (HARTWOOD INVESTMENTS, LLC)** are requesting the rezoning of 9.57 acres located in Land Lots 505 & 576, District 17, Parcels 0170, 0720, 0710, 0700, & 0690 of the 2nd Section, Cobb County, Georgia, and being known as **315 Frey's Gin Road and 1222, 1230, 1238, & 1246 Banberry Road** from PRD-SF (Planned Residential Development - Single Family) to PRD-MF (Planned Residential Development - Multi Family). Ward 7A.

**TABLED AT APPLICANT'S REQUEST**

**20200345**      **Z2020-19 [REZONING] PULTE HOME COMPANY, LLC**

**Z2020-19 [REZONING] PULTE HOME COMPANY, LLC** is requesting the rezoning of 3.8 acres located in located in Land Lots 290, District 17, Parcel 0640 of the 2nd Section, Cobb County, Georgia, and being known as **521 Atlanta Street** from OI (Office Institutional) to PRD-SF (Planned Residential Development - Single Family). Ward 1A.

**20200348**      **Z2020-20 [REZONING] MARK LEWIS**

**Z2020-20 [REZONING] MARK LEWIS** is requesting the rezoning of 0.74 acres located in Land Lot 1144, District 16, Parcel 1680 of the 2nd Section, Cobb County, Georgia, and being known as **308 Montgomery Street** from R-4 (Single Family Residential - 4 units/acre) to R-4 (Single Family Residential - 4 units/acre) with an increase in density. Ward 5A.

**20200364**      **Z2020-21 [REZONING] STACY WRAY**  
**WITHDRAWN**

**Z2020-21 [REZONING] STACY WRAY** is requesting the rezoning of approximately 0.25 acres located in Land Lot 1289, District 16, Parcel 0380 of the 2nd Section, Cobb County, Georgia, and being known as **317 Alexander Street** from OIT (Office Institution Transitional) to R-4 (Single Family Residential - 4 units/acre). Ward 1A.

**WITHDRAWN BY APPLICANT.**

**20200365      Z2020-22 [REZONING] PRESTWICK LAND HOLDINGS & MARIETTA HOUSING AUTHORITY**

**Z2020-22 [REZONING] PRESTWICK LAND HOLDINGS & MARIETTA HOUSING AUTHORITY** are requesting the rezoning of approximately 1.6 acres located in Land Lots 506 & 575, District 17, Parcel 0620 of the 2nd Section, Cobb County, Georgia, and being known as a portion of **565 Cobb Parkway South** from CRC (Community Retail Commercial) to RHR (Residential High Rise). Ward 1A.

**20200366      Z2020-23 [REZONING] 33 HOLDINGS LLC**

**Z2020-23 [REZONING] 33 HOLDINGS LLC** is requesting the rezoning of 3.26 acres located in Land Lot 433, District 17, Parcel02 0140 of the 2nd Section, Cobb County, Georgia, and being known as **401 Rose Drive** from CRC (Community Retail Commercial) to RM-12 (Multi Family Residential - 12 units/acre). Ward 1A.

**20200367      Z2020-24 [REZONING] BERCHER HOMES, LLC**

**Z2020-24 [REZONING] BERCHER HOMES, LLC** is requesting the rezoning of 0.43 acres located in Land Lot 1231, District 16, Parcels 0260 & 0270 of the 2nd Section, Cobb County, Georgia, and being known as **224 & 226 Crescent Circle** from OI (Office Institutional) to PRD-SF (Planned Residential Development - Single Family). Ward 3A.

**20200160      CA2020-04 [CODE AMENDMENT]**

**CA2020-04 [CODE AMENDMENT]** Proposal to amend the Comprehensive Development Code of the City of Marietta, Division 712.11, Residential Infill Development Overlay District.

**ADJOURNMENT:**



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## **REZONING APPLICATION ANALYSIS**

**ZONING CASE #:** Z2020-11

**LEGISTAR:** 20200143

**LANDOWNERS:** Stephen Thompson  
1170 Longwood Dr.  
Marietta, GA 30008

**APPLICANT:** Ali Ghadrnan  
2075 Fairport Way  
Marietta, GA 30062

**PROPERTY ADDRESS:** 888 & 898 Powder Springs Street

**PARCEL DESCRIPTION:** 17014100200 & 17014000190

**AREA:** ~3.15 acres

**COUNCIL WARD:** 2B

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

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

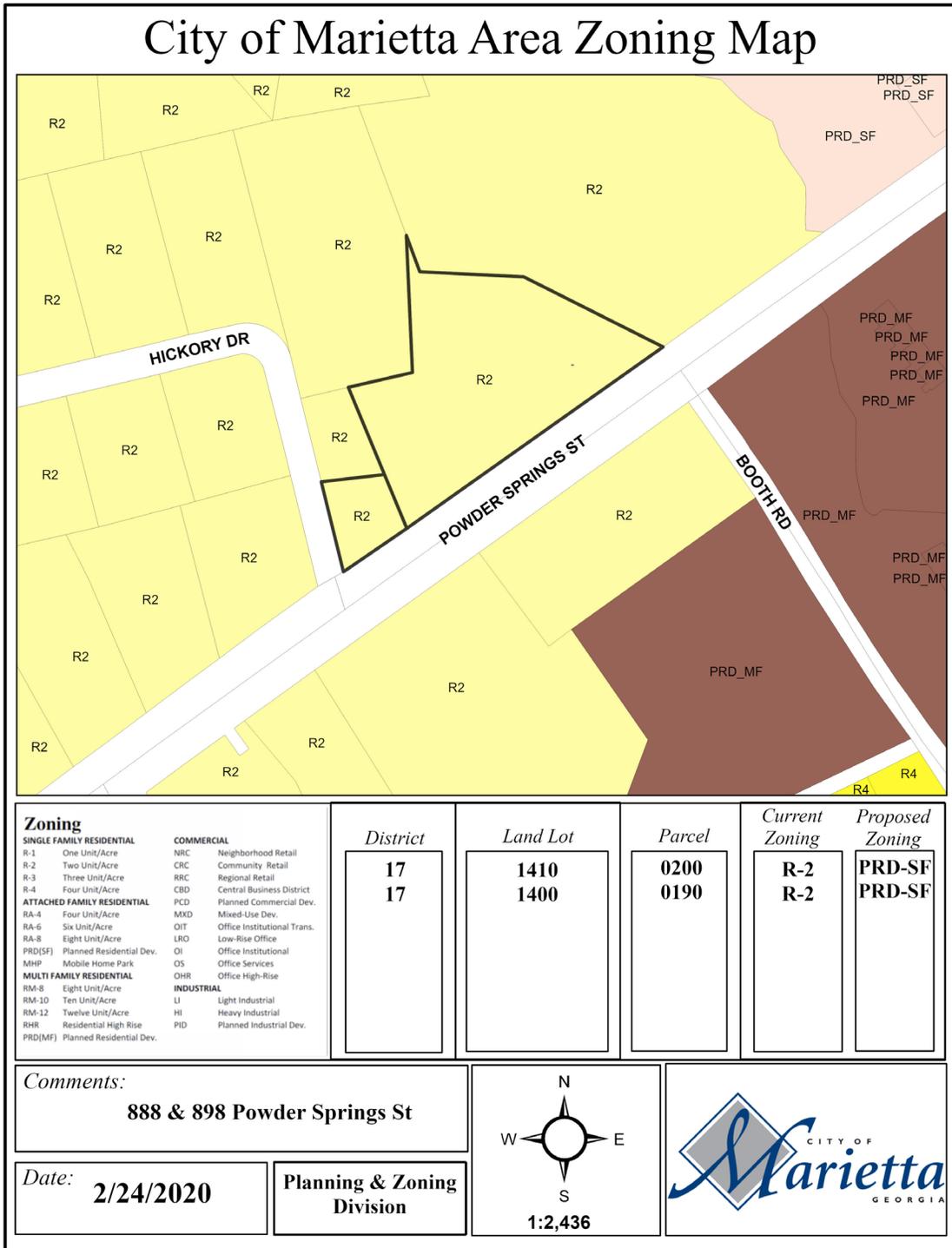
**FUTURE LAND USE:** LDR (Low Density Residential)

**REASON FOR REQUEST:** The applicant is requesting the rezoning of the subject properties from R-2 to PRD-SF to develop a new residential community with eleven (11) detached single-family houses.

**PLANNING COMMISSION HEARING:** Tuesday, June 2nd, 2020 – 6:00 p.m.

**CITY COUNCIL HEARING:** Wednesday, June 10th, 2020 – 7:00 p.m.

**MAP**



## FLU MAP



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**PICTURES OF PROPERTY**



**888 Powder Spring Street**



**898 Powder Springs Street**



**Facing Powder Springs Street from Hickory Drive**



**Facing Hickory Drive from Powder Springs Street**

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## STAFF ANALYSIS

### *Location Compatibility*

The applicant is requesting to rezone 888 & 898 Powder Springs Street, currently zoned R-2 (Single Family Residential – 2 units/acre) to PRD-SF (Planned Residential Development – Single-Family). The properties – totaling 3.15-acres - are located at the corner of Powder Springs Street and Hickory Drive and within the City’s Commercial Corridor Overlay District - Tier B and Dobbins Air Reserve Base AICUZ Overlay District – Accident Potential Zone II (APZ-II). The surrounding properties are also zoned R-2 and within the Commercial Corridor Overlay District - Tier B. Despite the designation within the Commercial Corridor Overlay District, the site has always functioned as a residential property. The APZ-II is identified as the area with that has the least but measurable risk of accidents within the runway path from Dobbins ARB.

### *Use Potential and Impacts*

The applicant is proposing to develop eleven (11) single family detached units within a 3.15-acre tract, which will yield a density of 3.49 units/acre. A new private road would be constructed to provide access to the new homes off of Hickory Drive. The new development would include required open space, additional parking near the entrance, and a mail kiosk.

The plan submitted is a general plan that is required with the rezoning application; and based on the information provided, the overall design of the subdivision appears to generally comply with the PRD-SF standards. The minimum lot size is approximately 5,400 square feet and the minimum floor area is 1,800 square feet. The open space area is at 0.87 acres, approximately 27.6% of the total site.

The proposed homes will have two-stories and some units will include a basement. Although there were no elevations submitted, the applicant has indicated that the exterior facades will include four-sided brick and/or stone with hardy plank siding; and each home will have a patio in the rear. A detailed plan will be submitted for City Council approval prior to site development and will include a more detailed site plan, tree plan, and architectural elevations.

The City’s Comprehensive Plan has designated the future land use for the property as Low Density Residential, LDR. LDR is appropriate for detached residential homes at a density up to four (4) units per acre. As compared to the surrounding communities, the proposed development would have a slightly higher density, which would be an appropriate transition between existing communities and a highly travelled thoroughfare. PRD-SF is listed as a compatible zoning and this proposal is supported by the City’s Comprehensive Plan.

### *Environmental Impacts*

The property is heavily wooded and would be significantly cleared during the development process. There is a pond on the adjacent property to the east that is protected by state and city buffers that extend into the rear portion of lots four (4) to eight (8). Since the lot was platted after 2006, the property would not be eligible for city stream buffer variances. There is also the potential for wetlands on the site.

### *Economic Functionality*

This area of the city is highly desirable for residential use and is easily accessible. The current R-2 zoning would allow six (6) single family homes on 3.15 acres.

Although the properties are shown as two (2) separate parcels, they were recently combined into one parcel known as 888 Powder Springs Street. Prior to the combination, 898 Powder Springs Street was a substandard lot created from an illegal subdivision years ago.

### *Infrastructure*

The proposed new road into the subdivision would intersect with Hickory Drive and is shown to meet all standards for a local road in Section 730 of the zoning ordinance. Sidewalks are shown internally along one side of the development and would be required to continue along the Hickory Drive and Powder Springs Street frontages.

The proposed new road intersects very close to the intersection of Hickory Drive and Powder Spring Street. The Public Works Department would require the developer to demonstrate adequate line of sight at the entrance and would also require a traffic study. Further, it has been noted that the stormwater outfall may be a challenge due to the topography of the site.

The serving elementary school would be Hickory Hills. Currently, Hickory Hills is below capacity; however, the serving middle and high schools are above capacity. There is a projected number of five (5) students to be added from proposed development.

Provision of water and sewer is not anticipated to be a problem.

### *Overhead Electrical/Utilities*

There are overhead utilities along Powder Springs Street in front of the subject property. However, the applicant is proposing a 25-foot landscape buffer providing a safe distance between the overhead utilities and proposed buildings.

### *History of Property*

There are no variances, special land use permits or rezonings associated with the subject property.

### *Other Issues*

Since single family residences are exempt from the Commercial Corridor Design Overlay District – Tier B standards and would not apply to the proposed development. However, the developer will be required to notify Dobbins ARB prior to development.

PRD-SF is a site-specific zoning which requires a general plan for the rezoning application. However, at a later time the City Council will be required to review and approve the detailed plan, including site layout plan, tree plan, and architectural elevations, prior to construction.

The following standards, which have historically been applied to all PRD-SF developments, are technically only applicable to attached dwelling neighborhoods. As a result, the following **would not be required** of this detached neighborhood, unless specifically stipulated:

- a) A mandatory homeowners association shall be created that will be responsible for the upkeep and maintenance of all front yards and common areas including all fencing, landscaping, amenities and buffers, and shall include architectural control oversights for the development. Those projects containing ten (10) units or less, and considered redevelopment, conversion or remodeling of existing units shall be exempt from this requirement.*
- b) Materials to be used on exterior facades of all buildings shall include brick, stone, stucco (not EFS type) or fiber-cement siding, or combinations of those materials. No vinyl, aluminum or metallic siding may be used.*
- c) 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.*
- d) The development shall be constructed and governed in conformity with the requirements of the Georgia Condominium Act (O.C.G.A. §44-3-70, et seq.). A Declaration of Condominium shall be submitted and recorded in compliance of this act.*
- e) 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.*

- f) A guest parking area shall be provided at a ratio of 0.2 spaces per dwelling unit.*
- g) The development shall comply with all recommendations from the City of Marietta Public Works Department with respect to hydrology, stormwater management, downstream considerations and any donation and/or conveyance of right-of-way that is deemed necessary.*
- h) A 150-foot acceleration lane and a 150-foot deceleration lane with appropriate tapers shall be constructed if required by the Public Works Department.*
- i) A recreation area shall 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. Such area shall be developed with at least one passive recreational feature, such as a walking trail, pavilion, gazebo or picnic area, and at least one active recreational feature, such as a swimming pool, playground or tennis courts. Active recreational areas must be outside of any floodplain area and located in such a manner that at least 75% of the townhouses are within 300 feet, as measured from the building footprints. Any recreation area, whether passive or active, must be located in an area with a slope of less than 15%; however, all recreation areas must meet ADA requirements for accessibility. Active recreational areas must be improved through the use of terracing or other techniques to provide a usable area, such that at least 25% of the entire recreational area shall have a slope of no greater than 3%.*



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## ANALYSIS & CONCLUSION

The applicant is requesting to rezone 888 & 898 Powder Springs Street, currently zoned R-2 to PRD-SF. These 3.15-acres are located at the corner of Powder Springs Street and Hickory Drive. Surrounding properties contain single family detached homes that are also zoned R-2.

The applicant is proposing to develop eleven (11) single family detached units within a 3.15-acre tract, which will yield a density of approximately 3.49 units/acre. The proposed homes will have two-stories and some units will include a basement. Although there were no elevations submitted, the applicant has indicated that the exterior facades will include four-sided brick and/or stone with hardy plank siding; and each home will have a patio in the rear. A detailed plan will be submitted for City Council approval prior to site development and will include a more detailed site plan, tree plan, and architectural elevations. Otherwise, the overall design of the subdivision appears to generally comply with the PRD-SF standards.

The property is heavily wooded and would be significantly cleared during the development process. There is a pond on the adjacent property to the east that is protected by state and city buffers that extend into the rear portion of lots four (4) to eight (8). There is also the potential for wetlands on the site.

The proposed new road accesses Hickory Drive very close to the intersection of Hickory Drive and Powder Spring Street. The Public Works Department would require the developer to demonstrate adequate line of sight at the entrance and would also require a traffic study.

The City’s Comprehensive Plan has designated the future land use for the property as Low Density Residential, LDR. LDR is appropriate for detached residential homes at a density up to four (4) units per acre. As compared to the surrounding communities, the proposed development would have a slightly higher density, which would be an appropriate transition between existing communities and a highly travelled thoroughfare. PRD-SF is listed as a compatible zoning and this proposal is supported by the City’s Comprehensive Plan.

Prepared by: 

Approved by: 



**DATA APPENDIX**

***CITY OF MARIETTA - WATER***

Is a water line adjacent to the property?	Yes
If not, how far is the closest water line?	N/A
Size of the water line?	6" in Hickory with a 6" and 12" in Powder Springs St.
Capacity of the water line?	A fire flow test may be required
Approximate water usage by proposed use?	Not provided

***CITY OF MARIETTA - WASTEWATER***

Is a sewer line adjacent to the property?	Yes
If not, how far is the closest sewer line?	N/A
Size of the sewer line?	8" in Hickory Dr
Capacity of the sewer line?	A.D.F Peak
Estimated waste generated by proposed development?	Not provided
Treatment Plant Name?	Cobb County
Treatment Plant Capacity?	Cobb County
Future Plant Availability?	Cobb County



**DATA APPENDIX CONTINUED**

***DRAINAGE AND ENVIRONMENTAL CONCERNS***

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

**Additional Comments:**

- Full site development plans required
- Platted after 2006, so not eligible for city stream buffer variances
- Sidewalk required for frontage and along same side of street as units
- Demonstrate line of sight at entrance
- Stormwater outfall will be difficult based on existing topography

***TRANSPORTATION***

What is the road affected by the proposed change?	Powder Springs St & Hickory Dr
What is the classification of the road?	Arterial
What is the traffic count for the road?	42800
Estimated # of trips generated by the proposed development?	Daily <b>unknown</b> AM PM
Estimated # of pass-by cars entering proposed development?	Unknown
Do sidewalks exist in the area?	Opposite Side of Road
Transportation improvements in the area?	No
If yes, what are they?	



**Additional Comments:**

- Entrance is very close to Powder Springs St, would prefer it shifted as far away as possible from intersection. Consider right in/right out for entrance and a deceleration lane.
- Need a traffic study for the impact of the area.

***EMERGENCY SERVICES***

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Nearest city or county fire station from the development?	54 Chestnut Hill
Distance of the nearest station?	0.5 Miles
Most likely station for 1 <sup>st</sup> response?	54
Service burdens at the nearest city fire station (under, at, or above capacity)?	under

**Comments:**

Homes could be subject to fire sprinkler ordinance, depends on distances from the property lines and any adjacent structures. Marietta City Code 2-6-140.

***MARIETTA POWER - ELECTRICAL***

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Does Marietta Power serve this site?      Yes   x                        No           

If not, can this site be served?              Yes                                 No           

What special conditions would be involved in serving this site?

Additional comments:



**DATA APPENDIX CONTINUED**

***MARIETTA CITY SCHOOLS***

**Marietta City Schools Impact Assessment:**

Elementary School System Servicing Development:	<b>Hickory Hills Elementary</b>
Middle School Servicing Development:	<b>Marietta Middle School</b>
High School Servicing Development:	<b>Marietta High School</b>
Capacity at Elementary School:	<b>425</b>
Capacity at Middle School:	<b>1,350</b>
Capacity at Marietta Sixth Grade Academy:	<b>775</b>
Capacity at High School:	<b>2,150</b>
Current enrollment of Elementary School:	<b>353</b>
Current enrollment of Middle School:	<b>1,388</b>
Current enrollment of High School:	<b>2,419</b>
Number of students generated by present development:	<b>0</b>
Number of students projected from the proposed development:	<b>5</b>
New schools pending to serve this area:	<b>0</b>
<b><u>Comments:</u></b>	



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

## APPLICATION FOR REZONING

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

*For Office Use Only:*  
 Application #: 22020-11 Legistar #: 20200143 PZ #: 20-58  
 Planning Commission Hearing: 4-1-20 City Council Hearing: 4-6-20

Owner's Name Stephen Thompson

EMAIL Address: \_\_\_\_\_

Mailing Address 1170 longwood Dr Marietta Ga Zip Code: 30008 Telephone Number 404-861-5339

COMPLETE ONLY IF APPLICANT IS NOT OWNER:  
 Applicant: Ali Ghadrnan  
 EMAIL Address: alighadrnan@yahoo.com  
 Mailing Address 2075 Fairport way Marietta GA Zip Code: 30062  
 Telephone Number 404-787-9591 Email Address: alighadrnan@yahoo.com

Address of property to be rezoned: 888&898 Powder Spring St *Residential*

Land Lot (s) 140&141 District 17 Parcel 1701-1100200 Acreage 3.15 Ward 2B Future Land Use: Houses

Present Zoning Classification: R-2 <sup>00190</sup> <sub>00200</sub> Proposed Zoning Classification: PRD-SF *LDR*

**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.

**CAMPAIGN CONTRIBUTIONS**

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

Stephen Thompson  
Signature of Owner

Ali Ghadrda  
Signature of Applicant

Stephen Thompson  
Print Name

Ali Ghadrda  
Print Name

**FINANCIAL INTEREST**

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

Ali Ghadrda  
Print Name

Ali Ghadrda  
Signature of Applicant

**OWNER/APPLICANT CERTIFICATION**

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

Ali Ghadrda  
Signature

Ali Ghadrda  
Please Print

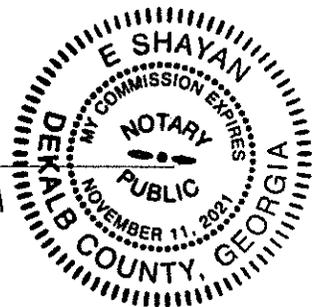
2075 Fairport way Marietta GA 30062  
Address

2/14/2020  
Date

Signed, sealed and delivered in the presence of:

E. Shyan

My Commission Expires: 11/11/21



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

**Letter of Intent  
And  
Application For Rezoning  
Springfield Subdivision**

City of Marietta, Cobb County Georgia

Property:

Approximately 3.15 Acres

LL 140 And 141 of 17th District

888 Powder Springs St., Marietta Ga 30064

898 Powder Springs St., Marietta GA 30064

Rezoning Request:

R-2 to PRD-SF (Planned Residential Development - Single Family)

Submitted by:

Mona Properties Incorporated

Ali Ghadrnan

2550 Sandy Plains Rd. Suite 225 # 264

Marietta, GA 30066

Ph: 404-787-9591

Fax: 404-585-5688

[monaproperties@hotmail.com](mailto:monaproperties@hotmail.com)

<http://www.monaproperties.net>

Facebook : Mona properties Inc.

## **INTRODUCTION TO SPRINGFIELD RESIDENTIAL DEVELOPMENT**

The subject property is 3.15 acres of land located at 888 Powder Springs Street, Marietta Georgia 30064 and 898 Powder Springs Street, Marietta Georgia 30064. The current zoning is R-2. The applicant, Mona Properties Incorporated, is requesting said property to be rezoned to Planned Residential Development - Single Family (PRD-SF) to allow for eleven (11) single family detached dwellings. The Applicant respectfully requests rezoning pursuant to the provisions set forth in the City of Marietta Zoning Ordinance § 708.09.

## **DESCRIPTION OF PROPOSED DEVELOPMENT**

### **1.) Entrance and Border of the Development**

The Springfield Subdivision main entrance will incorporate monuments comprised of square columns, approximate 30 inches X 30 inches X 72 inches high, constructed of brick and/or stone. From Hickory Drive into the Subdivision there will be two (2) square brick and/or stone columns approximate 24 inches X 24 inches X 60 inches high. Along Powder Springs Street, we will build ten to twelve (10-12) brick and/or stone columns approximate 24 inches X 24 inches X 60 inches with a wood privacy fence between the columns. We will also incorporate custom landscaping in front of the columns to allow for subtle up lighting to light and enhance the privacy and aesthetic appeal of this property.

### **2.) Description of the Single-Family Homes**

Springfield Subdivision will include eleven (11) single family detached houses. The development will incorporate a mailbox kiosk with three (3) parking spots (including one handicap space) at the entrance to the subdivision. The single-family homes will be a minimum of 1800 square feet up to approximately 2500 square feet in size. The houses will be two story construction. The majority of the homes will be built on a slab and two or three houses might include a basement depending on the grade and suitability for a particular lot and the demand for the basement option. The exterior of the houses will be four sides brick and stone up to four-feet-high and hardy plank siding above the brick and stone. The roof covering will be Architectural Shingles and all exterior doors and windows will be PVC or aluminum. The subdivision will include concrete driveways, sidewalks and backyard concrete patios. The front yard and backyard of each home will include Bermuda sod with an irrigation system.

### **3.) Springfield Subdivision Site Plan**

The Springfield Subdivision proposed site plan is attached. This unified plan was designed to optimize and foster natural resource conservation and provide neighborhood cohesiveness. It was also designed to conserve and create open space, reduce vehicle congestion by providing a stable, planned development that enhances the greater community. The property will remain underutilized and the proposed redevelopment will not be feasible without the zoning change.

**TO: Marietta Daily Journal**

**FROM: City of Marietta**

**RUN AD DATE: May 15, 2020**

**CITY OF MARIETTA  
PUBLIC NOTICE OF REZONINGS 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, June 2<sup>nd</sup>, 2020, 6:00 P.M.**, City Hall, for a recommendation to the City Council at their meeting on **Wednesday, June 10<sup>th</sup>, 2020, 7:00 p.m.**, City Hall, for a final decision to be made.

**Z2020-11 [REZONING] ALI GHARDAN (STEPHEN THOMPSON)** are requesting the rezoning of 3.15 acres located in Land Lots 140 & 141, District 17, Parcel 0200 of the 2<sup>nd</sup> Section, Cobb County, Georgia, and being known as 888 (& 898) Powder Springs Street from R-2 (Single Family Residential – 2 units/acre) to PRD-SF (Planned Residential Development – Single Family). Ward 2B.

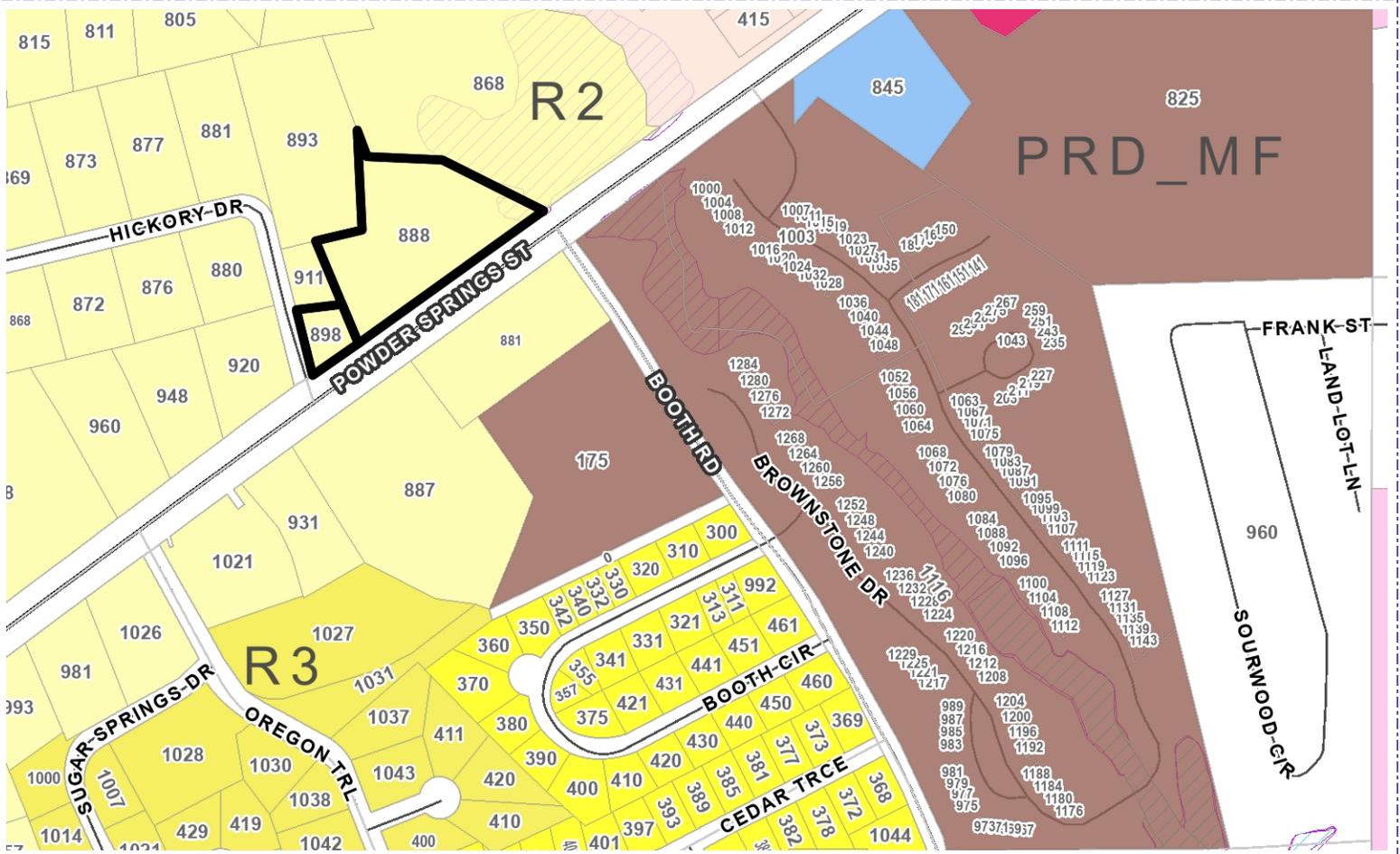
A description and plat of the property sought for the rezoning, special land use permit, and variances are on file in the Planning and Zoning Office, City Hall, and is available for inspection between 8:00 A.M. and 5:00 P.M., Monday through Friday. Anyone wishing to attend may do so and be heard relative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

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

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

City of Marietta  
205 Lawrence Street  
Marietta, Georgia 30060

# Rezoning



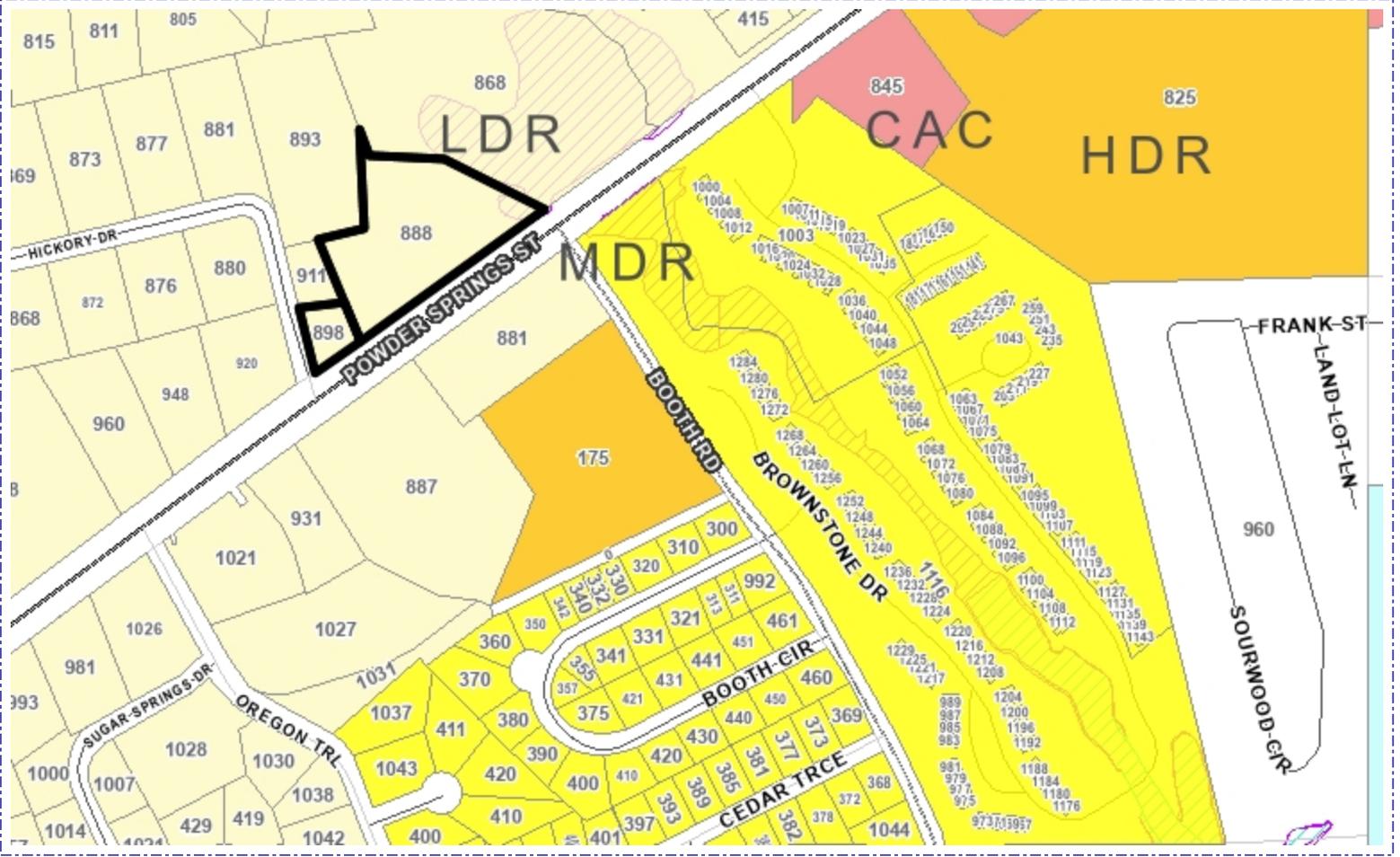
Address	Parcel Number	Acreage	Ward	Zoning	FLU
898 POWDER SPRINGS ST	17014000190	0.354	2B	R2	LDR
888 POWDER SPRINGS ST	17014100200	2.836	2B	R2	LDR

Property Owner:	Stephen Thompson	
Applicant:	Ali Ghadrdan	
Proposed Zoning:	R2 to PRD-SF	
Agent:		
Proposed Use:		
Planning Commission Date:	06/02/2020	
City Council Hearing Date:	06/10/2020	Case Number: Z2020-11

**Zoning Symbols**

- Railroads
- City Limits
- Cobb County Pockets
- NA
- R1 - Single Family Residential (1 unit/acre)
- R2 - Single Family Residential (2 units/acre)
- R3 - Single Family Residential (3 units/acre)
- R4 - Single Family Residential (4 units/acre)
- RA4 - Single Family Residential - Attached
- RA6 - Single Family Residential - Attached
- RA8 - Single Family Residential - Attached
- MHP - 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

City of Marietta Planning & Zoning

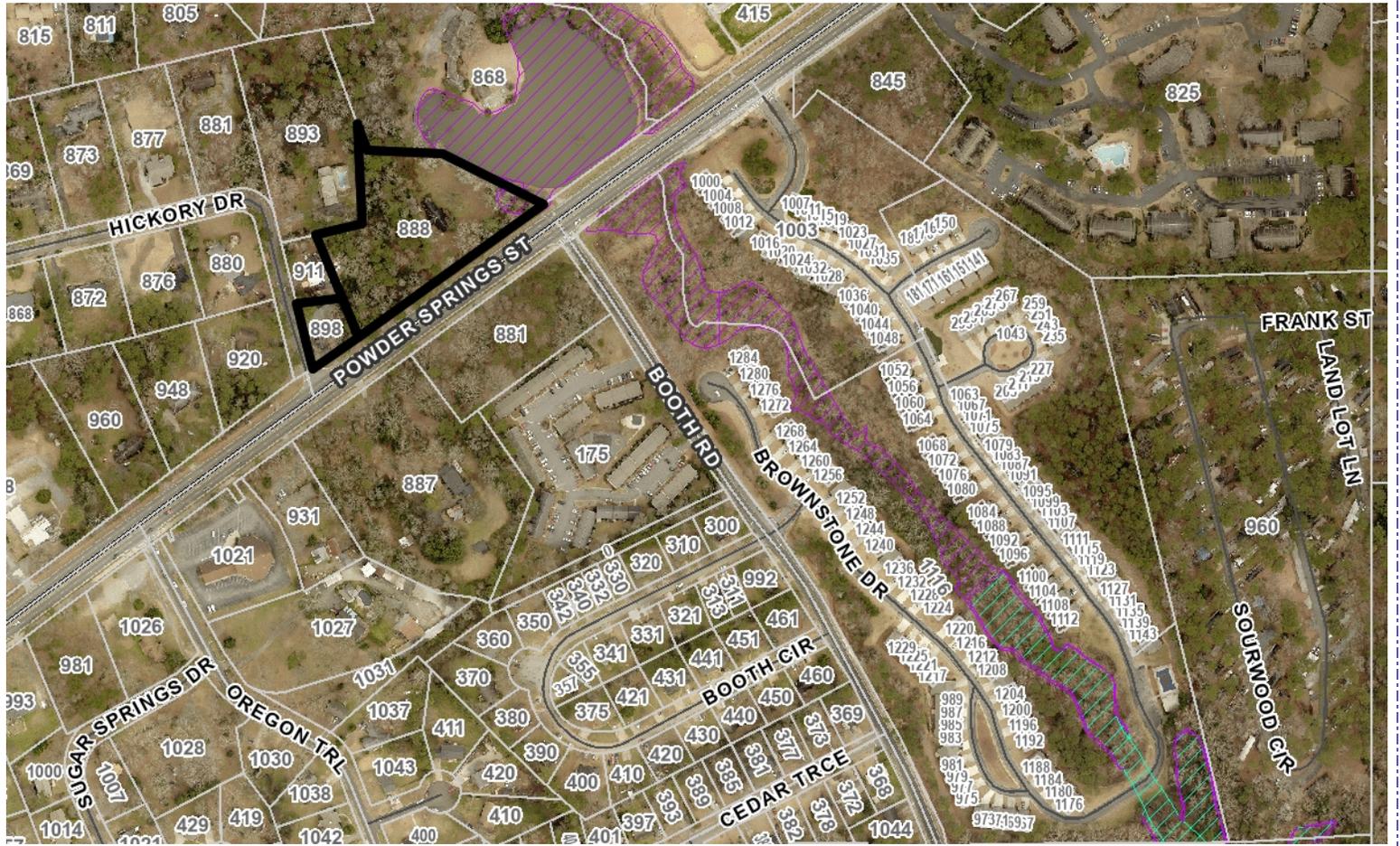


Address	Parcel Number	Acreage	Ward	Zoning	FLU
898 POWDER SPRINGS ST	17014000190	0.354	2B	R2	LDR
888 POWDER SPRINGS ST	17014100200	2.836	2B	R2	LDR

Planning Commission Hearing Date:	06/02/2020
City Council Hearing Date:	06/10/2020
Future Land Use:	LDR
Case Number:	
Comments:	

**Future Land Use Symbols**

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



Address	Parcel Number	Acreage	Ward	Zoning	FLU
898 POWDER SPRINGS ST	17014000190	0.354	2B	R2	LDR
888 POWDER SPRINGS ST	17014100200	2.836	2B	R2	LDR

Property Owner:	Stephen Thompson
Applicant:	Ali Ghadrhan
City Council Hearing Date:	06/10/2020
Planning Commission Hearing Date:	06/02/2020
BZA Hearing Date:	Case Number: Z2020-11
Comments:	

**Legend**

- Railroads
- City Limits
- Cobb County Pockets





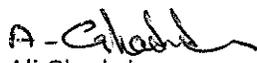


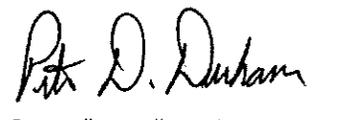
- (3) The proposed residential homes shall be traditional in style and architecture, shall be a maximum of two (stories) in height and shall have facades consisting of brick, stone, stacked stone, cedar shake shingles, board and batten, cementitious siding, or combinations thereof, with complementary accents, in compliance with the City of Marietta's "four-sided architecture" requirement. Each residential home shall have a two-car garage.
- (4) Applicant agrees to the creation of a mandatory homeowners association consistent with upscale communities in the area. The mandatory homeowners association shall be responsible for the upkeep and maintenance of the entrance area, signage, all common areas, open space, common landscaped areas, mail kiosk, private streets, fencing, open space and amenity areas contained within the development.
- (5) Additionally, and in conjunction with the creation of the mandatory homeowners association, there shall be protective covenants for the proposed community. The protective covenants shall be recorded in the Deed Records of Cobb County, Georgia and shall contain covenants, rules and regulations applicable to the residential community.
- (6) All homes within the proposed residential community shall be "for sale" units. There shall be no more than a maximum of one (1) residential home being leased at any one-time, which restriction shall be included in the covenants, rules and regulations.
- (7) The proposed single-family residential community shall contain a six (6) foot privacy fence along the perimeter of the development.
- (8) The entrance signage for the proposed community shall be ground based, monumental-style signage and shall consist of brick, stone, stacked stone or combinations thereof, with accents consistent with the architecture and style of the residences. The entrance landscaping shall be professionally designed, implemented and maintained.
- (9) Setbacks for the proposed development shall be as shown and reflected on the referenced Zoning Plan.
- (10) The proposed single-family residential home community may have private streets, twenty-four (24) feet in width, from back-of-curb to back-of-curb. Construction of the private streets shall comply in all respects as to materials, base, and other requirements with the City of Marietta Code.
- (11) Sidewalks shall be installed as shown and reflected on the referenced Zoning Plan.
- (12) All utilities within the proposed community shall be underground. Stormwater detention shall be above ground as shown and reflected on the referenced Zoning Plan.

- (13) Street lighting within the proposed community shall be environmentally sensitive, decorative and themed to the architecture and style of the residential homes.
- (14) 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, utilities and any and all slopes or other required engineering features of the foregoing. A two (2) feet to three (3) feet high temporary retention earth berm shall be amassed adjacent to the neighboring lake to redirect the water and eliminate any potential construction runoff into the lake. This temporary berm shall be removed upon completion of the adjacent lake construction.
- (15) All landscaping referenced herein shall be approved by the City Arborist and City Staff as part of the Plan Review and Permitting Process and incorporated into the overall landscape plan for the proposed single-family residential community.

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

Sincerely,

  
Ali Ghadrhan  
Managing Partner

  
Peter "Beau" Durham  
Partner and General Counsel

CC: Mr. Russell J. Roth, AICP, Director of Development Services at City of Marietta (with attachment)













# Hickory Custom Homes, LLC

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May 29, 2020

**Via Hand Delivery and Email**

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

RE: Application for Rezoning

- Zoning Case No: Z2020-11
- Applicant: Ali Ghadrhan
- Subject Property: 3.15 Acres, more or less, located at 888 and 898 Powder Springs Street, Marietta; Land Lots 140 and 141, 17<sup>th</sup> District, 2<sup>nd</sup> Section, Cobb County, Georgia

Dear Ms. Little:

In furtherance of our stipulations letter dated May 22, 2020, and taking into consideration requests by the adjacent property owner, we respectfully submit this proposed letter of additional agreeable stipulations and conditions which, if the Application for Rezoning is approved, as submitted, shall also become part of the grant of the requested zoning and shall be binding upon the Subject Property. The proposed additional stipulations are as follows:

- (16) The proposed six (6) foot privacy fence along the perimeter of the development shall be stained and additional landscaping shall be provided on the lake side of the perimeter fence.
- (17) There shall be no "lake view" advertising for any lots.
- (18) Any damage to the driveway of an adjacent property owner during construction shall be repaired.

Hickory Custom Homes, LLC  
2550 Sandy Plains Rd., Suite 225-264  
Marietta, Georgia 30066

RE: Application for Rezoning Case No: Z2020-11

May 29, 2020

**Page 2 of 2**

We believe the requested zoning, together with the Zoning Plan and the stipulations set forth herein, and in our correspondence dated May 22, 2020, is an appropriate use of the Subject Property while taking into consideration the uses of properties in the surrounding area. The proposed single-family residential community will be a quality development and will be an asset to the City, as well as an enhancement to the Subject Property. Thank you for your consideration in this request.

Sincerely,

***A-Ghadrdan***

Ali Ghadrdan  
Managing Partner



Peter "Beau" Durham  
Partner and General Counsel

CC: Mr. Russell J. Roth, AICP, Director of Development Services at City of Marietta (with attachment)

Hickory Custom Homes, LLC  
2550 Sandy Plains Rd., Suite 225-264  
Marietta, Georgia 30066





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## **REZONING APPLICATION ANALYSIS**

**ZONING CASE #:** Z2020-19

**LEGISTAR:** #20200345

**LANDOWNERS:** Waymon Ahart  
Trustee of the James L. Housing Family Trust  
538 Adams Road  
Fayetteville, GA 30214

**APPLICANT:** Pulte Home Company LLC  
1600 Parkwood Circle, Suite 200  
Atlanta, GA 30339

**AGENT:** n/a

**PROPERTY ADDRESS:** 521 Atlanta Street

**PARCEL DESCRIPTION:** 17<sup>th</sup> District, Land Lot 290, Parcel 0640

**AREA:** ±3.77 acres

**COUNCIL WARD:** 1A

**EXISTING ZONING:** OI (Office Institutional)

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

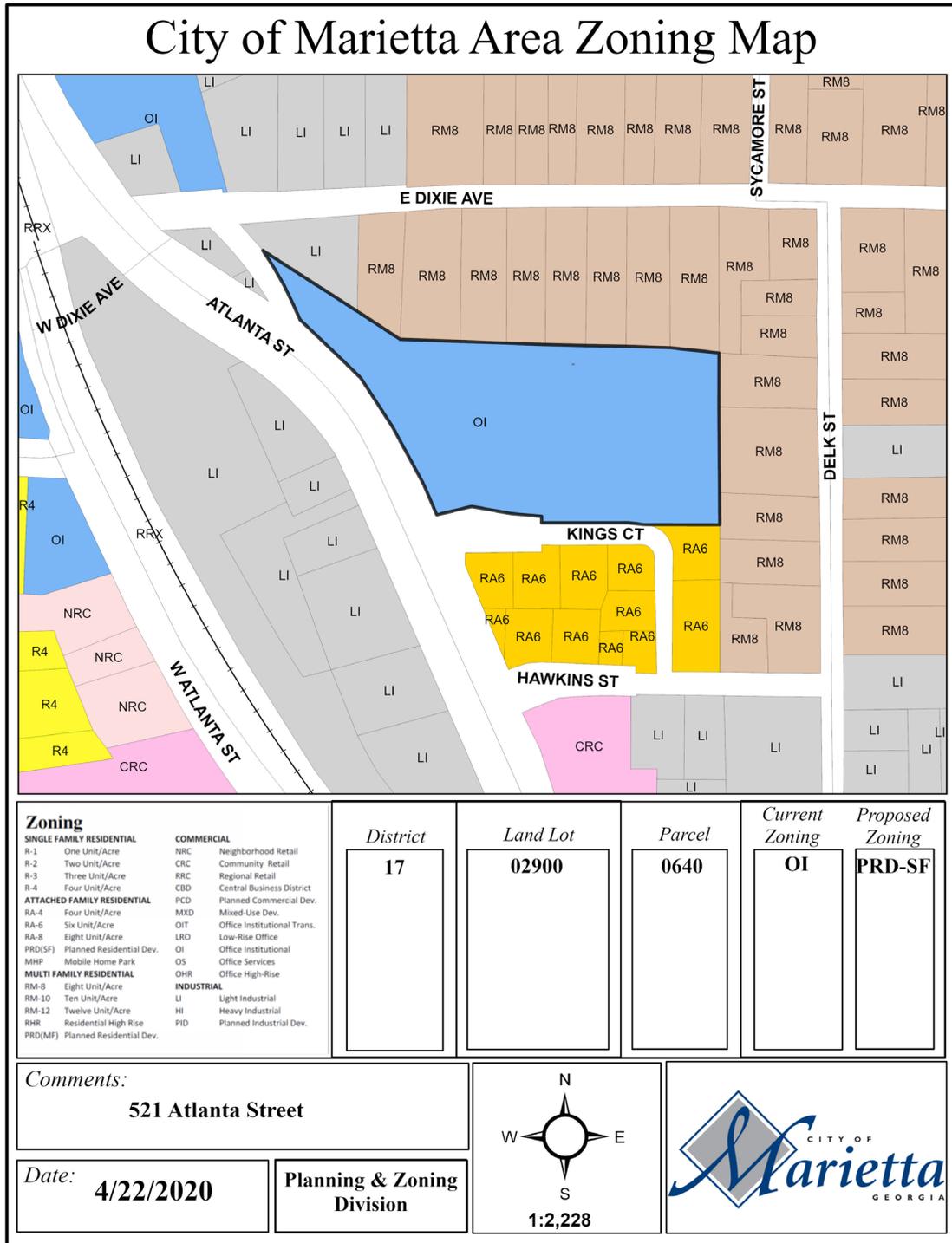
**FUTURE LAND USE:** MDR (Medium Density Residential)

**REASON FOR REQUEST:** To build forty-nine (49) townhomes with access from Kings Court.

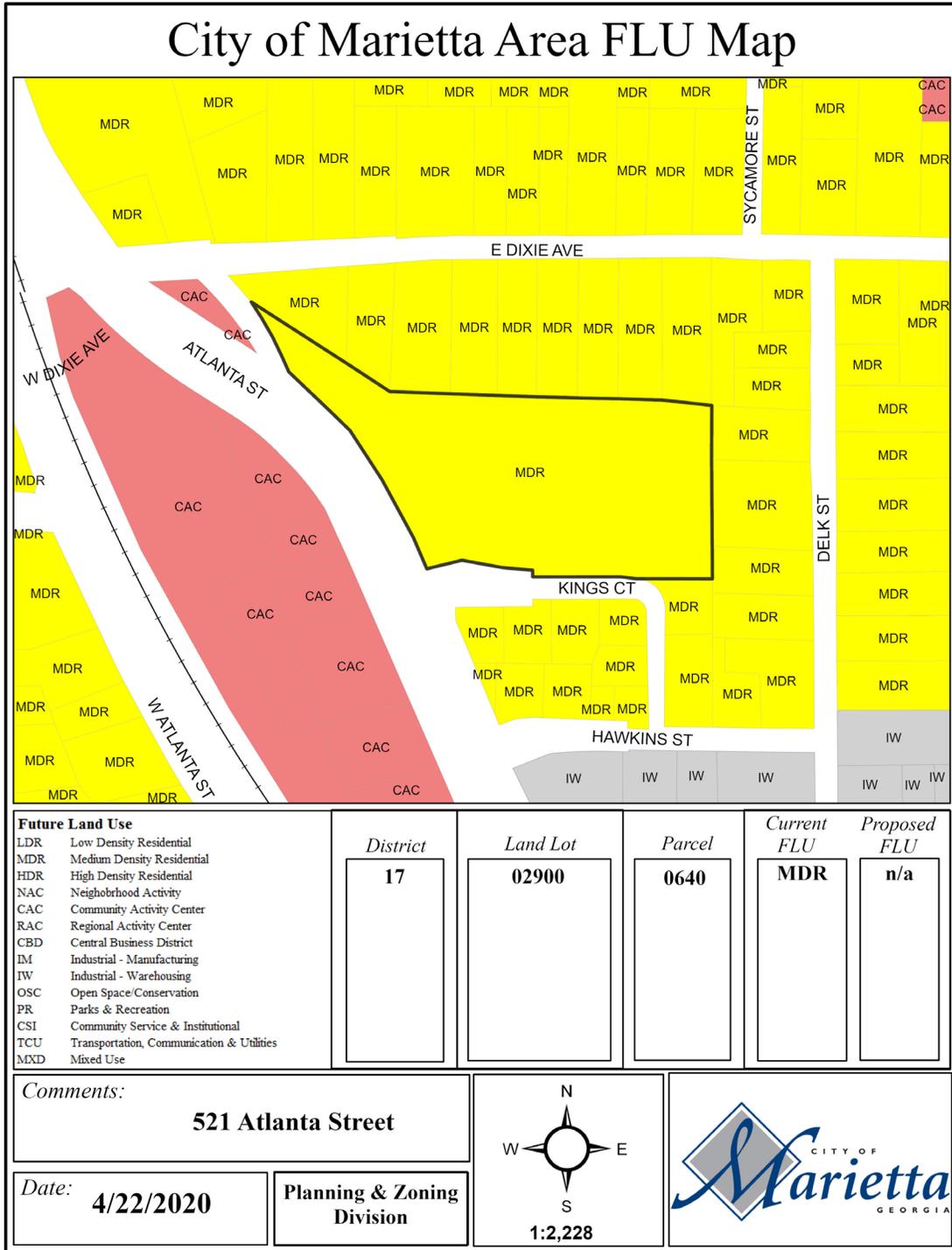
**PLANNING COMMISSION HEARING:** Tuesday, June 2<sup>nd</sup>, 2020 – 6:00 p.m.

**CITY COUNCIL HEARING:** Wednesday, June 10<sup>th</sup>, 2020 – 7:00 p.m.

# MAP



## FLU MAP



**PICTURES OF PROPERTY**



**521 Atlanta Street**



**521 Atlanta Street**



**Corner of Kings Court and Atlanta Street**



**Kings Court**

---

## STAFF ANALYSIS

### *Location Compatibility*

The applicant, Pulte Home Company, LLC, is requesting the rezoning of 3.77 acres located on the east side of Atlanta Street, just south of the traffic light at East Dixie Avenue. The adjacent properties to the north and east are zoned RM-8 (Residential Multi-Family/8 units/acre), to the south RA-6 (Single Family Residential-Attached/6 units/acre), and directly to the west are zoned LI. The request is to change the zoning from OI (Office Institutional) to PRD-SF (Planned Residential Development) for a townhome community to be accessed from Kings Court.

### *Use Potential and Impacts*

The proposed development would consist of forty-nine (49) townhomes arranged along a new, circular, private roadway to be accessed from Kings Court, which is classified as a public, local road. The townhomes would have 2-car garages accessed from the rear and the front façades would face Atlanta Street, Kings Court, and an internal greenspace between buildings.

Construction under PRD-SF zoning has minimum standards for tract size, lot size, floor area, and impervious surface coverage. Fee simple townhomes built in PRD-SF zones are subject to additional requirements, such as having a 5% rental limit, active and passive recreation components, guest parking spaces, driveways at least twenty (20) feet in depth, and compliance with the “Four-Sided Architecture” requirement. The proposed plan adequately provides the required open space, guest parking spaces, and driveway depths required for townhome communities developed under PRD-SF. Although not specifically required, it should be noted that the width and location of the driveway provides little, if any, area for landscaping to buffer adjacent properties.

Although not shown, the description from the applicant indicates an active recreational feature will be provided. However, the following variance is being requested:

- Variance to reduce the minimum lot size requirement from 4,000 square feet to 1,000 square feet. [§708.09 (H)]

The use of this property as a residential neighborhood would be compatible with the surrounding uses, which are a mixture of duplexes, small apartment buildings, and single family homes. However, the density of the proposed development would be 13 units/acre.

The proposed density is higher than the surrounding neighborhood and would be slightly higher than most other, recently approved townhouse developments, as shown below:



Development	Townhouse Units	Acreage	Density	Open Space
Parkside East (Allgood Lawanna)	59	5.24	11.25	38.9%
Powder Springs Rd 1400	72	8.03	9.0	18.4%
The Registry	12	1.02	11.8	9.3%
Grammercy Park	32	3.29	9.72	12.8%
Wylie Road	150	12.13	12.37	30%
Frey's Gin	123	9.58	12.84	28.5%

The City's Comprehensive Plan classifies the future land use of this property as Medium Density Residential (MDR). MDR is intended for single family detached homes and attached townhomes with densities ranging from five (5) to eight (8) dwelling units per acre. The applicant's request to rezone to PRD-SF at a density of 13 units per acre is not supported by the City's Comprehensive Plan.

*Environmental Impacts*

There is no indication that any streams, floodplains, wetlands, or endangered species exist on the property. Prior to construction, plans to treat and contain stormwater will have to be submitted and approved by the City's Public Works Department. The site will also be expected to fully comply with the Tree Protection and Landscaping Ordinance.

*Economic Functionality*

This property has been vacant since 2006, when the historic home that had been on the property was demolished after a fire destroyed the structure.

*Infrastructure*

The plan shows the construction of a new private road to be accessed from Kings Court. New sidewalks are indicated along Kings Court, but the applicant appears to propose using the existing sidewalks along Atlanta Street. There are no sidewalks running alongside the new private road, but the plan has an ample network of sidewalks linking the buildings to the public streets as a walking trail. There is a guest parking area to satisfy the ten (10) required guest spaces. However, depending on the type of active amenity provided, more spaces may be required.

Based on the proposed design, the following variances would be necessary:

- Variance to reduce the minimum radii of horizontal curvature of the centerline to less than 100 feet. [§730.01 (H)]

- Variance to reduce the minimum access/utility easement width for a private road from 50 feet to 32 feet. [ (§730.01 TABLE L) and (§726.03 (A)) ]

A traffic study will be required to verify that the intersection of Kings Court and Atlanta Street is adequate. Kings Court may need to be improved to handle additional traffic count.

Due to the reduced centerline radii, trash corals may be required if sanitation trucks cannot properly maneuver within the development.

### *Overhead Electrical/Utilities*

There are overhead utility lines along the Atlanta Street frontage. While the proposed buildings appear to be far enough from the lines to prevent any conflicts, it may affect the ability to plant the necessary street trees to provide an adequate streetscape.

### *History of Property*

In September 2018, this property was rezoned (Z2018-23) from LI (Light Industrial) to OI (Office Institutional), with stipulations, for a private school. The following are stipulations approved as part of the rezoning:

- (1) Applicant seeks rezoning of the Subject Property from the existing zoning category of Light Industrial (“LI”) to the proposed zoning category of Office/Institutional (“OI”), site plan specific to the revised Concept Plan (“Site Plan”) prepared for Applicant by Gaskins Surveying Company, Inc. dated and last revised August 20, 2018. A reduced copy of the revised Site Plan is attached hereto for ease of reference as Exhibit “A” and incorporated herein by reference.
- (2) Applicant agrees to install a buffer, consisting of two (2) rows of evergreen trees, a minimum of six (6) feet in height, and a six (6) foot tall opaque fence adjacent to residentially zoned properties.
- (3) Applicant agrees there shall be a maximum student capacity of 360 students.
- (4) Applicant agrees any lighting installed as “field lighting” at the athletic field shall have a cut-off time of 10:00 p.m.
- (5) There shall be no vehicular access to the proposed school from Kings Court.
- (6) Applicant will conduct an historical resources survey and submit same to the City of Marietta prior to receiving final permits.



### *Historical Impacts*

The property is the site of a former historic home built in the 1800s that was used as a hospital during the Civil War. The house was destroyed by a fire in 2006. The rezoning application approved in 2018 (see above) contained a stipulation that the developer would conduct and submit to the City a historical resources survey prior to permitting.

### *Other Issues*

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

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## ANALYSIS & CONCLUSION

Pulte Home Company, LLC is requesting the rezoning of 3.77 acres located at 521 Atlanta Street from OI (Office Institutional) to PRD-SF (Planned Residential Development) for a forty-nine (49) unit townhome community. Adjacent properties are zoned RM-8, RA-6, and LI.

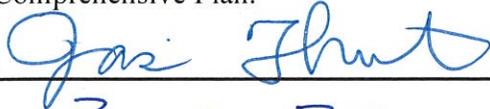
The proposed development would be arranged along a new, circular, private roadway to be accessed from Kings Court, which is classified as a public, local road. The townhomes would have 2-car garages accessed from the rear and the front façades would face Atlanta Street, Kings Court, and an internal greenspace between buildings. The use of this property as a residential neighborhood would be compatible with the surrounding uses, which are a mixture of duplexes, small apartment buildings, and single-family homes. However, the density of the proposed development would be 13 units/acre, which is higher than the surrounding neighborhood and would be slightly higher than most other recently approved townhouse developments.

The proposed plan adequately provides the required open space, guest parking spaces, and driveway depths required for townhome communities developed under PRD-SF zoning. Although not shown, the description from the applicant indicates an active recreational feature will be provided. In addition, although not specifically required, the location of the driveway provides little area for landscaping to buffer adjacent properties.

The plan also shows the construction of new sidewalks along Kings Court but appears to use the existing sidewalks along Atlanta Street. A traffic study will be required to verify the intersection of Kings Court and Atlanta Street is adequate. Kings Court may need to be improved to handle additional traffic count. Based on the proposed design, the following variances would be necessary:

- Variance to reduce the minimum radii of horizontal curvature of the centerline to less than 100 ft. [§730.01 (H)]
- Variance to reduce the minimum access/utility easement width for a private road from 50 ft. to 32 ft. [(§730.01 TABLE L) and (§726.03 (A))]
- Variance to reduce the minimum lot size requirement from 4,000 sq.ft. to 1,000 sq.ft. [§708.09 (H)]

The City's Comprehensive Plan classifies the future land use of this property as Medium Density Residential, which intended for single family detached homes and attached townhomes with densities ranging from five (5) to eight (8) dwelling units per acre. The applicant's request to rezone to PRD-SF at a density of 13 units per acre is not supported by the City's Comprehensive Plan.

Prepared by: 

Approved by: 



## DATA APPENDIX

### *CITY OF MARIETTA - WATER*

Is a water line adjacent to the property?	Yes
If not, how far is the closest water line?	N/A
Size of the water line?	10"
Capacity of the water line?	A fire flow test may be required
Approximate water usage by proposed use?	Not provided

### *CITY OF MARIETTA - WASTEWATER*

Is a sewer line adjacent to the property?	Yes
If not, how far is the closest sewer line?	N/A
Size of the sewer line?	8"
Capacity of the sewer line?	A.D.F Peak
Estimated waste generated by proposed development?	Not provided
Treatment Plant Name?	Cobb County
Treatment Plant Capacity?	Cobb County
Future Plant Availability?	Cobb County

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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
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?	No
Do stream bank buffers exist on the parcel?	No
Are there other topographical concerns on the parcel?	No
Are there storm water issues related to the application?	No
Potential presence of endangered species in the area?	No
<ul style="list-style-type: none"> <li>• Full site development plans required</li> <li>• Traffic Study required (intersection of Kings Court &amp; Atlanta Street). Kings Court may need to be improved to handle additional traffic count.</li> <li>• Demonstrate Fire/Sanitation access for streets with centerline radii less than 100' (City minimum). Trash Corals may be required.</li> </ul>	

### ***TRANSPORTATION***

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What is the road affected by the proposed change?	Atlanta Rd
What is the classification of the road?	Arterial
What is the traffic count for the road?	21,500 (GDOT 2018)
Estimated # of trips generated by the proposed development?	Information not provided
Estimated # of pass-by cars entering proposed development?	Unknown
Do sidewalks exist in the area?	No
Transportation improvements in the area?	No
If yes, what are they?	NA

**Additional Comments:**

Traffic Study required.  
 Show crosswalk as continental style.



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## DATA APPENDIX CONTINUED

### EMERGENCY SERVICES

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Nearest city or county fire station from the development?	112 Haynes St
Distance of the nearest station?	1.1 miles
Most likely station for 1 <sup>st</sup> response?	51
Service burdens at the nearest city fire station (under, at, or above capacity)?	under

#### Comments:

All buildings will be required to be protected throughout by an approved automatic sprinkler system.

### MARIETTA POWER - ELECTRICAL

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Does Marietta Power serve this site?      Yes   x                        No           

If not, can this site be served?              Yes                                 No           

What special conditions would be involved in serving this site?

Additional comments:



**DATA APPENDIX CONTINUED**

***MARIETTA CITY SCHOOLS***

**Marietta City Schools Impact Assessment:**

Elementary School System Servicing Development:	<b>Park Street Elementary</b>
Middle School Servicing Development:	<b>Marietta Middle School</b>
High School Servicing Development:	<b>Marietta High School</b>
Capacity at Elementary School:	<b>550</b>
Capacity at Middle School:	<b>1,350</b>
Capacity at Marietta Sixth Grade Academy:	<b>775</b>
Capacity at High School:	<b>2,150</b>
Current enrollment of Elementary School:	<b>520</b>
Current enrollment of Middle School:	<b>1,386</b>
Current enrollment of High School:	<b>2,410</b>
Number of students generated by present development:	<b>0</b>
Number of students projected from the proposed development:	<b>24</b>
New schools pending to serve this area:	<b>0</b>

**Comments:** Student enrollment numbers based on the last day of school.



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

## APPLICATION FOR REZONING

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

*For Office Use Only:*

Application #: 22020-19 Legistar #: 20200345 PZ #: 20-120  
 Planning Commission Hearing: 6-2-20 City Council Hearing: 6-10-20

Owner's Name Waymon Ahart, as Trustee of the James L. Houston Family Trust

EMAIL Address: jballi@tedecisions.com, rhosack@tedecisions.com

PO Box 877  
 Mailing Address Marietta, Georgia Zip Code: 30061 Telephone Number (770) 434.4335

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

Applicant: Pulte Home Company, LLC

EMAIL Address: jballi@tedecisions.com, rhosack@tedecisions.com

Mailing Address 1600 Parkwood Circle, Suite 200, Atlanta, Georgia Zip Code: 30339

Telephone Number (770) 434.4335 Email Address: jballi@tedecisions.com, rhosack@tedecisions.com

Address of property to be rezoned: 521 Atlanta Street SE

Land Lot (s) 2290 District 17 Parcel 05640 Acreage 3.7 Ward 1A Future Land Use: MDR

Present Zoning Classification: OI Proposed Zoning Classification: 3.5b PRD-SF

**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.

**CAMPAIGN CONTRIBUTIONS**

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

*Waymon Ahart*

Signature of Owner

Waymon Ahart, as Trustee of the James L. Houston Family Trust

Print Name

*Waymon Ahart*

Signature of Applicant

Pulte Home Company, LLC

By: \_\_\_\_\_ Its: \_\_\_\_\_

Print Name

**FINANCIAL INTEREST**

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

Pulte Home Company, LLC

By: \_\_\_\_\_ Its: \_\_\_\_\_

Print Name

Signature of Applicant

**OWNER/APPLICANT CERTIFICATION**

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

\_\_\_\_\_  
Signature

Pulte Home Company, LLC

By: \_\_\_\_\_ Its: \_\_\_\_\_

Please Print

3350 Peachtree Road Northeast, Suite 150, Atlanta, GA, 30326

Address

\_\_\_\_\_  
Date

Signed, sealed and delivered in the presence of:

\_\_\_\_\_ My Commission Expires: \_\_\_\_\_

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

**CAMPAIGN CONTRIBUTIONS**

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

\_\_\_\_\_  
Signature of Owner  
Waymon Ahart, as Trustee of the  
James L. Houston Family Trust  
\_\_\_\_\_  
Print Name

Gen W Smith  
\_\_\_\_\_  
Signature of Applicant  
Pulte Home Company, LLC  
By: Garen Smith Its: Div. VP Land Acquisition  
\_\_\_\_\_  
Print Name

**FINANCIAL INTEREST**

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

Pulte Home Company, LLC  
By: Garen Smith Its: Div. VP  
\_\_\_\_\_  
Print Name LAND ACQUISITION

Gen W Smith  
\_\_\_\_\_  
Signature of Applicant

**OWNER/APPLICANT CERTIFICATION**

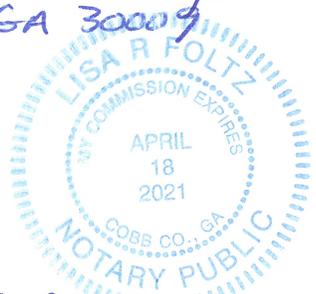
- The Owner **or** Applicant certifies that all information in this application, and all information furnished in support of this application, is true and complete to the best of the Applicant's knowledge and belief. Should any portion not be true, then the application may be rejected.
- Penalty for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

Gen W Smith  
\_\_\_\_\_  
Signature

Pulte Home Company, LLC  
By: Garen Smith Its: Div VP Land Acquisition  
\_\_\_\_\_  
Please Print

3350 Peachtree Road Northeast, Suite 150, Atlanta, GA, 30326 2475 Northwinds Parkway, Suite 600  
\_\_\_\_\_  
Address Alpharetta, GA 30009

4-9-20  
\_\_\_\_\_  
Date



Signed, sealed and delivered in the presence of:

Lisa R Foltz  
\_\_\_\_\_  
Signature

My Commission Expires: 4-18-2021

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

Detailed Written Description  
Application for Rezoning of Pulte Home Company, LLC  
City of Marietta  
521 Atlanta Street, Marietta, Georgia 30060

Pulte Home Company, LLC (“Pulte”) is envisioning the rezoning of 3.77-acre tract from current zoning of OI to requested Planned Residential Development-Single Family (PRD). Pulte proposes the development of 49, 3 story townhomes to be constructed consistent with the architectural requirements specified in the ordinance to include compliance with “Four-Sided Architecture” as defined in Section 724.02 of the Marietta Zoning Ordinance. The proposed townhomes will provide more than the minimum required and will have 1,945 square feet of heated floor area, to include 39% of the site as open space with provisions for one passive recreational feature and one active recreational feature as required by Section 708.09 of the Marietta Zoning Ordinance. Resident and guest parking provisions shall be provided per Sections 708.09 and 716.07 of the Marietta Zoning Ordinance. Pulte will also provide a mandatory homeowners association that will be responsible for the upkeep and maintenance of all front yards and common areas including all fencing, landscaping, amenities and buffers, and shall include architectural control oversights for the development.

Pulte proposes the rezoning to PRD to allow for a creative land plan to capitalize on the site’s proximity and connection to the both the Mountain to River Trail, as well as the Cemetery Multi Use Trail. The flexibility afforded by the PRD district will allow for the proposed development to contribute to goals espoused in the City’s Comprehensive Plan to continue to expand and connect city’s trail system in a way that foster recreation opportunities and transportation alternatives, including linkages to neighboring trails and other points of interest. The proposed PRD also provides an opportunity for a redevelopment project within a Corridor Character Area of the City that can provide for more diverse housing options near the downtown area with sidewalk and trail connections that incorporate pedestrian-oriented walkable connections. The proposed PRD is an ideal district to accommodate a redevelopment proposal to serve as a transition between more intense uses existing in the Community Activity Center across Atlanta Street, easterly to adjacent residential uses along E. Dixie Avenue, Delk Street and Kings Court.

Sincerely,

TAYLOR ENGLISH DECISIONS, LLC



Rob Hosack

[rhosack@tedecisions.com](mailto:rhosack@tedecisions.com)

**TO: Marietta Daily Journal**

**FROM: City of Marietta**

**RUN AD DATE: May 15, 2020**

**CITY OF MARIETTA  
PUBLIC NOTICE OF REZONINGS 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, June 2<sup>nd</sup>, 2020, 6:00 P.M.**, City Hall, for a recommendation to the City Council at their meeting on **Wednesday, June 10<sup>th</sup>, 2020, 7:00 p.m.**, City Hall, for a final decision to be made.

**Z2020-19 [REZONING] PULTE HOME COMPANY, LLC** is requesting the rezoning of 3.8 acres located in located in Land Lots 290, District 17, Parcel 0640 of the 2<sup>nd</sup> Section, Cobb County, Georgia, and being known as 521 Atlanta Street from OI (Office Institutional) to PRD-SF (Planned Residential Development – Single Family). Ward 1A.

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.marietta.ga.gov](http://www.marietta.ga.gov) and enter the case # in the search box.

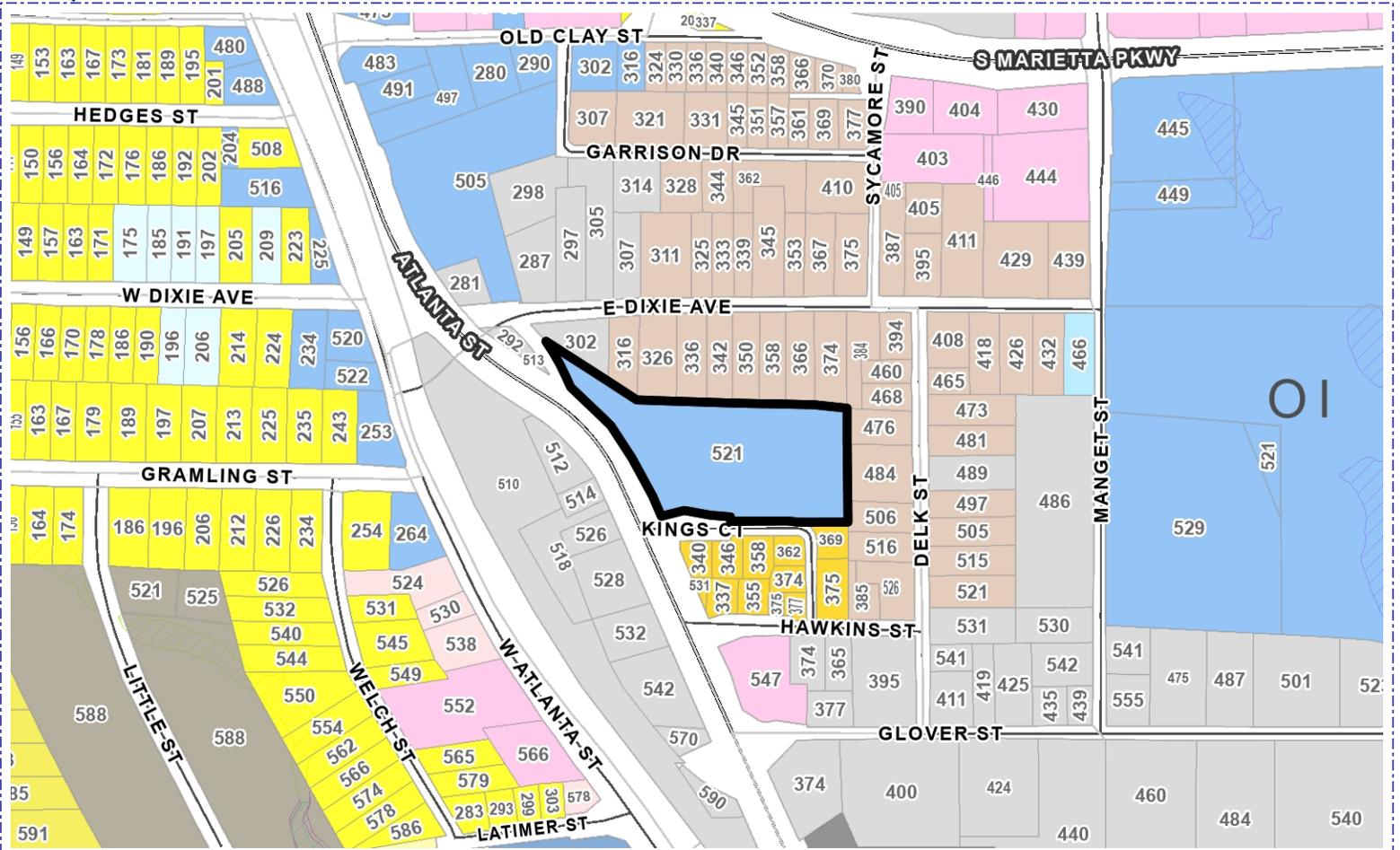
**For additional information including questions about virtual participation, please call the Planning and Zoning Office (770) 794-5669.**

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

City of Marietta  
205 Lawrence Street  
Marietta, Georgia 30060

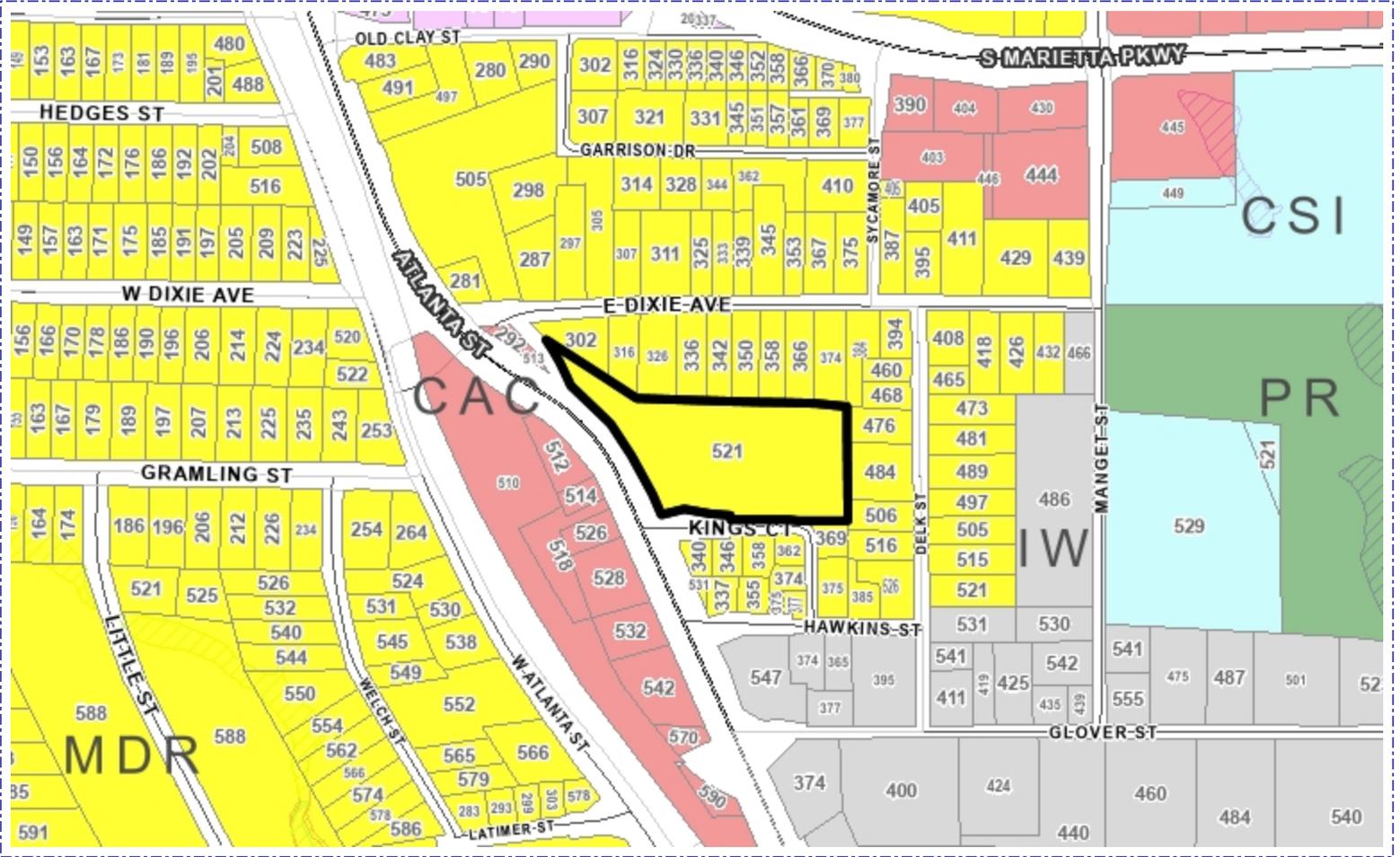


# Rezoning

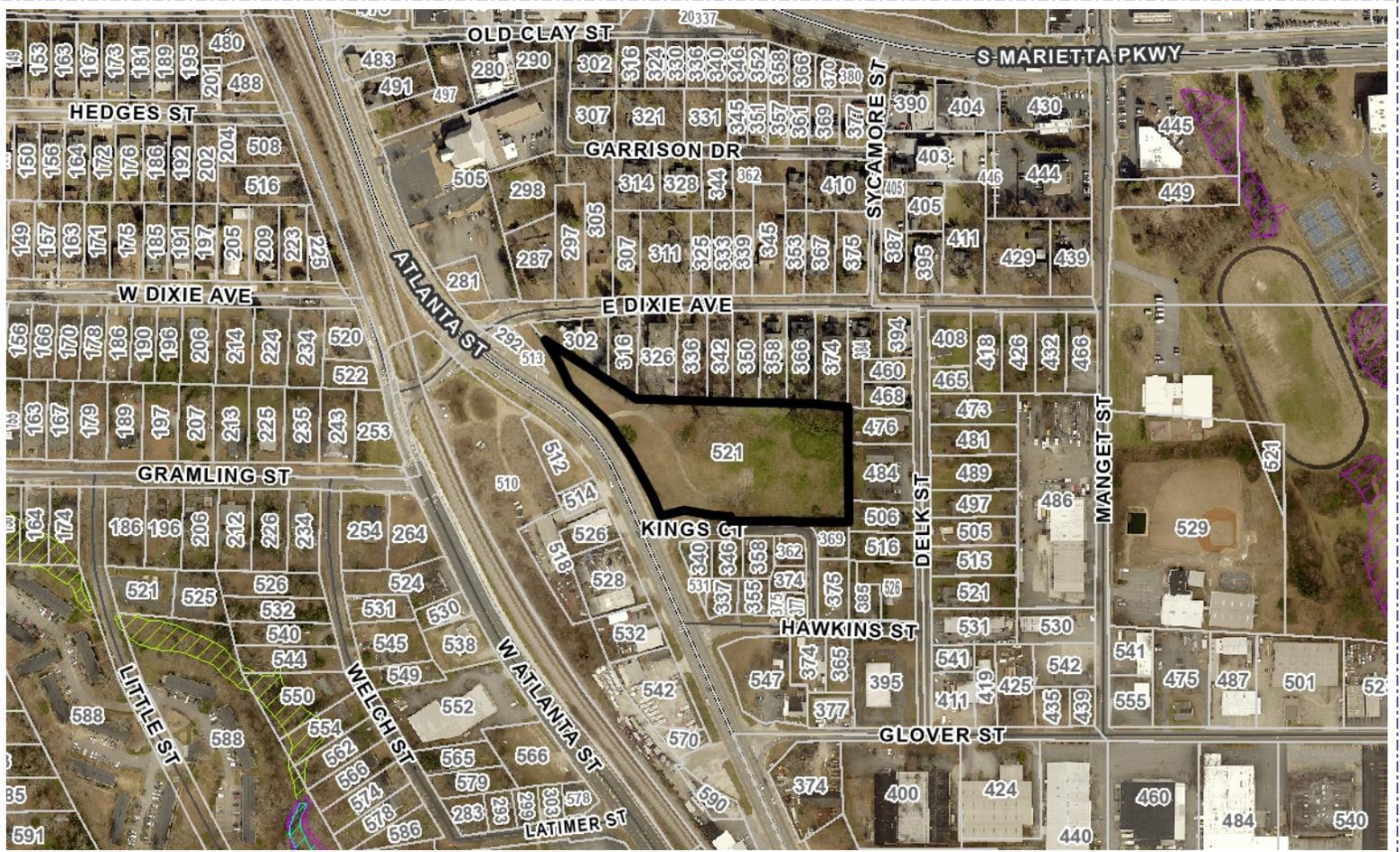


Address	Parcel Number	Acreage	Ward	Zoning	FLU
521 ATLANTA ST	17029000640	3.56	1A	OI	MDR

Property Owner:	Waymon Ahart, Trustee		<b>Zoning Symbols</b> <ul style="list-style-type: none"> <li>— Railroads</li> <li>— City Limits</li> <li>— Cobb County Pockets</li> <li>NA</li> <li>R1 - Single Family Residential (1 unit/acre)</li> <li>R2 - Single Family Residential (2 units/acre)</li> <li>R3 - Single Family Residential (3 units/acre)</li> <li>R4 - Single Family Residential (4 units/acre)</li> <li>RA4 - Single Family Residential - Attached</li> <li>RA6 - Single Family Residential - Attached</li> <li>RA8 - Single Family Residential - Attached</li> <li>MHP - Mobile Home Park</li> <li>PRD-SF - Planned Residential Dev. Single Family</li> <li>RM8 - Multi Family Residential (8 units/acre)</li> <li>RM10 - Multi Family Residential (10 units/acre)</li> <li>RM12 - Multi Family Residential (12 units/acre)</li> <li>RHR - Residential High Rise</li> <li>PRD-MF - Planned Residential Dev Multi Family</li> <li>NRC - Neighborhood Retail Commercial</li> <li>CRC - Community Retail Commercial</li> <li>RRC - Regional Retail Commercial</li> <li>PCD - Planned Commercial Development</li> <li>LI - Light Industrial</li> <li>HI - Heavy Industrial</li> <li>PID - Planned Industrial Development</li> <li>MXD - Mixed Use Development</li> <li>CBD - Central Business District</li> <li>OIT - Office Institutional Transitional</li> <li>LRO - Low Rise Office</li> <li>OI - Office Institutional</li> <li>OS - Office Services</li> <li>OHR - Office High Rise</li> </ul>
Applicant:	Pulte Home Company		
Proposed Zoning:	OI to PRD-SF		
Agent:			
Proposed Use:			
Planning Commission Date:	06/02/2020		
City Council Hearing Date:	06/10/2020	Case Number: Z2020-19	
City of Marietta Planning & Zoning			



Address	Parcel Number	Acreage	Ward	Zoning	FLU
521 ATLANTA ST	17029000640	3.56	1A	OI	MDR
Planning Commission Hearing Date:	06/02/2020	<b>Future Land Use Symbols</b> 			
City Council Hearing Date:	06/10/2020				
Future Land Use:	MDR				
Case Number:	Z2020-19				
Comments:					
City of Marietta Planning & Zoning					



Address	Parcel Number	Acreage	Ward	Zoning	FLU
521 ATLANTA ST	17029000640	3.56	1A	OI	MDR

Property Owner:	Waymon Ahart, Trustee
Applicant:	Pulte Home Company
City Council Hearing Date:	06/10/2020
Planning Commission Hearing Date:	06/02/2020
BZA Hearing Date:	Case Number: Z2020-19
Comments:	
City of Marietta Planning & Zoning	

**Legend**

- Railroads
- City Limits
- Cobb County Pockets

# Preliminary Landscape Plan



**EAST DIXIE AVE.**  
(RIGHT-OF-WAY VARIES)

CURVE	RADIUS	ARC LENGTH	CHORD LENGTH	CHORD BEARING
C1	467.36'	230.04'	227.72'	N 37°54'09" W
C2	922.29'	88.49'	88.46'	N 27°16'34" W
C3	435.15'	91.48'	91.31'	N 36°07'09" W

**ARCHITECTURAL NOTES:**

PROPOSED MIN. HEATED FLOOR AREA: 1,945 SF  
PROPOSED NUMBER OF STORIES: 3

**SITE NOTES:**

SITE AREA:  
TOTAL AREA: ±3.77 ACRES

SITE ZONING:  
EXISTING ZONING: OI  
PROPOSED ZONING: PRD

ZONING REQUIREMENTS:  
MIN. LOT WIDTH: NONE  
MIN. TRACT SIZE: 3 ACRES  
MIN. LOT SIZE: 4,000 SF  
MIN. BUILDING FLOOR AREA: 1,400 SF  
MAX. IMPERVIOUS SURFACE: 60%  
MIN. OPEN SPACE: 25%

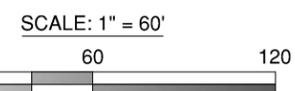
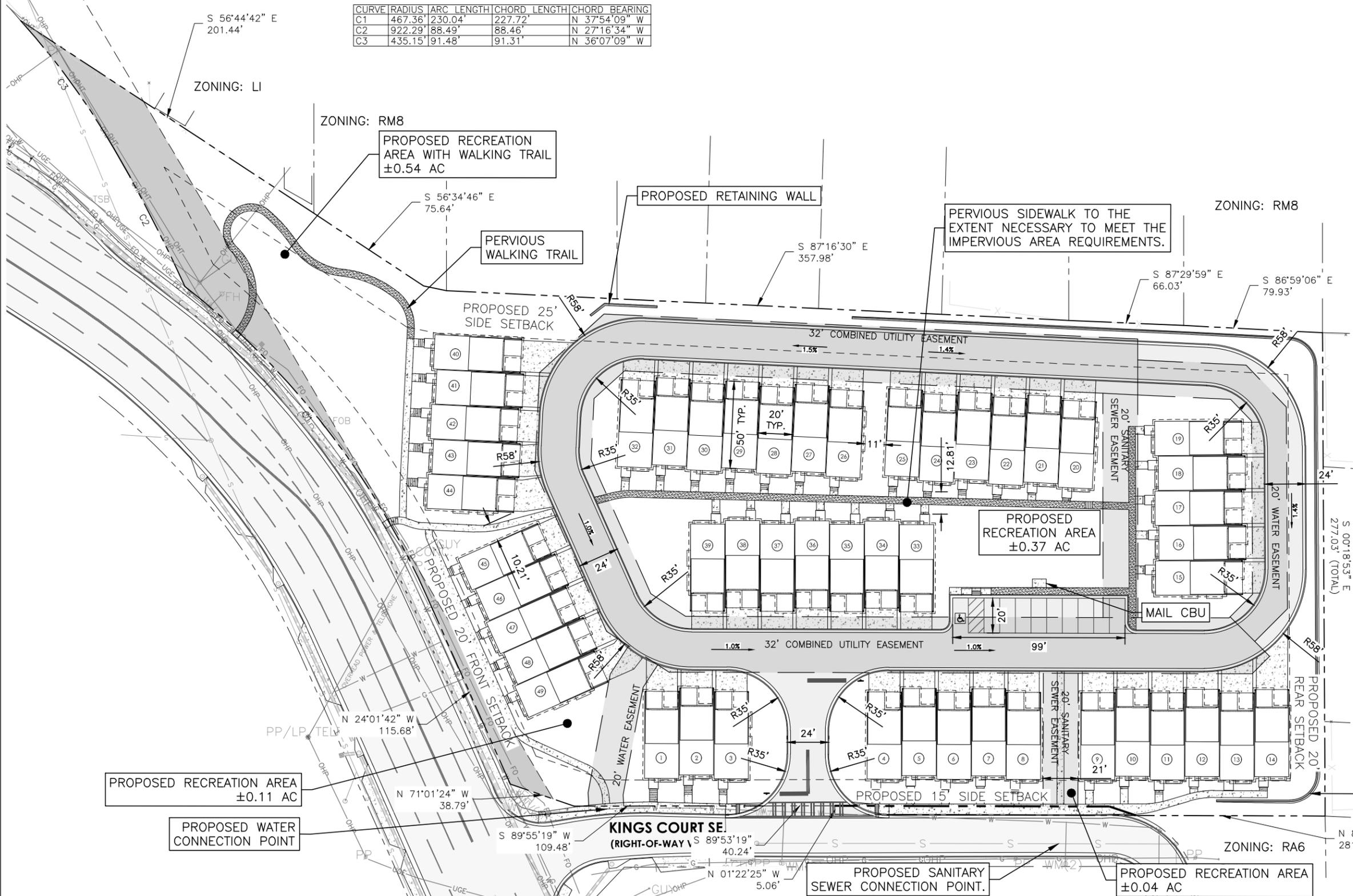
PROPOSED SETBACKS:  
FRONT: 25 FT  
SIDE (MAJOR): 15 FT  
SIDE (MINOR): 25 FT  
REAR: 30 FT

PROPOSED LOT SUMMARY:  
PROPOSED USE: RESIDENTIAL TOWNHOUSES  
PROPOSED UNITS: 49  
PROPOSED UNIT DENSITY: 13.0 UNITS/ACRE  
PROPOSED LOT SIZE: 1,000 SF  
PROPOSED OPEN SPACE: 39%  
PROPOSED IMPERVIOUS AREA: 59%

RECREATION AREA:  
REQUIRED RECREATION AREA: 1 AC/50 UNITS (0.98 AC)  
PROPOSED RECREATION AREA: 1.06 AC  
• RECREATION AREA IS REQUIRED TO HAVE ONE PASSIVE RECREATIONAL FEATURE AND ONE ACTIVE RECREATIONAL FEATURE. SEE ZONING ORDINANCE SEC. 708.09.B.2.i.

PARKING:  
REQUIRED PARKING: 4 SPACES/UNIT (196)  
PROPOSED PARKING: 4 SPACES/UNIT (196)  
REQUIRED GUEST PARKING: 0.2 SPACES/UNIT (10)  
PROPOSED GUEST PARKING: 10

REQUIRED VARIANCES:  
1. VARIANCE TO ZONING ORDINANCE SEC.708.09.H.  
a. REQUEST TO REDUCE MIN. LOT SIZE FROM 4,000 SF TO 1,000 SF  
2. VARIANCE TO ZONING ORDINANCE SEC.730.01.H.1.  
a. REQUEST TO ALLOW HORIZONTAL CURVATURE OF ROAD CENTERLINE TO BE LESS THAN 100'.  
3. ADDITIONAL VARIANCES AS DEPICTED ON THE SITE PLAN AND APPROVED BY THE MAYOR AND CITY COUNCIL.



THIS ILLUSTRATION IS A CONCEPTUAL SITE PLAN FOR PROPOSED DEVELOPMENT POTENTIAL. IT DOES NOT BIND OR LIMIT THE OWNER/DEVELOPER, NOR SHALL THE ENGINEER/ARCHITECT BE BOUND OR LIMITED BY THIS CONCEPTUAL DEVELOPMENT PLAN. ALL ILLUSTRATIONS/DRAWINGS ARE SUBJECT TO CHANGE AND REVISION WITHOUT PRIOR WRITTEN NOTICE TO THE HOLDER. DIMENSIONS, BOUNDARIES AND ANY OTHER GRAPHIC REPRESENTATIONS ARE FOR ILLUSTRATIVE PURPOSES ONLY AND ARE SUBJECT TO AN ACCURATE SURVEY AND PROPERTY DESCRIPTION.

**MAXWELL-REDDICK AND ASSOCIATES**  
ENGINEERING • LAND SURVEYING  
11605 HAYNES BRIDGE RD SUITE 475  
40 JOE KENNEDY BLVD STATESBORO, GA 30458 ALPHARETTA, GA 30009  
(912)489-7112 OFFICE (404)693-1618 OFFICE  
COPYRIGHT © 2020 BY MAXWELL-REDDICK AND ASSOCIATES



REVISIONS:

1	
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DESIGNED: DLH	DRAWN BY: GSU	CHECKED:
DATE: APR. 8, 2020		
JOB NO.: 2019-261		

**PROPOSED SUBDIVISION**  
**521 ATLANTA ST**  
**MARIETTA, GA**  
**REZONE PLAN**

DRAWING NUMBER  
**1**  
1 OF 1 SHEETS

May 22, 2020

**VIA EMAIL: [SLittle@marietta.gov](mailto:SLittle@marietta.gov)  
AND REGULAR MAIL**

Ms. Shelby Little, Manager  
Planning and Zoning Division  
Marietta Development Services  
P.O. Box 609  
Marietta, GA 30061-0609

Re: Application for Rezoning of Pulte Home Company, LLC (“Applicant”),  
±3.77 acres, City of Marietta, Georgia, 521 Atlanta Street (Z2020-19).

Dear Shelby:

After receiving input and feedback from interested parties, we are hereby submitting this letter of agreeable stipulations/conditions to ensure quality which will become conditions and a part of the grant of the requested rezoning and binding as follows:

1. The architectural style, composition and design of the proposed townhomes shall be constructed consistent with the “Four-Sided Architecture” Requirement as defined in Section 724.02 of the Marietta Zoning Ordinance. (See attached). The architectural style represents high quality townhomes with blended building materials that may include the application of stone, brick, hardi-plank, shake and board and batten. No vinyl materials shall be used on the exterior of the town homes. The minimum heated floor area shall be 1,945 square feet.<sup>1</sup>
2. Resident and guest parking provisions shall be provided per Sections 708.09 and 716.07 of the Marietta Zoning Ordinance.
3. Project will include 1 acre of the site as open space
4. All units within the proposed community shall be "for sale" units. The Declaration of Restrictive Covenants shall restrict the number of units which can be leased at any one time to no more than ten percent.
5. Applicant agrees to the recording and enforcement of a Declaration of Restrictive Covenants which shall contain covenants, rules, and regulations applicable to the proposed residential community.
6. Also, and in conjunction with the Declaration of Restrictive Covenants, Applicant agrees to the creation of a mandatory homeowners association which shall be responsible for the

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<sup>1</sup> The price points shall be \$300,000 to \$400,000 and up.

- upkeep and maintenance of the entrance area, signage, all common areas, open space, private streets, mail kiosk, and all landscaping and plantings
7. Lighting within the proposed community shall be environmentally sensitive, decorative and themed to the architecture and style of the proposed residential homes.
  8. The yard areas around each unit shall be fully sodded/landscaped and maintained by the mandatory homeowner's association to be created through the Declaration of Restrictive Covenants applicable to the proposed community.
  9. The entrance signage for the proposed community shall be ground based, monument-style signage, and shall complement the high quality, architectural vision and style of the proposed homes. The entrance landscaping shall be professionally designed, implemented, and maintained. All signage shall comply with the City of Marietta Sign Ordinance.
  10. There shall be internal sidewalks within the proposed residential community, as more particularly shown and reflected on the updated Site Plan. However, sidewalks shall not be required in any areas in which the sidewalk conflicts with any guest parking requirements.
  11. The proposed residential community shall contain private streets, twenty-four (24) feet in width, from back-of-curb to back-of-curb.
  12. All utilities servicing the residences within the proposed community shall be located underground.
  13. All construction and employee vehicles and equipment will be parked, and otherwise located, on the property during development of infrastructure and construction of residences, and shall not be parked on or along Atlanta Street, Kings Court and E. Dixie Avenue. There will be no stacking of vehicles along any roadway waiting for entry onto the property.
  14. All landscaping referenced herein; including, but not limited to, the frontage, entrance area [including entrance signage], island areas, and open space areas, shall be approved by the City of Marietta as part of the plan review process and incorporated into the overall landscape plan for the proposed community.
  15. All setbacks, landscape and buffer areas may be penetrated for purposes of 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.

16. All stormwater infrastructure located outside of the public right-of-way shall be privately maintained. Applicant agrees to comply with the Water Quality requirements of the CWA-NPDES-NPS Permit and City Water Quality Ordinance.
17. Development and construction hours for the proposed project shall be limited to the following:
  - a. 7:00 a.m. to 7:00 p.m. – Monday – Friday, April 1<sup>st</sup> through September 30<sup>th</sup>;
  - b. 7:00 a.m. to 7:00 p.m. – Monday – Friday, October 1<sup>st</sup> through March 31<sup>st</sup>;
  - c. 9:00 a.m. to 6:00 p.m. – Saturday; and
  - d. No work on Sunday unless approved by the respective council member representing the Ward.
  - e. To the extent blasting is required on the Site (none is expected), any blasting will be performed only on Monday-Friday between the hours of 9:00 a.m. and 3:00 p.m. and a 24-hour notice must be given in writing to any occupied residence within 1000 feet of the Site.
18. Applicant requests approval of the following contemporaneous variances:
  - a. Section 708.09H of the Marietta City Code to allow the minimum lot size to 1,000 square feet.
  - b. Section 730.01H of the Marietta City Code to allow horizontal curvature of road centerline to be less than 100 feet.
  - c. Other variances as may be depicted on site plans recommended or approved by the Marietta Planning Commission and Mayor and Council.
20. Minor changes in use and intensity of use that may not require an amendment to the general plan and eligible to be submitted for approval in conjunction with the detailed plan shall be discussed in advance with the respective council member representing the Ward.

Ms. Shelby Little, Manager  
Planning and Zoning Division  
Marietta Development Services  
May 22, 2020  
Page 4

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21. Consistent with the existing zoning stipulations for Z2018-23, applicant will conduct a historical resources survey and submit same to the City of Marietta prior to receiving final permits.

Please do not hesitate to contact me should you or the staff require any further information or documentation prior to the Applications being heard and considered by the Planning Commission and Mayor and Council.

Sincerely,

TAYLOR ENGLISH DECISIONS, LLC



Rob Hosack

[rhosack@tedecisions.com](mailto:rhosack@tedecisions.com)

James A. Balli

[jballi@tedecisions.com](mailto:jballi@tedecisions.com)

cc: Members, Marietta Planning Commission  
Marietta City Clerk's office  
Rusty Roth, Director of Development Services  
Pulte Home Company, LLC





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## **REZONING APPLICATION ANALYSIS**

**ZONING CASE #: Z2020-20**

**LEGISTAR: #20200348**

**LANDOWNERS: Center State Bank (Mark Hill)  
1375 North Broadway Ave  
Bartow, FL 33830**

**APPLICANT: Mark Lewis  
440 Davis Carnes Ln  
Marietta, GA 30064**

**PROPERTY ADDRESS: 308 Montgomery Street**

**PARCEL DESCRIPTION: 16114401680**

**AREA: 0.74 acres**

**COUNCIL WARD: 5A**

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

**REQUEST: R-4 (Single Family Residential – 4.05 units/acre)**

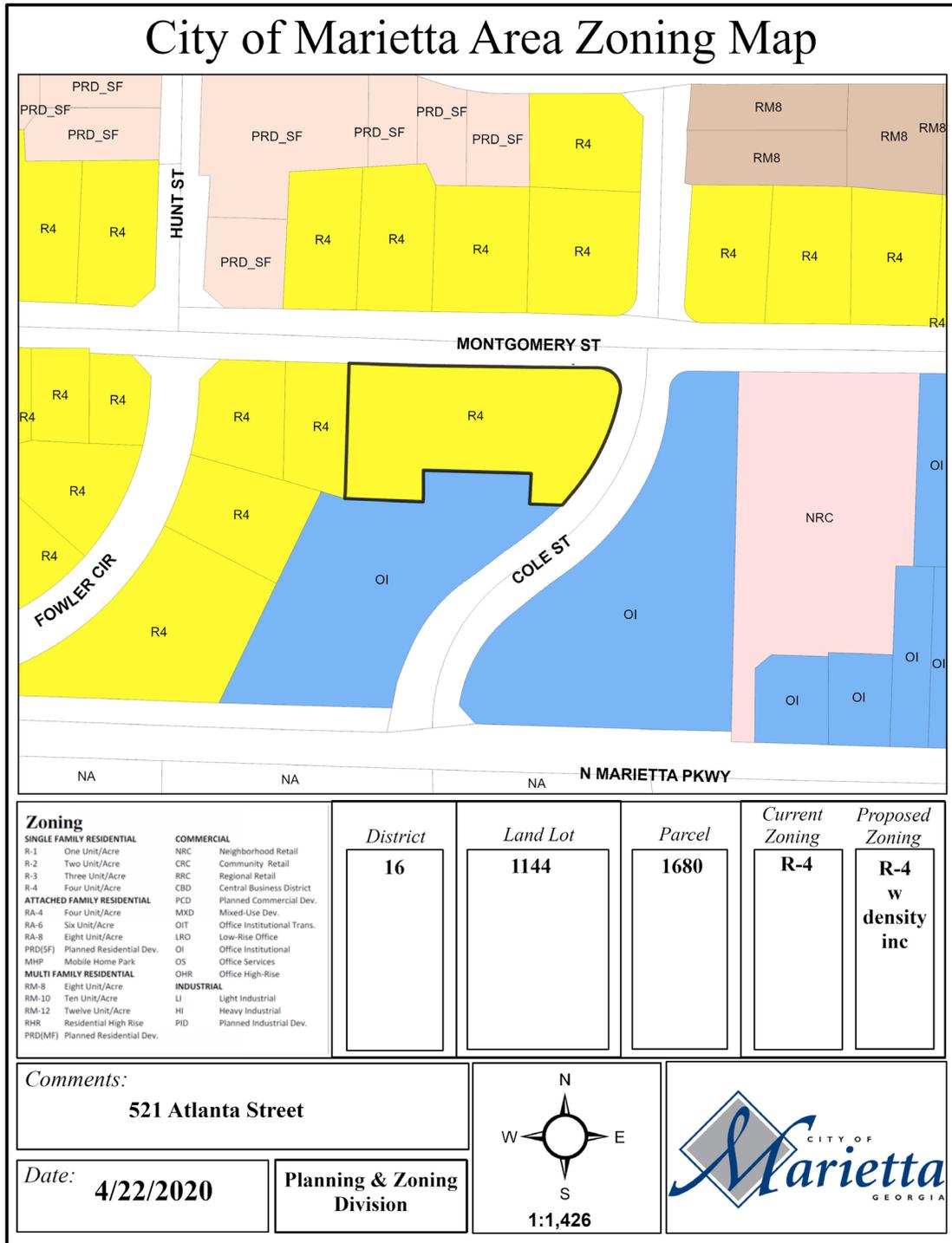
**FUTURE LAND USE: MDR (Medium Density Residential)**

**REASON FOR REQUEST: The applicant is requesting the rezoning of the subject property to increase the density with the current zoning, R-4, in order to develop three single-family detached homes.**

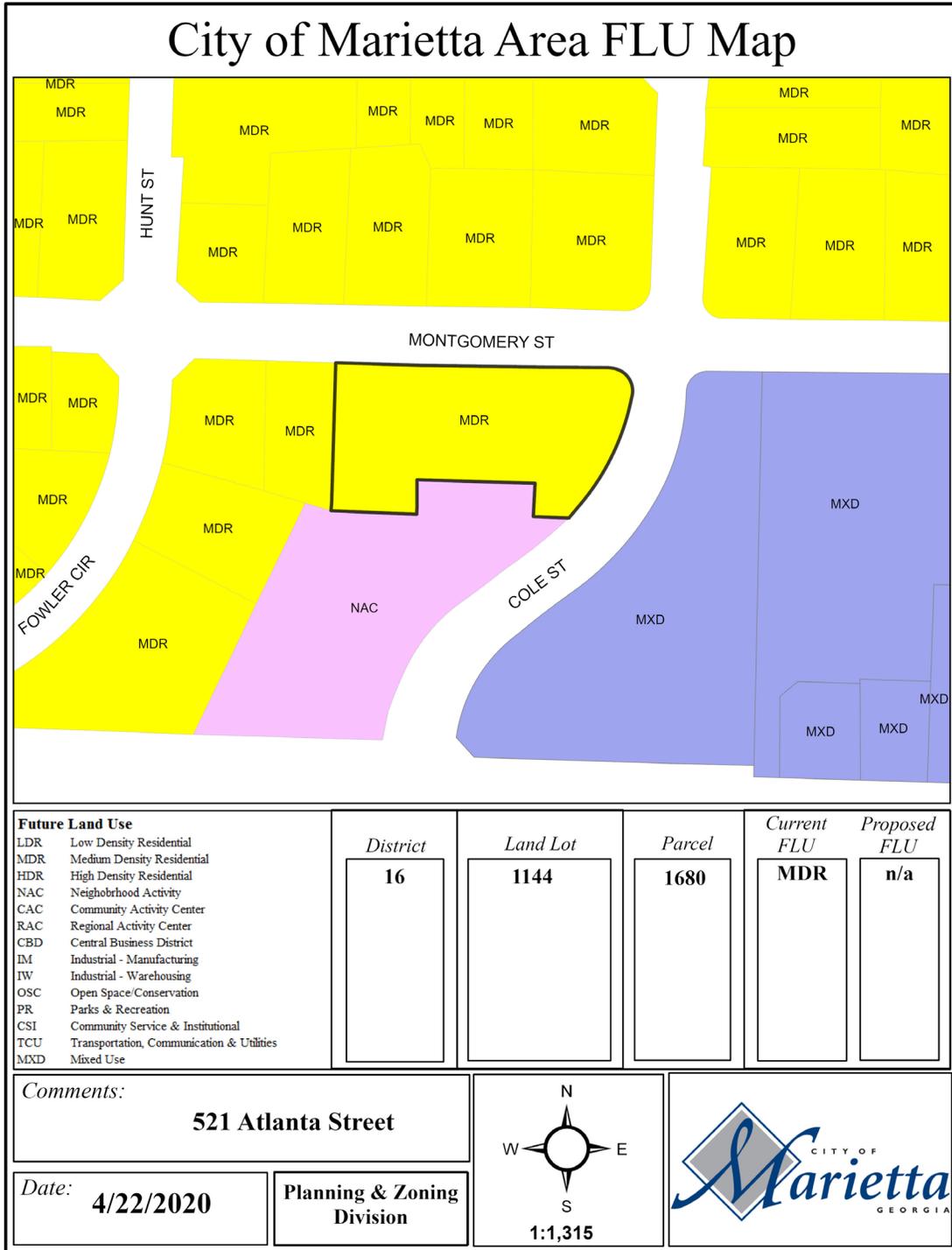
**PLANNING COMMISSION HEARING: Tuesday, June 2<sup>nd</sup>, 2020 – 6:00 p.m.**

**CITY COUNCIL HEARING: Wednesday, June 10<sup>th</sup>, 2020 – 7:00 p.m.**

# MAP



## FLU MAP



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**PICTURES OF PROPERTY**



**308 Montgomery Street (view from Cole Street)**



**Intersection of Montgomery Street @ Cole Street**



**Montgomery Street frontage**

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## STAFF ANALYSIS

### *Location Compatibility*

The applicant, Mark Lewis, is requesting to increase the density of the property at 308 Montgomery Street. The subject property is at the southwestern corner of Montgomery and Cole Street and is 0.74 acres in size. The surrounding area is primarily residential with the exception of some office and neighborhood retail properties. The subject property is zoned R-4 (Single Family Residential – 4 units/acre) and nearby properties to the north and west are also zoned R-4. However, properties to the south and east, across Cole Street, are zoned OI (Office Institutional) and used as financial offices. Although the property is currently vacant, it previously contained three (3) single family homes that were demolished between 2009-2015. The applicant wishes to rezone the property from R-4 to R-4 (at 4.05 units/acre) in order to build three (3) single family detached homes.

### *Use Potential and Impacts*

The applicant has provided a general sketch of the proposed layout of the three parcels. Although the applicant is proposing a slight density increase, each lot will comply with all other bulk and area regulations set forth under the R-4 zoning classification. Due to the unscaled site plan, staff was only able to verify the distances annotated and compare them to current code. If approved, an exemption plat to subdivide the property would be required. Verification of compliance with all the current development codes would be assured prior to permitting.

Based on the submitted plan, each new home is shown with the proper building setbacks. The applicant has indicated that the homes will be 2-story and approximately 2,400 square feet in size. Each home would have front entry two-car garages with access from Montgomery Street and each driveway length would be a minimum of twenty-five (25) feet.

R-4 zoning allows four (4) dwelling units per acre or one (1) dwelling unit per quarter (.25) of an acre. Therefore, providing three (3) dwelling units on 0.74 acres instead of 0.75 acres raises the density over 4 units/acre. Therefore, the applicant wishes to increase the density from four (4) units per acre to 4.05 units per acre.

The Future Land Use (FLU) designation on the subject property is MDR (Medium Density Residential). MDR's purpose is to accommodate a residential area which range in densities from 5 to 8 units per acre. Although higher densities are allowed under the MDR classification it also states, "*new residential uses should be developed in a manner that helps protect the character of the surrounding area*". Being that the surrounding residential area is also R-4, this rezoning request is supported by the City's Comprehensive Plan.

### *Environmental Impacts*

There are no environmental concerns or impacts predicted from the proposed development since the property was once used as three single family homes.

### *Economic Functionality*

The subject property has been vacant since 2015, according to aerial photos. There has been a consistent increase of new residential homes and remodeling of existing homes in the area since 2015. Also, the City has improved walkability in the area by adding sidewalks leading to the new Elizabeth Porter Park. Since the subject property is adjacent to both commercial and residential properties, it could have potential for either uses. However, maintaining the property as residential would be the most appropriate economic use.

### *Infrastructure*

Since the subject property was previously occupied by the same use and of the same quantity, there shall be no detrimental effect to the infrastructure in the area. There is no anticipated issue with continuing to provide water, sewer, and electricity services at the subject site.

The serving elementary school is A.L. Burruss and is currently under capacity.

### *Overhead Electrical/Utilities*

There are overhead utility poles along the front yard of Montgomery Street; however, the proposed setbacks will allow a safe distance from the new residences and overhead utilities.

### *History of Property*

There is no history of any variances, special land use permits, or rezonings at the subject property.



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

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*Other Issues*

An exemption plat to properly subdivide the subject property prior to construction of buildings must be submitted for approval and recorded prior to any permits being issued.



## ANALYSIS & CONCLUSION

The applicant, Mark Lewis, is requesting to increase the density of the property at 308 Montgomery Street. The subject property is located at the southwestern corner lot of Montgomery and Cole Streets, is 0.74 acres in size, and is zoned R-4. The surrounding area is primarily residential with a mixture of office and neighborhood retail along North Marietta Parkway.

The property is currently vacant but had previously contained three (3) single family homes until they were demolished between 2009-2015. The applicant wishes to rezone the property from R-4 to R-4 with a density of 4.05 units/acre to build three (3) new single-family detached homes. The applicant has provided a general sketch of the proposed layout and each new home is shown within the proper building setbacks. The applicant has indicated that the homes will be 2-story and approximately 2,400 square feet in size. Each home would have front entry two-car garages with access from Montgomery Street and each driveway length would be a minimum of twenty-five (25) feet. If approved, an exemption plat to subdivide the property would be required. Verification of compliance with all the current development codes would be assured prior to permitting.

R-4 zoning allows four (4) dwelling units per acre or one (1) dwelling unit per quarter (.25) of an acre. Therefore, providing three (3) dwelling units on 0.74 acres instead of 0.75 acres raises the density over 4 units/acre. Therefore, the applicant is requesting the following:

- Variance to increase the density from 4 units/acre to 4.05 units/ acre.

The Future Land Use (FLU) designation on the subject property is MDR (Medium Density Residential). The purpose of MDR is to accommodate residential areas that range in densities from 5 to 8 units per acre. Being that the surrounding residential area is also R-4 and the proposed density is within the allowable range, this rezoning request is supported by the City's Comprehensive Plan.

Prepared by: Shelley Grille

Approved by: Rusty Roth



## DATA APPENDIX

### ***CITY OF MARIETTA - WATER***

Is a water line adjacent to the property?	Yes
If not, how far is the closest water line?	N/A
Size of the water line?	10" in Montgomery and Cole
Capacity of the water line?	A fire flow test may be required
Approximate water usage by proposed use?	Not provided

### ***CITY OF MARIETTA - WASTEWATER***

Is a sewer line adjacent to the property?	Yes
If not, how far is the closest sewer line?	N/A
Size of the sewer line?	8" in Montgomery and Cole
Capacity of the sewer line?	A.D.F Peak
Estimated waste generated by proposed development?	Not provided
Treatment Plant Name?	Cobb County
Treatment Plant Capacity?	Cobb County
Future Plant Availability?	Cobb County



**DATA APPENDIX CONTINUED**

***DRAINAGE AND ENVIRONMENTAL CONCERNS***

Does flood plain exist on the property:	No
What percentage of the property is in the flood plain?	N/A
What is the drainage basin for the property?	xyz
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?	No
Do stream bank buffers exist on the parcel?	No
Are there other topographical concerns on the parcel?	No
Are there storm water issues related to the application?	No
Potential presence of endangered species in the area?	No

**Additional Comments:**

- Full site development plans required

***TRANSPORTATION***

What is the road affected by the proposed change?	No comments
What is the classification of the road?	No comments
What is the traffic count for the road?	No comments
Estimated # of trips generated by the proposed development?	No comments
Estimated # of pass-by cars entering proposed development?	No comments
Do sidewalks exist in the area?	No comments
Transportation improvements in the area?	No comments
If yes, what are they?	No comments



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## DATA APPENDIX CONTINUED

### EMERGENCY SERVICES

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Nearest city or county fire station from the development?	112 Haynes St
Distance of the nearest station?	0.6 miles
Most likely station for 1 <sup>st</sup> response?	51
Service burdens at the nearest city fire station (under, at, or above capacity)?	under

#### Comments:

Be aware of Marietta City Code 2-16-140. If residential structures are built within 10' of property lines, or within 20' of another structure they will be required to be protected by automatic fire sprinklers.

### MARIETTA POWER - ELECTRICAL

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

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

What special conditions would be involved in serving this site?

Additional comments:



**DATA APPENDIX CONTINUED**

***MARIETTA CITY SCHOOLS***

**Marietta City Schools Impact Assessment:**

Elementary School System Servicing Development:	<b>AL Burruss</b>
Middle School Servicing Development:	<b>Marietta Middle School</b>
High School Servicing Development:	<b>Marietta High School</b>
Capacity at Elementary School:	<b>500</b>
Capacity at Middle School:	<b>1,350</b>
Capacity at Marietta Sixth Grade Academy:	<b>775</b>
Capacity at High School:	<b>2,150</b>
Current enrollment of Elementary School:	<b>409</b>
Current enrollment of Middle School:	<b>1,386</b>
Current enrollment of High School:	<b>2,410</b>
Number of students generated by present development:	<b>0</b>
Number of students projected from the proposed development:	<b>2</b>
New schools pending to serve this area:	<b>0</b>

**Comments:** Student enrollment numbers based on the last day of school.

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## APPLICATION FOR REZONING

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

For Office Use Only:

Application #: 22020-20 Registrar #: 20200348 PZ #: 20-122  
Planning Commission Hearing: 6-2-20 City Council Hearing: 6-10-20

Owner's Name CenterState Bank Mark Hill

EMAIL Address: mhill@centerstatebank.com

1375 North Broadway Ave  
Mailing Address Bartow FL Zip Code: 33830 Telephone Number 863-651-7321

### COMPLETE ONLY IF APPLICANT IS NOT OWNER:

Applicant: Mark Lewis

EMAIL Address: MRKLewis99@gmail.com / nancy lewis / whimseys@att.net

Mailing Address 440 Davis Carnes Ln, Marietta Zip Code: 30064

Telephone Number 404-867-7082 Email Address: MRKLewis99@gmail.com

Address of property to be rezoned: 308 Montgomery St. Marietta GA 30060

Land Lot (s) 1144 District 16 Parcel 01680 Acreage .74 Ward 5A Future Land Use: MDR

Present Zoning Classification: R-4 Proposed Zoning Classification: R-4 with Density Variance

### 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.

**CAMPAIGN CONTRIBUTIONS**

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

Mark Hill  
Signature of Owner

Signature of Applicant

Mark Hill Center State Bank  
Print Name

Mark Lewis  
Print Name

**FINANCIAL INTEREST**

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

Mark Lewis  
Print Name

Signature of Applicant

**OWNER/APPLICANT CERTIFICATION**

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

Mark Hill  
Signature

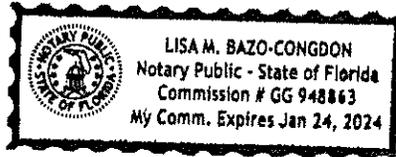
MARK HILL  
Please Print

1375 N. BROADWAY AVE. BARROW FL 33530  
Address

APRIL 14, 2020  
Date

Signed, sealed and delivered in the presence of:

Lisa Bazo-Congdon My Commission Expires: 1-24-2024



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

**CAMPAIGN CONTRIBUTIONS**

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

Signature of Owner

Signature of Applicant

Mark Hill Center State Bank

Mark Lewis

Print Name

Print Name

**FINANCIAL INTEREST**

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

Mark Lewis

Erin Morris

Print Name

Signature of Applicant

**OWNER/APPLICANT CERTIFICATION**

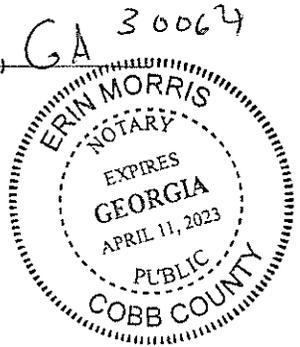
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- Penalty for false or fraudulent statement: Whoever, in any matter, knowingly and willingly falsifies or makes any false, fictitious or fraudulent statement of representatives concerning this application shall be denied the request stated in this application.
- The Owner or Applicant hereby gives permission to enter on the property for inspection during the time application is pending.

Erin Morris  
Signature

Mark A. Lewis  
Please Print

440 Davis Curves Lane, Marietta, GA 30064  
Address

4-16-2020  
Date



Signed, sealed and delivered in the presence of:

Erin Morris My Commission Expires: 04-11-2023

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

**April 16<sup>th</sup>, 2020**

Mark A. Lewis

### **PROPOSED PROJECT**

The property at 308 Montgomery Street, Marietta, 30060 is currently surveyed for 2 homes. I am requesting to have it resurveyed and zoned for 3 homes. The homes would be in the \$400,000 price range and would be comparable to new homes recently built in the same neighborhood.

**TO: Marietta Daily Journal**

**FROM: City of Marietta**

**RUN AD DATE: May 15, 2020**

**CITY OF MARIETTA  
PUBLIC NOTICE OF REZONINGS 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, June 2<sup>nd</sup>, 2020, 6:00 P.M.**, City Hall, for a recommendation to the City Council at their meeting on **Wednesday, June 10<sup>th</sup>, 2020, 7:00 p.m.**, City Hall, for a final decision to be made.

**Z2020-20 [REZONING] MARK LEWIS** is requesting the rezoning of 0.74 acres located in Land Lot 1144, District 16, Parcel 1680 of the 2<sup>nd</sup> Section, Cobb County, Georgia, and being known as 308 Montgomery Street from R-4 (Single Family Residential – 4 units/acre) to R-4 (Single Family Residential – 4 units/acre) with an increase in density. Ward 5A.

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.marietta.gov](http://www.marietta.gov) and enter the case # in the search box.

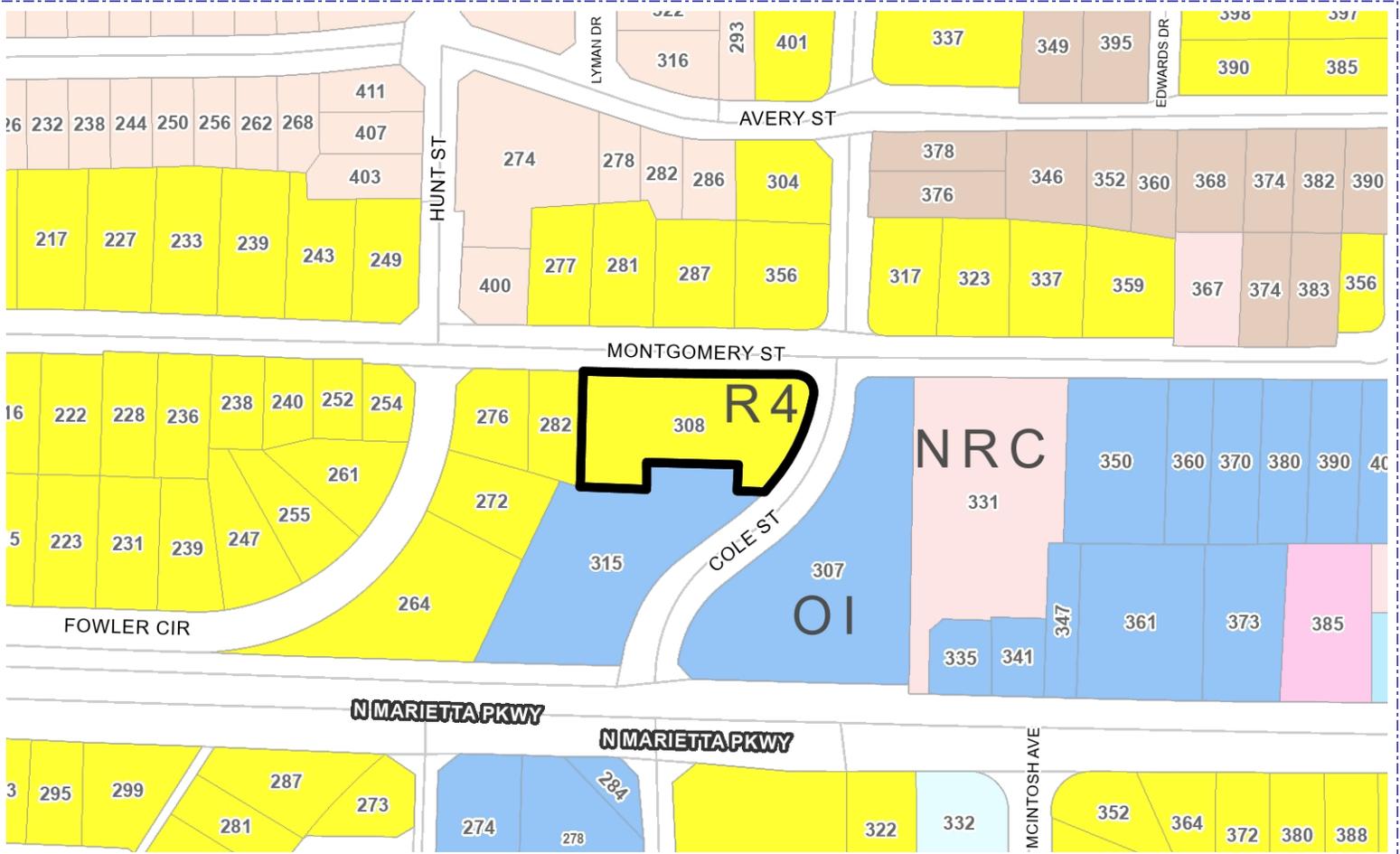
**For additional information including questions about virtual participation, please call the Planning and Zoning Office (770) 794-5669.**

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

City of Marietta  
205 Lawrence Street  
Marietta, Georgia 30060



# Rezoning



Address	Parcel Number	Acreage	Ward	Zoning	FLU
308 MONTGOMERY ST A	16114401680	0.745	5A	R4	MDR

Property Owner:	Center State Bank-Mark Hill	
Applicant:	Mark Lewis	
Proposed Zoning:	R4 to R4 w/increased density	
Agent:		
Proposed Use:		
Planning Commission Date:	06/02/2020	
City Council Hearing Date:	06/10/2020	Case Number: Z2020-20

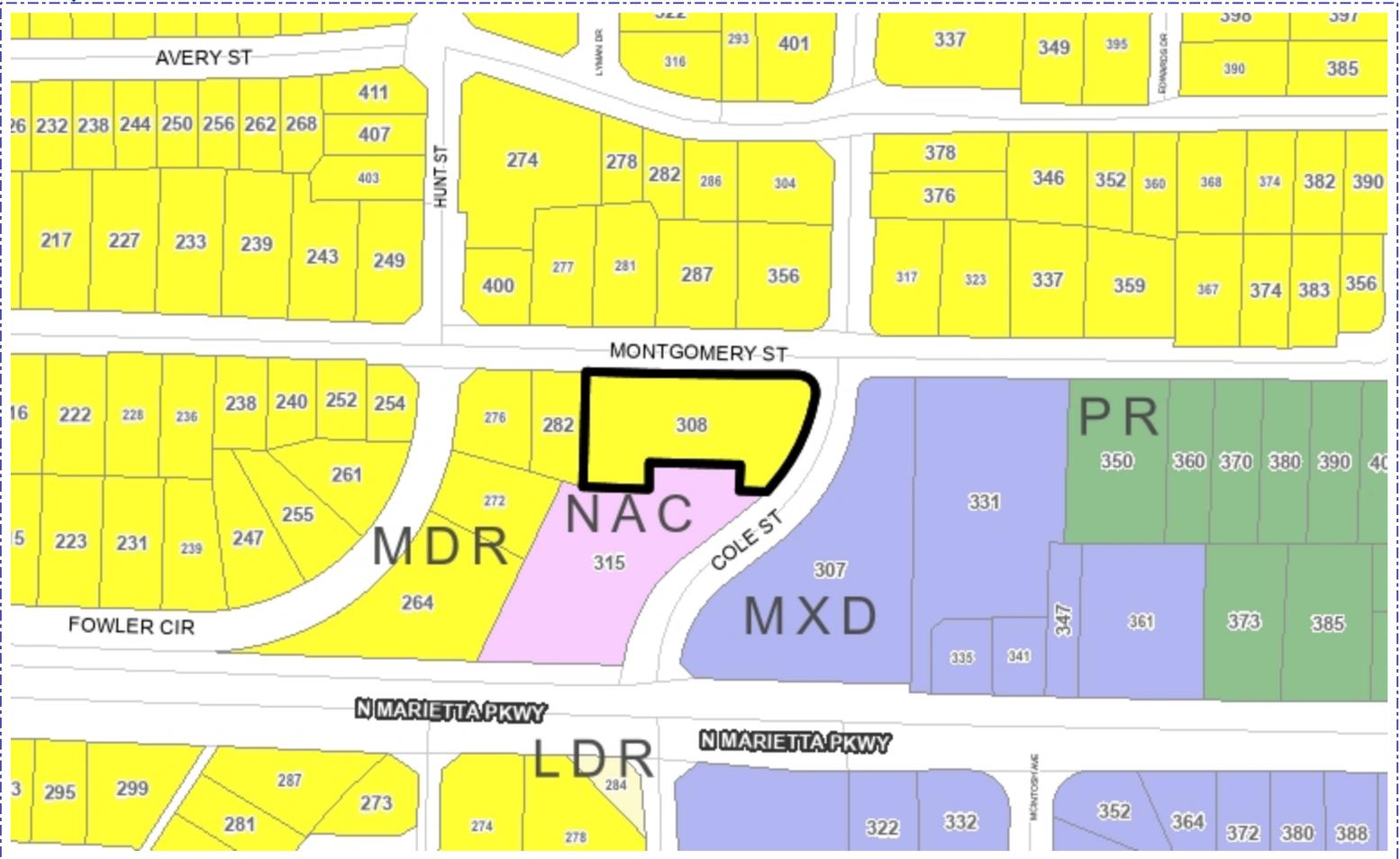
**Zoning Symbols**

- Railroads
- City Limits
- Cobb County Pockets
- NA
- R1 - Single Family Residential (1 unit/acre)
- R2 - Single Family Residential (2 units/acre)
- R3 - Single Family Residential (3 units/acre)
- R4 - Single Family Residential (4 units/acre)
- RA4 - Single Family Residential - Attached
- RA6 - Single Family Residential - Attached
- RA8 - Single Family Residential - Attached
- MHP - 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

City of Marietta Planning & Zoning



# Future Land Use



Address	Parcel Number	Acreage	Ward	Zoning	FLU
308 MONTGOMERY ST A	16114401680	0.745	5A	R4	MDR

Planning Commission Hearing Date:	06/02/2020
City Council Hearing Date:	06/10/2020
Future Land Use:	MDR
Case Number:	Z2020-20
Comments:	

**Future Land Use Symbols**

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

City of Marietta Planning & Zoning



Address	Parcel Number	Acreage	Ward	Zoning	FLU
308 MONTGOMERY ST A	16114401680	0.745	5A	R4	MDR

Property Owner:	Center State Bank-Mark Hill
Applicant:	Mark Lewis
City Council Hearing Date:	06/10/2020
Planning Commission Hearing Date:	06/02/2020
BZA Hearing Date:	Case Number: Z2020-20
Comments:	

**Legend**

- Railroads
- City Limits
- Cobb County Pockets

LEGEND			
□	P.R. - POWER POLE	△	C.B. - CATCH BASIN
⊗	L.P. - LIGHT POLE	▬	R.C.P. - REINFORCED CONCRETE PIPE
⊕	F.H. - FIRE HYDRANT	▬	C.M.P. - CORRUGATED METAL PIPE
⊙	M.H. - SANITARY SEWER MANHOLE	—	F.F.E. - FINISHED FLOOR ELEVATION
⊕	W.M. - WATER METER	⊕	WATER VALVE
⊕	G.M. - GAS METER	⊕	SEWER CLEAN OUT
⊕	R.B.S. - REINFORCING BAR SET	⊕	TELEPHONE MANHOLE
⊕	R.B.F. - REINFORCING BAR FOUND	—	UNDERGROUND ELECTRICAL LINE
⊕	C.T.F. - CRIMP TOP PIPE FOUND	—	OVERHEAD POWER LINES
⊕	O.T.F. - OPEN TOP PIPE FOUND	—	H.W. - HEADWALL
□	R/W MON. - RIGHT-OF-WAY MONUMENT	⊕	POWERBOX
—	TYPE OF FENCE	—	WATER LINE
⊕	J.B. - JUNCTION BOX	—	UNDERGROUND TELEPHONE LINE
⊕	D.I. - DROP INLET / YARD INLET	—	GAS LINE

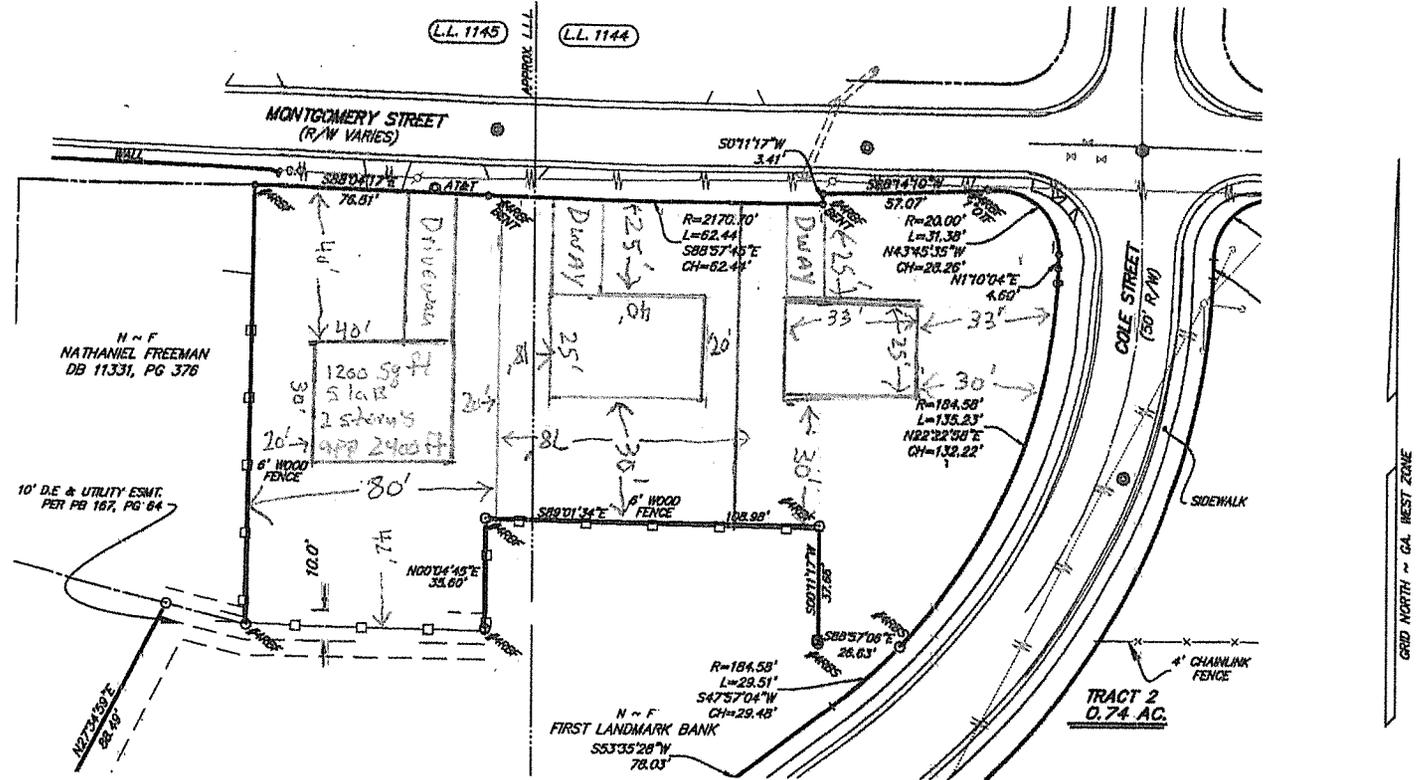
CLERK OF THE SUPERIOR COURT  
RECORDING INFORMATION

THIS SURVEY ONLY INCLUDES OBJECTS THAT ARE VISIBLE AND IS NOT RESPONSIBLE FOR UNDERGROUND UTILITIES OR OTHER OBJECTS THAT ARE NOT APPARENT BY USUAL OBSERVATION. I.E. UNDERGROUND TANKS, GAS LINES, WATER LINES, SEWER LINES ETC.

THIS PARCEL OF LAND IS NOT IN THE 100 YEAR FLOOD PLAIN AND IS IN ZONE X ACCORDING TO FEMA (F1A) COMMUNITY NUMBER # 130228 MAP NUMBER # 13027 C 0109 G DATED DECEMBER 16, 2008

**GPS NOTES:**

- 1.) HORIZONTAL DATUM IS NAD 83. VERTICAL DATUM IS NAVD 88.
- 2.) THE NORTHING, EASTING, AND ELEVATION OF THE STARTING POINTS FOR THIS SURVEY WERE OBTAINED UTILIZING A TRIMBLE 5800 GPS RECEIVER WITH A TRIMBLE TSC2 DATA COLLECTOR RECEIVING RTK CORRECTIONS VIA A CELL PHONE FROM THE EGPS SOLUTIONS REAL TIME NETWORK. THE TECHNIQUE USED WAS RTK CORRECTED MEASUREMENTS FROM THE TRIMBLE VRS REAL TIME NETWORK OPERATED BY EGPS SOLUTIONS, INC. THE RELATIVE POSITIONAL ACCURACY OBTAINED ON THE POINTS UTILIZED IN THIS SURVEY WERE 0.04 FT. HORIZONTAL AND 0.07 FT. VERTICAL AT THE 95% CONFIDENCE LEVEL.



THIS PLAT IS A RETRACEMENT OF AN EXISTING PARCEL OR PARCELS OF LAND AND DOES NOT SUBDIVIDE OR CREATE A NEW PARCEL OR MAKE ANY CHANGES TO ANY REAL PROPERTY BOUNDARIES. THE RECORDING INFORMATION OF THE DOCUMENTS, MAPS, PLATS, OR OTHER INSTRUMENTS WHICH CREATED THE PARCEL OR PARCELS ARE STATED HEREON. RECORDATION OF THIS PLAT DOES NOT IMPLY APPROVAL OF ANY LOCAL JURISDICTION, AVAILABILITY OF PERMITS, COMPLIANCE WITH LOCAL REGULATIONS OR REQUIREMENTS, OR SUITABILITY FOR ANY USE OR PURPOSE OF THE LAND. FURTHERMORE, THE UNDERSIGNED LAND SURVEYOR CERTIFIES THAT THIS PLAT COMPLIES WITH THE MINIMUM TECHNICAL STANDARDS FOR PROPERTY SURVEYS IN GEORGIA AS SET FORTH IN THE RULES AND REGULATIONS OF THE GEORGIA BOARD OF REGISTRATION FOR PROFESSIONAL ENGINEERS AND LAND SURVEYORS AND AS SET FORTH IN O.G.G.A. SECTION 15-8-67.

THIS PLAT IS FOR THE EXCLUSIVE USE OF THE PARTIES STATED ON THE FACE OF THE SURVEY. ANY USE BY THIRD PARTIES IS AT THEIR OWN RISK.

THIS PLAT IS PREPARED FROM A FIELD SURVEY USING A FIVE SECOND DIGITAL THEODOLITE AND ELECTRONIC DISTANCE METER. LINEAR PRECISION OF TRAVERSE: 1/31,000; ANGULAR ERROR: 3" PER POINT. THE TRAVERSE WAS ADJUSTED USING THE COMPOUND RULE. LINEAR PRECISION OF THIS PLAT: 1/238,317. MATTERS OF TITLE ARE EXCEPTED.

DATE	3/20/20	REVISED
SCALE	1" = 30'	
DRAWN BY	SLB	
CHECKED BY	JDW	
FIELD BOOK	S&ND/C080/16-1144	

BOUNDARY RETRACEMENT SURVEY FOR:

**CENTERSTATE BANK**  
308 MONTGOMERY STREET

LOCATED IN L.L. 1144  
16th DISTRICT, 2nd SECTION  
CITY OF MARIETTA  
COBB COUNTY, GA.



*Christopher A. Evans* 4/3/20  
CHRISTOPHER A. EVANS, RLS  
GA RLS NO. 2784

SURVEYOR REFERENCES:  
SURVEY FOR FIRST LANDMARK BANK AND TICOR TITLE INSURANCE COMPANY PREPARED BY GASKINS SURVEYING DATED 11/15/07.

CURRENT OWNER:  
FIRST LANDMARK BANK



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1266 Powder Springs Rd Marietta, Georgia 30064  
www.gaskinsurvey.com Phone: (770) 424-7165 Fax: (770) 424-7593



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

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## **REZONING APPLICATION ANALYSIS**

**ZONING CASE #:** Z2020-22

**LEGISTAR:** #20200365

**LANDOWNERS:** ISTAR Bowling Centers I LP  
7313 Bell Creek Road  
Mechanicsville, VA 23111

**APPLICANT:** Prestwick Land Holdings  
3715 Northside Parkway  
Atlanta, GA 30327

**AGENT:** n/a

**PROPERTY ADDRESS:** a portion of 565 Cobb Parkway South

**PARCEL DESCRIPTION:** 17<sup>th</sup> District, Land Lot 506, a portion of parcel 0620

**AREA:** ±1.59 acres

**COUNCIL WARD:** 1A

**EXISTING ZONING:** CRC (Community Retail Commercial)

**REQUEST:** RHR (Residential High Rise)

**FUTURE LAND USE:** CAC (Community Activity Center)

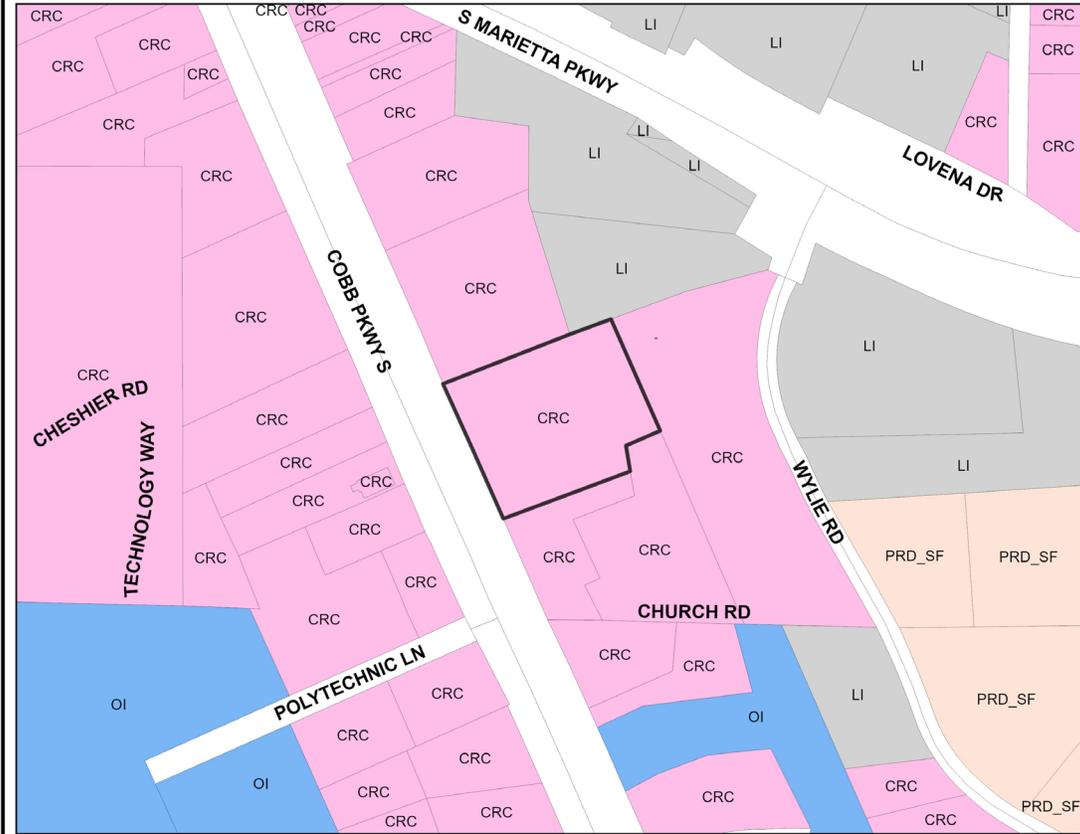
**REASON FOR REQUEST:** The applicant is requesting the rezoning of a portion of 565 Cobb Parkway South from CRC to RHR to construct a multifamily complex with ninety-four (94) units classified as Housing for Older Persons (HFOP).

**PLANNING COMMISSION HEARING:** Tuesday, June 2<sup>nd</sup>, 2020 – 6:00 p.m.

**CITY COUNCIL HEARING:** Wednesday, June 10<sup>th</sup>, 2020 – 7:00 p.m.

**MAP**

**City of Marietta Area Zoning Map**

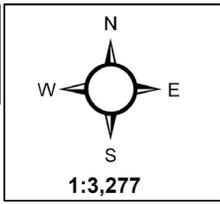


Zoning		District	Land Lot	Parcel	Current Zoning	Proposed Zoning
<b>SINGLE FAMILY RESIDENTIAL</b> R-1 One Unit/Acre R-2 Two Unit/Acre R-3 Three Unit/Acre R-4 Four Unit/Acre <b>ATTACHED FAMILY RESIDENTIAL</b> RA-4 Four Unit/Acre RA-6 Six Unit/Acre RA-8 Eight Unit/Acre PRD(SF) Planned Residential Dev. MHP Mobile Home Park <b>MULTI FAMILY RESIDENTIAL</b> RM-8 Eight Unit/Acre RM-10 Ten Unit/Acre RM-12 Twelve Unit/Acre RHR Residential High Rise PRD(MF) Planned Residential Dev.	<b>COMMERCIAL</b> NRC Neighborhood Retail CRC Community Retail RRC Regional Retail CBD Central Business District PCD Planned Commercial Dev. MXD Mixed-Use Dev. OIT Office Institutional Trans. LRO Low-Rise Office OI Office Institutional OS Office Services OHR Office High-Rise <b>INDUSTRIAL</b> LI Light Industrial HI Heavy Industrial PID Planned Industrial Dev.	17	506	0620	CRC	RHR

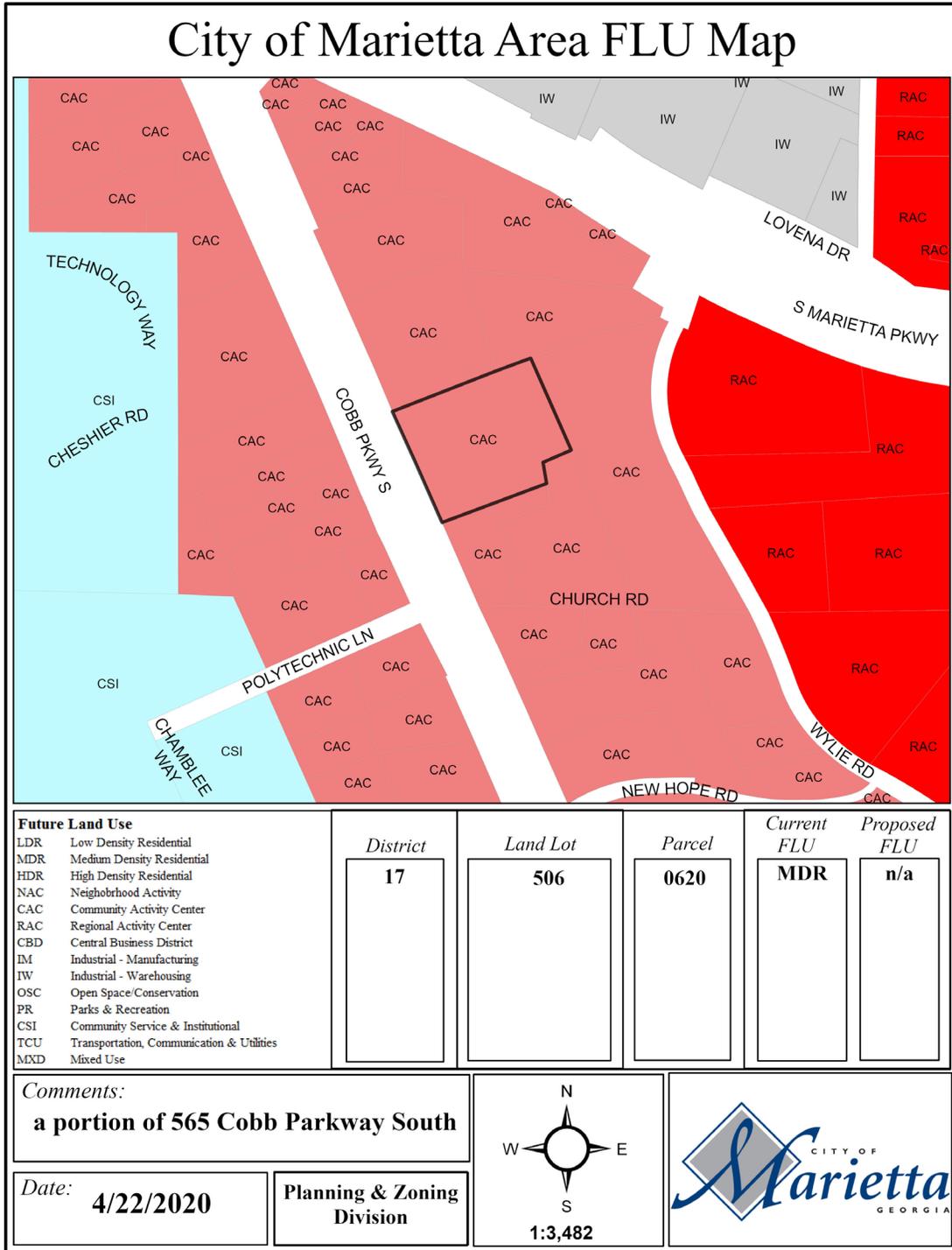
Comments:  
 a portion of 565 Cobb Parkway South

Date: 4/22/2020

Planning & Zoning Division



## FLU MAP



**PICTURES OF PROPERTY**



**Subject property at 565 Cobb Parkway S**



**Subject property**

## STAFF ANALYSIS

### *Location Compatibility*

Prestwick Land Holdings LLC and Marietta Housing Authority (MHA) are requesting the rezoning of a portion of 565 Cobb Parkway South from CRC (Community Retail Commercial) to RHR (Residential High Rise) in order to construct a multifamily complex with ninety-four (94) units classified as HFOP (Housing for Older Persons). The subject property is a total of 2.416 acres and is located along Cobb Parkway South. The proposal includes developing 1.59 acres of the total 2.416 acreage of land and leaving 0.61 acres as an outparcel zoned CRC. All surrounding parcels, except for the property directly northeast of the subject property, which is zoned LI (Light Industrial), are also zoned CRC. Cobb Parkway South, an arterial road, is mainly made up of commercial businesses and restaurants.

### *Use Potential and Impacts*

The applicant wishes to rezone the property from CRC to RHR (Residential High Rise) to develop a 4-story multifamily complex with 94 units –47 one-bedroom units and 47 two-bedroom units. The exterior façade of the proposed building would consist of brick and stone, complimented with hardi-plank siding. The applicant has made it clear that the proposed multifamily complex will be marketed towards seniors. The maximum density allowed for RHR is sixty-five (65) units per acre; and this project is proposed to be fifty-nine (59) units per acre.

The existing 34,000 square foot structure was used as a bowling alley and bowling apparel/accessories business from 1989 to 2017. Although the ownership of the property has changed numerous times, the use has always remained the same. The applicants are proposing to demolish the existing building and develop only a portion of the property (1.59 acres) for senior-multifamily housing. The remaining 0.61 acres would remain a vacant out-parcel lot zoned CRC.

The submitted plans are conceptual and lacking many details; however, the following variances would be required to develop the property as proposed:

- Variance to reduce the minimum tract size for a property zoned RHR from 2 acres to 1.59 acres. [§708.13 (H)]
- Variance to reduce the minimum building height from 5 stories to 4 stories. [§708.13 (H)]
- Variance to reduce the front yard setback for a property zoned RHR from 50' to 10'. [§708.13 (H)]
- Variance to reduce the side yard setbacks for a property zoned RHR from 30' to 20'. [§708.13 (H)]



The applicant has not indicated whether there would be a recreational area on site. RHR-zoned districts require a minimum of 10% of the total area of the site be dedicated to recreational area, which for this site would be 0.159 acres (6,926 square feet).

This property has a future land use designation of CAC (Community Activity Center). CAC is designed for retail and service needs and should be located on collector and arterial streets. Many of the older Community Activity Centers Districts such as this one, are auto oriented. These areas should become more pedestrian-friendly as new development and redevelopment occurs. Compatible zonings include CRC, LRO, OI, OS, PCD, and MXD. Therefore, the request to rezone from CRC to RHR is not supported by the City’s Comprehensive Plan.

*Environmental Impacts*

There are no indications of any streams, wetlands, floodplain, or endangered species on site, so the redevelopment of this property should not have a substantial environmental impact. Since the project will be expected to comply with the City’s current stormwater and landscaping ordinances, there should be an overall improvement in environmental conditions.

Though not explicitly shown on the proposed site plan, a ten (10) foot planted border area is required along any roadway. Planted borders are to contain at least one 3” caliper tree every thirty (30) lineal feet of roadway and the trees shall be medium or large canopy.

*Economic Functionality*

The existing 34,000 sq.ft. building functioned as a bowling alley and bowling apparel/accessories business until 2017 and has remained vacant since then. The surrounding area is predominately commercial with businesses such as vehicle rentals, pawn shops, furniture stores, and restaurants. The property is situated along a major arterial road, which makes it optimal for commercial use.

*Infrastructure*

Cobb Parkway is not a pedestrian-friendly corridor and does not have continuous sidewalks. A 5’ sidewalk with 2’ grass strip would be required along all road frontages; and a bus stop shelter is located nearby on Cobb Parkway South.

The minimum number of required parking spaces for RHR, as described in Section 708.13,

is two per unit. For a 94-unit apartment building, 188 parking spaces would be required. However, the plan only provides 94 parking spaces.

These minimum parking standards are likely determined by individuals and families with children and do not consider households that are expected to have less than the average number of cars. Senior residents would not be expected to require the same amount of parking as younger families. As a result, the following variance would be necessary:

- Variance to reduce the parking minimum from 188 to 94 parking spaces [*§716.07 and §708.13 (H)*]

Otherwise, this proposal should have minimal adverse impact on the transportation, education, water, sewer, and electrical infrastructure in the area.

### *History of Property*

There is no history of any variances, special land use permits or rezoning's for the subject property.

### *Other Issues*

Though not explicitly stated by the applicant, it should be noted that within the RHR zoning district there are minimum floor area requirements:

- 500 sq.ft. for an efficiency unit
- 650 sq.ft. for 1-bedroom units
- 800 sq.ft. for 2-bedroom units
- 1000 sq.ft. for 3-bedroom units

All units would be required to be built with automatic fire sprinklers.



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## ANALYSIS & CONCLUSION

Prestwick Land Holdings LLC and Marietta Housing Authority (MHA) are requesting the rezoning of a portion of 565 Cobb Parkway South from CRC to RHR in order to construct a multifamily complex with ninety-four (94) units classified as HFOP (Housing for Older Persons). All surrounding parcels, except for the property directly northeast of the subject property, which is zoned LI, are also zoned CRC.

The subject property is a total of 2.416 acres and is located along Cobb Parkway South. The proposal includes developing 1.59 acres of the total 2.416 acreage of land and leaving 0.61 acres as an outparcel zoned CRC. The applicant wishes to develop a 4-story multifamily complex with 94 units –47 one-bedroom units and 47 two-bedroom units. The exterior façade of the proposed building would consist of brick and stone, complimented with hardi-plank siding.

The ninety-four (94) unit complex would be marketed towards seniors and the proposed density would be fifty-nine (59) units per acre. The maximum density allowed for RHR is sixty-five (65) units per acre. The existing 34,000 square foot structure, which is proposed to be demolished, was used as a bowling alley and bowling apparel/accessories business from 1989 to 2017.

The submitted plans are conceptual and lacking many details; however, the following variances would be required to develop the property as proposed:

1. Variance to reduce the minimum tract size for a property zoned RHR from 2 ac. to 1.59 ac. [*§708.13 (H)*]
2. Variance to reduce the minimum building height from 5 stories to 4 stories. [*§708.13 (H)*]
3. Variance to reduce the front yard setback for a property zoned RHR from 50’ to 10’. [*§708.13 (H)*]
4. Variance to reduce the side yard setbacks for a property zoned RHR from 30’ to 20’. [*§708.13 (H)*]
5. Variance to reduce the parking minimum from 188 to 94 parking spaces. [*§716.07 and §708.13 (H)*]

This property has a future land use designation of CAC (Community Activity Center). CAC is designed for retail and service needs and should be located on collector and arterial streets. Many of the older Community Activity Centers Districts such as this one, are auto oriented. These areas should become more pedestrian-friendly as new development and redevelopment occurs. Compatible zonings include CRC, LRO, OI, OS, PCD, and MXD. Therefore, the request to rezone from CRC to RHR is not supported by the City’s Comprehensive Plan.

**Prepared by:** \_\_\_\_\_

**Approved by:** \_\_\_\_\_



## DATA APPENDIX

### *CITY OF MARIETTA - WATER*

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Is a water line adjacent to the property?	Yes
If not, how far is the closest water line?	N/A
Size of the water line?	16"
Capacity of the water line?	A fire flow test may be required
Approximate water usage by proposed use?	Not provided

### *CITY OF MARIETTA - WASTEWATER*

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Is a sewer line adjacent to the property?	Yes
If not, how far is the closest sewer line?	N/A
Size of the sewer line?	10"
Capacity of the sewer line?	A.D.F Peak
Estimated waste generated by proposed development?	Not provided
Treatment Plant Name?	Cobb County
Treatment Plant Capacity?	Cobb County
Future Plant Availability?	Cobb County

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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
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?	No
Do stream bank buffers exist on the parcel?	No
Are there other topographical concerns on the parcel?	No
Are there storm water issues related to the application?	No
Potential presence of endangered species in the area?	No
<ul style="list-style-type: none"> <li>• 94 units will need a second access point</li> <li>• Full site development plans required</li> <li>• Comply with ARTICLE 7-8-14 - post-development stormwater management for new development and redevelopment</li> <li>• Sidewalks required along frontage and interior to the project</li> <li>• Traffic study required to evaluate entrance and impact to state route 41</li> <li>• GDOT approval required</li> <li>• Explain how 94 units of trash will be addressed if curbside pickup proposed, show turning template of access for Sanitation vehicle.</li> </ul>	

### ***TRANSPORTATION***

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What is the road affected by the proposed change?	Cobb Pkwy
What is the classification of the road?	Principle Arterial
What is the traffic count for the road?	33,000 (GDOT 2018)
Estimated # of trips generated by the proposed development?	Information not provided
Estimated # of pass-by cars entering proposed development?	Unknown
Do sidewalks exist in the area?	No
Transportation improvements in the area?	No
If yes, what are they?	NA

**Additional Comments:**

Add sidewalk to proposed development.



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## DATA APPENDIX CONTINUED

### EMERGENCY SERVICES

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Nearest city or county fire station from the development?	149 Dodd St
Distance of the nearest station?	1 mile
Most likely station for 1 <sup>st</sup> response?	52
Service burdens at the nearest city fire station (under, at, or above capacity)?	under

**Comments:**

- Drive around access to the building will be required.
- Fire Sprinklers required.
- Fire Alarm required. CO alarms if using fuel fired appliances/equipment.
- If total SF exceeds 12,000 IFC 510 requirements will need to be met.
- Minimum percentage of rooms must be ADA compliant per 2010 ADA guidelines.

### MARIETTA POWER - ELECTRICAL

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Does Marietta Power serve this site?      Yes   x                        No           

If not, can this site be served?              Yes                                 No           

What special conditions would be involved in serving this site?

Additional comments:



**DATA APPENDIX CONTINUED**

***MARIETTA CITY SCHOOLS***

**Marietta City Schools Impact Assessment:**

Elementary School System Servicing Development:	<b>Lockheed</b>
Middle School Servicing Development:	<b>Marietta Middle School</b>
High School Servicing Development:	<b>Marietta High School</b>
Capacity at Elementary School:	<b>775</b>
Capacity at Middle School:	<b>1,350</b>
Capacity at Marietta Sixth Grade Academy:	<b>775</b>
Capacity at High School:	<b>2,150</b>
Current enrollment of Elementary School:	<b>737</b>
Current enrollment of Middle School:	<b>1,386</b>
Current enrollment of High School:	<b>2,410</b>
Number of students generated by present development:	<b>0</b>
Number of students projected from the proposed development:	<b>0 (Senior Living)</b>
New schools pending to serve this area:	<b>0</b>

**Comments:** Student enrollment numbers based on the last day of school.



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

## APPLICATION FOR REZONING

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

*For Office Use Only:*

Application #: 22020-22      Legistar #: 20200365      PZ #: 20-127  
 Planning Commission Hearing: 6-2-20      City Council Hearing: 6-10-20

Owner's Name ISTAR Bowling Centers I LP

EMAIL Address: \_\_\_\_\_

Mailing Address 7313 Bell Creek Road, Mechanicsville, VA Zip Code: 23111 Telephone Number \_\_\_\_\_

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

Applicant: Prestwick Land Holdings and the Marietta Housing Authority-Edrick Harris  
 EMAIL Address: edrick@prestwickcompanies.com  
 Mailing Address 3715 Northside Parkway, Atlanta, GA Zip Code: 30127  
 Telephone Number 678.705.0738 Email Address: edrick@prestwickcompanies.com

Address of property to be rezoned: 565 South Cobb Parkway, Marietta, GA

Land Lot (s) 506 District 17 Parcel 62 Acreage 2.21 Ward 1A Future Land Use: CAC

Present Zoning Classification: C4 <sup>00620</sup> Proposed Zoning Classification: RHR <sup>2416</sup>

**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.

**CAMPAIGN CONTRIBUTIONS**

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

\_\_\_\_\_  
Signature of Owner

Eaep  
Signature of Applicant

\_\_\_\_\_  
Print Name

Edrick J Harris  
Print Name

**FINANCIAL INTEREST**

The Applicant herein certifies that he/she  has  has not a financial interest in the property which is ten percent (10%) or more. Prestwick Land Holdings is seeking to purchase the property, but currently has no interest/ownership.

Edrick J Harris  
Print Name

Eaep  
Signature of Applicant

**OWNER/APPLICANT CERTIFICATION**

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

Eaep  
Signature

Edrick Harris  
Please Print

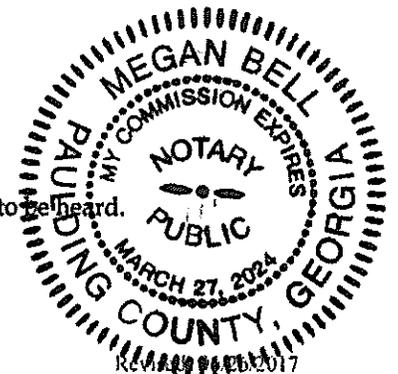
3715 Northside Parkway, Atlanta, GA 30327  
Address

4/20/2020  
Date

Signed, sealed and delivered in the presence of:

Megan Bell

My Commission Expires: 3-27-2024



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

# The 565 South Cobb Parkway Senior Community

## Project Narrative

Prestwick and The Marietta Housing Authority will develop a market quality product consistent with The Manor at Scott's Crossing and Gateway Capitol View in the City of Atlanta in Marietta. The HFOP (senior) multifamily complex will showcase 94 units (47-one bedroom and 47-two bedroom). All units will be in one individual building and there will be an integrated community center. The building's attractive, modern exterior will consist of brick or stone complemented by hardi-plank façade providing maximum architectural appeal. The project will seek the Southface Energy Institute's Earth Craft certification.

For the enjoyment and convenience of all residents, central common areas will include a community room with a kitchen, fitness center, business center with computer stations, furnished library, community garden, wellness room, interior gathering areas, and a laundry room. The senior community will also offer a gazebo / picnic area and other green space. Resident activities will be ongoing and designed to meet the needs of the changing community.

The site's best amenity, however, might be its location. The site is located within the major employment center of Marietta, which has fantastic schools, and is an area of opportunity. The site is within a short walking distance to transit, several parks and other community amenities.

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**TO: Marietta Daily Journal**

**FROM: City of Marietta**

**RUN AD DATE: May 15, 2020**

**CITY OF MARIETTA  
PUBLIC NOTICE OF REZONINGS 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, June 2<sup>nd</sup>, 2020, 6:00 P.M.**, City Hall, for a recommendation to the City Council at their meeting on **Wednesday, June 10<sup>th</sup>, 2020, 7:00 p.m.**, City Hall, for a final decision to be made.

**Z2020-22 [REZONING] PRESTWICK LAND HOLDINGS & MARIETTA HOUSING AUTHORITY** are requesting the rezoning of approximately 1.6 acres located in Land Lots 506 & 575, District 17, Parcel 0620 of the 2<sup>nd</sup> Section, Cobb County, Georgia, and being known as a portion of 565 Cobb Parkway South from CRC (Community Retail Commercial) to RHR (Residential High Rise). Ward 1A.

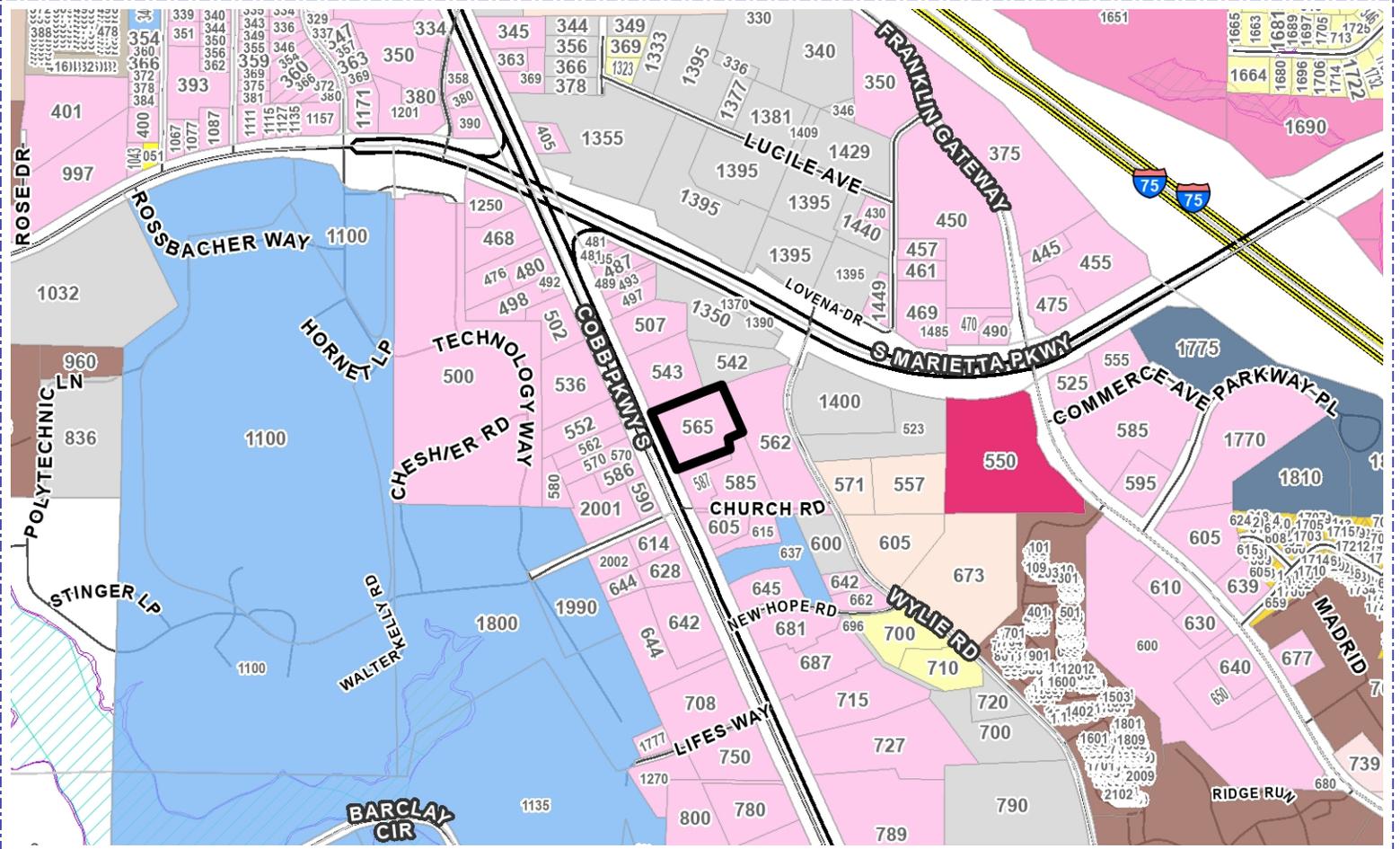
A description and plat of the property sought for the rezoning, special land use permit, and variances are on file in the Planning and Zoning Office, City Hall, and is available for inspection between 8:00 A.M. and 5:00 P.M., Monday through Friday. Anyone wishing to attend may do so and be heard relative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

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

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

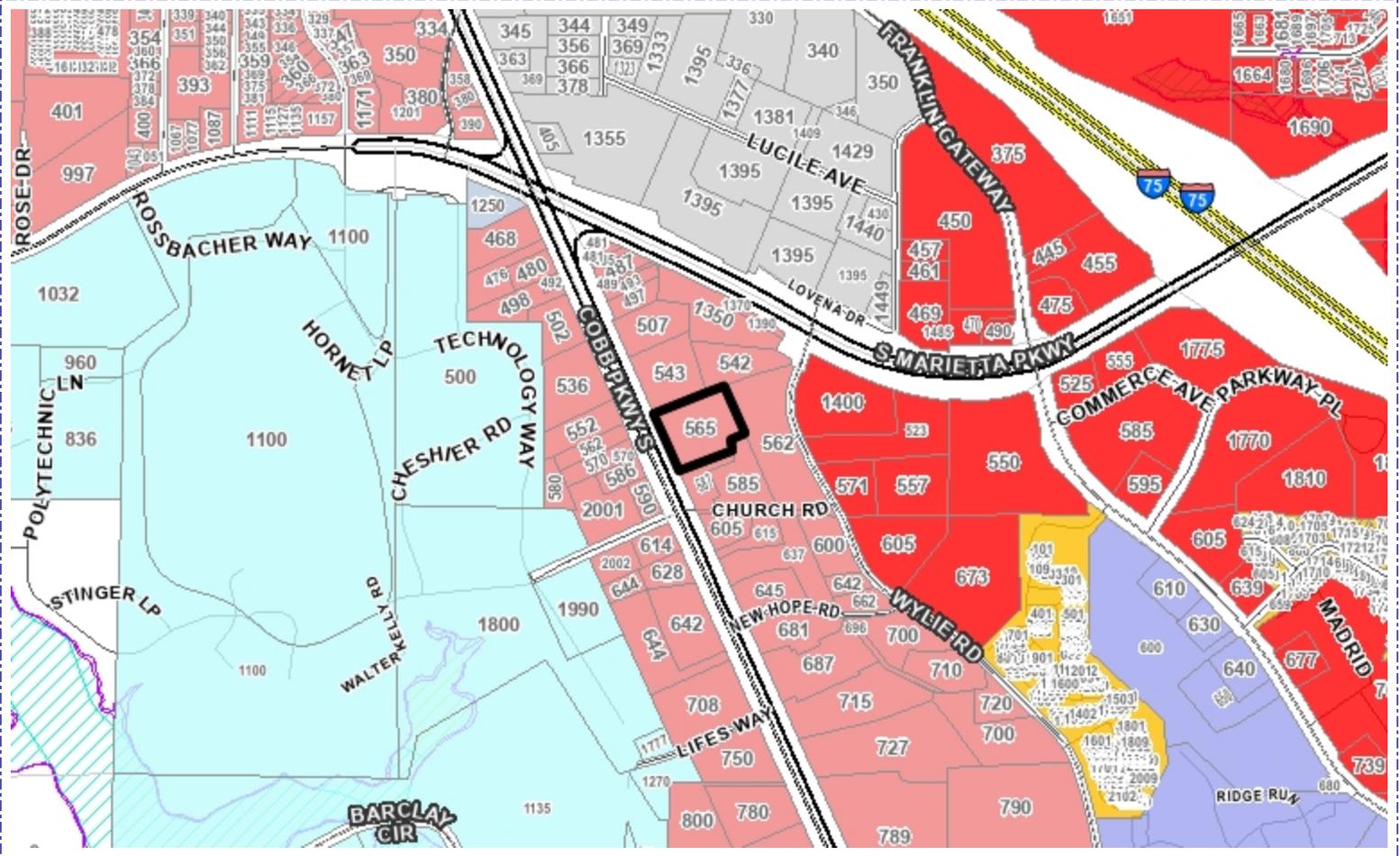
City of Marietta  
205 Lawrence Street  
Marietta, Georgia 30060

# Rezoning

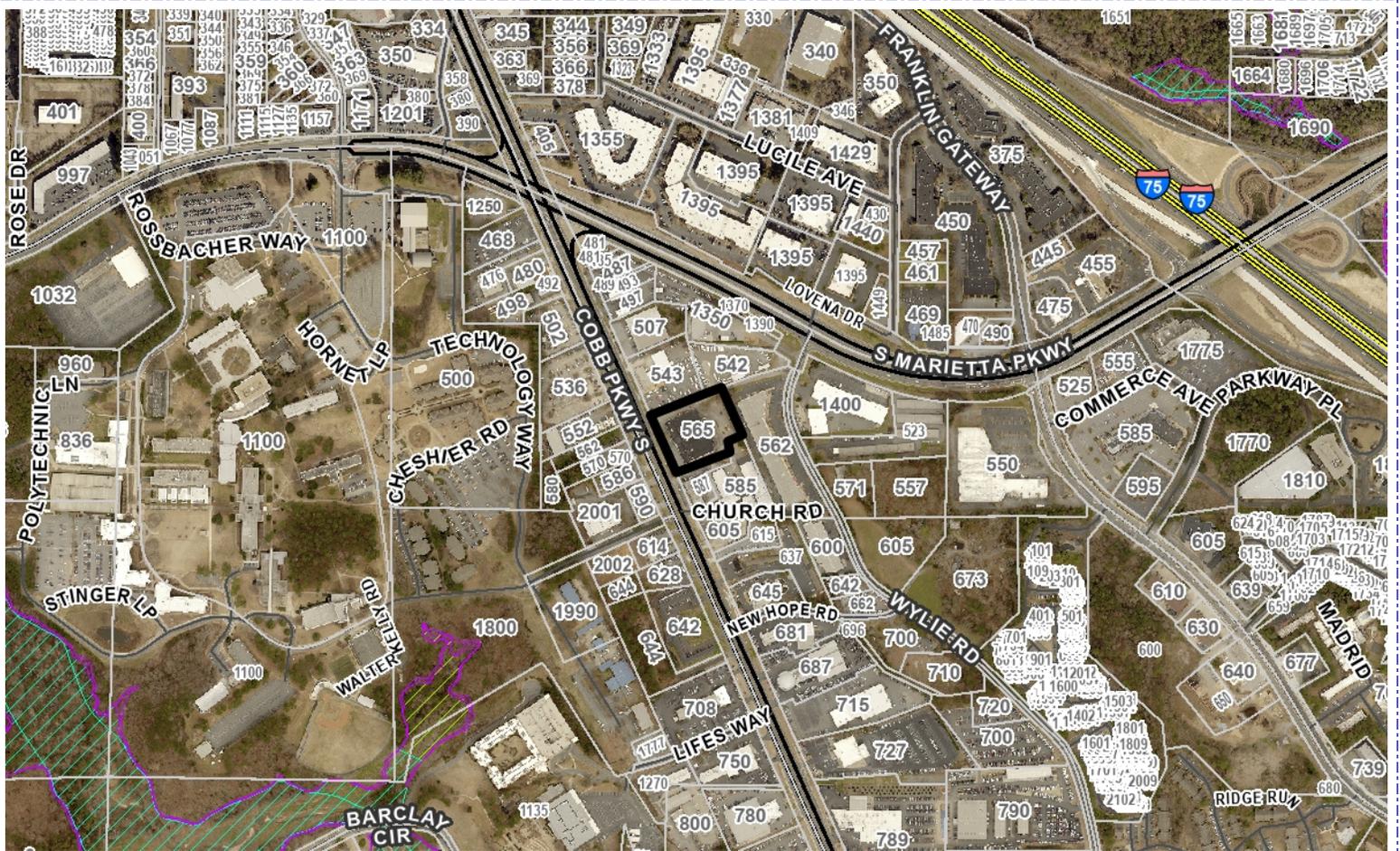


Address	Parcel Number	Acreage	Ward	Zoning	FLU
565 COBB PKWY S	17050600620	2.416	1A	CRC	CAC

Property Owner:	ISTAR Bowling Centers I LP		<b>Zoning Symbols</b> 
Applicant:	Prestwick Land Holdings and the Marietta Housing Authority-Edrick Harris		
Proposed Zoning:	CRC to RHR		
Agent:			
Proposed Use:			
Planning Commission Date:	06/02/2020		
City Council Hearing Date:	06/10/2020	Case Number: Z2020-22	
City of Marietta Planning & Zoning			



Address	Parcel Number	Acreage	Ward	Zoning	FLU
565 COBB PKWY S	17050600620	2.416	1A	CRC	CAC
Planning Commission Hearing Date:	06/02/2020	<b>Future Land Use Symbols</b> Railroads City Limits Cobb County Pockets RAC - Regional Activity Center CAC - Community Activity Center NAC - Neighborhood Activity Center CBD - Central Business District MXD - Mixed Use Development CSI - Community Service and Institutional HDR - High Density Residential MDR - Medium Density Residential LDR - Low Density Residential OSC - Open Space / Conservation PR - Parks / Recreation IW - Industrial Warehousing IM - Industrial Manufacturing TCU - Transportation and Utilities			
City Council Hearing Date:	06/10/2020				
Future Land Use:	CAC				
Case Number:	Z2020-22				
Comments:					
<b>City of Marietta Planning &amp; Zoning</b>					



Address	Parcel Number	Acreage	Ward	Zoning	FLU
565 COBB PKWY S	17050600620	2.416	1A	CRC	CAC

Property Owner:	ISTAR Bowling Centers I LP				
Applicant:	Prestwick Land Holdings and the Marietta Housing Authority-Edrick Harris				
City Council Hearing Date:	06/10/2020				
Planning Commission Hearing Date:	06/02/2020				
BZA Hearing Date:	Case Number: Z2020-22				
Comments:					
City of Marietta Planning & Zoning					

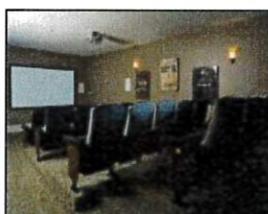
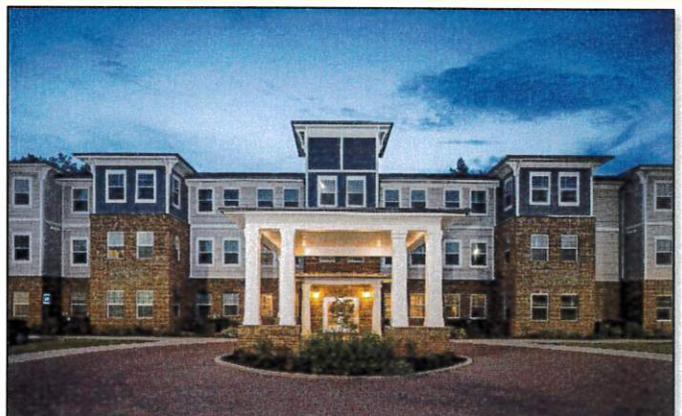
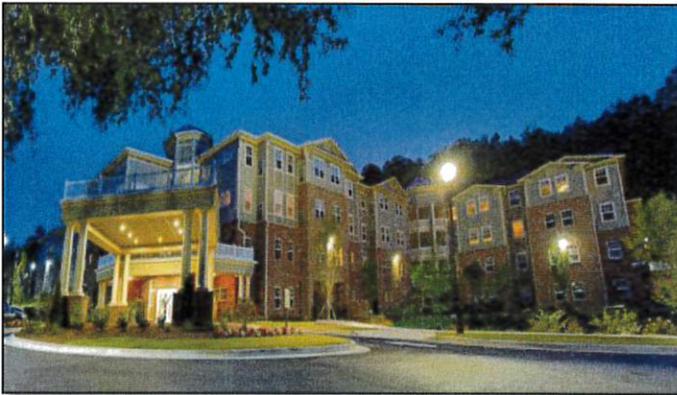
**Legend**

- Railroads
- City Limits
- Cobb County Pockets



Prestwick  
companies

# PROJECT EXAMPLES





**Park 9 at Ridgewalk  
Multifamily Residential**  
800 Milwood St.  
Woodstock, GA 30189

**Project Completion:**  
Fall 2016

**Amount:**  
\$31.8 million TDC

**Size:**  
275-units Total

**Services:**  
Owner/Developer

**Type:**  
Multifamily/ Class A  
Luxury Market

Prestwick Companies is proud to announce the completion of Park 9 Apartments in Woodstock, Georgia. The 275 Unit, Class A apartment development has been designed to be one of Atlanta's most walkable and active suburban communities. Borrowing from the principles of new urbanism, sidewalks will connect parks, playgrounds, community gardens, a resort style pool and residences throughout the project. The development is within five minutes of Downtown Woodstock, The Outlet Shoppes of Atlanta, as well as kayaking, mountain biking and other outdoor recreational opportunities.

The apartment units feature options for every lifestyle, from family units with attached garages, to units for the young professional, and empty nester.

This project was completed in the Summer of 2016. For more information about this project, please visit our website at [www.park9apts.com](http://www.park9apts.com).

*Discipline, Innovation,  
Achievement, Integrity,  
Respect, and Responsibility.*





## The Eddy at Riverview Landing Multifamily Residential 6250 Riverview Rd. Mableton, GA 30126

**Project Completion:**  
Spring 2020

**Amount:**  
\$50 million TDC

**Size:**  
310-units Total

**Services:**  
Owner/Developer

**Type:**  
Multifamily/ Class A  
Luxury Market

Smyrna, GA –Anchored by the Chattahoochee River, “The Eddy at Riverview Landing” will rise as one of the first components of the 82-acre mixed-use destination known as Riverview Landing. In addition to the 12-acre community park, The Eddy will feature 310 Class A apartments amidst a walkable waterfront oasis.

The Eddy at Riverview Landing will provide residents with pristine river views and direct access to outdoor amenities such as a kayak launch, public dock, observation decks and a community theater, which will host regular community programming and events. It will also house approximately 8,000 square feet of commercial space, featuring a coffee shop, restaurant and coworking space. Prestwick announced it will dedicate the waterfront park to the city of Smyrna upon completion. The park features premier river access for residents, and will create a beautiful greenspace for the community to enjoy throughout the year. The Eddy at Riverview Landing is slated to open in Spring 2019.

*Discipline, Innovation,  
Achievement, Integrity,  
Respect, and Responsibility.*





**Manor at Scott's Crossing**  
**Multifamily Residential**  
**1671 James Jackson Pkwy**  
**Atlanta, GA 30318**

**Project Completion:**  
July 2012

**Amount:**  
\$13.7 million TDC

**Size:**  
101-units Total  
100 – 1BR  
1 - 2BR  
100 PBRA

**Services:**  
Owner/Developer

**Type:**  
Multifamily/LIHTC  
Senior Independent Living

Completed in 2012, Manor at Scott's Crossing is a 101 unit Senior Independent Living community for households 62 years of age and up. The site contributes to the on-going revitalization for the City of Atlanta's designated Northwest Atlanta Redevelopment Area. The site is a former YMCA location and the existing gymnasium building was converted into 16 apartments along with amenity space during construction. The community received an EarthCraft Certification through the Southface Energy Institute sustainable program. The community offers a movie theater, fitness center, computer center, wellness center, arts and crafts area, community room, library and shuffleboard court.

*Discipline, Innovation,  
Achievement, Integrity,  
Respect, and Responsibility.*





**Gateway at East Point**  
**Multifamily Residential**  
1311 E. Cleveland Ave.  
East Point, GA 30344

**Project Completion:**  
July 2012

**Amount:**  
\$13.6 million TDC

**Size:**  
101-units Total  
100 – 1BR  
1 - 2BR  
100 PBRA

**Services:**  
Owner/Developer

**Type:**  
Multifamily/LIHTC  
Senior Independent Living

Completed in 2012, Gateway at East Point is a 101 unit Senior Independent Living community for households 62 years of age and up. The site location is situated in an area deemed by the City of East Point as the “Gateway” to their city. The “Gateway” profile was not only incorporated within the name of the project but also within the upscale architectural and hardscape\landscape design. The community received an EarthCraft Certification through the Southface Energy Institute sustainable program. The community offers a fitness center, computer center, community room, wellness center, arts and crafts area, library, and shuffleboard court.

*Discipline, Innovation,  
Achievement, Integrity,  
Respect, and Responsibility.*





**Manor Broad Street  
Multifamily Residential**  
155 West Broad St.  
Fairburn, GA 30213

**Project Completion:**  
October 2015

**Amount:**  
\$8.8 million TDC

**Size:**  
88-units Total  
44 – 1BR  
44 - 2BR

**Services:**  
Owner/Developer

**Type:**  
Multifamily/LIHTC  
Senior Independent Living

Manor at Broad Street is an 88 unit senior living community located in the quickly growing city of Fairburn, GA. We worked closely with the City of Fairburn to complete this project due to adjacent uses of the Fairburn Fire Department and Fairburn Police Department. Amenities include community room, covered porch, on-site laundry, computer center, and fully furnished fitness center.

*Discipline, Innovation,  
Achievement, Integrity,  
Respect, and Responsibility.*





**Gateway Capitol View**  
**Multifamily Residential**  
1374 Murphy Ave.  
Atlanta, GA 30310



**Project Completion:**  
Q2 2018

**Amount:**  
\$23.9 million TDC

**Funding:**  
Project Based Rental Assistance  
4% Bond

**Size:**  
162-units Total  
139 – 1BR  
23 - 2BR

**Services:**  
Owner/Developer

**Type:**  
Multifamily/LIHTC  
Senior Independent Living

Gateway Capitol View is a 162 unit senior living community. As a transit oriented development, this property is located across from Oakland City MARTA Station and provides unparalleled access to public transit for the senior community. Additionally, the site is located within the Atlanta BeltLine Overlay District which provides even greater mobility options for its residents. On-site and interior amenities include community room, covered porch, on-site laundry, computer center, and fully furnished fitness center.

*Discipline, Innovation,  
Achievement, Integrity,  
Respect, and Responsibility.*





**Brightstone**  
**Multifamily Residential**  
2654 DeKalb Medical Pkwy  
Lithonia, GA 30058

**Project Completion:**  
Q2 2019

**Amount:**  
\$24.9 million TDC

**Funding:**  
Project Based Rental Assistance  
4% Bonds

**Size:**  
175-units Total  
152 - 1BR  
23 - 2BR

**Services:**  
Owner/Developer

**Type:**  
Multifamily/LIHTC  
Senior Independent Living

Brightstone is a 175 unit senior living community. This community is located across from DeKalb Medical at Hillandale Hospital and its residents can enjoy the convenient location to the surrounding medical office buildings and other community services. Close proximity to I-20, this development provides quick access to downtown Atlanta as well as Conyers. On-site and interior amenities include community room, covered porch, on-site laundry, computer center, and fully furnished fitness center.

*Discipline, Innovation,  
Achievement, Integrity,  
Respect, and Responsibility.*





**Manor at Indian Creek**  
**Multifamily Residential**  
3904 Durham Park Rd.  
Stone Mountain, GA 30080

**Project Completion:**

Q2 2019

**Amount:**

\$24.9 million TDC

**Funding:**

Project Based Rental Assistance  
9% Bonds

**Size:**

188-Units Total  
157 – 1BR  
31 - 2BR

**Services:**

Owner/Developer

**Type:**

Multifamily/LIHTC  
Senior Independent Living

Manor at Indian Creek is a 188 multi phase senior living community. This community is located on the north side of Durham Park Road and its residents can enjoy the convenient location to shopping centers, medical services, public transportation within walking distance and other community services. Close proximity to I-285, this development provides quick access to downtown Atlanta within seven miles. On-site and interior amenities include community room, covered picnic pavilion with benches and barbecues, gazebo, shuffleboard court, on-site laundry, computer center, and fully furnished fitness center.

*Discipline, Innovation,  
Achievement, Integrity,  
Respect, and Responsibility.*





Prestwick  
companies

# PRESTWICK COMPANIES

## MISSION

*Prestwick Companies will stay true to our core values.*

*By doing so we will provide:*

*Market quality family housing and services for our residents.*

*Promote long term relationships with our business partners to achieve a common goal.*

*Invest in the local community and support local initiatives that enhance stability and long term growth of the community and our residents.*

## VISION

*Prestwick Companies invests its time and resources in the residences we develop, the people we connect with, and the communities where we are involved. These contributions are long term investments that we will see through.*

## CORE VALUES





GLA-ATL-LLC  
 649 15TH STREET  
 ATLANTA, GA 30338  
 VOICE: 404.226.1358  
 FAX: 404.226.6150

WWW.GLAATL.COM

RELEASE DATES:

REV #	DATE	DESCRIPTION



CLIENT:  
 PRESTWICK COMPANIES  
 3175 NORTHSIDE  
 PARKWAY NW  
 BLDG 200, SUITE 175  
 ATLANTA, GA 30327

PROJECT:  
 SMYRNA HILL DRIVE  
 SENIOR APARTMENTS

DRAWING TITLE:  
 PROPOSED ELEVATION

DRAWN BY: \_\_\_\_\_ CHECKED BY: \_\_\_\_\_  
 SCALE: AS NOTED DATE: 08/8/19  
 PROJECT NUMBER: 1942  
 DRAWING NUMBER: A5-1

NOT RELEASED FOR CONSTRUCTION



**Manor at Scott's Crossing Multifamily Residential** 1671 James Jackson Pkwy Atlanta, GA 30318



GLA-AT, LLC  
 649 11TH STREET  
 ATLANTA, GA 30318  
 VOICE: 404.226.3308  
 FAX: 404.226.6350

WWW.GLATL.COM

RELEASE DATES:

REV #	DATE	DESCRIPTION



STAMP:

CLIENT:  
 PRESTWICK COMPANIES  
 3175 NORTHSIDE  
 PARKWAY NW  
 BLDG 200, SUITE 175  
 ATLANTA, GA 30327

PROJECT:  
 MARIETTA APARTMENTS  
 565 SOUTH COBB PKWY  
 MARIETTA, GA 30060

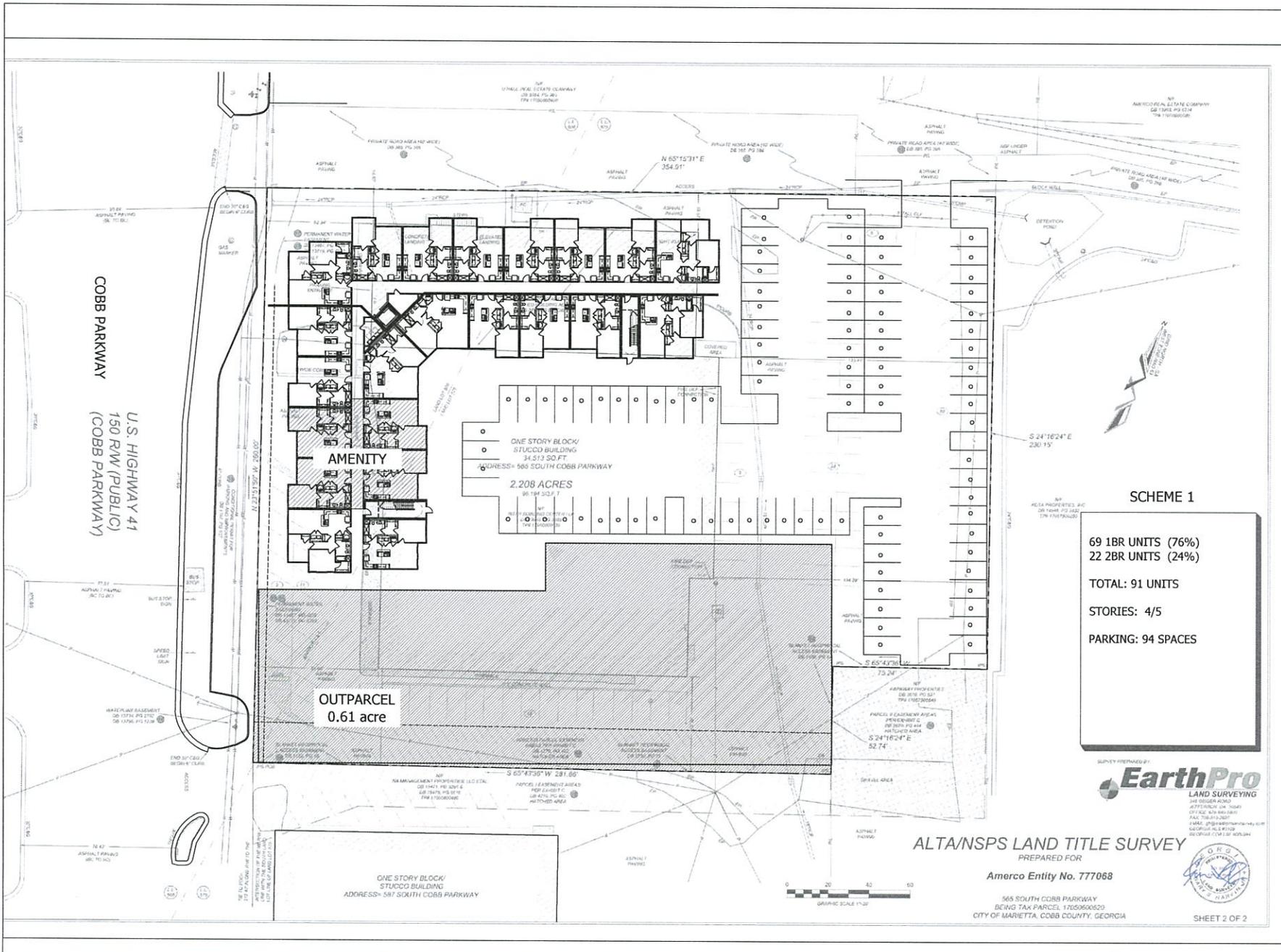
DRAWING TITLE:  
 DENSITY STUDY

DRAWN BY:                      CHECKED BY:  
 SCALE: AS NOTED              DATE: 03/17/2020  
 PROJECT NUMBER: 2023  
 DRAWING NUMBER:

NOT RELEASED FOR CONSTRUCTION

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**GLA-ATL, LLC**  
 647 11TH STREET  
 ATLANTA, GA 30309  
 VOICE: 404.525.1158  
 FAX: 404.525.8510  
 WWW.GLAATL.COM

RELEASE DATES:

REV #	DATE	DESCRIPTION



STAMP:

CLIENT:  
**PRESTWICK COMPANIES**  
 3175 NORTHSIDE  
 PARKWAY NW  
 BLDG 200, SUITE 175  
 ATLANTA, GA 30327

PROJECT:  
**MARIETTA APARTMENTS**  
 565 SOUTH COBB PKWY  
 MARIETTA, GA 30060

DRAWING TITLE:  
**DENSITY STUDY**

DRAWN BY: \_\_\_\_\_ CHECKED BY: \_\_\_\_\_

SCALE: \_\_\_\_\_ DATE: **03/17/2020**

PROJECT NUMBER: **2023**

DRAWING NUMBER: \_\_\_\_\_

NOT RELEASED FOR CONSTRUCTION

**ITEMS CORRESPONDING TO SCHEDULE B-II**

- CHICAGO TITLE #18URANCE COMPANY  
COMMITMENT NUMBER: 2180071  
EFFECTIVE DATE: JANUARY 23, 2018
12. Right of Way Easement from J.M. Fowler, Jr., et al to Barry P. Nunn, et al dated December 5, 1956, recorded in Deed Book 385, page 396, Cobb County Records.  
NOT ON SURVEYED PROPERTY. AREA OF RIGHT OF WAY IS SHOWN ON SURVEY.
  13. Driveway Permits in favor of State Highway Board dated October 1, 1976, recorded in Deed Book 1730, page 35 and dated December 10, 1976, recorded in Deed Book 1737, page 557, aforesaid records.  
AS SHOWN ON SURVEY.
  14. Reciprocal Easement Agreement between Marietta Parkway, Ltd. and R. Craig Thornton and The Clancy Company dated June 4, 1984, recorded in Deed Book 3150, page 19, aforesaid records, as affected by as affected by Consent of Reciprocal Easement Holder to Voluntary Easement by Platmap Properties, a Georgia General Partnership between Robert E. Potter, Jeffrey S. Potter and Larry C. Lay, dated July 3, 2003 and recorded in Deed Book 13734, Page 2717, and by Consent of Reciprocal Easement Holder to Voluntary Easement by Platmap Properties, a Georgia General Partnership between Robert E. Potter, Jeffrey S. Potter and Larry C. Lay, dated July 3, 2003 and recorded July 18, 2003 in Deed Book 13736, Page 1226, aforesaid records.  
AS SHOWN ON SURVEY. EXHIBIT C IS NOT PROVIDED.
  15. Reciprocal Easement Agreement between Marietta Parkway, Ltd. and Sports Annex Properties, Inc. dated December 15, 1987, recorded in Deed Book 4270, page 402, aforesaid records.  
AS SHOWN ON SURVEY.
  16. Declaration of Easements dated March 20, 1986, recorded in Deed Book 3670, page 494, aforesaid records, as affected by Consent of Reciprocal Easement Holder to Voluntary Easement by Platmap Properties, a Georgia General Partnership between Robert E. Potter, Jeffrey S. Potter and Larry C. Lay, dated July 3, 2003 and recorded July 18, 2003 in Deed Book 13736, Page 1226, aforesaid records.  
AS SHOWN ON SURVEY.
  17. Right of Entry from AMP Bowling Centers, Inc. to Cobb County/Marietta Water Authority and Marietta Board of Light and Telephones dated December 12, 2001, first December 27, 2001, recorded in Deed Book 13467, page 1839, aforesaid records.  
AS SHOWN ON SURVEY.
  18. Easement in favor of Cobb County/Marietta Water Authority and the Marietta Board of Light and Telephones, dated March 14, 2003, recorded in Deed Book 13716, page 833, aforesaid records. Consented to by Debraanne Bank and Trust Company America, Atlanta Branch Trust Company, dated March 7, 2003, dated May 19, 2003, recorded in Deed Book 13748, page 5925, aforesaid records.  
AS SHOWN ON SURVEY.
  19. Right of AMP Bowling Centers, Inc. to amend, minor amendments herein, evidenced for record by final certain Memorandum of Lease with AMP Bowling Centers I LP, a Delaware limited partnership as Landlord, dated February 27, 2004 and recorded March 11, 2004 in Deed Book 13942, Page 3992, aforesaid records.  
IT IS A BLANKET DOCUMENT.



LOCATION MAP  
NOT TO SCALE

**MISCELLANEOUS NOTES**

1. REFERENCES FOR THE BOUNDARY INFORMATION SHOWN HEREON IS MADE TO: DEED BOOK 13462, PAGE 396.
2. ALL RECORDS ON FILE WITH THE CLERK OF SUPERIOR COURT IN COBB COUNTY, GEORGIA.
3. BASIS OF BEARING NOTE: HORIZONTAL DATUM SHOWN HEREON IS GEORGIA GRID COORDINATE (NAD 83 ZONE) ESTABLISHED USING GPS OBSERVATIONS WITH CORRECTIONS DERIVED FROM FRIMBLE VRS NOW NETWORK, NAD 83 (N71).
4. VERTICAL DATUM BASED UPON NAVD83 MEAN SEA LEVEL CONTOUR INTERVALS EQUAL ONE FOOT. NO LOCAL VERTICAL DATUM BENCHMARK NETWORK EXISTS.
5. THE LOCATION OF UNDERGROUND UTILITIES SHOWN HEREON IS BASED ON ABOVE GROUND STRUCTURES AND INFORMATION SUPPLIED TO THE SURVEYOR. LOCATION OF UNDERGROUND UTILITIES OR STRUCTURES MAY VARY FROM LOCATIONS SHOWN HEREON. ABOVE GROUND UTILITIES OR STRUCTURES MAY EXIST. THE SURVEYOR MAKES NO CERTIFICATION AS TO THE ACCURACY AND COMPLETENESS OF THE LOCATIONS SHOWN HEREON.
6. THE LAST DAY OF FIELD WORK WAS APRIL 13, 2018.
7. ALL BUILDING DISTANCES AND DATA SHOWN HEREON ARE REFERENCED FROM OUTSIDE BUILDING DIMENSIONS. ALL SQUARE FOOTAGE SHOWN IS BASED ON GROUND LEVEL FLOOR ONLY.
8. NO ATTEMPT WAS MADE TO SHOW STREAM BUFFERS.
9. FIELD INFORMATION FOR THIS SURVEY WAS OBTAINED WITH A TRIMBLE S6 TOTAL STATION. THIS MAP OR PLAN HAS BEEN CALCULATED FOR CLOSURES AND IS FOUND TO BE ACCURATE WITHIN ONE FOOT OR 310.20 FEET. THE FIELD DATA UPON WHICH THIS MAP OR PLAN IS BASED HAS A CLOSURE OF ONE FOOT IN 26,000 FEET AND AN ANGULAR ERROR OF 02 SECOND PER ANGLE POINT AND WAS ADJUSTED USING COLLINGS FILE.
10. THERE IS NO OBSERVABLE EVIDENCE OF CEMETERIES OR BURIAL GROUNDS ENCODING ON THE PROPERTY.
11. IRON PINS SET ARE 4 IN NEAR WITH YELLOW PLASTIC CAPS STAMPED AS L3168.
12. THERE IS NO OBSERVABLE EVIDENCE OF EARTH MOVING WORK ON GROUND WITHIN RECENT MONTHS.
13. PARKING SPACE COUNTS ARE AS FOLLOWS:  
18 REGULAR SPACES, 7 HANDICAP SPACES, FOR A TOTAL OF 25 SPACES
14. ADDRESS SHOWN HEREON WAS FIELD OBSERVED AS 565 SOUTH COBB PARKWAY
15. ACCESS TO THIS SITE IS THROUGH THE PUBLIC RIGHT-OF-WAY OF SOUTH COBB PARKWAY DIRECTLY AND VIA ACCESS EASEMENTS RECORDED IN DEED BOOK 388, PAGE 386, DEED BOOK 4270, PAGE 402.
16. NO WETLANDS WERE DELINEATED ON THIS SITE AT THE TIME OF THE FIELD SURVEY.
17. THERE IS NO OBSERVABLE EVIDENCE OF A SOLID WASTE DUMP, OR SANITARY LANDFILL ON THIS SITE.
18. THERE WERE NO OBSERVABLE CHANGES IN THE EXISTING STREET RIGHT OF WAY FOR ANY OF THE STREETS THAT THE SUBJECT PROPERTY ADJACES.
19. ALL DISTANCES SHOWN HEREON ARE HORIZONTAL GROUND DISTANCES.
20. GPS INFORMATION WAS OBTAINED THROUGH THE TRIMBLE VRS NOW NETWORK WITH THE USE OF FRIMBLE GNSS RECEIVERS.
21. NATIONAL FISH AND WILDLIFE SERVICE WETLAND INVENTORY MAP NOTE: NO WETLANDS DESIGNATION EXISTS AT TIME OF SURVEY PER THE NATIONAL WETLANDS INVENTORY MAPPER.

**SURVEYED DESCRIPTION**

ALL THAT TRACT OR PARCEL OF LAND LYING IN LAND LOTS 508 & 576, 2ND SECTION, 17TH LAND DISTRICT, CITY OF MARIETTA, COBB COUNTY, GEORGIA AND BEING MORE PARTICULARLY DESCRIBED AS:

BEGINNING AT AN IRON PIN SET ON THE NORTHEAST RAWLINE OF COBB PARKWAY (A.K.A. US HIGHWAY 41) 108'00" S40°00'00" E 212.41' AS MEASURED ALONG S40°00'00" E 212.41' FROM THE SOUTH END OF LINE OF LAND LOT 576; THENCE N0°00'00" E 100.00' TO THE POINT OF BEGINNING AND ALONG THE NORTHEAST RAWLINE OF COBB PARKWAY N0°00'00" E 212.41' TO AN IRON PIN SET; THENCE DEPARTING THE NORTHEAST RAWLINE OF COBB PARKWAY N45°15'10" E A DISTANCE OF 354.41' TO AN IRON PIN SET; THENCE S 24°19'20" E A DISTANCE OF 236.15' TO AN IRON PIN SET; THENCE S 65°43'30" W A DISTANCE OF 72.24' TO AN IRON PIN SET; THENCE S 24°19'20" E A DISTANCE OF 82.76' TO AN IRON PIN SET; THENCE S 65°43'30" W A DISTANCE OF 281.68' TO THE POINT OF BEGINNING.

SAD TRACT OR PARCEL BEING 2.208 ACRES (94,144 SQUARE FEET).

THE LANDS SURVEYED, SHOWN AND DESCRIBED HEREON ARE THE SAME LANDS AS DESCRIBED IN THE TITLE COMMITMENT PROVIDED BY FIRST CHICAGO TITLE INSURANCE COMPANY, COMMITMENT NO. 2180071, DATED JANUARY 23, 2018.

**SIGNIFICANT OBSERVATIONS**

NO ENCROACHMENTS AT TIME OF SURVEY

**SURVEYOR'S CERTIFICATE**

AS REQUIRED BY SUBSECTION (b) OF C.C.A. SECTION 154-67, THIS PLAN HAS BEEN PREPARED BY A LAND SURVEYOR AND NOT APPROVED BY ALL APPLICABLE LOCAL JURISDICTIONS FOR RECORDATION AS EVIDENCED BY NO APPROVAL CERTIFICATES, SIGNATURES, STAMPS, OR STATEMENTS HEREON. SUCH APPROVALS OR AFFIRMATIONS SHOULD BE OBTAINED FROM THE APPROPRIATE GOVERNMENTAL AGENCIES BY ANY PURCHASER OR LESOR OF THIS PLAN AS TO INTENDED USE OF ANY PARCEL. FURTHERMORE, THE UNDERGROUND LAND SURVEYOR CERTIFICATE THAT THIS PLAN COMPLES WITH THE MINIMAL TECHNICAL STANDARDS FOR PROPERTY SURVEYS IN GEORGIA AS SET FORTH IN THE RULES AND REGULATIONS OF THE GEORGIA BOARD OF REGISTRATION FOR PROFESSIONAL ENGINEERS AND LAND SURVEYORS AND AS SET FORTH IN C.C.A. SECTION 154-67.

GARY S. HARRIS, REGISTERED GEORGIA LAND SURVEYOR #3165 DATE 06/13/2018  
248 GEORGE ROAD, JEFFERSON, GA. 30549  
PHONE: (678) 465-5500

**FLOOD NOTE:** By graphic shading only (this property is in Zone 1) of the Flood Insurance Rate Map. Completely shaded areas are in a Special Flood Hazard Area and is not in a Special Flood Hazard Area.

**ZONING INFORMATION**

NO ZONING INFORMATION PROVIDED TO SURVEYOR AT TIME OF SURVEY.

**RECORD DESCRIPTION**

All that tract or parcel of land lying and being in Land Lots 508 and 576 of the 17th District, 2nd Section of Cobb County, Georgia, being more particularly described as follows:

To find the POINT OF BEGINNING, COMMENCE AT a 3/4 inch iron pin found located at the intersection of the southerly land lot line of Land Lot 576 and the northerly right of way line of U.S. Highway 41 (100' four foot right of way), running thence along the northerly right of way line of U.S. Highway 41 north 25 degrees 17 minutes 51 seconds west a distance of 192.23 feet to a 3/4 inch iron found on the northerly right of way line of U.S. Highway 41, thence north 25 degrees 17 minutes 51 seconds west 19.27 feet along the northerly right of way line of U.S. Highway 41 to a point, which point is the TRUE POINT OF BEGINNING, from said TRUE POINT OF BEGINNING to a point established running thence south 25 degrees 17 minutes 51 seconds west a distance of 205.15 feet to an iron pin set, running thence south 64 degrees 17 minutes 30 seconds west a distance of 75.24 feet to a nail in plaster "T" on asphalt, running thence south 25 degrees 42 minutes 25 seconds west a distance of 20.74 feet to a post, running thence south 64 degrees 17 minutes 30 seconds west a distance of 281.66 feet to a point and the TRUE POINT OF BEGINNING, said property containing 2.208 acres according to a survey prepared by Jack P. Busby, G. R. L.S. No. 1875 of U.S. Board of Assessors for Sports Annex Properties, Inc. Center and Marietta Parkway, Ltd. a Mortgage said survey being dated May 10, 1984, last revised December 9, 1986.

TOGETHER WITH all rights, title and interest in and to Reciprocal Easement Agreements between Marietta Parkway, Ltd. and R. Craig Thornton and The Clancy Company dated June 6, 1984, recorded in Deed Book 3150, page 19, and between Marietta Parkway, Ltd. and Sports Annex Properties, Inc. dated December 15, 1987, recorded in Deed Book 4270, page 402, aforesaid records.

ALSO TOGETHER WITH all personal non-real estate assessments for the benefit of Parcel for the purposes stated in the Declaration of Easements dated March 20, 1986 in Deed Book 3670, Page 494.

THE LANDS SURVEYED, SHOWN AND DESCRIBED HEREON ARE THE SAME LANDS AS DESCRIBED IN THE TITLE COMMITMENT PROVIDED BY FIRST CHICAGO TITLE INSURANCE COMPANY, COMMITMENT NO. 2180071, DATED JANUARY 23, 2018.

**ALTA/NSPS LAND TITLE SURVEY**

**Surveyor's Certification**  
**Amerco Entiry No. 777068**  
565 SOUTH COBB PARKWAY  
BEING TAX PARCEL: 77050600520  
CITY OF MARIETTA, COBB COUNTY, GEORGIA

Issued upon Title Commitment No. 2180071  
of Chicago Title Insurance Company  
bearing an effective date of January 23, 2018

To Atlantic Real Estate Company, a Nevada corporation, LHA-Real Co., of Georgia and Chicago Title Insurance Company  
This is to certify that this map or plan and the survey on which it is based were made in accordance with the 2018 Minimum Standard Requirements for ALTA/NSPS Land Title Surveys, as fully established and adopted by ALTA and NSPS, and excludes items 1, 2, 3, 4, 5, 6, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, 20, 21 of Table A hereof. The fieldwork was completed on April 13, 2018.

Gary S. Harris, Jr.  
Land Surveyor Number: 3165  
in State of Georgia  
Date of Plot or Map: April 13, 2018  
Date of last renewal:



Survey Prepared By:  
EarthPro Land Surveying  
248 George Road  
Jefferson, GA 30550  
Phone: (678) 465-5500  
Fax: 706-510-2820  
gsh@earthprolandsurvey.com  
Georgia C.O.G. #000344

EarthPro Project Number: 18132

Survey Prepared By:  
**EarthPro**  
LAND SURVEYING  
248 GEORGE ROAD  
JEFFERSON, GA 30550  
OFFICE: 678-465-5500  
FAX: 706-510-2820  
EMAIL: gsh@earthprolandsurvey.com  
GEORGIA REG. # 3165  
GEORGIA C.O.G. # 000344



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

---

## **REZONING APPLICATION ANALYSIS**

**ZONING CASE #:**                    **Z2020-23**                    **LEGISTAR: 20200366**

**LANDOWNERS:**    **Board of Regents of  
The University System of Georgia  
270 Washington St. SW  
Atlanta, GA 30334**

**APPLICANT:**        **33 Holdings LLC/ Sanjay Raghavaraju  
1145 Hightower Trl.  
Atlanta, GA 30350**

**PROPERTY ADDRESS:**    **401 Rose Drive**

**PARCEL DESCRIPTION:** **17043300140**

**AREA:**                **3.26 ac.**                    **COUNCIL WARD: 1A**

**EXISTING ZONING:**        **CRC (Community Retail Commercial)**

**REQUEST:**                **RM-12 (Multi-Family Residential – 12 units/acre)**

**FUTURE LAND USE:**        **CAC (Community Activity Center)**

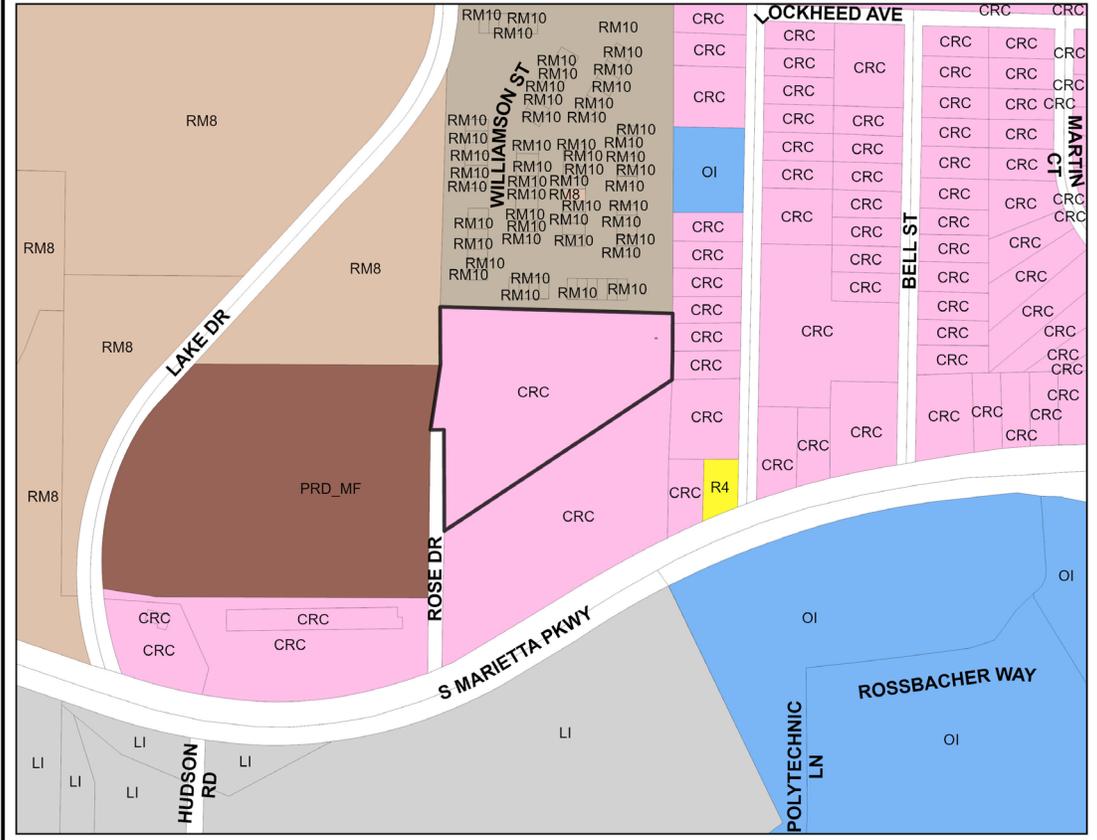
**REASON FOR REQUEST:** **The applicant is requesting the rezoning of the subject property from CRC to RM-12 to develop a thirty-five (35) unit attached townhome community.**

**PLANNING COMMISSION HEARING:** **Tuesday, June 2<sup>nd</sup>, 2020 – 6:00 p.m.**

**CITY COUNCIL HEARING:**        **Wednesday, June 10<sup>th</sup>, 2020 – 7:00 p.m.**

# MAP

## City of Marietta Area Zoning Map

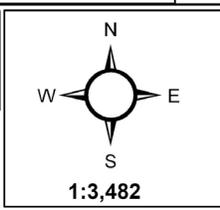


Zoning		District	Land Lot	Parcel	Current Zoning	Proposed Zoning
<b>SINGLE FAMILY RESIDENTIAL</b> R-1 One Unit/Acre R-2 Two Unit/Acre R-3 Three Unit/Acre R-4 Four Unit/Acre <b>ATTACHED FAMILY RESIDENTIAL</b> RA-4 Four Unit/Acre RA-6 Six Unit/Acre RA-8 Eight Unit/Acre PRD(SF) Planned Residential Dev. MHP Mobile Home Park <b>MULTI FAMILY RESIDENTIAL</b> RM-8 Eight Unit/Acre RM-10 Ten Unit/Acre RM-12 Twelve Unit/Acre RHR Residential High Rise PRD(MF) Planned Residential Dev.	<b>COMMERCIAL</b> NRC Neighborhood Retail CRC Community Retail RRC Regional Retail CBD Central Business District PCD Planned Commercial Dev. MXD Mixed-Use Dev. OIT Office Institutional Trans. LRO Low-Rise Office OI Office Institutional OS Office Services OHR Office High-Rise <b>INDUSTRIAL</b> LI Light Industrial HI Heavy Industrial PID Planned Industrial Dev.	17	433	0140	CRC	RM12

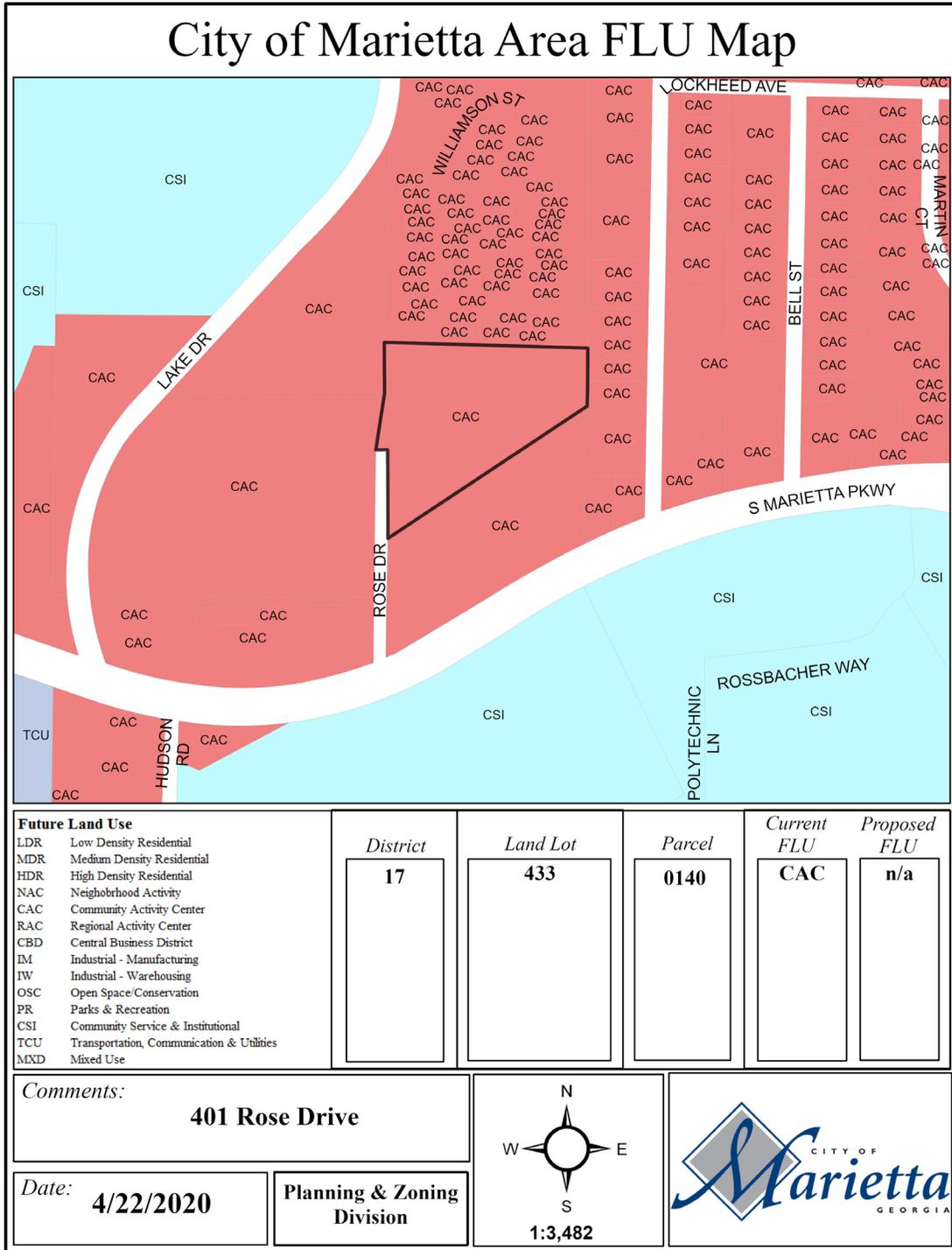
Comments:  
**401 Rose Drive**

Date: **4/22/2020**

**Planning & Zoning Division**



## FLU MAP



**PICTURES OF PROPERTY**



**401 Rose Drive**



**Dead end of Rose Drive**



**Existing structure**

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## STAFF ANALYSIS

### *Location Compatibility*

The applicant, 33 Holdings LLC, is requesting to rezone the property located at 401 Rose Drive, which is located on a dead-end street accessed from South Marietta Parkway. The subject property is zoned CRC (Community Retail Commercial) and is 3.26 acres in area. To the west of the subject property are two apartment complexes zoned PRD-MF (Planned Residential – Multi-Family) and RM-8 (Multi-Family Residential – 8 units/acre); to the north is a townhome community zoned RM-10 (Multi-Family Residential – 10 units/acre); and to the east and south are commercial properties zoned CRC (Community Retail Commercial). The applicant’s request is to rezone the subject property from CRC to RM-12 (Multi-Family Residential – 12 units/acre) to construct a thirty-five (35) unit townhome community.

### *Use Potential and Impacts*

The proposed thirty-five (35) unit townhome community would have access from Marietta Parkway by a new private road. Each of the units would be 2-stories and contain three (3) bedrooms with two-car garages. Under the RM-12 zoning classification, condominiums or townhomes are a permitted use with additional conditions, such as a mandatory homeowners association, additional guest parking, four-sided architecture, and recreation areas.

Based on the submitted plans, the proposed development would meet the additional parking requirements; but the plans do not contain sufficient information to determine compliance with impervious surface and open area requirements. With thirty-five (35) units, the site is required to provide at least 0.7 acres of recreation area, including a passive and active feature. A passive recreational feature could include a walking trail, pavilion, gazebo or picnic area; and an active recreational feature could include a swimming pool, playground or tennis courts. The applicant stated the community would include green spaces that would provide walking trails, dog park, and open area.

It should be noted that the RM-12 regulations include compliance with four-sided architecture style; and that all units shall be “for sale” only. Further, no more than five percent (5%) of the units are allowed to be renter occupied at any time.

The applicant stated that the proposed homes would be finished with a brick/cement siding and a range of roof profiles with architectural features. However, Staff has not yet received any building elevations.



The following variances would be necessary to allow development of the submitted site plan:

1. Variance to reduce the minimum lot size from 5 ac. to 3.26 ac. [§708.12 H]
2. Variance to waive the active recreation requirement. [§708.12 (B.1.i)]

The zoning request, RM-12, allows for a density of twelve (12) units per acre; and the proposed plan shows 35 units on 3.26 acres, which yields 10.7 units per acre. The proposed density is comparable with other, recently approved townhouse developments, as shown below:

Development	Townhouse Units	Acreage	Density	Open Space
Parkside East	59	5.24	11.25	38.9%
Powder Springs Rd 1400	72	8.03	9.0	18.4%
The Registry	12	1.02	11.8	9.3%
Grammercy Park	32	3.29	9.72	12.8%
Wylie Road	150	12.13	12.37	30%
Frey's Gin	123	9.58	12.84	28.5%

The Future Land Use (FLU) designation of the subject property is CAC (Community Activity Center). The purpose of CAC is to provide the retail and service needs of the surrounding community. Residential opportunities within CAC should be limited to a mixed-use setting. The use of the property as residential only and RM-12 rezoning request is not supported by the City's Comprehensive Plan.

*Environmental Impacts*

Because the property is at the top of a hill, there are no potential environmental concerns such as floodplains, wetlands and streams located on the property. The property contains existing trees along the periphery of the site that, if preserved, would provide separation from the adjacent properties as well as contribute to the provided open space.

*Economic Functionality*

The subject property has not had an active business license since 2008. However, other buildings in the surrounding area appear to be occupied and the area is seen as a desirable location for businesses. Limited accessibility and visibility make this site difficult for commercial use.



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### *Infrastructure*

The development would be expected to provide a sidewalk along Rose Drive to the entrance of the property as well as an interior sidewalk to provide continuous accessibility. The current configuration of the development's entrance may require reconfiguration to allow circulation of city service vehicles such as Fire and Sanitation. The street centerline radii cannot be less than 100 feet.

Further, the minimum road standards for fire access is 35' radius on all turns and minimum 20' road width measured from EOP to EOP (edge of pavement).

The serving elementary school is Park Street, which is nearing capacity. Otherwise, the proposed development should not have a negative impact on any existing infrastructure.

### *Overhead Electrical/Utilities*

There are overhead utility poles along Rose Drive; however, they are not anticipated to conflict with the proposed development.

### *History of Property*

A variance was granted in 2006 (V2005-29) for the construction of the existing building. The variance granted a buffer reduction, with stipulations, along the northern boundary line prior to the construction of the adjacent townhome community.

### *Other Issues*

All units would be required to be built with automatic fire sprinklers according to Marietta Fire Department.

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## ANALYSIS & CONCLUSION

The applicant, 33 Holdings LLC, is requesting to rezone the property located at 401 Rose Drive from CRC to RM-12. The property is 3.26 acres in size and is surrounded by properties zoned PRD-MF, RM-8, RM-10, and CRC. The proposal is to construct a thirty-five (35) unit townhome community with a new private road. Each of the units would be 2-stories and contain three (3) bedrooms with two-car garages.

Under the RM-12 zoning classification, condominiums or townhomes are a permitted use with additional conditions, such as a mandatory homeowners association, additional guest parking, and recreation areas. Based on the submitted plans, the proposed development meets the additional parking requirements but does not contain information such as amount of impervious surfaces and open areas. With thirty-five (35) units, the site is required to provide at least 0.7 acres of recreation area, including a passive and active feature. The applicant stated the community would include green spaces that would provide walking trails, dog park, and open area.

The applicant stated that the proposed homes shall be finished with a brick/cement siding and a range of roof profiles with architectural features. Staff has not received any building elevations.

The following variances would be necessary to allow development of the submitted site plan:

1. Variance to reduce the minimum lot size from 5 ac. to 3.26 ac. [*§708.12 H*]
2. Variance to waive the active recreation requirement. [*§708.12 (B.1.i)*]

The Future Land Use (FLU) designation of the subject property is CAC (Community Activity Center). The purpose of CAC is to provide the retail and service needs of the surrounding community. Residential opportunities within CAC should be limited to a mixed-use setting. The use of the property as residential only and RM-12 rezoning request is not supported by the City's Comprehensive Plan.

Prepared by: \_\_\_\_\_



Approved by: \_\_\_\_\_





## DATA APPENDIX

### ***CITY OF MARIETTA - WATER***

Is a water line adjacent to the property?	Yes
If not, how far is the closest water line?	N/A
Size of the water line?	8"
Capacity of the water line?	A fire flow test may be required
Approximate water usage by proposed use?	Not provided

### ***CITY OF MARIETTA - WASTEWATER***

Is a sewer line adjacent to the property?	No
If not, how far is the closest sewer line?	350'
Size of the sewer line?	10"
Capacity of the sewer line?	A.D.F Peak
Estimated waste generated by proposed development?	Not provided
Treatment Plant Name?	Cobb County
Treatment Plant Capacity?	Cobb County
Future Plant Availability?	Cobb County

---

## 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
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?	No
Do stream bank buffers exist on the parcel?	No
Are there other topographical concerns on the parcel?	No
Are there storm water issues related to the application?	No
Potential presence of endangered species in the area?	No

**Additional Comments:**

- Full site development plans required
- Sidewalks required along frontage and interior to the project
- Show turning template of access for Sanitation vehicle for street centerline radii less than 100' (City minimum). Trash corals may be required.
- Entrance will need to be reconfigured

### ***TRANSPORTATION***

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What is the road affected by the proposed change?	Rose Dr
What is the classification of the road?	Local
What is the traffic count for the road?	Unknown
Estimated # of trips generated by the proposed development?	Information not provided
Estimated # of pass-by cars entering proposed development?	Unknown
Do sidewalks exist in the area?	No
Transportation improvements in the area?	No
If yes, what are they?	NA

- Add sidewalk to proposed development to at least the utility pole.



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## DATA APPENDIX CONTINUED

### EMERGENCY SERVICES

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Nearest city or county fire station from the development?	149 Dodd St
Distance of the nearest station?	0.9 mile
Most likely station for 1 <sup>st</sup> response?	52
Service burdens at the nearest city fire station (under, at, or above capacity)?	under

### Comments:

- Minimum 35' radius on all turns to fire department access roads, and minimum 20' EOP to EOP.
- All units will be required to be protected by automatic fire sprinklers.\
- If gated, gates will be required to be set back 50'; 30' wide; and keyed to MariettaFire's knock box system.

### MARIETTA POWER - ELECTRICAL

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Does Marietta Power serve this site?      Yes   x                        No           

If not, can this site be served?              Yes                                 No           

What special conditions would be involved in serving this site?

Additional comments:



**DATA APPENDIX CONTINUED**

***MARIETTA CITY SCHOOLS***

**Marietta City Schools Impact Assessment:**

Elementary School System Servicing Development:	<b>Park Street</b>
Middle School Servicing Development:	<b>Marietta Middle School</b>
High School Servicing Development:	<b>Marietta High School</b>
Capacity at Elementary School:	<b>550</b>
Capacity at Middle School:	<b>1,350</b>
Capacity at Marietta Sixth Grade Academy:	<b>775</b>
Capacity at High School:	<b>2,150</b>
Current enrollment of Elementary School:	<b>520</b>
Current enrollment of Middle School:	<b>1,386</b>
Current enrollment of High School:	<b>2,410</b>
Number of students generated by present development:	<b>0</b>
Number of students projected from the proposed development:	<b>17</b>
New schools pending to serve this area:	<b>0</b>

**Comments:** Student enrollment based on last day of school.

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

### APPLICATION FOR REZONING

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

For Office Use Only:

Application #: 2020-23 Legistar #: 20200366 PZ #: \_\_\_\_\_  
Planning Commission Hearing: 6-2-10 City Council Hearing: 6-10-20

✗ Owner's Name Board of Regents of The University System of Georgia  
✗ EMAIL Address: sandra.neuse@usg.edu  
✗ Mailing Address 270 Washington St, SW Atlanta Zip Code: 30334 Telephone Number (404) 962-3162

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

Applicant: 33 HOLDINGS LLC / Sanjay Raghavaraju Kimani, KS, Architect  
EMAIL Address: sanjayr@33holdings.com KSidesign@outlook.com  
Mailing Address: 1145 Hightower Trl Atlanta GA Zip Code: 30350  
Telephone Number 770.265.9392 Email Address: sanjayr@33holdings.com

Address of property to be rezoned: 401 Rose Dr Marietta GA 30060  
Land Lot (s) 0 433 District 17 Parcel 17043300140 Acreage 3.260 Ward 1A Future Land Use: CAC  
Present Zoning Classification: CRC Proposed Zoning Classification: RM-12

**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.

**CAMPAIGN CONTRIBUTIONS**

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

DocuSigned by:

X Sandra Lynn Neuse  
Signature of Owner

R. Sanjay  
Signature of Applicant

X Sandra Lynn Neuse  
Print Name

Sanjay Raghavaraju  
Print Name

**FINANCIAL INTEREST**

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

Sanjay Raghavaraju  
Print Name

R. Sanjay  
Signature of Applicant

**OWNER/APPLICANT CERTIFICATION**

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

R. Sanjay  
Signature

Sanjay Raghavaraju  
Please Print

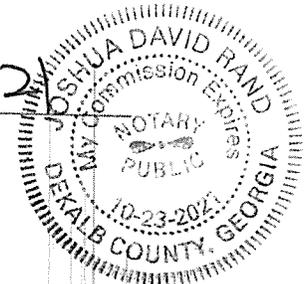
1145 Hightower Trl Atlanta GA 30350  
Address

20-April-2020  
Date

Signed, sealed and delivered in the presence of:

[Signature]

My Commission Expires: 10-23-2021



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

Tuesday, April 21, 2020

**Rezoning Application- Project Description**

Property Address: 401 Rose Dr, Marietta, GA  
Property Size 3.260 Acres  
Developer 33 Holdings LLC

Proposed Zoning: RM-12  
Existing Zoning CRC

The property currently has a 2 story 30,000sf concrete building that has been vacant for quite some time. The site had been developed to have another similar sized building that was never built.

This proposed development will involve demolishing the existing structure and replacing it with thirty-five (35) 2 story townhomes that are more compatible with the surrounding residential developments in use, style and scale.

The Development will use existing curb cuts, and a new private drive to allow for better traffic flows to existing streets and with its neighbors

On site guest parking will be provide per the city's requirement. Guest Parking will be spread throughout the development to be close to the homes.

Dumpsters, mechanical units, meters and other unsightly features will be screened using planting and enclosures.

Each unit will have:

- 2 Car Garage
- Living areas on Main
- 3 Bedrooms on 2<sup>nd</sup> floor

The buildings will be wood framing with Brick/Cement Siding veneer and Asphalt shingle roof(pitched). Energy efficient fixtures, lighting envelop insulation will be standard.

Though The units will have similar floor plans the exterior elevations will be varied through the use of different finishes, roof profiles and other Architectural embellishments.

Landscaped outdoor community green spaces will be provided including walking trails, dog park and open areas.

Sincerely

Samwel K Kimani, Architect  
228 Glenwood Dr,  
Canton GA 30115

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**TO: Marietta Daily Journal**

**FROM: City of Marietta**

**RUN AD DATE: May 15, 2020**

**CITY OF MARIETTA  
PUBLIC NOTICE OF REZONINGS 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, June 2<sup>nd</sup>, 2020, 6:00 P.M.**, City Hall, for a recommendation to the City Council at their meeting on **Wednesday, June 10<sup>th</sup>, 2020, 7:00 p.m.**, City Hall, for a final decision to be made.

**Z2020-23 [REZONING] 33 HOLDINGS LLC** is requesting the rezoning of 3.26 acres located in Land Lot 433, District 17, Parcel02 0140 of the 2<sup>nd</sup> Section, Cobb County, Georgia, and being known as 401 Rose Drive from CRC (Community Retail Commercial) to RM-12 (Multi Family Residential – 12 units/acre). Ward 1A.

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.marietta.ga.gov](http://www.marietta.ga.gov) and enter the case # in the search box.

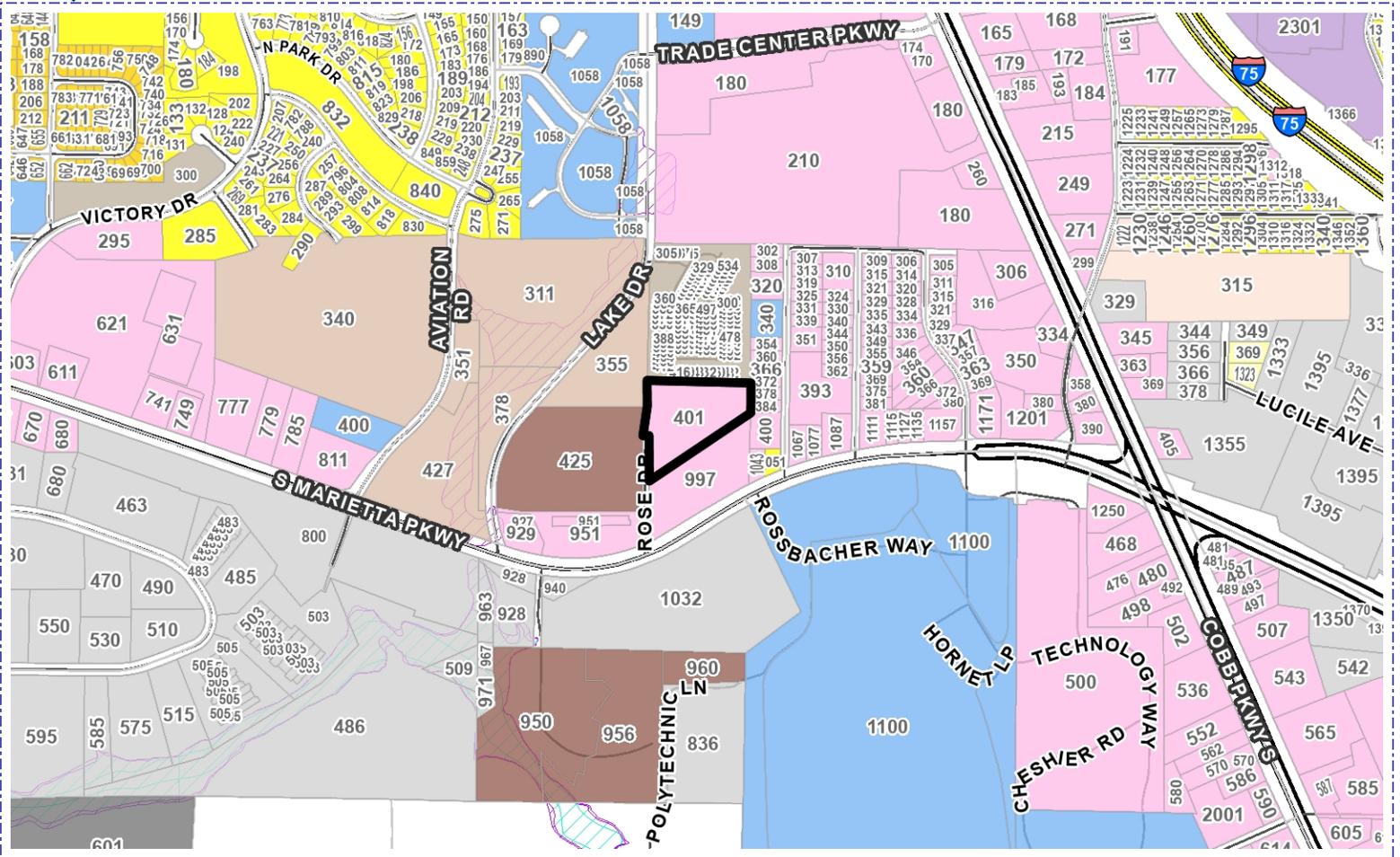
**For additional information including questions about virtual participation, please call the Planning and Zoning Office (770) 794-5669.**

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

City of Marietta  
205 Lawrence Street  
Marietta, Georgia 30060

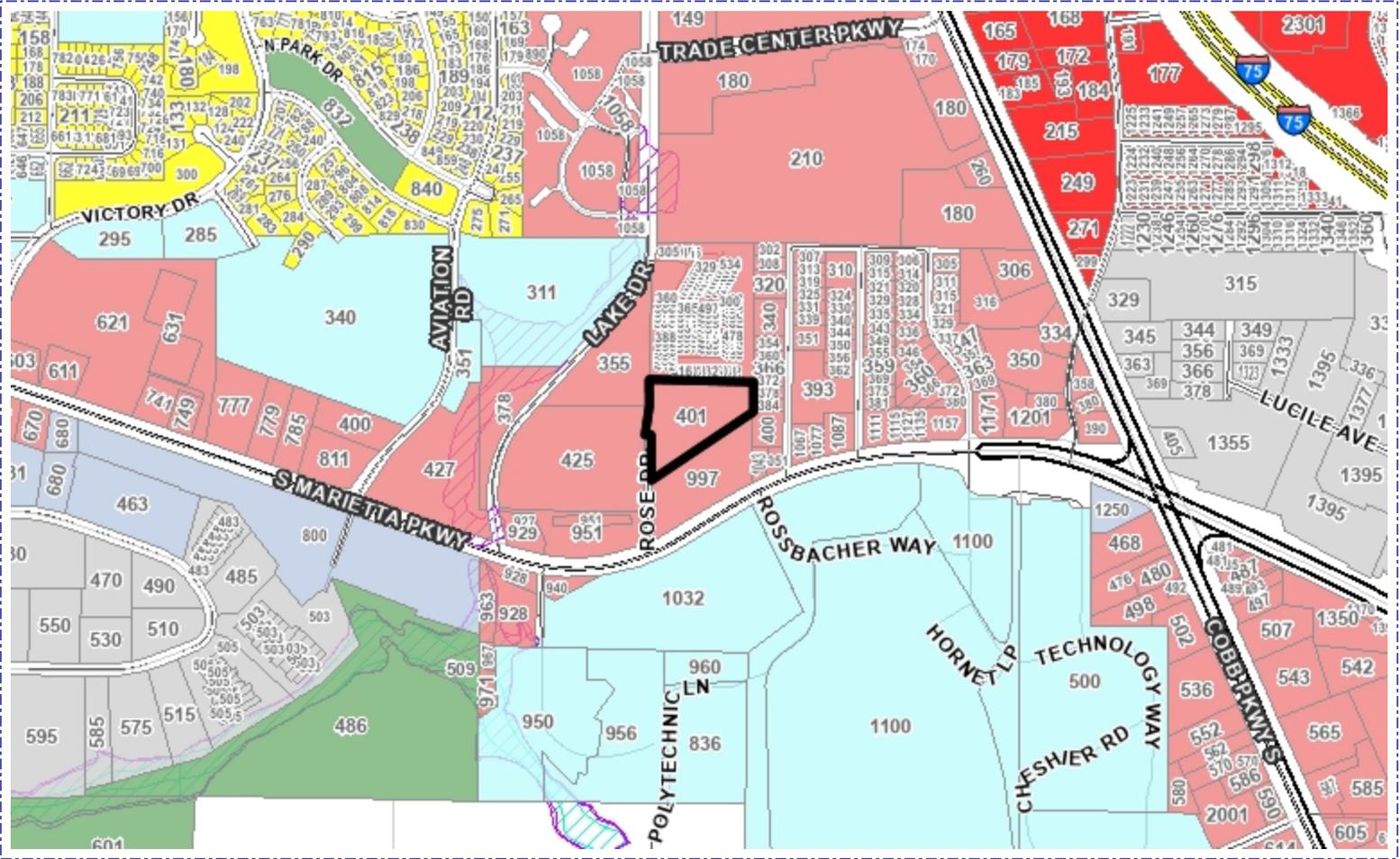


# Rezoning

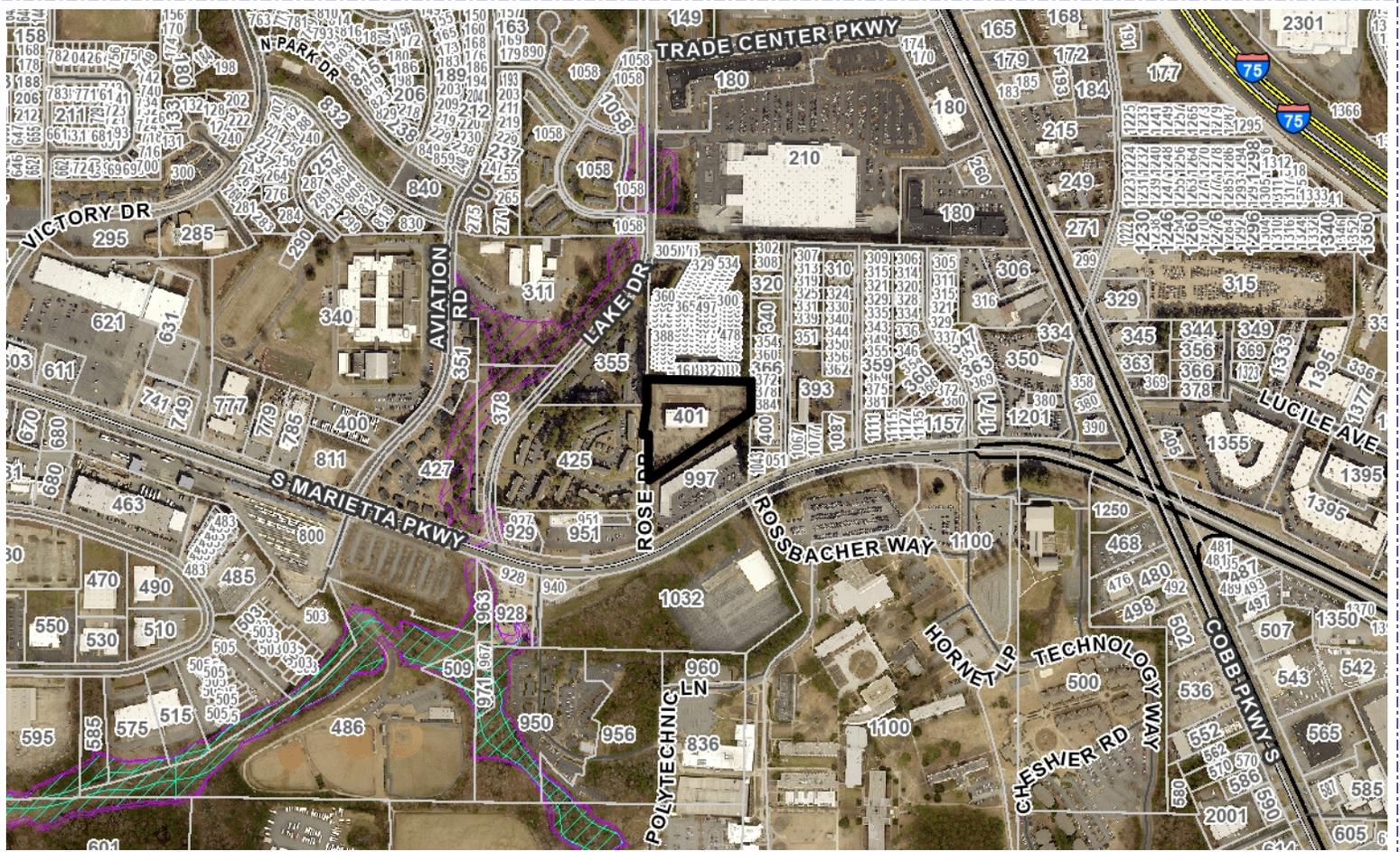


Address	Parcel Number	Acreage	Ward	Zoning	FLU
401 ROSE DR	17043300140	3.609	1A	CRC	CAC

Property Owner:	Board of Regents of the University System of Georgia			<b>Zoning Symbols</b> 
Applicant:	33 Holdings LLC/Sanjay Raghavaraju			
Proposed Zoning:	CRC to RM12			
Agent:				
Proposed Use:				
Planning Commission Date:	06/02/2020			
City Council Hearing Date:	06/10/2020	Case Number: Z2020-23		
City of Marietta Planning & Zoning				



Address	Parcel Number	Acreage	Ward	Zoning	FLU
401 ROSE DR	17043300140	3.609	1A	CRC	CAC
Planning Commission Hearing Date:	06/02/2020	<b>Future Land Use Symbols</b> Railroads City Limits Cobb County Pockets RAC - Regional Activity Center CAC - Community Activity Center NAC - Neighborhood Activity Center CBD - Central Business District MXD - Mixed Use Development CSI - Community Service and Institutional HDR - High Density Residential MDR - Medium Density Residential LDR - Low Density Residential OSC - Open Space / Conservation PR - Parks / Recreation IW - Industrial Warehousing IM - Industrial Manufacturing TCU - Transportation and Utilities			
City Council Hearing Date:	06/10/2020				
Future Land Use:	CAC				
Case Number:	Z2020-23				
Comments:					
<b>City of Marietta Planning &amp; Zoning</b>					



Address	Parcel Number	Acreage	Ward	Zoning	FLU
401 ROSE DR	17043300140	3.609	1A	CRC	CAC

Property Owner:	Board of Regents of the University System of Georgia
Applicant:	33 Holdings LLC/Sanjay Raghavaraju
City Council Hearing Date:	06/10/2020
Planning Commission Hearing Date:	06/02/2020
BZA Hearing Date:	Case Number: Z2020-23
Comments:	
City of Marietta Planning & Zoning	

**Legend**

- Railroads
- City Limits
- Cobb County Pockets

EQUIPMENT USED:  
THEODOLITE READING TO 05 SECONDS  
ELECTRONIC DISTANCE MEASUREMENT  
TO .005 FEET.

THE FIELD DATA UPON WHICH THIS PLAT  
IS BASED HAS A HORIZONTAL CLOSURE  
OF 1 IN 64875.

DATE OF FIELD WORK: 3-4-19  
TRAVERSE IS NOT ADJUSTED.

IRON PINS PLACED ARE 1/2" REBAR  
THIS SURVEY HAS BEEN CALCULATED FOR  
CLOSURE BY LATITUDE AND DEPARTURE  
AND IS FOUND TO BE ACCURATE WITHIN  
ONE FOOT IN 305,889 FEET

- STORM STRUCTURES**
- ① OUTLET STRUCTURE  
IV 12" HOLE-1092.8  
TOP PERF. PIPE-1094.3
  - ② HEADWALL IV-1094.3
  - ③ SWCB  
TOP-1101.3  
IV OUT-1093.1
  - ④ SWCB  
TOP-1105.1  
IV IN-1097.9  
IV OUT-1097.85
  - ⑤ SWCB  
TOP-1105.2  
IV IN-1099.7  
IV OUT-1099.55
  - ⑥ JB  
TOP-1106.2  
IV OUT-1100.4
  - ⑦ SWCB  
TOP-1106.7  
IV OUT-1101.4
  - ⑧ HEADWALL IV-1098.0
  - ⑨ DWCB  
TOP-1105.3  
IV OUT-1099.05
  - ⑩ HEADWALL IV-1096.4
  - ⑪ SWCB  
TOP-1102.7  
IV OUT-1097.4
  - ⑫ SWCB  
TOP-1103.4  
IV OUT-1097.7
  - ⑬ SWCB  
TOP-1106.3  
IV OUT-1101.4
- \*SEVERAL STRUCTURES COULD NOT BE OPENED



THIS BLOCK RESERVED FOR CLERK OF SUPERIOR COURT

THIS PARCEL IS NOT IN A SPECIAL FLOOD HAZARD AREA AS PER FEMA FLOOD INSURANCE RATE MAPS.

NO. 11-200-0000

CITY OF MARIETTA, COBB COUNTY, GEORGIA

MAP DATED 11-2-19

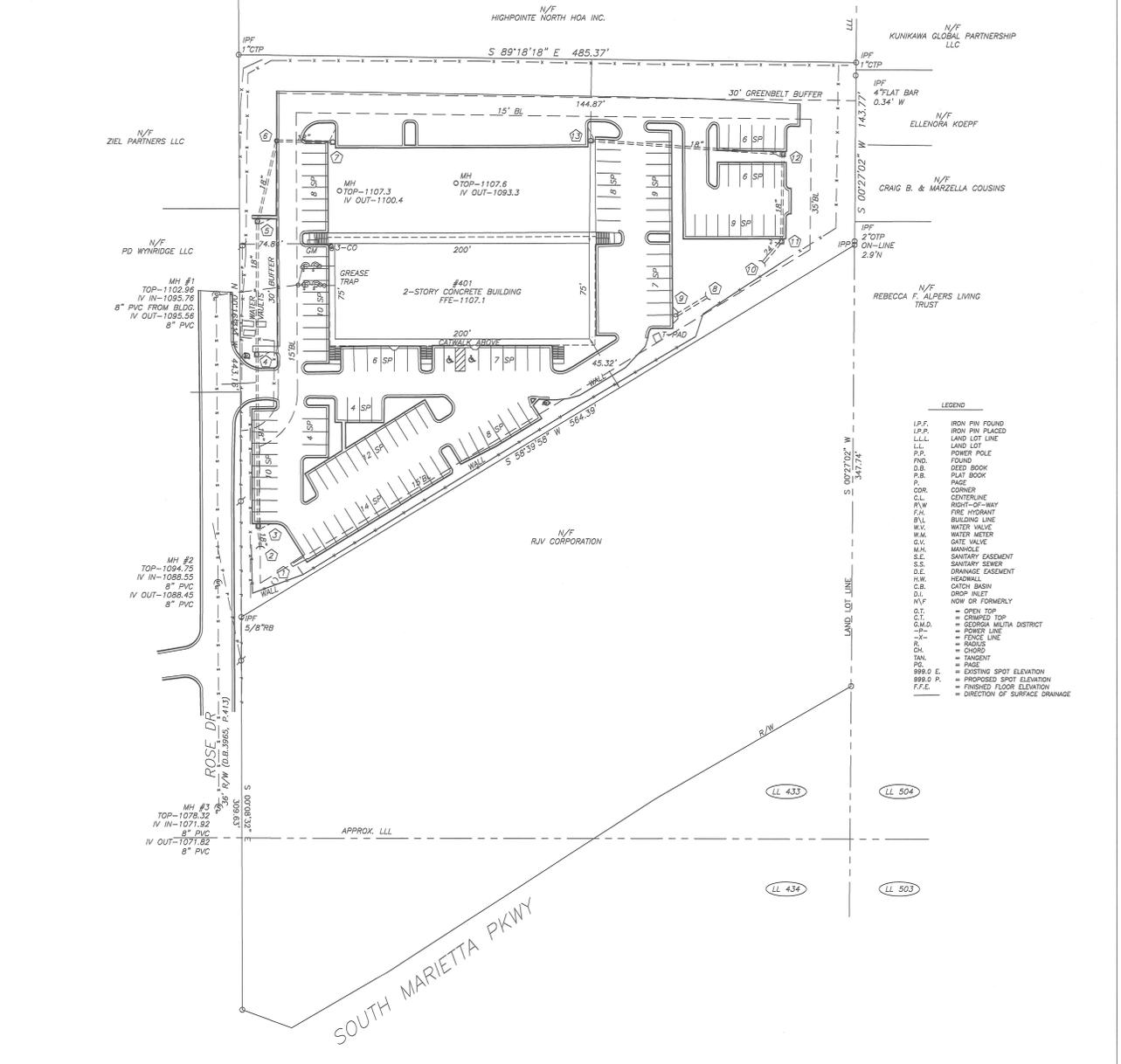
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NO. 11-200-0000

CITY OF MARIETTA, COBB COUNTY, GEORGIA

MAP DATED 11-2-19



- LEGEND**
- I.P.F. IRON PIN FOUND
  - I.P.P. IRON PIN PLACED
  - L.L. LAND LOT LINE
  - L.L.L. LAND LOT
  - P.R. POWER POLE
  - FND. FOUND
  - D.B. DEED BOOK
  - P.B. PLAT BOOK
  - P. PAGE
  - COR. CORNER
  - C.L. CENTERLINE
  - R/W RIGHT-OF-WAY
  - F.A. FIRE HYDRANT
  - B.L. BUILDING LINE
  - W.V. WATER VALVE
  - W.M. WATER METER
  - G.V. GATE VALVE
  - M.H. MANHOLE
  - S.E. SANITARY EASEMENT
  - S.S. SANITARY SEWER
  - D.E. DRAINAGE EASEMENT
  - H.W. HEADWALL
  - C.B. CATCH BASIN
  - D.I. DRAIN INLET
  - N/O NOW OR FORMERLY
  - O.T. OPEN TOP
  - C.T. CROWNED TOP
  - G.M.D. GEORGIA METRIA DISTRICT
  - P- POWER LINE
  - F- FENCE LINE
  - R- RAILROAD
  - CH. CHORD
  - TAN. TANGENT
  - P.B. PAGE
  - 899.0 E. EXISTING SPOT ELEVATION
  - 999.0 P. PROPOSED SPOT ELEVATION
  - F.F.C. FINISHED FLOOR ELEVATION
  - > DIRECTION OF SURFACE DRAINAGE

**NOTES**

- STRUCTURES VISIBLE ON THE DATE OF SURVEY ARE SHOWN HEREON.
- LOCATIONS ARE ACCURATE ONLY WHERE INDICATED.
- THIS PROPERTY MAY CONTAIN WETLANDS. ALL WETLANDS ARE UNDER THE JURISDICTION OF THE U.S. ARMY CORPS OF ENGINEERS AND/OR THE STATE OF GEORGIA DEPARTMENT OF NATURAL RESOURCES. LOT OWNERS ARE SUBJECT TO PENALTY BY LAW FOR OBTAINING THESE PROTECTED AREAS WITHOUT THE PROPER PERMIT APPLICATION AND APPROVAL.
- THE CERTIFICATION AS SHOWN HEREON IS PURELY A STATEMENT OF PROFESSIONAL OPINION BASED ON KNOWLEDGE, INFORMATION AND BELIEF, AND BASED ON EXISTING FIELD EVIDENCE AND DOCUMENTARY EVIDENCE AVAILABLE. THE CERTIFICATION IS NOT AN EXPRESSED OR IMPLIED WARRANTY OR GUARANTEE.

THE SURVEY SHOWN HEREON WAS PREPARED WITHOUT THE BENEFIT OF AN ABSTRACT OF TITLE. THEREFORE, THE UNDERSIGNED AND TIBBITTS LAND SURVEYING, INC. MAKE NO GUARANTEES OR REPRESENTATIONS REGARDING INFORMATION SHOWN HEREON PERTAINING TO EASEMENTS, RIGHTS-OF-WAY, SETBACK LINES, AGREEMENTS, RESERVATIONS, AND OTHER SIMILAR MATTERS.

THE UTILITIES SHOWN ARE SHOWN FOR THE CLIENTS CONVENIENCE ONLY. THERE MAY BE OTHER UNDERGROUND UTILITIES NOT SHOWN. THE SURVEYOR ASSUMES RESPONSIBILITY ONLY FOR THE UTILITIES SHOWN. ALL DAMAGE MADE TO EXISTING UTILITIES BY THE OWNER OR OWNERS AGENT SHALL BE THE SOLE RESPONSIBILITY OF THE OWNER OR OWNERS AGENT.

THIS PLAT IS FOR THE BENEFIT OF THE PARTIES IN THE TITLE BLOCK ANY USE BY THIRD PARTIES IS AT THEIR OWN RISK. TIBBITTS LAND SURVEYING, INC. WILL NOT ACCEPT ANY RESPONSIBILITY OF LIABILITY FOR THE USE OF THIS SURVEY BY ANYONE OTHER THAN THE PERSON, OR PERSONS, NAMED IN THE TITLE BLOCK.

SOUTH MARIETTA PKWY

**TRACT AREA**  
142,019 S.F.  
3.26 ACRES



THIS PLAT IS A REINSTATEMENT OF AN EXISTING PARCEL OR PARCELS OF LAND AND DOES NOT SUBDIVIDE OR CREATE A NEW PARCEL OR MAKE ANY CHANGES TO ANY REAL PROPERTY BOUNDARIES. THE SEVERAL INFORMATION OF THE DOCUMENTS, MAPS, PLATS, OR OTHER INSTRUMENTS WHICH CREATED THE PARCEL OR PARCELS ARE STATED HEREON. RECOGNITION OF THIS PLAT DOES NOT IMPLY APPROVAL OF ANY LOCAL JURISDICTION, AVAILABILITY OF PERMITS, COMPLIANCE WITH LOCAL REGULATIONS OR REQUIREMENTS, OR SUBMITTAL FOR ANY USE OR PURPOSE OF THE LAND. FURTHERMORE, THE UNDERSIGNED LAND SURVEYOR CERTIFIES THAT THIS PLAT COMPLES WITH THE MINIMUM TECHNICAL STANDARDS FOR PROPERTY SURVEYS IN GEORGIA AS SET FORTH IN THE RULES AND REGULATIONS OF THE GEORGIA BOARD OF REGISTRATION FOR PROFESSIONAL ENGINEERS AND LAND SURVEYORS AND AS SET FORTH IN O.C.G.A. SECTION 15-8-87.

JUDSON R. TIBBITTS, GAFLS#3051

RETRACEMENT SURVEY FOR

THE BOARD OF REGENTS OF THE UNIVERSITY SYSTEM OF GEORGIA ON BEHALF OF KENNESAW STATE UNIVERSITY

LAND LOT	DISTRICT	SECTION	COUNTY
433	17TH		COBB

DATE: 3-22-19 DRAWN BY: BTE CHECKED: JRT JOB NO.: 19040 DISK SERVER

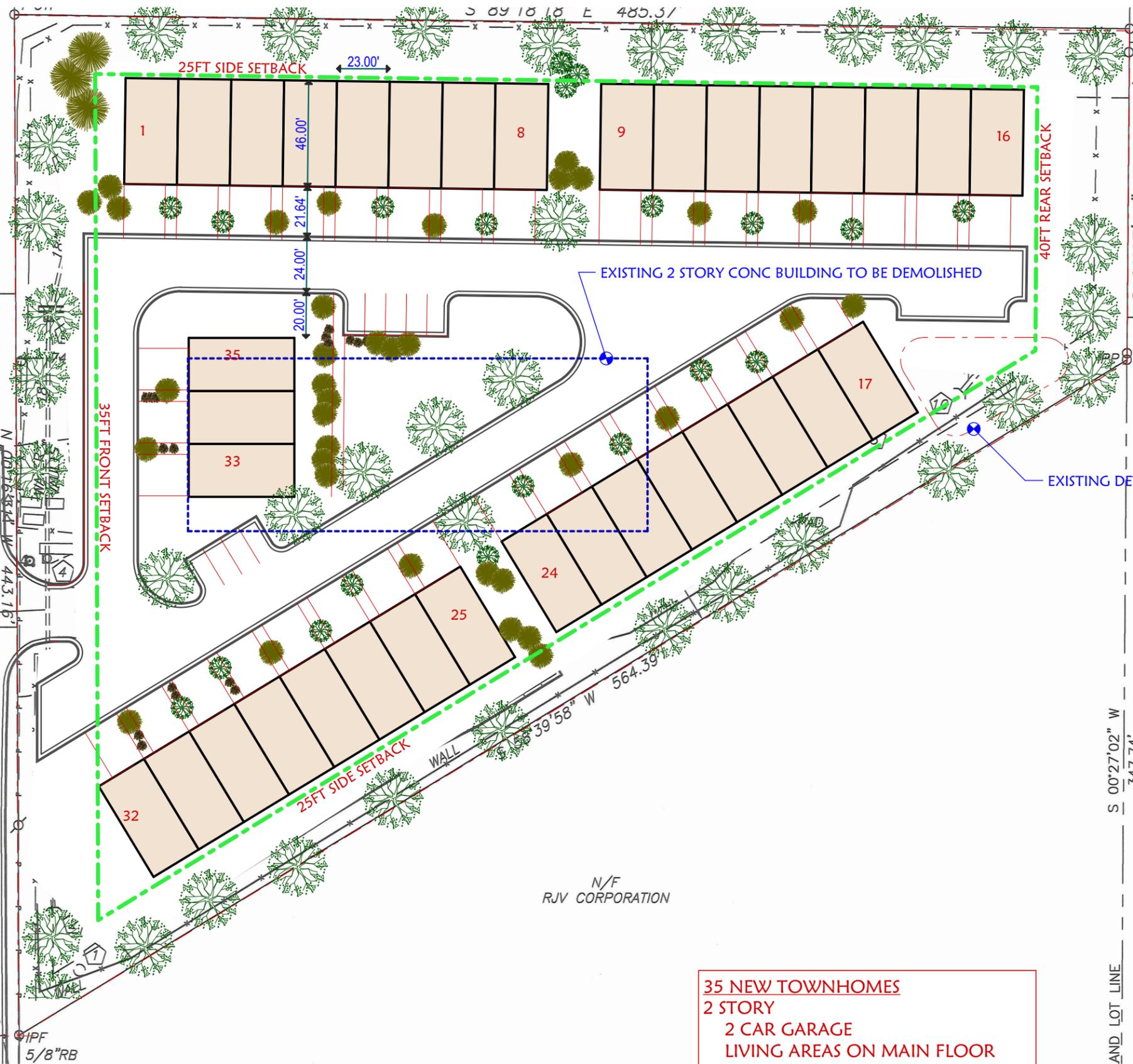
TIBBITTS LAND SURVEYING, INC.  
362 WEST MEMORIAL DRIVE, DALLAS, GEORGIA 30132  
PH: 770-443-1021

N/F  
ZIEL PARTNERS LLC

N/F  
PD WYNRIDGE LLC

MH #1  
TOP-1102.96  
IV IN-1095.76  
8" PVC FROM BLDG.  
IV OUT-1095.56  
8" PVC

MH #2  
TOP-1094.75  
IV IN-1088.55  
8" PVC  
IV OUT-1088.45  
8" PVC



IPF 1"CTP  
IPF 4"FLAT BAR 0.34' W  
N/F ELLENORA KOEPP  
N/F CRAIG B. & MARZELLA COUSINS  
IPF 2"OTP ON-LINE 2.9'N  
N/F REBECCA F. ALPERS LIVING TRUST  
S 00'27'02" W 143.77'  
S 00'27'02" W 347.74'  
S 00'27'02" W 564.39'  
S 39'58" W

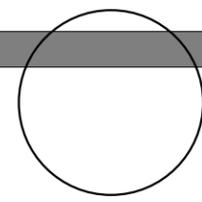
LEGEND

- I.P.F. IRON PIN FOUND
- I.P.P. IRON PIN PLACED
- L.L.L. LAND LOT LINE
- L.L. LAND LOT
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- W.V. WATER VALVE
- W.M. WATER METER
- G.V. GATE VALVE
- M.H. MANHOLE
- S.E. SANITARY EASEMENT
- S.S. SANITARY SEWER
- D.E. DRAINAGE EASEMENT
- H.W. HEADWALL
- C.B. CATCH BASIN
- D.I. DROP INLET
- N\F NOW OR FORMERLY
- O.T. = OPEN TOP
- C.T. = CRIMPED TOP
- G.M.D. = GEORGIA MILITIA DISTRICT
- P- = POWER LINE

**35 NEW TOWNHOMES**  
2 STORY  
2 CAR GARAGE  
LIVING AREAS ON MAIN FLOOR  
3 BEDROOMS ON 2ND FLOOR

SCALE: 1" = 50'

**PROPOSED SITE PLAN**



Friday, May 29, 2020

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

**RE: PROPOSED PROJECT STIPULATIONS AND CONDITIONS**

Property Address: 401 Rose Dr, Marietta, GA  
Property Size 3.260 Acres  
Developer 33 Holdings LLC  
Proposed Zoning: RM-12,  
Existing Zoning: CRC

The undersigned and this firm will be the Project Architect and has been authorized by the project Owner, 33 Holdings LLC to submit this letter of agreeable Stipulations and conditions as part of the Rezoning Applications.

1. This proposed development will involve demolishing the existing structure and replacing it with thirty-five (35) townhomes that are more compatible with the surrounding residential developments in use, style, and scale.
2. On site guest parking will be provided per the city's requirement. Guest Parking will be spread throughout the development to be close to the homes.
3. Dumpsters, mechanical units, meters, and other unsightly features will be screened using planting and enclosures.
4. Each unit with a minimum heated area of at least 1,800sf will have:
  - 2 Car Garage
  - Living areas on Main
  - 3 Bedrooms on 2<sup>nd</sup> floor with Bonus room in the Attic
5. The proposed townhomes shall be Traditional in style and architecture and shall have exterior facades consisting of brick, stone, stacked stone, cedar shake shingles, board and batten, cementitious siding, and combinations thereof, with complementary accents, in compliance with the City of Marietta's "four-sided architecture" requirement.
6. No garage areas within the proposed townhome community shall be converted into heated living space for the units. All garages shall be used primarily for the parking of vehicles with only incidental storage that does not interfere with parking for vehicles
7. Applicant agrees there shall be no "short-term" (defined as less than a one-year lease) rental of homes within the proposed development
8. Applicant agrees to the creation of a mandatory homeowners' association consistent with upscale communities in the area. The mandatory homeowners association shall be responsible for the upkeep and maintenance of all landscaping and landscaping maintenance of common areas, buffer areas, open space areas, and exterior yard areas around the residences; as well as entrance area; mail kiosk; private street, and the like contained within the proposed residential community.

9. As part of its Application for Rezoning, Applicant requests the following contemporaneous variance be granted:
  - I. Variance to reduce the minimum lot size from 5 ac. to 3.26 ac
  - II. Variance to waive the active recreation requirement. The project will include trails linked to interior sidewalks, a dog park area, and a small community park.
  
10. The Applicant agrees to comply with the following Staff comments. Land Disturbance (LDP) and Building Permit and Construction Drawings (CDs) will reflect compliance to these comments in detail.
  - a. Environmental
    - i. Full site development plans required
    - ii. Sidewalks required along frontage and interior to the project
    - iii. Show turning template of access for Sanitation vehicle for street centerline radii less than 100' (City minimum). Trash corals may be required.
    - iv. Entrance will need to be reconfigured
  - b. Transportation
    - i. Add sidewalk to proposed development to at least the utility pole.
  - c. Emergency Services
    - i. Minimum 35' radius on all turns to fire department access roads, and minimum 20' EOP to EOP.
    - ii. All units will be required to be protected by automatic fire sprinklers.
    - iii. If gated, gates will be required to be set back 50'; 30' wide; and keyed to Marietta Fire's Knox box system.

The proposed residential community shall be a great development, a quality replacement to the existing 30,000sf vacant building, a compatible addition to the surrounding neighborhoods, and shall be an enhancement to the Subject Property and the community as a whole.

Thank you for your consideration.

Sincerely



Samwel K Kimani, Architect  
228 Glenwood Dr,  
Canton GA 30115

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

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## **REZONING APPLICATION ANALYSIS**

**ZONING CASE #:** Z2020-24

**LEGISTAR:** #20200367

**LANDOWNERS:** Bercher Homes, LLC  
800 Kennesaw Ave, Suite 100  
Marietta, GA 30060

**APPLICANT:** Same as above

**AGENT:** Kevin Moore, Esq. (Moore Ingram Johnson & Steele, LLP)  
Emerson Overlook  
326 Roswell Street  
Marietta, GA 30060

**PROPERTY ADDRESS:** 224 & 226 Crescent Circle

**PARCEL DESCRIPTION:** 16123100260 & 16123100270

**AREA:** ~0.73 acres

**COUNCIL WARD:** 3A

**EXISTING ZONING:** OI (Office Institutional)

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

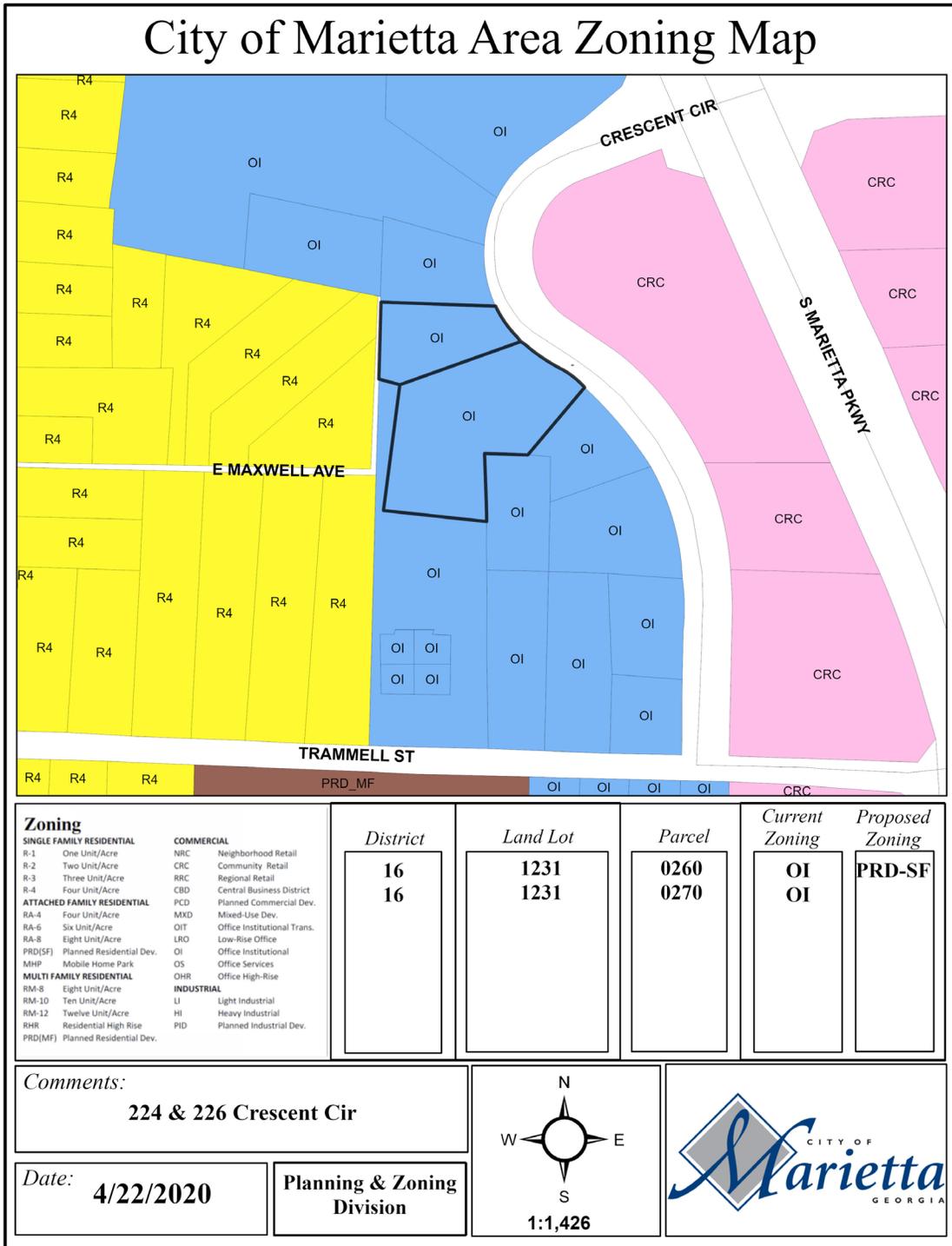
**FUTURE LAND USE:** MDR (Medium Density Residential)

**REASON FOR REQUEST:** The applicant is requesting the rezoning of the subject property from OI to PRD-SF in order to develop a five (5) unit attached townhome development.

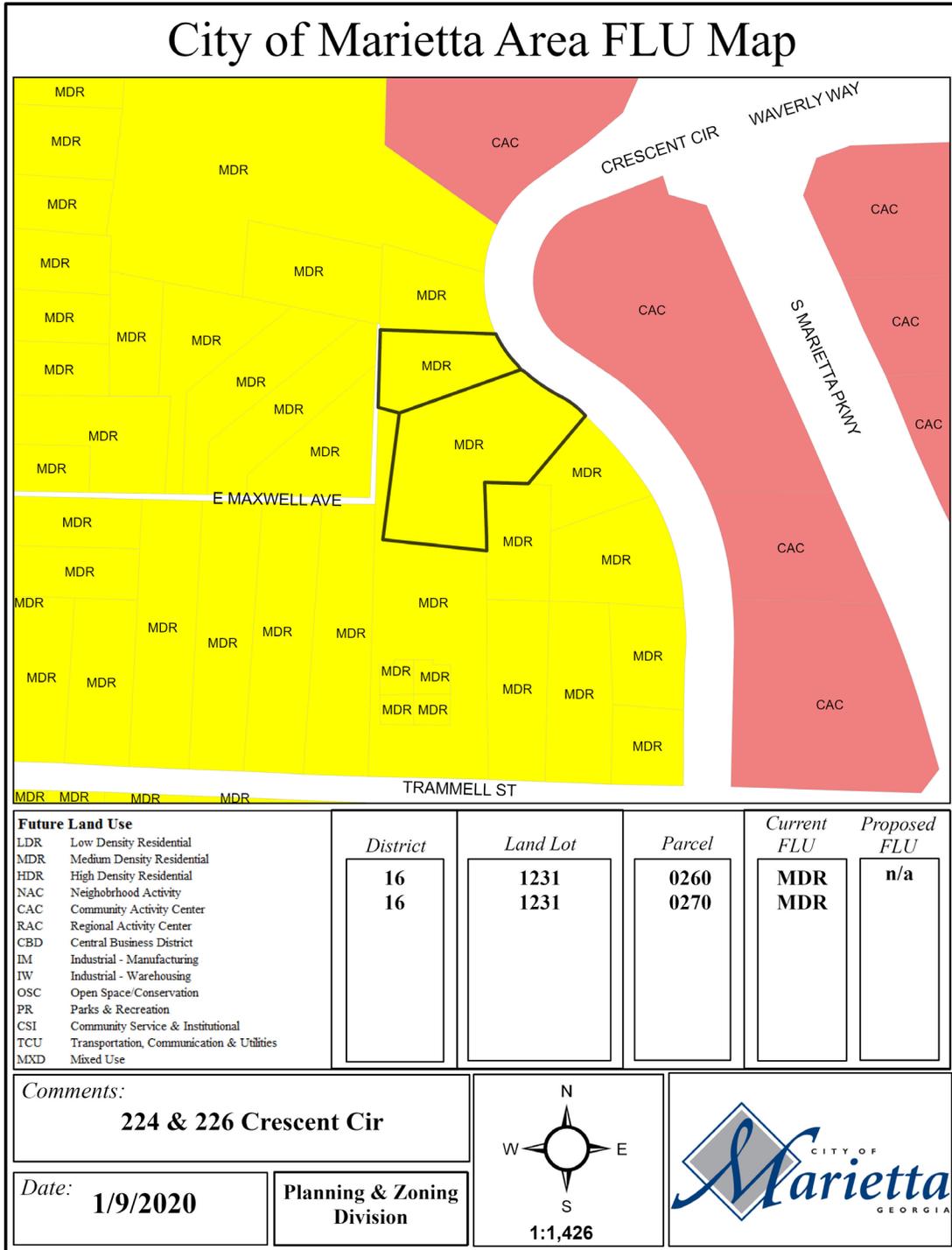
**PLANNING COMMISSION HEARING:** Tuesday, June 2<sup>nd</sup>, 2020 – 6:00 p.m.

**CITY COUNCIL HEARING:** Wednesday, June 10<sup>th</sup>, 2020 – 7:00 p.m.

# MAP



## FLU MAP



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**PICTURES OF PROPERTY**



**224 Crescent Circle**



**226 Crescent Circle**



## STAFF ANALYSIS

### *Location Compatibility*

The applicant, Bercher Homes, LLC, is requesting the rezoning of two (2) properties located at 224 and 226 Crescent Circle. The properties are currently vacant, total nearly 0.73 acres, and are zoned OI (Office Institutional). Properties to the north and south are also zoned OI. Homes to the west of the subject property are zoned R-4 (Single Family Residential – 4 units/ acre) while, to the east across Crescent Circle, is a gym zoned CRC (Community Retail Commercial). The applicant is requesting to rezone the properties from OI to PRD-SF (Planned Residential Development – Single-Family) to build a five-unit townhome building.

### *Use Potential and Impacts*

The requested zoning PRD-SF allows for flexible zoning, which permits the developer to establish building setbacks and density using best management practices. Based on the submitted plans, five (5) units on 0.73 acres yields 6.85 units/acre. This density is lower than other recently approved intown townhouse developments and provides attractive housing with proximity to the Square and the Mountain to River Trail. The following is list of recently approved townhome communities in the City:

Development	Townhouse Units	Acreage	Density	Open Space
The Registry	12	1.02	11.8	9.3%
Grammercy Park	32	3.29	9.72	12.8%
South Avenue Townhomes	8	0.759	10.54	28%

Elevations provided suggests the homes would be rear entry, two (2) story units with two (2) car garages. The proposed townhomes would face Crescent Circle with the garages accessed from an alley. The alley also contains ten (10) parking spaces, which exceeds the additional parking requirements of providing 0.2 spaces per unit. Only one guest parking space is required for five (5) townhome units. However, the driveways for each unit do not appear to meet the minimum length of twenty (20) feet. There are also three (3) parking spaces shown that appear to be for use by the adjacent property to the north. Based on the provided plan, the following variance is being requested:

- Variance to reduce the minimum driveway length from 20 feet to no less than 13 feet. [§708.09 (B.2.e)]

With five (5) units, the applicant is required to provide a minimum of 10,000 square feet (0.23 acres) of recreation area, including a passive and an active feature. A passive recreational feature could include a walking trail, pavilion, gazebo or picnic area; and an active recreational feature could include a swimming pool, playground or tennis courts. This plan does not indicate any recreation areas.



Since these development standards have not been satisfied, the following variances would be necessary:

1. Variance to reduce the minimum lot size from 3 acres to 0.73 acres. [§708.09 H.]
2. Variance to waive the required active and passive recreation features. [§708.09 (B.2.i.)]

The Future Land Use (FLU) designation of the subject property is MDR (Medium Density Residential). The purpose of MDR is to accommodate residential areas that range in densities from 5 to 8 units per acre. The subject area could serve as a transition area from the lower density community to the west to the higher density non-residential development on all other sides of the subject property. Thus, the applicant’s request is supported by the City’s Comprehensive Plan.

*Environmental Impacts*

There is a stream running through the south side of the property. Most of the stream on the property is piped; however, there are state and local stream buffers that apply to the open channel on either end of the pipe. The plan includes disturbance and paving into the local stream buffers. An engineer’s certification of the condition and ability of the existing 60” pipe to withstand the proposed improvements will be required. The developer is proposing the use of an underground stormwater management area.

Further, the development would be required to comply with the tree protection and landscaping ordinance.

*Economic Functionality*

There had been a structure on 226 Crescent Circle, but it was demolished in 2013. Since then, the property owner has been pursuing proposals for both residential and commercial use. Because the property is within the Commercial Corridor Design Overlay District – Tier B, the property could be used for both residential and commercial purposes with the current zoning. However, to use the property as exclusively residential would require rezoning. Low to moderate intensity residential use would be more feasible due to the environmental limitations of the site.

*Infrastructure*

The 20-foot access drive to the garages will serve as a private alley. Rear yard garbage pick-up is required in all developments for which alleys are approved, and adequate sanitation vehicle access must be included in all projects. Any dead-end alley where sanitation vehicle



access is necessary must have an adequate means to turnaround if the alley is greater than 30' in length. Based on the lack of a proper turnaround, sanitation trucks will not be able to use the alley and will have to pick up trash from Crescent Circle. Thus, a garbage corral will be required.

Where alleys enter roads classified as local streets or greater, the intersection must meet sight distance requirements identified in the AASHTO publication - A Policy on Geometric Design of Highways and Streets, latest edition. Marietta Transportation will require adequate line of sight for the alley.

There are existing sewer mains alongside the piped creek and within Crescent Circle. The water main is adjacent to the property on Crescent Circle. The applicant is proposing a five (5) foot sidewalk with 2' grass strip along the Crescent Circle frontage.

The serving elementary school is A.L Burruss. Only three (3) students are expected to come from a five-unit development, and no adverse impact on the education system is anticipated.

*Overhead Electrical/Utilities*

There are existing overhead power poles along Crescent Circle as shown on the site plan provided. All structures must be at least 10 feet away from the 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*

In 2014, the subject property was granted an administrative variance to reduce the buffer along the western property line. (AV2014-23)

*Other Issues*

PRD-SF is a site-specific zoning, which requires City Council approval of a detailed plan prior to beginning construction. Detailed plans, which include a site plan, tree plan, and building elevations, must be submitted to Council by way of the Judicial Legislative Committee. The plan approved with the rezoning shall become the General Plan.

This property is located within the Commercial Corridor Design Overlay District – Tier B, although single family residences are exempt.

All units would be required to be built with automatic fire sprinklers.

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## ANALYSIS & CONCLUSION

Bercher Homes, LLC, is requesting the rezoning of 224 and 226 Crescent Circle from OI to PRD-SF to build a five-unit townhome building. The properties are currently vacant and total 0.73 acres in size. Properties to the north and south are also zoned OI. Homes to the west of the subject property are zoned R-4 while, to the east across Crescent Circle, is a gym that is zoned CRC.

Based on the submitted plans, five (5) townhome units on 0.73 acres yields 6.85 units/acre. This density is lower than other recently approved intown townhouse developments. The proposed two-story townhomes would face Crescent Circle with the garages accessed from an alley. The alley also contains ten (10) parking spaces, which exceeds the additional parking requirements of providing 0.2 spaces per unit. Only one guest parking space is required for five (5) townhome units. However, the driveways for each unit do not appear to meet the minimum length of twenty (20) feet. There are also three (3) parking spaces shown that appear to be for use by the adjacent property to the north.

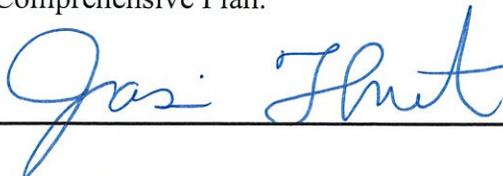
With five (5) units, the applicant is required to provide a minimum of 10,000 square feet (0.23 acres) of recreation area, including a passive and an active feature. This plan does not indicate any recreation areas.

Since these development standards have not been satisfied, the following variances would be necessary:

1. Variance to reduce the minimum driveway length from twenty (20) feet to no less than thirteen (13) feet. [*§708.09 (B.2.e.)*]
2. Variance to reduce the minimum lot size from 3 acres to 0.73 acres. [*§708.09 H*]
3. Variance to waive the required active and passive recreation features. [*§708.09 (B.2.i.)*]

The Future Land Use designation of the subject property is MDR, which is appropriate for residential areas ranging from 5 to 8 units per acre. The site would serve as a transition area from the lower density community to the west to the higher density non-residential development on all other sides of the subject property and would be supported by the City's Comprehensive Plan.

Prepared by: \_\_\_\_\_



Approved by: \_\_\_\_\_





## DATA APPENDIX

### *CITY OF MARIETTA - WATER*

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Is a water line adjacent to the property?	Yes
If not, how far is the closest water line?	N/A
Size of the water line?	8"
Capacity of the water line?	A fire flow test may be required
Approximate water usage by proposed use?	Not provided

### *CITY OF MARIETTA - WASTEWATER*

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Is a sewer line adjacent to the property?	Yes
If not, how far is the closest sewer line?	N/A
Size of the sewer line?	10" in the rear 8" in Crescent Cir
Capacity of the sewer line?	A.D.F Peak
Estimated waste generated by proposed development?	Not provided
Treatment Plant Name?	Cobb County
Treatment Plant Capacity?	Cobb County
Future Plant Availability?	Cobb County

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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?	Ward 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?	No
Do stream bank buffers exist on the parcel?	Yes
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

**Additional Comments:**

- Full site development plans required
- Sidewalks required along frontage and interior to the project
- Engineer’s certification required for improvements in area of existing aged 60” CMP storm sewer pipe (piped live stream).

### ***TRANSPORTATION***

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What is the road affected by the proposed change?	Crescent Cir
What is the classification of the road?	Local
What is the traffic count for the road?	Unknown
Estimated # of trips generated by the proposed development?	Information not provided
Estimated # of pass-by cars entering proposed development?	Unknown
Do sidewalks exist in the area?	No
Transportation improvements in the area?	No
If yes, what are they?	NA

**Additional Comments:**

Perform line of sight for exit to Crescent Circle.



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## DATA APPENDIX CONTINUED

### EMERGENCY SERVICES

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Nearest city or county fire station from the development?	112 Haynes St
Distance of the nearest station?	0.6 mile
Most likely station for 1 <sup>st</sup> response?	51
Service burdens at the nearest city fire station (under, at, or above capacity)?	under

### Comments:

-All units will require automatic fire sprinklers. Marietta City Code 2-6-140.

### MARIETTA POWER - ELECTRICAL

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Does Marietta Power serve this site?      Yes   x                        No           

If not, can this site be served?              Yes                                 No           

What special conditions would be involved in serving this site?

Additional comments:



**DATA APPENDIX CONTINUED**

***MARIETTA CITY SCHOOLS***

**Marietta City Schools Impact Assessment:**

Elementary School System Servicing Development:	<b>AL Burruss</b>
Middle School Servicing Development:	<b>Marietta Middle School</b>
High School Servicing Development:	<b>Marietta High School</b>
Capacity at Elementary School:	<b>500</b>
Capacity at Middle School:	<b>1,350</b>
Capacity at Marietta Sixth Grade Academy:	<b>775</b>
Capacity at High School:	<b>2,150</b>
Current enrollment of Elementary School:	<b>409</b>
Current enrollment of Middle School:	<b>1,386</b>
Current enrollment of High School:	<b>2,410</b>
Number of students generated by present development:	<b>0</b>
Number of students projected from the proposed development:	<b>3</b>
New schools pending to serve this area:	<b>0</b>

**Comments:** Student enrollment numbers based on the last day of school.



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

## APPLICATION FOR REZONING

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

*For Office Use Only:*

Application #: 22020-24 Legistar #: 20200367 PZ #: 20-131  
 Planning Commission Hearing: 06/02/2020 City Council Hearing: 06/10/2020

\* Owner's Name Bercher Homes, LLC

EMAIL Address: dale@bercherhomes.com

Mailing Address Suite 100, 800 Kennesaw Avenue  
Marietta, GA Zip Code: 30060 Telephone Number (770) 590-5400

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

Applicant: Agent: J. Kevin Moore, Esq. / Moore, Ingram, Johnson + Steele, LLP

EMAIL Address: jkm@mij's.com

Mailing Address \_\_\_\_\_ Zip Code: \_\_\_\_\_

Telephone Number 770-429-1499 Email Address: \_\_\_\_\_

Address of property to be rezoned: 224, 226 Crescent Circle

Land Lot (s) 12310 District 16 Parcel 0260 Acreage 0.73± Ward 3A Future Land Use: MDR

Present Zoning Classification: OI Proposed Zoning Classification: PRD-SF

**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.

**\*Applicant/Owner Representative - J. Kevin Moore - Moore Ingram Johnson & Steele, LLP**

**ATTACHMENT TO APPLICATION FOR REZONING**

**Application No.:** \_\_\_\_\_  
**Legistar No.:** \_\_\_\_\_  
**Hearing Dates:** **June 2, 2020**  
**June 10, 2020**

**Applicant/Property Owner:        Bercher Homes, LLC**

**DESCRIPTION OF PROPOSED DEVELOPMENT/PROJECT**

The property which is the subject of the Application for Rezoning by Applicant/Property Owner, Bercher Homes, LLC (hereinafter collectively “Applicant”) totals approximately 0.73 acres located at 224 and 226 Crescent Circle, Land Lot 1231, 16<sup>th</sup> District, 2<sup>nd</sup> Section, City of Marietta, Cobb County, Georgia, as more particularly identified and set forth in the Application for Rezoning (hereinafter collectively the “Property” or the “Subject Property”). The Rezoning Application seeks approval of a request to rezone the Subject Property from the existing Office/Institutional (“OI”) zoning classification to the PRD-SF zoning classification (City of Marietta). Applicant is seeking rezoning for a townhome community.

Applicant proposes the construction of a maximum of five (5) townhome units. Access to the proposed development will be from Crescent Circle, as shown on the Zoning Plan submitted with the Application for Rezoning. A preliminary elevation is attached to this Project Description and submitted as part of the Application for Rezoning.

Applicant will supplement its Application for Rezoning with additional items throughout the rezoning process.

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.

Applicant is very excited with the opportunity of this project within the City of Marietta. The project shall be a quality development and shall be an enhancement to the Subject Property and existing nearby neighborhoods and the community as a whole.

**PAGE 2 - EXHIBIT "A" - ATTACHMENT TO APPLICATION FOR REZONING**  
**(Page Two of Two)**

Application No.: \_\_\_\_\_  
Legistar No.: \_\_\_\_\_  
Hearing Dates: **June 2, 2020**  
**June 10, 2020**

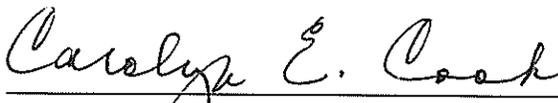
**Applicant/Property Owner: Bercher Homes, LLC**

BERCHER HOMES, LLC

BY:   
\_\_\_\_\_  
Dale W. Bercher  
Manager

Date Executed: April 21, 2020

Signed, sealed, and delivered in the presence of:

  
\_\_\_\_\_  
Notary Public  
My Commission Expires: 01-10-2023  
[Notary Seal]



Applicant/Property Owner Address:

Bercher Homes, LLC  
Suite 100  
800 Kennesaw Avenue  
Marietta, Georgia 30060  
(770) 590-5400  
E-mail: [dale@bercherhomes.com](mailto:dale@bercherhomes.com)

**ATTACHMENT TO APPLICATION FOR REZONING**

Application No.: \_\_\_\_\_  
Legistar No.: \_\_\_\_\_  
Hearing Dates: **June 2, 2020**  
**June 10, 2020**

**Applicant/Property Owner: Bercher Homes, LLC**

**Representative for Applicant/Property Owner:**

MOORE INGRAM JOHNSON & STEELE, LLP

BY: \_\_\_\_\_

J. Kevin Moore  
Georgia Bar No. 519728

Attorneys for Applicant/Property Owner

Date Executed: April 21, 2020

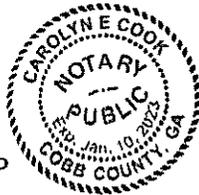
Signed, sealed, and delivered in the presence of:

Carolyn E. Cook

Notary Public

Commission Expires: January 10, 2023

[Notarial Seal]



Moore Ingram Johnson & Steele, LLP  
Attorneys at Law  
Emerson Overlook  
Suite 100  
326 Roswell Street  
Marietta, Georgia 30060  
(770) 429-1499  
(770) 429-8631 (Telefax)  
E-mail: [jkm@mijs.com](mailto:jkm@mijs.com)

**TO: Marietta Daily Journal**

**FROM: City of Marietta**

**RUN AD DATE: May 15, 2020**

**CITY OF MARIETTA  
PUBLIC NOTICE OF REZONINGS 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, June 2<sup>nd</sup>, 2020, 6:00 P.M.**, City Hall, for a recommendation to the City Council at their meeting on **Wednesday, June 10<sup>th</sup>, 2020, 7:00 p.m.**, City Hall, for a final decision to be made.

**Z2020-24 [REZONING] BERCHER HOMES, LLC** is requesting the rezoning of 0.43 acres located in Land Lot 1231, District 16, Parcels 0260 & 0270 of the 2<sup>nd</sup> Section, Cobb County, Georgia, and being known as 224 & 226 Crescent Circle from OI (Office Institutional) to PRD-SF (Planned Residential Development – Single Family). Ward 3A.

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](http://www.mariettaga.gov) and enter the case # in the search box.

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

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

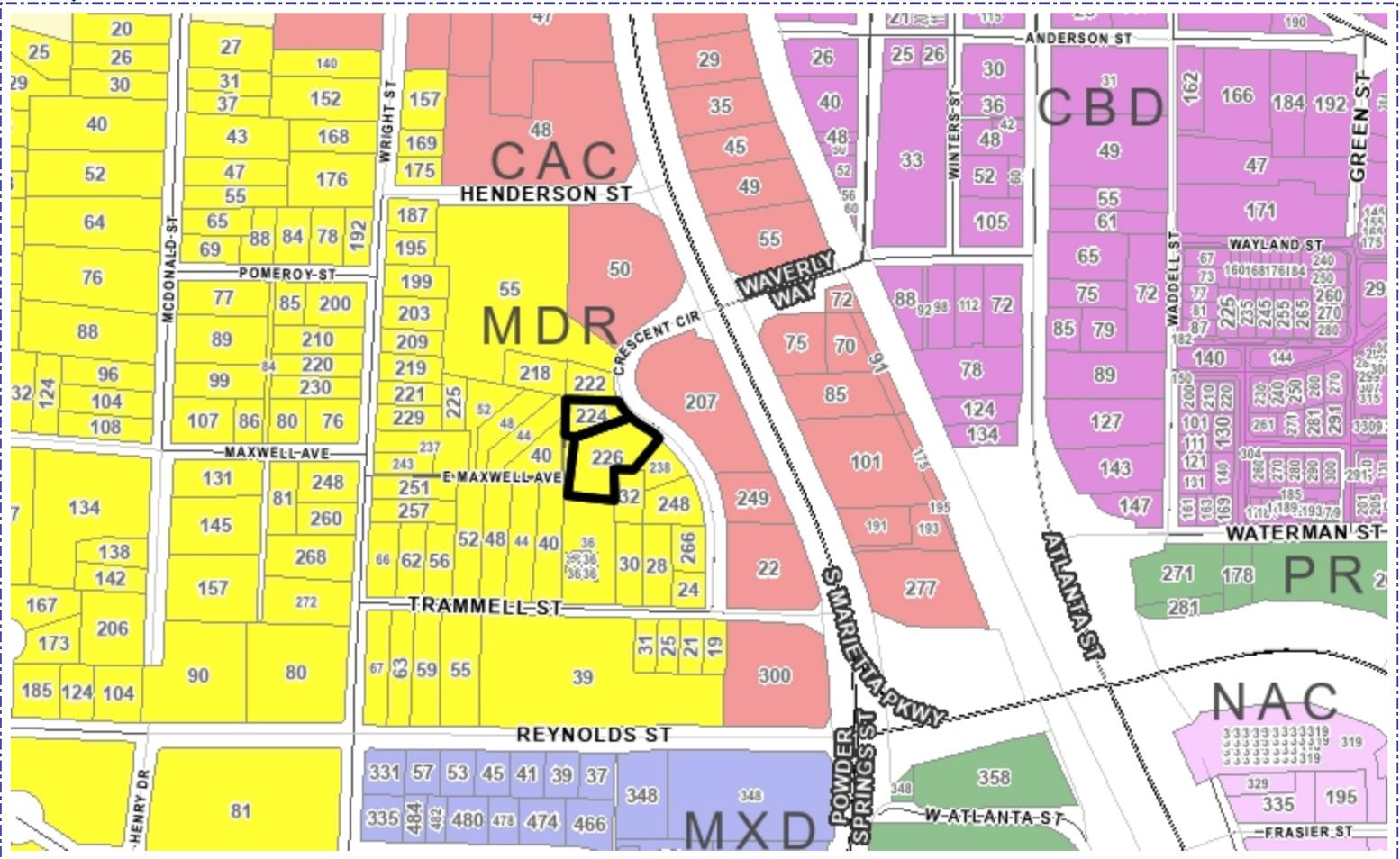
City of Marietta  
205 Lawrence Street  
Marietta, Georgia 30060

# Rezoning

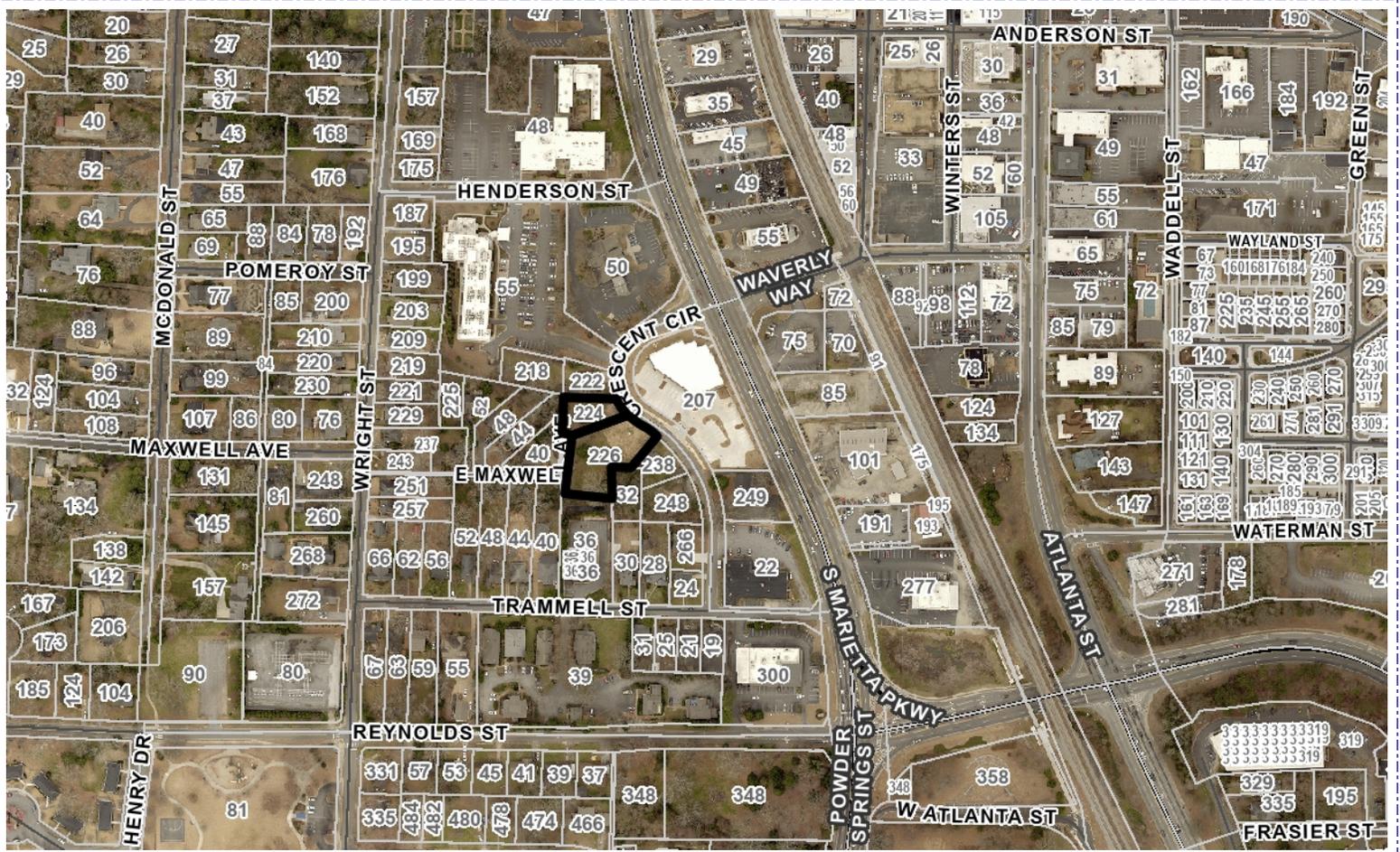


Address	Parcel Number	Acreage	Ward	Zoning	FLU
224 CRESCENT CIR L-10	16123100260	0.193	3A	OI	MDR
226 CRESCENT CIR L-11	16123100270	0.505	3A	OI	MDR

Property Owner:	Bercher Homes, LLC		<b>Zoning Symbols</b> 
Applicant:			
Proposed Zoning:	OI to PRD-SF		
Agent:	J. Kevin Moore, Esq.		
Proposed Use:			
Planning Commission Date:	06/02/2020		
City Council Hearing Date:	06/10/2020	Case Number: Z2020-24	
<b>City of Marietta Planning &amp; Zoning</b>			



Address	Parcel Number	Acreage	Ward	Zoning	FLU
224 CRESCENT CIR L-10	16123100260	0.193	3A	OI	MDR
226 CRESCENT CIR L-11	16123100270	0.505	3A	OI	MDR
Planning Commission Hearing Date:	06/02/2020	<b>Future Land Use Symbols</b> 			
City Council Hearing Date:	06/10/2020				
Future Land Use:	MDR				
Case Number:	Z2020-24				
Comments:					
<b>City of Marietta Planning &amp; Zoning</b>					



Address	Parcel Number	Acreage	Ward	Zoning	FLU
224 CRESCENT CIR L-10	16123100260	0.193	3A	OI	MDR
226 CRESCENT CIR L-11	16123100270	0.505	3A	OI	MDR

Property Owner:	Bercher Homes, LLC
Applicant:	
City Council Hearing Date:	06/10/2020
Planning Commission Hearing Date:	06/02/2020
BZA Hearing Date:	Case Number: Z2020-24
Comments:	

**Legend**

- Railroads
- City Limits
- Cobb County Pockets

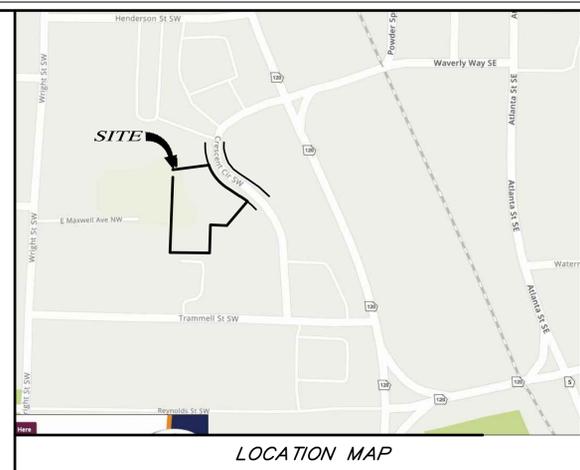
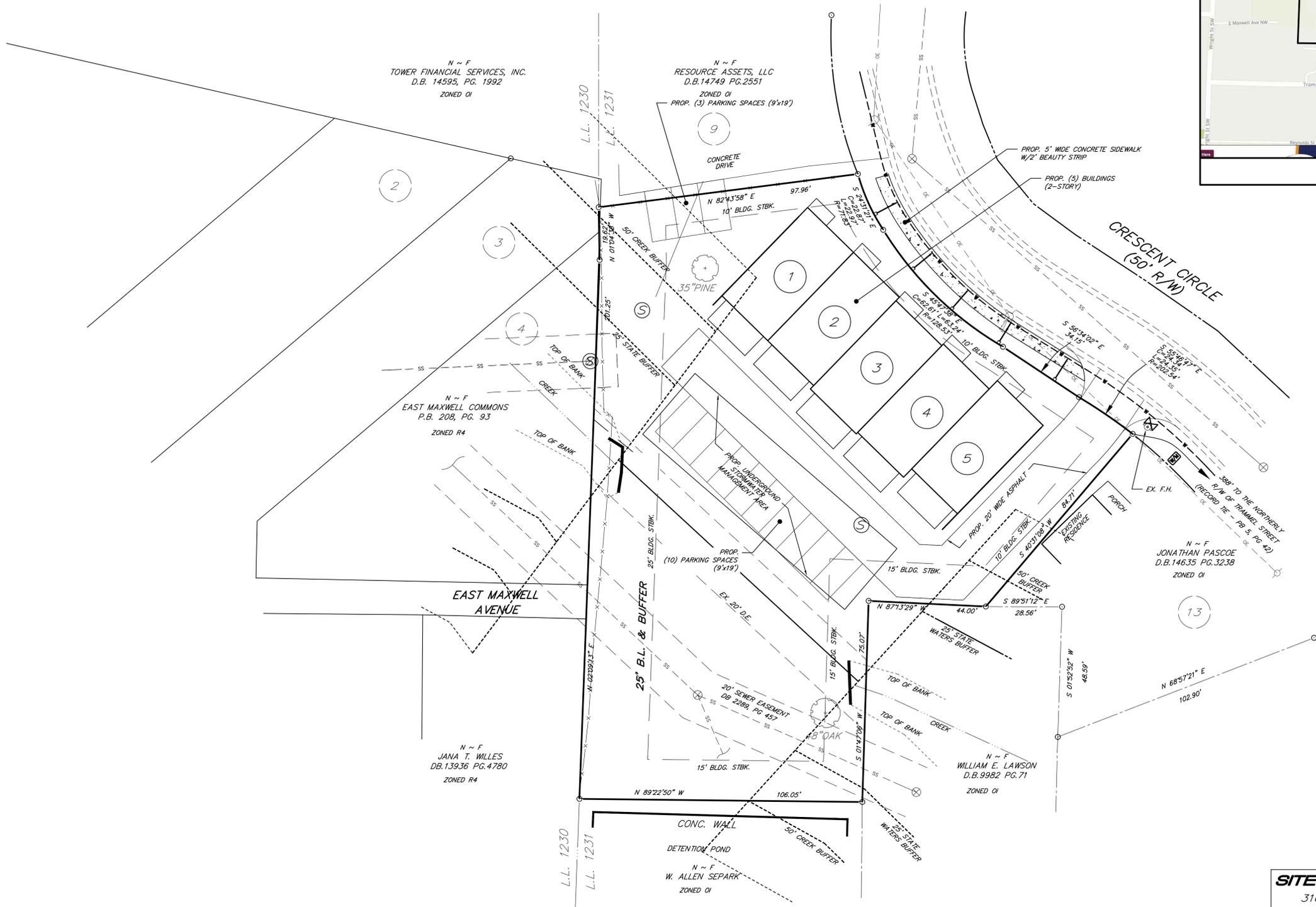


BERCHER HOMES

CRESCENT CIRCLE TOWNHOMES

**CALDWELL CLINE**  
ARCHITECTS • DESIGNERS  
222 CRESCENT CIRCLE MARIETTA, GEORGIA 30064  
TELEPHONE: (770) 424-3882 FAX: (678) 668-8930

Plotting name: P:\Breach Homes Crescent Circle Master\Layout\Zoning\Crescent Circle - Layout.dwg Plotted on: Apr 21, 2020 - 2:57pm



LOCATION MAP

MARIETTA FIRE DEPARTMENT NOTE:  
1. THE ANALYSIS OF THIS EXEMPTION PLAT WAS LIMITED TO THE COMBINING OF LOTS INTO ONE PARCEL ONLY.  
2. ALL NEW STRUCTURES SHALL COMPLY WITH THE CITY OF MARIETTA/BLW FIRE SPRINKLER ORDINANCE

THIS PARCEL OF LAND IS NOT IN THE 100 YEAR FLOOD PLAIN AND IS IN ZONE X-1; ACCORDING TO F.E.M.A. (F.I.A.) COMMUNITY NUMBER # 130228, MAP NUMBER # 13067C0108G DATED NOVEMBER 2, 2012

- SURVEY REFERENCES:
1. PLAT OF MARIETTA REALTY AND DEVELOPMENT COMPANY, RECORDED IN PLAT BOOK 5, PAGE 54, PUBLIC RECORDS OF COBB COUNTY, GEORGIA.
  2. PLAT OF EAST MAXWELL COMMONS, RECORDED IN PLAT BOOK 208, PAGE 93, PUBLIC RECORDS OF COBB COUNTY, GEORGIA.
  3. FINAL PLAT FOR 36 TRAMMELL STREET, RECORDED IN PLAT BOOK 250, PAGE 90, PUBLIC RECORDS OF COBB COUNTY, GEORGIA.

**SITE AREA**  
31697  $\pm$   
0.73 AC.

PER THE CITY OF MARIETTA ZONING MAPS, THIS PROPERTY IS CURRENTLY ZONED OI.  
PROPOSED ZONING: MDR

SETBACKS:  
FRONT : 10 FEET  
SIDE : 10 FEET, 15 FEET  
REAR: 25 FEET



© 2020, GASKINS SURVEYING COMPANY, INC. This drawing may be used for the express purpose of constructing the work shown for the site and owner specified for the site. Any other use of this drawing including any reproduction or alteration of this drawing without the prior written approval of Gaskins Surveying Company, Inc. is prohibited.

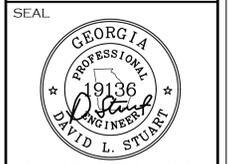
# 226 CRESCENT CIRCLE TOWNHOMES

## ZONING PLAN

LAND LOTS 1231, 16TH DISTRICT, 2ND SECTION,  
CITY OF MARIETTA  
COBB COUNTY, GEORGIA  
ZONED ?

REV.	DATE	REVISION	REFERENCE:
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SHEET TITLE  
ZONING PLAN



PROJECT I.D.	FIELD BOOK
TES	NA
DRAWN BY	CHECKED BY
DLS	DLS
SCALE	ISSUE DATE
1"=20'	04/21/2020
SHEET NUMBER	

NOT ISSUED FOR CONSTRUCTION



## MOORE INGRAM JOHNSON & STEELE

Ms. Shelby Little, AICP  
Zoning Manager  
Department of Planning and Zoning  
City of Marietta  
Page 2 of 4  
May 29, 2020

SF (Planned Residential Development – Single Family), with reference to the revised Site Plan prepared for Applicant by Gaskins Surveying Company, Inc., dated April 21, 2020, last revised May 15, 2020, and filed electronically with City Staff on May 15, 2020. A reduced copy of the revised Site Plan is attached for ease of reference as Exhibit “A” and incorporated herein by reference.

- (2) The Subject Property consists of 0.73 acres, more or less, and will be developed for a residential community, in the townhome style, containing a maximum of five (5) residences.
- (3) The overall exterior elevations, exterior materials, and architectural style of the proposed townhomes shall be substantially similar to the elevation attached as Exhibit “B” and incorporated herein by reference.
- (4) The exterior elevations shall comply in all respects with the “four-sided” architecture requirement of the City of Marietta.
- (5) The units shall have two-car garages.
- (6) All units within the proposed townhome 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.
- (7) 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 townhome community.
- (8) 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 and open space areas, landscape areas, general landscaped areas, mail kiosk, private street, fencing, and the like, contained within the community.
- (9) Applicant agrees to the construction of a five (5) foot sidewalk, together with a two (2) foot beautification strip, along the frontage of the Subject Property on Crescent Circle.

## MOORE INGRAM JOHNSON & STEELE

Ms. Shelby Little, AICP  
Zoning Manager  
Department of Planning and Zoning  
City of Marietta  
Page 3 of 4  
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- (10) The proposed community shall have a private street for access from Crescent Circle. Construction of the private street shall comply in all respects as to materials, base, and other requirements with the City of Marietta Code. Guest parking areas, containing eleven (11) guest parking spaces, shall be provided, as more particularly shown and reflected on the referenced, revised Site Plan.
- (11) Detention and water quality facilities for the proposed community may be located underground, as shown and reflected on the revised Site Plan.
- (12) All landscaping referenced herein; including, but not limited to, the frontage, entrance area, and open space areas, shall be approved by the City of Marietta as part of the Plan Review Process and incorporated into the overall landscape plan for the proposed community.
- (13) 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.
- (14) A garbage corral shall be provided to comply with City of Marietta standards.
- (15) Applicant agrees to the following variances for the proposed community:
  - (a) Variance to reduce the minimum lot size for development from the required three (3) acres to 0.73 acres;
  - (b) Variance to reduce the required minimum driveway length from twenty (20) feet to no less than thirteen (13) feet; and
  - (c) Variance to waive the active and passive recreation requirement.

We believe the requested zoning, together with the revised Site Plan and the stipulations set forth herein, is an appropriate use of the Subject Property while taking into consideration the current use of the Subject Property and the uses of properties in the surrounding area. The proposed residential community shall be a quality development, as established by Applicant in residences constructed throughout the City and Cobb County, and shall be an enhancement to the Subject Property and the community as a whole. Thank you for your consideration in this request.

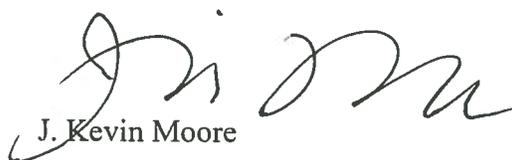
**MOORE INGRAM JOHNSON & STEELE**

Ms. Shelby Little, AICP  
Zoning Manager  
Department of Planning and Zoning  
City of Marietta  
Page 4 of 4  
May 29, 2020

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)

John and Darlene Kaman  
Area Residents  
(With Copies of Attachments)

Bercher Homes, LLC  
(With Copies of Attachments)



EXHIBIT "B"



BERCHER HOMES

CRESCENT CIRCLE TOWNHOMES

**CALDWELL CLINE**  
ARCHITECTS • DESIGNERS

232 CRESCENT CIRCLE • MARSHALL, GEORGIA 30444  
TELEPHONE: (770) 426-3602 FAX: (678) 466-3920