

1. Virtual Information

To Join Event Online:

1. Go to [HTTPS://MARIETTAGA.WEBEX.COM/MARIETTAGA/J.PHP?MTID=EA5CD61557F2CBFCAC5E1B3DF768F5886](https://MARIETTAGA.WEBEX.COM/MARIETTAGA/J.PHP?MTID=EA5CD61557F2CBFCAC5E1B3DF768F5886)

2. Enter the event password: mariettapc

3. Click "Join Now".

For Audio Participation:

Dial: +1-408-418-9388

Enter Access code: 132 917 1833

2. Planning Commission Agenda

Documents:

[_AUG 4, 2020 PC AGENDA.PDF](#)

3. Z2020-07 Cunningham Rd 1520, 1540, 1560

Documents:

[Z2020-07 CUNNINGHAM RD 1520, 1540, 1560.PDF](#)

4. Z2020-07 Cunningham Rd 1520, 1540, 1560-Stipulation Letter 08.04.20

Documents:

[Z2020-07 CUNNINGHAM RD 1520, 1540, 1560-STIPULATION LETTER 08.04.20.PDF](#)

5. Z2020-25 SLUP Delk Industrial Blvd 1998

Documents:

[Z2020-25 SLUP DELK INDUSTRIAL BLVD 1998.PDF](#)

6. Z2020-26 Commerce Park Dr 590

Documents:

[Z2020-26 COMMERCE PARK DR 590.PDF](#)



City of Marietta

205 Lawrence Street
Post Office Box 609
Marietta, Georgia 30061

Meeting Agenda

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

Tuesday, August 4, 2020

6:00 PM

City Hall Council Chambers

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:

20200615 **July 1, 2020 Regular Planning Commission Meeting Minutes**

Review and Approval of the July 1, 2020 Regular Planning Commission Meeting Minutes.

REZONINGS/ANNEXATIONS/CODE AMENDMENTS/SPECIAL LAND USE PERMITS:

20200038 **Z2020-07 [REZONING] VENTURE COMMUNITIES, LLC**

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

20200547 A2020-04 [ANNEXATION] VENTURE COMMUNITIES, LLC

A2020-04 [ANNEXATION] VENTURE COMMUNITIES, LLC is requesting the annexation of property located in Land Lot 9, District 17, a portion of Parcel 0040 of the 2nd Section, Cobb County, Georgia and being known as **1520 Cunningham Road**, and any associated right of way, consisting of approximately 0.503 acres. Ward 2B.

20200548 CA2020-05 [CODE AMENDMENT]

CA2020-05 [CODE AMENDMENT] In conjunction with the requested annexation of property located in located in Land Lot 9, District 17, a portion of Parcel 0040 of the 2nd Section, Cobb County, Georgia and being known as **1520 Cunningham Road**, the City of Marietta proposes to designate the Future Land Use of said property as MDR (Medium Density Residential). Ward 2B.

20200577 Z2020-25 [SPECIAL LAND USE PERMIT] RED HARE BREWING CO. LLC

Z2020-25 [SPECIAL LAND USE PERMIT] RED HARE BREWING CO. LLC is requesting a Special Land Use Permit for 1.2 acres located in Land Lot 715, District 17, Parcel 0150, 2nd Section, Marietta, Cobb County, Georgia, and being known as **1998 Delk Industrial Boulevard** from LI (Light Industrial) to LI (Light Industrial) with a special land use permit for a mobile retail food establishment. Ward 1A.

20200578 Z2020-26 [REZONING] ZMW LLLP

Z2020-26 [REZONING] ZMW LLLP is requesting the rezoning of approximately 3.3 acres located in Land Lot 362, District 17, Parcel 0110 of the 2nd Section, Cobb County, Georgia, and being known as **590 Commerce Park Drive** from LI (Light Industrial) to LI (Light Industrial) with an additional use for a bank and/or financial institution. Ward 1A.

ADJOURNMENT:



REZONING APPLICATION ANALYSIS

ZONING CASE #: Z2020-07

LEGISTAR: #20200038

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

Harry William Cunningham
172 Camden Knoll
Dallas, GA 30157

Carolyn Swanson
894 Poplar Springs Road
Dallas, GA 30157

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

AGENT: n/a

PROPERTY ADDRESS: 1520, 1540, & 1560 Cunningham Road

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

AREA: ±8.782 **COUNCIL WARD:** 2B

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

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

FUTURE LAND USE: MDR (Medium Density Residential)

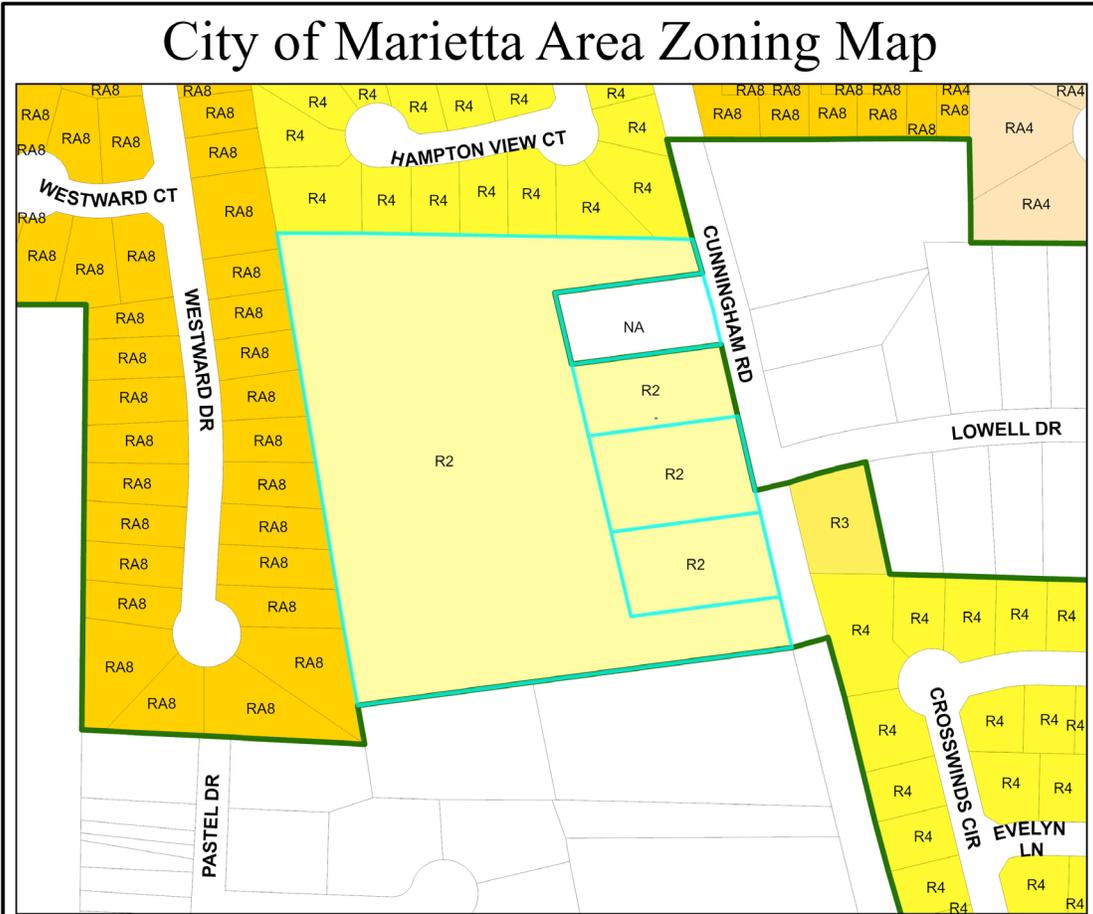
REASON FOR REQUEST: To build a fifty-nine (59) unit townhome community

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

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

MAP

City of Marietta Area Zoning Map

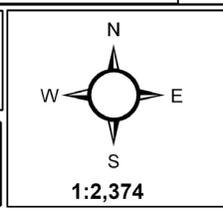


Zoning		District	Land Lot	Parcel	Current Zoning	Proposed Zoning
SINGLE FAMILY RESIDENTIAL R-1 One Unit/Acre R-2 Two Unit/Acre R-3 Three Unit/Acre R-4 Four Unit/Acre ATTACHED FAMILY RESIDENTIAL RA-4 Four Unit/Acre RA-6 Six Unit/Acre RA-8 Eight Unit/Acre PRD(SF) Planned Residential Dev. MHP Mobile Home Park MULTI FAMILY RESIDENTIAL RM-8 Eight Unit/Acre RM-10 Ten Unit/Acre RM-12 Twelve Unit/Acre RHR Residential High Rise PRD(MF) Planned Residential Dev.	COMMERCIAL 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 INDUSTRIAL LI Light Industrial HI Heavy Industrial PID Planned Industrial Dev.	17 17	0009 0009	0040 0160	R-20 (Cobb) R-2 (City)	PRD-SF

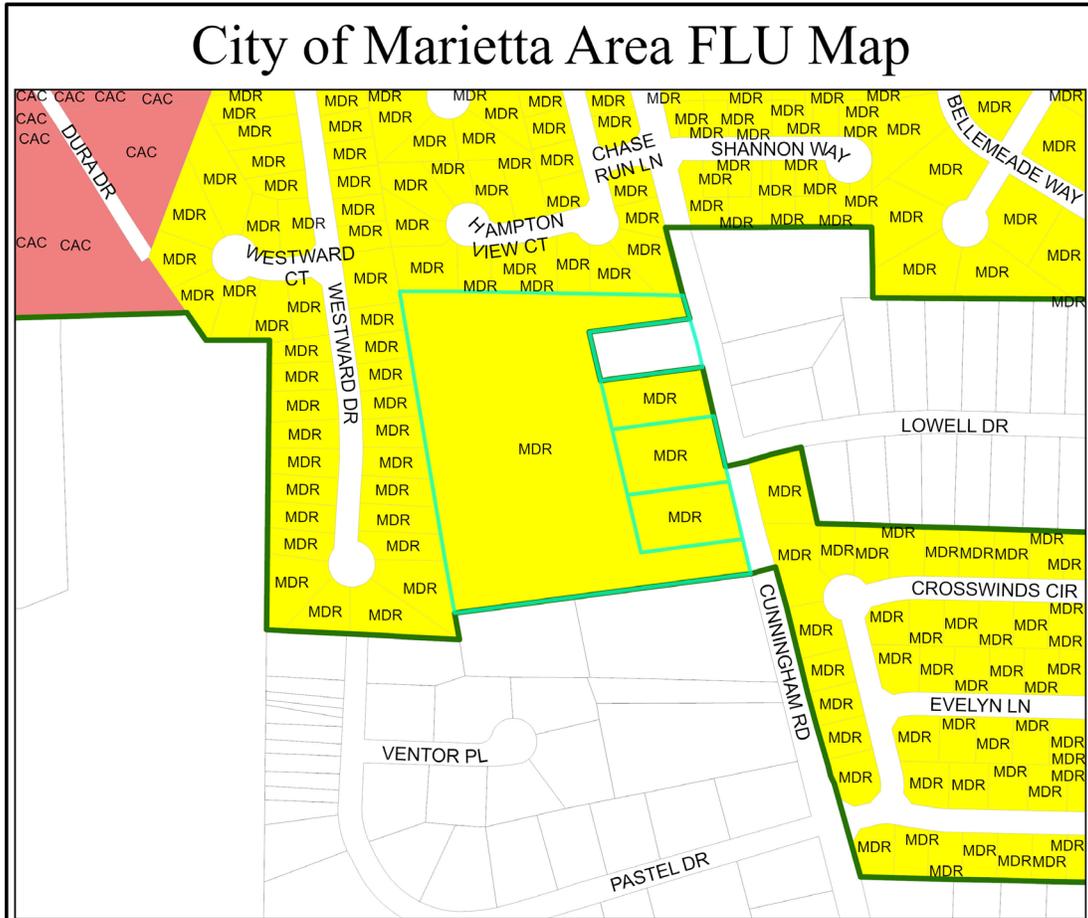
Comments:
1520, 1540 & 1560 Cunningham Rd

Date: **6/29/2020**

Planning & Zoning Division



FLU MAP

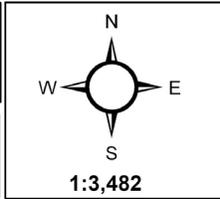


Future Land Use		District	Land Lot	Parcel	Current FLU	Proposed FLU
LDR	Low Density Residential					
MDR	Medium Density Residential	17	0009	0040	MDR	MDR
HDR	High Density Residential					
NAC	Neighborhood Activity	17	0009	0160		
CAC	Community Activity Center					
RAC	Regional Activity Center					
CBD	Central Business District					
IM	Industrial - Manufacturing					
IW	Industrial - Warehousing					
OSC	Open Space/Conservation					
PR	Parks & Recreation					
CSI	Community Service & Institutional					
TCU	Transportation, Communication & Utilities					
MXD	Mixed Use					

Comments:
1520, 1540 & 1560 Cunningham Rd

Date: **6/29/2020**

Planning & Zoning Division



PICTURES OF PROPERTY



1540 Cunningham Road



1540 & 1560 Cunningham Road



Western portion of property



Western portion of property

STAFF ANALYSIS

Location Compatibility

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

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

Use Potential and Impacts

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

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

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

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



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

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

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

Environmental Impacts

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

Economic Functionality

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

Infrastructure

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

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

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

Overhead Electrical/Utilities

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

History of Property

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

Historical Impacts

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



Other Issues

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

ANALYSIS & CONCLUSION

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

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

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

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

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

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

Prepared by: Shelly Griffin

Approved by: Rusty Roth



DATA APPENDIX CONTINUED

COBB COUNTY WATER & WASTEWATER

DRAINAGE AND ENVIRONMENTAL CONCERNS

Does flood plain exist on the property:	No
What percentage of the property is in the flood plain?	N/A
What is the drainage basin for the property?	Olley Creek
Is there potential for the presence of wetlands as determined by the U.S. Environmental Protection Agency?	Yes
If so, is the use compatible with the possible presence of wetlands?	No
Do stream bank buffers exist on the parcel?	No
Are there other topographical concerns on the parcel?	No
Are there storm water issues related to the application?	No
Potential presence of endangered species in the area?	No
<ul style="list-style-type: none"> • Full site development plans required (Cobb Water and Sewer Authority approval required). • A second entrance will be required based on the number of units proposed (as shown on 7/10/20 email update) • All streets must comply with City standards • Sidewalks required along frontage. Some interior sidewalks as proposed will require crosswalks. • Acceleration and deceleration lanes will be required 	

TRANSPORTATION

What is the road affected by the proposed change?	Cunningham Road
What is the classification of the road?	Collector
What is the traffic count for the road?	4,100 (2016 Cobb)
Estimated # of trips generated by the proposed development?	Daily 287
Estimated # of pass-by cars entering proposed development?	AM 28
Do sidewalks exist in the area?	PM 30
Transportation improvements in the area?	0
If yes, what are they?	Yes
<ul style="list-style-type: none"> • Center left turn lane along Cunningham Road connecting with center lane to south and north is recommended. 	



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

EMERGENCY SERVICES

Table with 2 columns: Question and Answer.
Row 1: Nearest city or county fire station from the development? | 54 Chestnut Hill
Row 2: Distance of the nearest station? | 1.9 Miles
Row 3: Most likely station for 1st response? | 54
Row 4: Service burdens at the nearest city fire station (under, at, or above capacity)? | under

Comments:

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

MARIETTA POWER - ELECTRICAL

Does Marietta Power serve this site? Yes _____ No x _____

If not, can this site be served? Yes _____ No x _____

What special conditions would be involved in serving this site?

Not Marietta Power territory



DATA APPENDIX CONTINUED

MARIETTA CITY SCHOOLS

Marietta City Schools Impact Assessment:

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

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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 #: 22020-07 Legistar #: 20200038 PZ #: —
 Planning Commission Hearing: 8-4-20 City Council Hearing: 8-18-20

Owner's Name Steven Allen Cunningham
 EMAIL Address: stevecunningham@mindspirng.com
 Mailing Address 1560 Cunningham Road, Marietta, GA 30008 Telephone Number (404) 307-7106

COMPLETE ONLY IF APPLICANT IS NOT OWNER:
 Applicant: Venture Communities, LLC (c/o Sean G. Randall)
 EMAIL Address: seanr@totalpropertyadvisors.com
 Mailing Address 5500 Interstate North Pkwy., Ste. 150, Sandy Springs, GA Zip Code: 30328
 Telephone Number (770) 616-7517 Email Address: terric@venture-ga.com

Address of property to be rezoned: 1520, 1540, 1560 Cunningham Road, Marietta, Georgia
 Land Lot (s) ~~889~~ 889 District 17th Parcel _____ Acreage 8.782 Ward 2B Future Land Use: MDR
 Present Zoning Classification: R-2 R4(try) 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.

CAMPAIGN CONTRIBUTIONS

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

Signature of Owner

Signature of Applicant

Steven Allen Cunningham

Sean G. Randall

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.

Sean G. Randall

Signature of Applicant

Print Name

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.

Steven Allen Cunningham
Signature

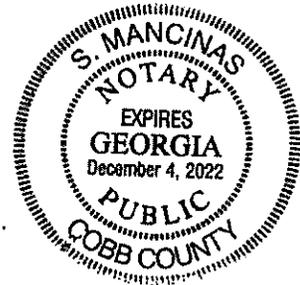
Steven Allen Cunningham
Please Print

1560 Cunningham Road, Marietta, GA 30008-4040
Address

6/17/2020
Date

Signed, sealed and delivered in the presence of:

Monimus My Commission Expires: 12-04-2022



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



APPLICATION FOR REZONING

(OWNER/APPLICANT OR REPRESENTATIVE MUST BE PRESENT AT ALL PUBLIC HEARINGS)
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For Office Use Only:

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Planning Commission Hearing: 8-4-20 City Council Hearing: 8-18-20

Owner's Name Harry William Cunningham

EMAIL Address: mchc002@aol.com

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

COMPLETE ONLY IF APPLICANT IS NOT OWNER:

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

EMAIL Address: seanr@totalpropertyadvisors.com

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

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

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

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

REQUIRED INFORMATION

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

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Harry William Cunningham
Signature of Owner

Sean G. Randall
Signature of Applicant

Harry William Cunningham
Print Name

Sean G. Randall
Print Name

FINANCIAL INTEREST

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

Sean G. Randall
Print Name

Sean G. Randall
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.
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- The Owner or Applicant hereby gives permission to enter on the property for inspection during the time application is pending.

Harry William Cunningham
Signature

Harry William Cunningham
Please Print

172 Camden Knoll, Dallas, GA 30157
Address

Harry William Cunningham

6-17-2020
Date



Signed, sealed and delivered in the presence of:

Rita Sexton

My Commission Expires: 10/20/23

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



APPLICATION FOR REZONING

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

For Office Use Only:

Application #: 22020-07 Legistar #: 20200038 PZ #: -
 Planning Commission Hearing: 8-4-20 City Council Hearing: 8-18-20

Owner's Name Carolyn Swanson

EMAIL Address: swanson_c@bellsouth.net

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

COMPLETE ONLY IF APPLICANT IS NOT OWNER:

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

EMAIL Address: seanr@totalpropertyadvisors.com

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

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

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

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

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

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.

Carolyn Swanson
Signature of Owner

Sean G. Randall
Signature of Applicant

Carolyn Swanson
Print Name

Sean G. Randall
Print Name

FINANCIAL INTEREST

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

Sean G. Randall
Print Name

Sean G. Randall
Signature of Applicant

OWNER/APPLICANT CERTIFICATION

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

Carolyn Swanson
Signature

Carolyn Swanson
Please Print

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

6-17-2020
Date



Signed, sealed and delivered in the presence of:

Rita Sexton

My Commission Expires: 10/20/23

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



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

APPLICATION FOR ANNEXATION

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

For Office Use Only:
Application#: A2020-04 Legistar#: 20200547 PZ #: -
PC Hearing: 8-4-20 CC Hearing: 8-18-20

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

Dear Mayor and Council:

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

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

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

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

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

Signature: Steven Allen Cunningham Date: 6/17/2020 Telephone Number: (404) 307-7106

Property owner's EMAIL: stevecunningham@mindspirng.com

Property owner's mailing address if different from property being annexed:

1560 Cunningham Road, Marietta, GA 30008-4040

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

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

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

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



APPLICATION FOR ANNEXATION

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

For Office Use Only:

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

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

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

Dear Mayor and Council:

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

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

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

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

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

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

Property owner's EMAIL: swanson_c@bellsouth.net

Property owner's mailing address if different from property being annexed:

894 Poplar Springs Road, Dallas, GA 30157

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

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

_____.

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

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



APPLICATION FOR ANNEXATION

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

For Office Use Only:

Application#: A2020-04 Legistar#: 20200547 PZ #: —
PC Hearing: 8-4-20 CC Hearing: 8-12-20

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

Dear Mayor and Council:

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

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

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

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

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

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

Property owner's EMAIL: mchc002@aol.com

Property owner's mailing address if different from property being annexed:

172 Camden Knoll, Dallas, GA 30157

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

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

_____.

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

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

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TO: Marietta Daily Journal

FROM: City of Marietta

RUN AD DATE: July 17, 2020

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

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

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

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

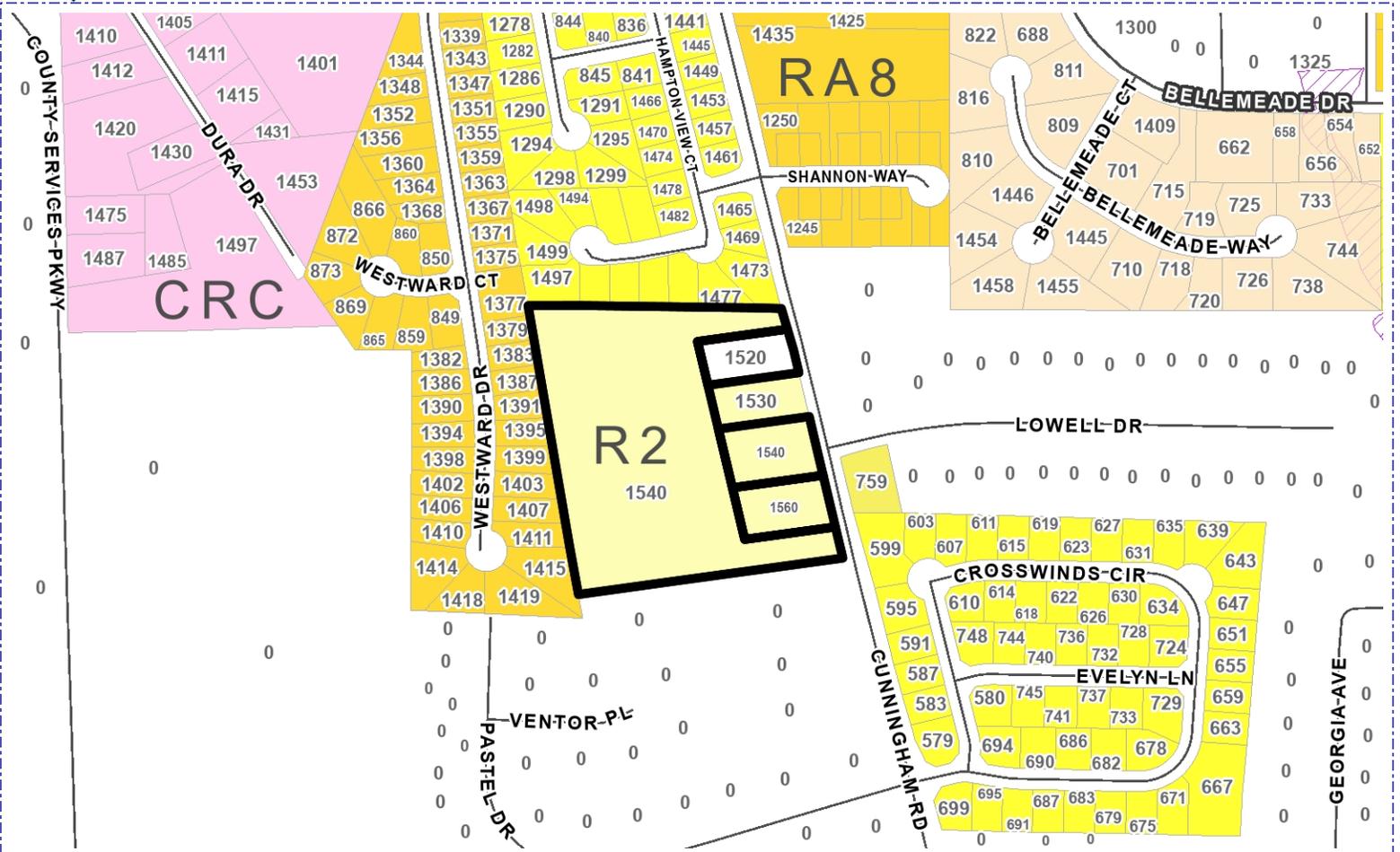
For additional information including questions about virtual participation, please call the Planning and Zoning Office (770) 794-5669.

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



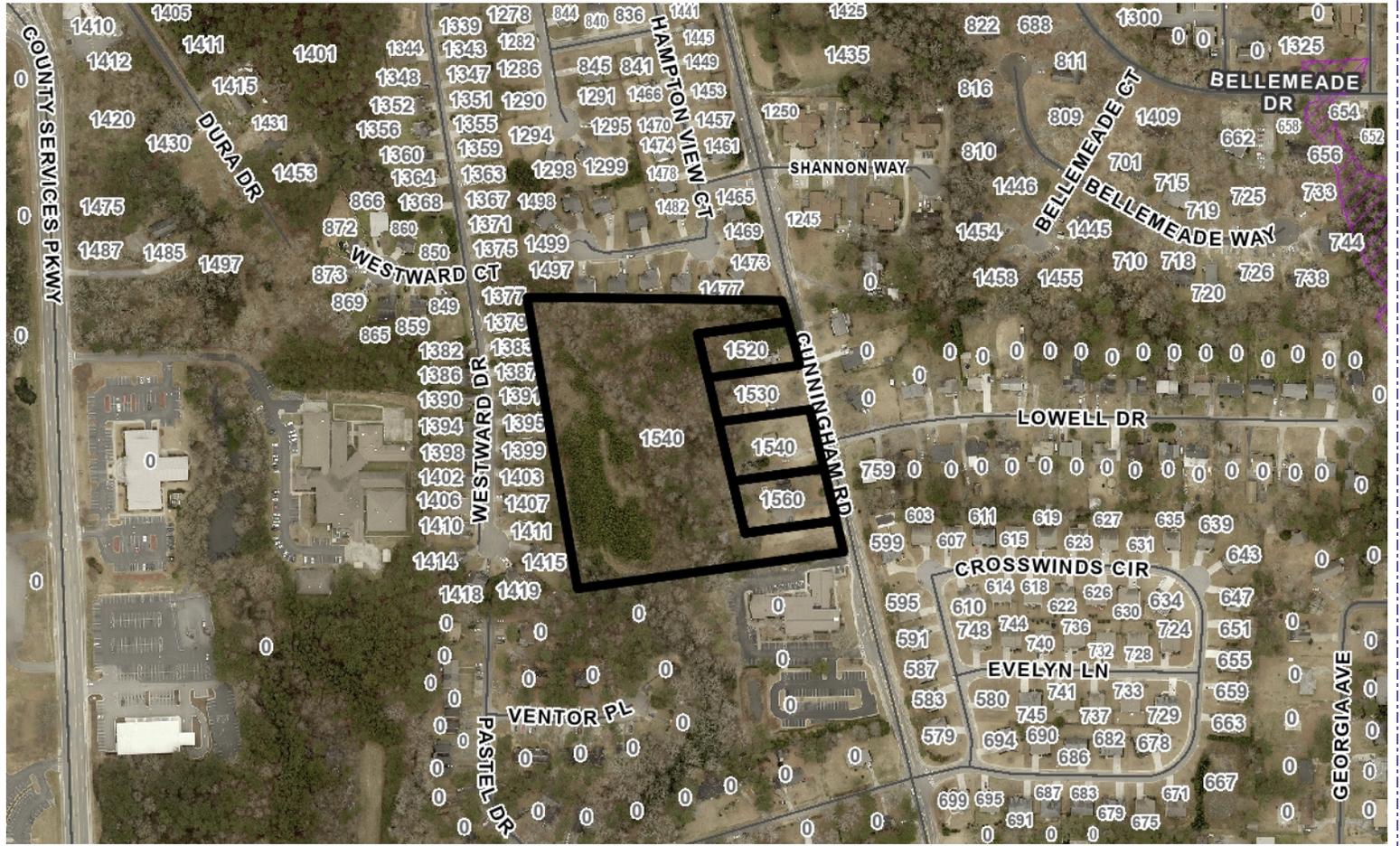
Address	Parcel Number	Acreage	Ward	Zoning	FLU
1540 CUNNINGHAM RD	17000900040	0.731	2B	R2	MDR
1560 CUNNINGHAM RD	17000900160	0.642	2B	R2	MDR
1540 CUNNINGHAM RD	17000900040	6.963	2B	R2	MDR
1520 CUNNINGHAM RD		0.543		NA	MDR

Property Owner:	Cunningham/Swanson
Applicant:	Venture Communities
Proposed Zoning:	R4 (Cty), R2 to PRD-SF
Agent:	
Proposed Use:	
Planning Commission Date:	08/04/2020
City Council Hearing Date:	08/12/2020
Case Number:	Z2020-07

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

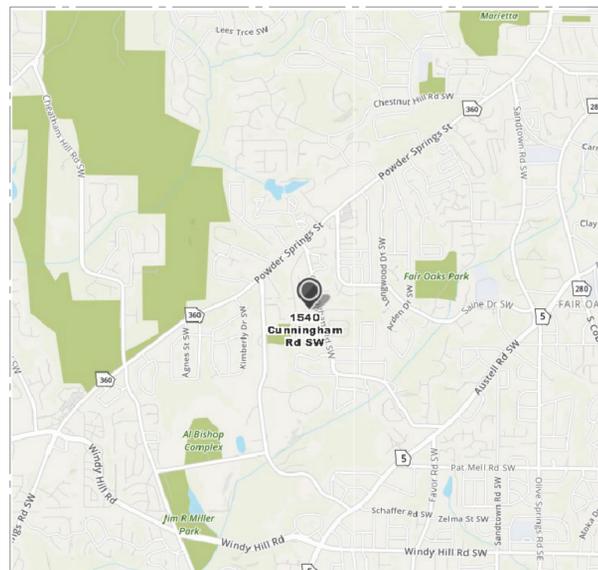


Address	Parcel Number	Acreage	Ward	Zoning	FLU
1540 CUNNINGHAM RD	17000900040	0.731	2B	R2	MDR
1560 CUNNINGHAM RD	17000900160	0.642	2B	R2	MDR
1540 CUNNINGHAM RD	17000900040	6.963	2B	R2	MDR
1520 CUNNINGHAM RD		0.543		NA	MDR

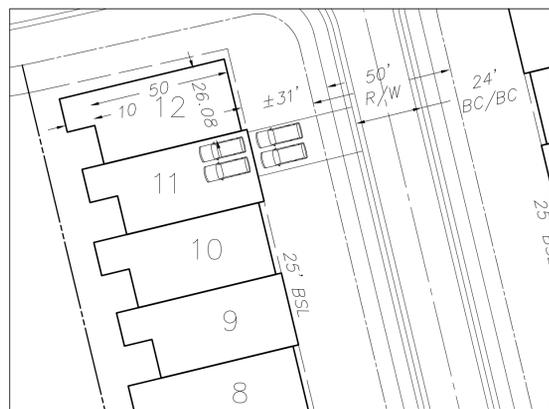
Property Owner:	Cunningham/Swanson
Applicant:	Venture Communities
City Council Hearing Date:	08/12/2020
Planning Commission Hearing Date:	08/04/2020
BZA Hearing Date:	Case Number: Z2020-07
Comments:	

Legend

- Railroads
- City Limits
- Cobb County Pockets



**VICINITY MAP
N.T.S.**

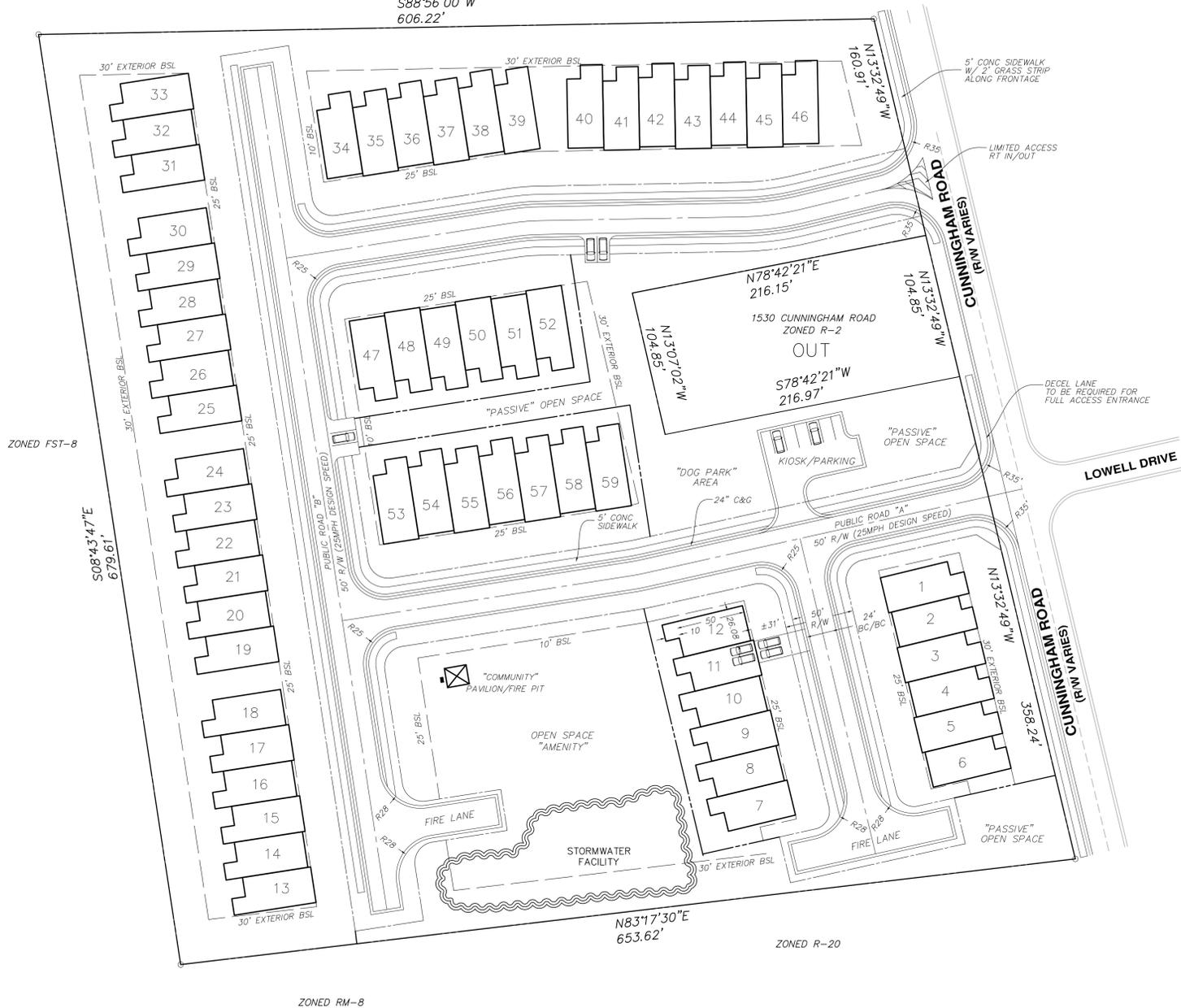


**TYP HOUSE PARKING SECTION
1"=30'**

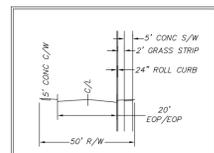
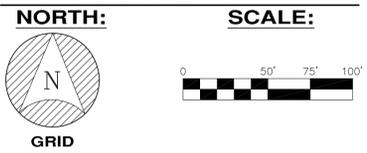
ZONING NOTES:

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

ZONED R-4
S88°56'00"W
606.22'



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



ROAD SECTION(S)

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

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

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

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

NO CULTURE FEATURES EXIST WITHIN BOUNDARIES

SITE NOTES

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

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

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

DATE
07/09/2020

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

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

SUBMITTALS

REVISIONS



**SHEET:
REZONING
C-01**

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

NOT ISSUED FOR CONSTRUCTION

August 4, 2020

Mr. Russell J. Roth, Director of Development Services
Ms. Shelby Little, Planning and Zoning Manager
City of Marietta
Department of Development Services
205 Lawrence Street, Marietta, Georgia 30060

RE: Stipulation Letter: Application for Rezoning; Application Z 2020-07 Cunningham Road.
Applicant: Venture Communities, LLC
Property Owners: Steven A. Cunningham, Carolyn Swanson and Harry W. Cunningham
Property: 8.782 acres, more or less, located on the west side of Cunningham Road
at 1520, 1540 & 1560 Cunningham Road, Marietta, Georgia 30008; Land Lots 8 & 9,
17th District, 2nd Section, Cobb County, Georgia.

Dear Rusty and Shelby:

Venture Communities, LLC, the Applicant (hereinafter "Applicant") in the Application for Rezoning with regard to approximately 8.782 acres, more or less, located on the west side of Cunningham Road at 1520, 1540 & 1560 Cunningham Road, Marietta, Georgia 30008; Land Lots 8 & 9, 17th District, 2nd Section, Cobb County, Georgia (hereinafter the "Property" or the "Subject Property") is pleased to present the following information for your consideration. After meeting with planning and zoning staff and various City of Marietta departmental representatives, reviewing the Staff Comments and Recommendations, reviewing the uses of surrounding properties, we are submitting this letter of agreeable stipulations and conditions which, if the Application for Rezoning is approved, as submitted, shall become a part of the grant of the requested zoning and shall be binding upon the Subject Property.

The proposed stipulations are as follows:

1. Applicant seeks rezoning of the Subject Property from the existing zoning category of R-2 Residential to the proposed zoning category of PRD-SF per the City of Marietta ("City") ordinances for the construction of Fee Simple Townhome, specific to the original Site Plan prepared by BH&D Engineering, Inc. dated May 11, 2020 and then revised by BH&D Engineering, Inc, revision dated July 10, 2020. A reduced copy of the revised Site Plan from April 30, 2019 is attached hereto as Exhibit "A" and incorporated herein by reference.
2. The Subject Property shall be developed for a residential community consisting of a maximum of fifty-nine (59) townhomes. The entire site is comprised of 8.782+/- acres and is planned for a total of 59 homes or a maximum density of 6.7 units per acre.

3. Applicant agrees the minimum house size for the homes in the proposed development shall be 1,700 square feet of heated and cooled living space. It is anticipated that the typical product constructed will range from 1,850 to 2,450+ square feet of heated and cooled living space.
4. Homes within the proposed community shall be substantially similar in style and architecture to the elevations attached hereto as Exhibit "B". All homes will have similar front elevations and shall, as a general rule, use a combination of masonry (i.e. brick, stone or stacked stone or any combination thereof) and stucco, cement fiber board & batten, cement lap siding, cement shake or cedar shake shingles or combination thereof. Side and rear elevations may also utilize masonry (i.e. brick, stone, stacked stone or any combination thereof) as well as stucco, cement fiber board & batten, cement lap siding, cement shake or cedar shake shingles or combination thereof.
5. The proposed community shall have public streets to be maintained by the City/County after the community is released to the City upon completion of the Applicant maintenance period. All driveways shall be constructed in such a manner as to minimize parking in fronts of homes and homeowners will be instructed to use designated off-street parking when driveways are full of vehicles. Adequate off-street parking shall be provided in accordance with City standards. All streets and off-street parking shall be constructed and maintained to City Department of Transportation ("City DOT") standards.
6. Applicant agrees to the creation of a mandatory homeowners association ("HOA"). The HOA shall be solely responsible among other things, strict architectural control, the upkeep and maintenance of all front, rear and side yards of all homes, common areas, amenities, and amenity areas; including the entrance areas, pavilion, dog park, Open Space (see Site Plan Exhibit "A"), mail kiosk, boundary buffers, fencing, off-street parking and other items so constructed by the Applicant.
7. Additionally, and in conjunction with the creation of the mandatory HOA, Applicant agrees to the recording and enforcement of protective covenants which will contain covenants, rules, and regulations applicable to the proposed community.
8. All homes shall have a minimum of a 2-car garage. Garages shall be primarily used for the parking of vehicles and shall not be converted to other uses. The Applicant shall include this restriction in the covenants to be enforced by the HOA. In addition, the HOA shall be empowered by the covenants to discourage any parking in front of homes (except in designated off-street parking areas) and to encourage, whenever possible, that homeowners park cars in the garage. The HOA shall have authority to issue monetary fines to homeowners for violations of these covenants. It is further understood; the Applicant shall be permitted to utilize the garage of the model home as the sales office for the community, if Applicant so desires. Prior to the issuance of a permanent certificate of occupancy for the model home, the sales office will be converted to garage space.

9. The entrance signage for the proposed community shall be ground based, monument-style signage, and shall consist of brick, stone, stacked stone, or combinations thereof, with accents architecturally consistent with the proposed homes.
10. Landscaping of the entrance areas as well as the frontage of the proposed community along all public streets, shall be professionally designed by a registered landscape architect and professionally implemented, which shall include the installation of an irrigation system, where appropriate. Maintenance of the entrance area and public street frontage at the entrance shall be by the mandatory HOA as set forth in the declaration of covenants, easements, and restrictions. All detention ponds shall be professionally landscaped in accordance with any applicable City standards.
11. The submission of a Landscape Plan, designed by a registered landscape architect, during Plan Review process which shall be subject to staff review and approval and which shall include the sodded yards throughout the residential development and irrigated, as necessary.
12. Any streetlights installed within the proposed community will comply with the current City of Marietta Street Lighting Ordinance and shall be environmentally sensitive with down lighting.
13. All utilities servicing the residences within the proposed community shall be underground.
14. Electric and communications transformers, all mechanical and HVAC equipment and all trash and/or garbage receptacles shall be enclosed and/or concealed from view through landscaping or similar measures as long as such efforts toward shielding or concealment do not interfere with utility placement.
15. Applicant agrees the stormwater management facilities and system, hydrology, stormwater management and downstream considerations including, but not limited to, recommendations regarding the shall be constructed and installed consistent with all requirements of the City of Marietta Public Works and the City Engineer.
16. Per the report from Stephen Modica of Gaia Environmental Consulting, LLC dated on January 31, 2020, as reviewed and accepted by the City indicated there are no state waters on this site and therefore no undisturbed state waters' buffers will be necessary as the Applicant proceeds with a land development plan.
17. Compliance with the recommendations from the City of Marietta Public Works Director and the City Engineer with respect to traffic/transportation issues, including the following:
 - a. Applicant shall construct decel lanes at both entrances as right-of-way ("ROW") which has been given or can be given by Applicant will allow. It appears as if the 50' taper and perhaps some small piece of the actual decel lane is all that can be built at either entrance at this time. Please reference the traffic study performed by A&R Engineering, Inc. dated August 3, 2020 a copy of which has been given to the City ("Traffic Study").

- b. Current Cobb County DOT standards specify that any community in excess of 50 units must have a left turn lane into the community. Per the Traffic Study and in consultation with our civil engineer, Applicant believes there does not exist enough ROW to properly construct the left turn lane into the community at the main entrance or the secondary entrance. Thus, a variance may be necessary regarding both left turn lanes.
18. All setbacks shall be as shown on the referenced Site Plan.
19. Applicant agrees to the installation of interior sidewalks along all interior streets as per the attached Site Plan.
20. Applicant shall construct an open-air pavilion and fire pit with appropriate landscaping for the use and enjoyment of the homeowners. The pavilion shall be constructed per the attached Site Plan adjacent to the Open Space. In addition, a dog park shall be constructed adjacent to the mail kiosk per the attached Site Plan. The pavilion, Open Space and dog park and landscaping associated with these amenities shall be maintained by the HOA.
21. Applicant will need a variance regarding the 25% or 2.2 acres of Open Space per the City ordinance. Currently, the Site Plan has approximately 20% or 1.72 acres of Open Space.
22. All construction vehicles will be parked on-site on the Property at all times. No construction vehicles shall be parked on Cunningham Road or other surrounding streets to the proposed development.
23. Adherence to the following construction hours:
 - a. 7:00 a.m. until 7:00 p.m., Monday through Friday, from October 1st to March 31st.
 - b. 7:00 a.m. until 8:00 p.m., Monday through Friday, from April 1 to September 30th.
 - c. 9:00 a.m. until 6:00 p.m. on Saturdays.
 - d. No outside work on Sundays unless approved ahead of time by the City's Director of Development Services.
24. The Director of Development Services shall have the authority to approve minor modifications and revisions as the Development Proposal proceeds through Plan Review process and thereafter, except for those:
 - a. Increase the density of the residential community.
 - b. Violate the City of Marietta Zoning or Developmental Ordinances and Regulations.
 - c. Expressly contravene the existing policies and procedures of the City of Marietta.
 - d. Require the granting of a Waiver or a Variance.

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 area and existing neighborhoods and residents surrounding the proposed development. The proposed residential community shall be a quality development, shall be compatible with surrounding neighborhoods, and shall be an enhancement to the Subject Property and the community as a whole.

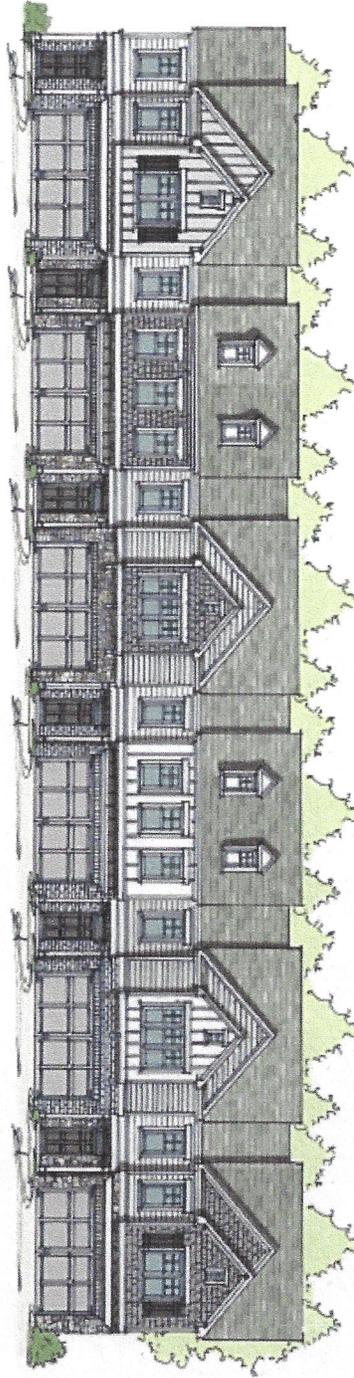
Thank you in advance for your consideration of this project.



Sean G. Randall
Venture Communities, LLC
5500 Interstate North Parkway, Suite 150
Sandy Springs, Georgia 30328
Mobile Phone: (770) 616-7515
E-Mail: seanr@totalpropertyadvisors.com

See Attachments

Exhibit "B" Product Front Elevations



A 001	<p>MAIN STREET & Designs ESTABLISHED 1986</p>	All rights reserved. No part of this publication may be reproduced, stored in a retrieval system, or transmitted, in any form or by any means, electronic, mechanical, photocopying, recording, or by any information storage and retrieval system, without the prior written permission of the publisher.	FRONT ELEVATIONS	<p>VC VENTURE COMMUNITIES</p>
	678-867-4458 939 OLD LAURETOWN ROAD DUBLIN, GA 31028		CITY OF MARIETTA	

Other Product Photos from Heritage Ridge (White Circle, City of Marietta)
26' Wide Single Family Detached – See Side/Rear Elevation Treatments by Venture Communities





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

SPECIAL LAND USE PERMIT APPLICATION ANALYSIS

ZONING CASE #: Z2020-25 **LEGISTAR #:** 20200577

LANDOWNERS: 1998 Delk Industrial LLC
P.O. Box 133277
Atlanta, GA 30333

APPLICANT: Red Hare Brewing Co. LLC – Roger Davis
1998 Delk Industrial Blvd.
Marietta, GA 30067

PROPERTY ADDRESS: 1998 Delk Industrial Boulevard

PARCEL DESCRIPTION: 17071500150

AREA: 1.18 **COUNCIL WARD:** 1A

EXISTING ZONING: LI (Light Industrial)

REQUEST: LI (Light Industrial) with SLUP – Special Land Use Permit

FUTURE LAND USE MAP

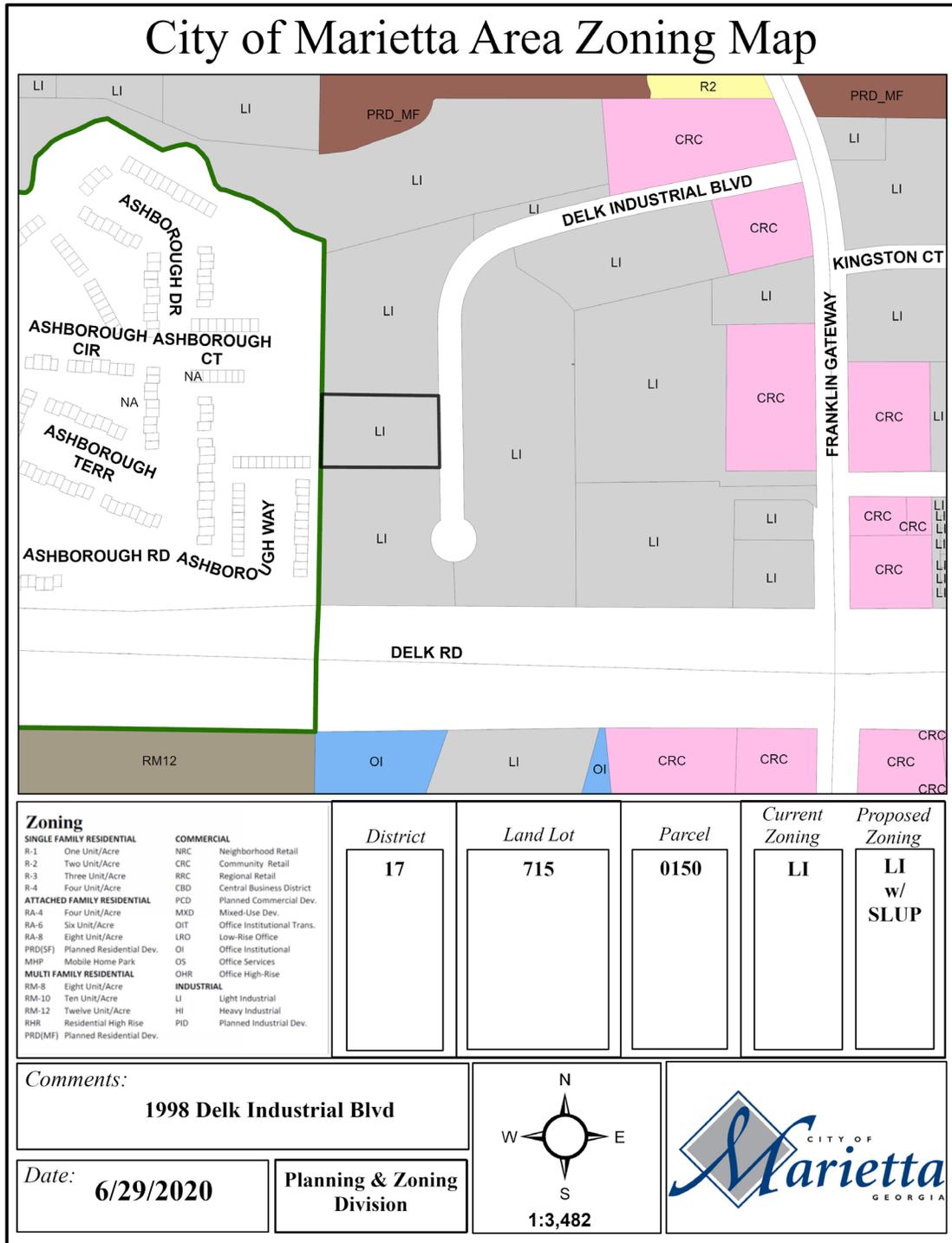
RECOMMENDATION: IW (Industrial Warehousing)

REASON FOR REQUEST: The applicant is requesting a SLUP in order to operate a mobile retail food establishment (food truck) as an accessory to its primary business.

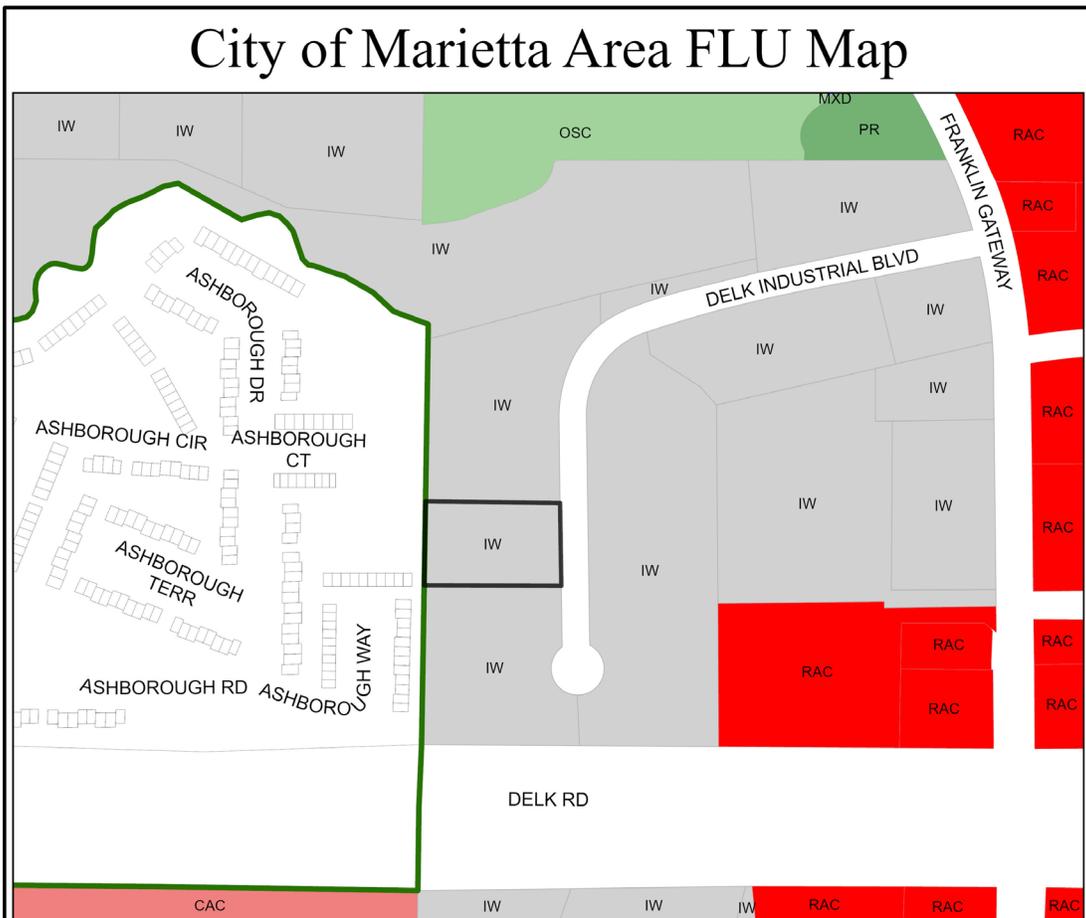
PLANNING COMMISSION HEARING: Tuesday, August 4, 2020 – 6:00 p.m.

CITY COUNCIL HEARING: Wednesday, August 12, 2020 – 7:00 p.m.

MAP



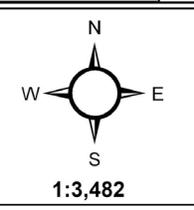
City of Marietta Area FLU Map



Future Land Use	District	Land Lot	Parcel	Current FLU	Proposed FLU
LDR Low Density Residential MDR Medium Density Residential HDR High Density Residential NAC Neighborhood Activity CAC Community Activity Center RAC Regional Activity Center CBD Central Business District IM Industrial - Manufacturing IW Industrial - Warehousing OSC Open Space/Conservation PR Parks & Recreation CSI Community Service & Institutional TCU Transportation, Communication & Utilities MXD Mixed Use	17	715	0150	IW	n/a

Comments:
1998 Delk Industrial Blvd

Date: **6/29/2020** Planning & Zoning Division




PICTURES OF PROPERTY



1998 Delk Industrial Boulevard



Proposed food truck location – to the right of the main entrance



Proposed food truck location left of the main entrance

STAFF ANALYSIS

Location Compatibility

Red Hare Brewing Co. LLC is seeking a Special Land Use Permit (SLUP) for the property at 1998 Delk Industrial Boulevard. The subject property and all surrounding properties are zoned LI (Light Industrial), except the property to the rear (west of the property) that is zoned RM-12 – Residential Multi-family in unincorporated Cobb County. The 1.2 acre property has been operated by Red Hare Brewing Co. since 2011. The surrounding businesses consist of wholesale, sales office, contractors, and other related industrial businesses. The applicant wishes to add to its location a mobile retail food establishment (food truck) to operate permanently on the property.

Use Potential and Impacts

The applicant's SLUP request would allow a food truck to operate and remain on-site permanently. The food truck would operate six (6) days a week during normal business hours, which are listed as:

Tuesday-Thursday 3:00-9:00pm

Friday 3:00-10:00pm

Saturday 12:00-10:00pm

Sunday 12:30-7:00pm

The subject property currently has outdoor seating in the front yard and toward the northeastern section of the site. Based on the submitted site plan, the applicant proposes two potential locations for the food truck – one directly in front of building, left of the main entrance; and the other to the side of building, right of the main entrance. Either placement must be at least 10 feet from the main structure per Marietta Fire Department.

As conditionally allowed by the Director of Development Services, mobile retail food establishments are allowed on property zoned LI according to the restrictions listed below:

- a) Written permission of the property owner is obtained.
- b) Such use does not last longer than 3 days consecutively and 12 days annually.
- c) These uses shall be located at least 50 feet from any property line and not within any public right-of-way or City owned property, unless otherwise authorized by the City.
- d) If property is within fifty (50) feet of a residentially zoned parcel, measured property line to property line, then food truck operations shall cease at 9:00 p.m.
- e) Adequate paved parking, ingress and egress are provided on site.
- f) A temporary use permit is applied for and approved by the Director of the Department of Development Services.
- g) The Board of Zoning Appeals shall not issue and are not granted the authority to issue variances to any of the regulations relating to Mobile Retail Establishments; all such variance requests must be submitted to City Council. Variances for mobile food establishments shall be considered according to the criteria defined under §712.01 (E).



Staff does not have the authority to allow a food truck for more than twelve (12) days a year. In addition, based on the subject property’s proximity to a residential property, current regulations require that the food truck operation must cease at 9:00 p.m. Any relief from these conditions could only be authorized by City Council. Although the subject property has never operated as an eating establishment, it has provided regular outdoor seating for guests.

The subject property’s Future Land Use designation is IW (Industrial Warehousing). The purpose of IW is to *provide areas that can support light industrial, office/warehouse and distribution uses, and the vehicular traffic associated with such uses*. Compatible zonings include LI, OS, and PID. The food truck is an accessory use to support the existing business, which is compatible with a future land use of IW and may also support the surrounding industrial businesses. Therefore, this SLUP request is supported by the City’s Comprehensive Plan.

Environmental Impacts

Food service qualifies as an MS4 “highly-visible pollutant source” facility due to food waste. Proof of proper methods for grease and wash water storage and disposal would be required. Otherwise, no floodplains, wetlands, topographical concerns, streams, or endangered species are present on the site.

Economic Functionality

There has been consistend business license history on the property, suggesting it is a functioning property as currently zoned. Broadening the types of allowed uses may increase the occupancy of the building. However, because the property was built specifically for industrial use, it does not contain the aspects of food preparation and/or disposal that is needed to operate any eating establishment.

It should also be noted that Red Hare Brewing Co. LLC has discussed a proposal to add a location on the Marietta Square.

Infrastructure

The proposed locations for the food truck would not be within any parking area so the existing amount of parking spaces would be maintained. The site plan provided does not have the parking spaces clearly marked. However, aerial images indicate there are approximately seventeen (17) spaces on site, which would satisfy the requirements for a manufacturing facility with an accessory food trailer.



This request for a food truck should not have any additional impacts on the education, water, sewer, electricity, or other public infrastructure in the area as long as the proper food disposal practices are conducted.

History of Property

The Board of Zoning Appeals previously approved the following variances:

- V2014-57: Variance to reduce the required landscape buffer from 50’ to 10’ to accommodate new parking lot with the stipulation that the City Arborist inspect the property to determine whether additional evergreen trees should be required, as described and depicted in that certain letter dated October 27, 2014 from D. Boyd Johnson to the City of Marietta Board of Zoning Appeals.
***This parking area was never built.*
- V2015-19: Variance to allow the use of metal siding on the front and side of a building facing a roadway.

There is no history of any Special Land Use Permits or rezonings for the subject property.

Other Issues

Based on the current pandemic state, the outdoor seating area shall comply with social distancing orders and all utility hook ups shall be screened from view from the public right-of-way.

City Council shall consider, at a minimum, the following in its determination of whether or not to grant a Special Land Use Permit:

1. *Whether or not there will be a significant adverse effect on the neighborhood or area in which the proposed use will be located.*
2. *Whether or not the use is compatible with the neighborhood.*
3. *Whether or not the proposed use will constitute a nuisance as defined by state law.*
4. *Whether or not property values of surrounding property will be adversely affected.*
5. *Whether or not adequate provisions are made for parking and traffic considerations.*
6. *Whether or not the site or intensity of the use is appropriate.*
7. *Whether or not adequate provisions are made regarding hours of operation.*
8. *The location or proximity of other similar uses (whether conforming or nonconforming).*
9. *Whether or not adequate controls and limits are placed upon commercial deliveries.*
10. *Whether or not adequate landscaping plans are incorporated to ensure appropriate transition.*
11. *Whether or not the public health, safety and welfare of the surrounding neighborhoods will be adversely affected.*



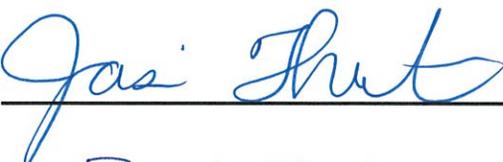
ANALYSIS & CONCLUSION

Red Hare Brewing Co. LLC is seeking a Special Land Use Permit (SLUP) for the property at 1998 Delk Industrial Boulevard. The subject property and all surrounding properties are zoned LI, except the property to the rear that is zoned RM-12 in Cobb County. The 1.2 acre parcel has been operated by Red Hare Brewing Co. since 2011. The surrounding businesses consist of wholesale, sales office, contractors, and other related industrial businesses. The applicant wishes to add to its location a mobile retail food establishment (food truck) to operate permanently on the property.

The applicant’s SLUP request would allow a food truck to operate six (6) days a week during normal business hours. The subject property currently has outdoor seating in the front yard and toward the northeastern section of the site. Based on the submitted site plan, the applicant proposes two potential locations for the food truck – one directly in front of building, left of the main entrance; and the other to the side of building, right of the main entrance. Either placement must be at least 10 feet from the main structure per Marietta Fire Department.

Staff does not have the authority to allow a food truck for more than twelve (12) days a year. In addition, based on the subject property’s proximity to a residential property, the food truck operation must cease at 9:00 p.m. unless explicitly authorized by City Council to operate later. Although the subject property has never operated as an eating establishment, it has provided regular outdoor seating for guests.

The subject property’s Future Land Use designation is IW, which is compatible with LI, OS, and PID zonings. The food truck is an accessory use to support the existing business, which is compatible with a future land use of IW. Therefore, this SLUP request 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?	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



DATA APPENDIX CONTINUED

DRAINAGE AND ENVIRONMENTAL CONCERNS

Does flood plain exist on the property:	<u>Yes</u>
What percentage of the property is in the flood plain?	<u>20%</u>
What is the drainage basin for the property?	<u>Rottenwood Creek</u>
Is there potential for the presence of wetlands as determined by the U.S. Environmental Protection Agency?	<u>No</u>
If so, is the use compatible with the possible presence of wetlands?	<u>No</u>
Do stream bank buffers exist on the parcel?	<u>Yes</u>
Are there other topographical concerns on the parcel?	<u>No</u>
Are there storm water issues related to the application?	<u>No</u>
Potential presence of endangered species in the area?	<u>No</u>

Additional Comments:

- Full site development plans required
- Site plans must address what methods will be proposed for used grease, wash water storage and/or disposal

TRANSPORTATION

What is the road effected by the proposed change?	<u>Delk Industrial Boulevard</u>
What is the classification of the road?	<u>Local</u>
What is the traffic count for the road?	<u>NA</u>
Estimated # of trips generated by the proposed development?	<u>NA</u>
Estimated # of pass-by cars entering proposed development?	<u>NA</u>
Do sidewalks exist in the area?	<u>No</u>
Transportation improvements in the area?	<u>None</u>
If yes, what are they?	<u></u>



DATA APPENDIX CONTINUED

EMERGENCY SERVICES

Nearest city or county fire station from the development?	1160 Franklin Gateway
Distance of the nearest station?	0.3 miles
Most likely station for 1 st response?	55
Service burdens at the nearest city fire station (under, at, or above capacity)?	Under

Comments:

- Unit can be no closer than 10 feet from the building.
- All state requirements for food truck or mobile food vendors must be met.
- If variable food trucks, each will have to be inspected each time. If same vendor and same unit inspection not required each time.
-

MARIETTA POWER - ELECTRICAL

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:



Department of Development Services
 205 Lawrence Street
 Marietta, GA 30060
 Phone: 770-794-5440
 Rusty Roth, AICP, Director

APPLICATION FOR SPECIAL LAND USE PERMIT
 (Owner/Applicant/or Representative must be present at all public hearings)

For Office Use Only:

Application#: Z2020-25 Legistar#: 20200577 PZ #: 20-187
 PC Hearing: 8/4/2020 CC Hearing: 8/12/2020 BZA Hearing: n/a

Planning Commission/City Council

Board of Zoning Appeals

Owner's Name 1998 Delk Industrial LLC
 Address PO Box 133277, Atlanta, GA Zip Code: 30333
 Telephone Number: 404 805 652 Email Address: rmcaffrey@tamarackinv.com
RMCAFFREY@TAMARACKINV.COM

COMPLETE ONLY IF APPLICANT IS NOT OWNER:

Applicant: Red Hare Brewing Co. LLC - Roger Davis
 Address 1998 Delk Industrial Blvd, Marietta, GA Zip Code: 30067
 Telephone Number 770-331-8763 Email Address: roger@redharebrewing.com

Address of property for which special land use is requested:
1998 Delk Industrial Blvd Date of Acquisition: June 2019
 Land Lot (s) 715 District 17 Parcel 0150 Acreage 1.18 Zoned LI Ward 1A FLU IW

List the special land use permit requested (please attach any additional information):
Food truck as part of our outdoor patio to operate 6 days a week during our regular brewery tasting hours

- Required Information**
1. Application fee: Board of Zoning Appeals (\$250) or Planning Commission/City Council (\$500)
 2. Completed notarized application. **The original application must be submitted with ALL original signatures – Copies of the application or signature(s) will NOT be accepted.**
 3. Legal description of property. **Legal description must be in a WORD DOCUMENT.**
 4. Site plan: One copy scaled to an 8 1/2" X 11" size. If larger than 11" x 17", will need 25 copies. Site plan must be drawn to scale prepared by an architect, engineer, (P.E. or Civil Engineer), whose state registration is current and valid.
 5. Copy of current tax bill showing payment or documentation certified by the City of Marietta Tax Office.

Note: The Department of Development Services reserves the right to obtain additional information that reasonably may be required in order that an informed decision may be made.

OVER

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, Planning Commission, or Board of Zoning Appeals within the two (2) years preceding the filing of the this application.

[Signature]
Signature of Owner
S. P. VAN K. CAFFREY
Print Name

[Signature]
Signature of Applicant
Roger Davis
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.

[Signature]
Print Name

Roger Davis
Signature of Applicant

OWNER/APPLICANT CERTIFICATION

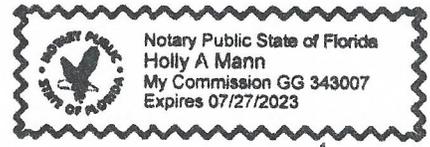
- The Owner/Applicant certifies that all information in this application, and all information furnished in support of this application, is true and complete to the best of the Applicant's knowledge and belief. Should any portion not be true, then the application may be rejected.
- Penalty for false or 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/Applicant hereby gives permission to enter on the property for inspection during the time application is pending.

[Signature]
Signature

Roger Davis
Please Print

1998 Delk Industrial Blvd. Marietta, GA 30067
Address

0-23-20
Date



Signed, sealed and delivered in the presence of:
[Signature]

My Commission Expires: 7/27/23

TO: Marietta Daily Journal

FROM: City of Marietta

RUN AD DATE: July 17, 2020

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

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

Z2020-25 [SPECIAL LAND USE PERMIT] RED HARE BREWING CO. LLC is requesting a Special Land Use Permit for 1.2 acres located in Land Lot 715, District 17, Parcel 0150, 2nd Section, Marietta, Cobb County, Georgia, and being known as 1998 Delk Industrial Boulevard from LI (Light Industrial) to LI (Light Industrial) with a special land use permit for a mobile retail food establishment. 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.gov and enter the case # in the search box.

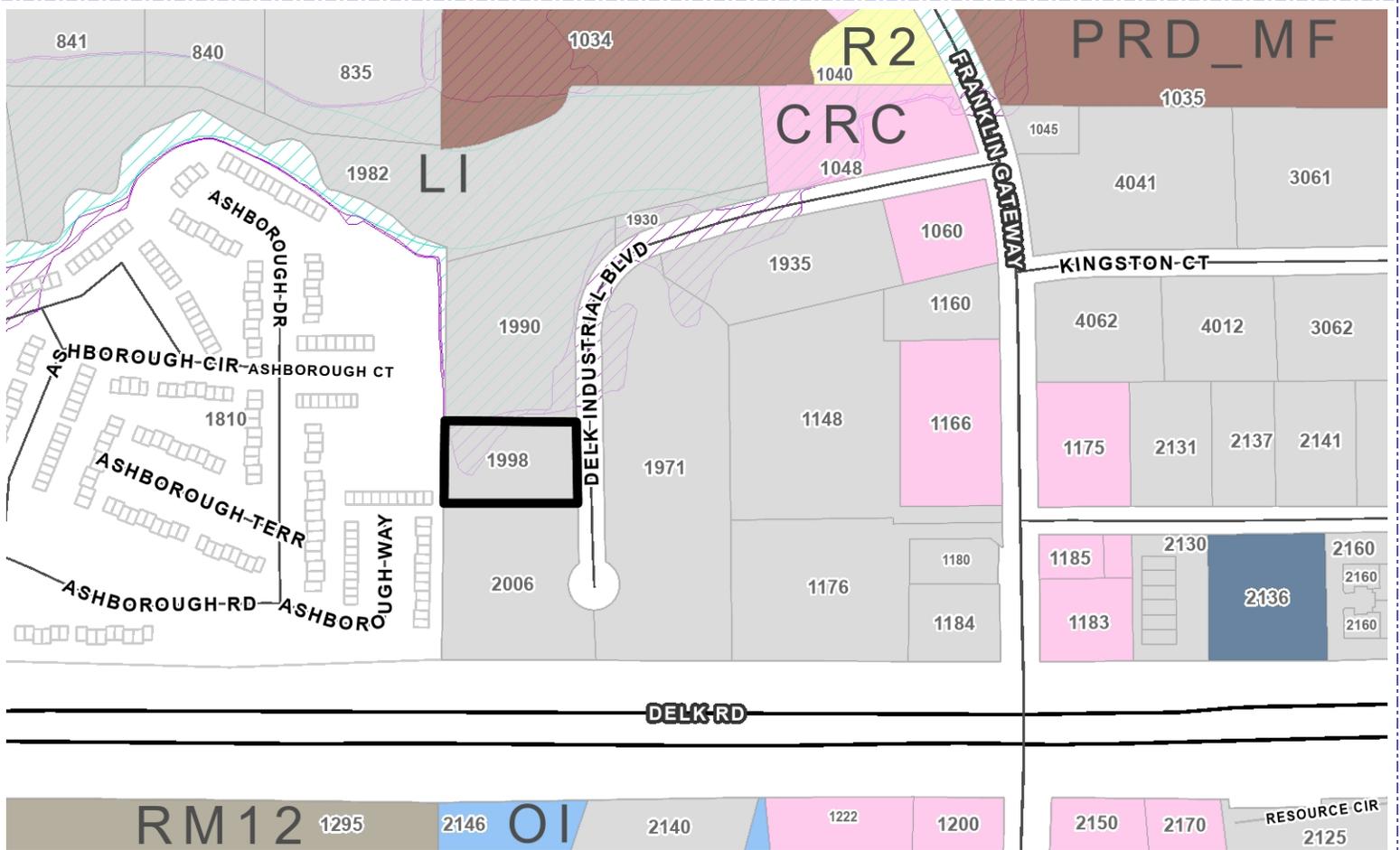
For additional information including questions about virtual participation, please call the Planning and Zoning Office (770) 794-5669.

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



Special Land Use



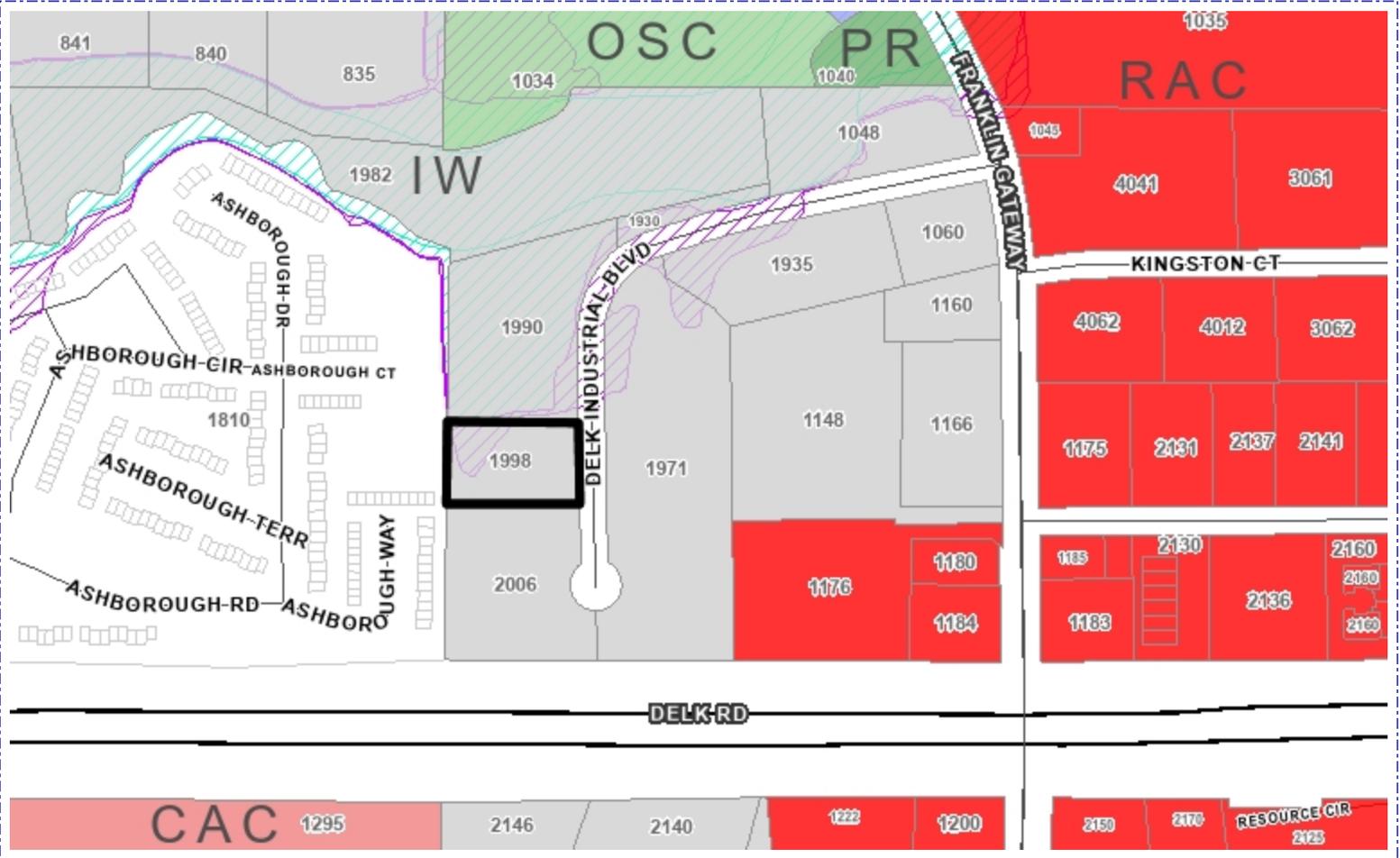
Address	Parcel Number	Acreage	Ward	Zoning	FLU
1998 DELK INDUSTRIAL BLVD	17071500150	1.207	1A	LI	IW

Property Owner:	1998 Delk Industrial LLC
Applicant:	Red Hare Brewing Co, LLC/Roger Davis
Agent:	
Proposed Use:	
Planning Commission Hearing Date:	08/04/2020
City Council Hearing Date:	08/12/2020
Case Number:	Z2020-25 SLUP

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
1998 DELK INDUSTRIAL BLVD	17071500150	1.207	1A	LI	IW
Planning Commission Hearing Date:	08/04/2020	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 Council Hearing Date:	08/12/2020				
Future Land Use:	IW				
Case Number:	Z2020-25 SLUP				
Comments:					
City of Marietta Planning & Zoning					





REZONING APPLICATION ANALYSIS

ZONING CASE #: Z2020-26

LEGISTAR: 20200578

**LANDOWNERS: Jeffery M. Jones, ZMW LLP
3396 Robinson Farms Trace
Marietta, GA 30068**

APPLICANT: Same as above

AGENT: N/A

PROPERTY ADDRESS: 590 Commerce Park Drive

PARCEL DESCRIPTION: 17 03620 0110

AREA: ~3.277 acres

COUNCIL WARD: 1A

EXISTING ZONING: LI (Light Industrial)

**REQUEST: LI (Light Industrial) with an additional use as a bank
or financial institution**

FUTURE LAND USE: IW (Industrial Warehousing)

**REASON FOR REQUEST: The applicant is requesting the rezoning of the subject
property from LI to LI with an additional use in order to operate as a bank.**

PLANNING COMMISSION HEARING: Tuesday, August 4th, 2020 – 6:00 p.m.

CITY COUNCIL HEARING: Wednesday, August 12th, 2020 – 7:00 p.m.

MAP

City of Marietta Area Zoning Map

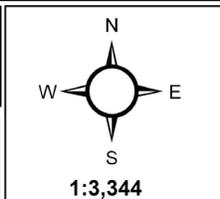


Zoning		District	Land Lot	Parcel	Current Zoning	Proposed Zoning
SINGLE FAMILY RESIDENTIAL R-1 One Unit/Acre R-2 Two Unit/Acre R-3 Three Unit/Acre R-4 Four Unit/Acre ATTACHED FAMILY RESIDENTIAL RA-4 Four Unit/Acre RA-6 Six Unit/Acre RA-8 Eight Unit/Acre PRD(SF) Planned Residential Dev. MHP Mobile Home Park MULTI FAMILY RESIDENTIAL RM-8 Eight Unit/Acre RM-10 Ten Unit/Acre RM-12 Twelve Unit/Acre RHR Residential High Rise PRD(MF) Planned Residential Dev.	COMMERCIAL 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 INDUSTRIAL LI Light Industrial HI Heavy Industrial PID Planned Industrial Dev.	17	362	0110	LI	LI w/ addtl use

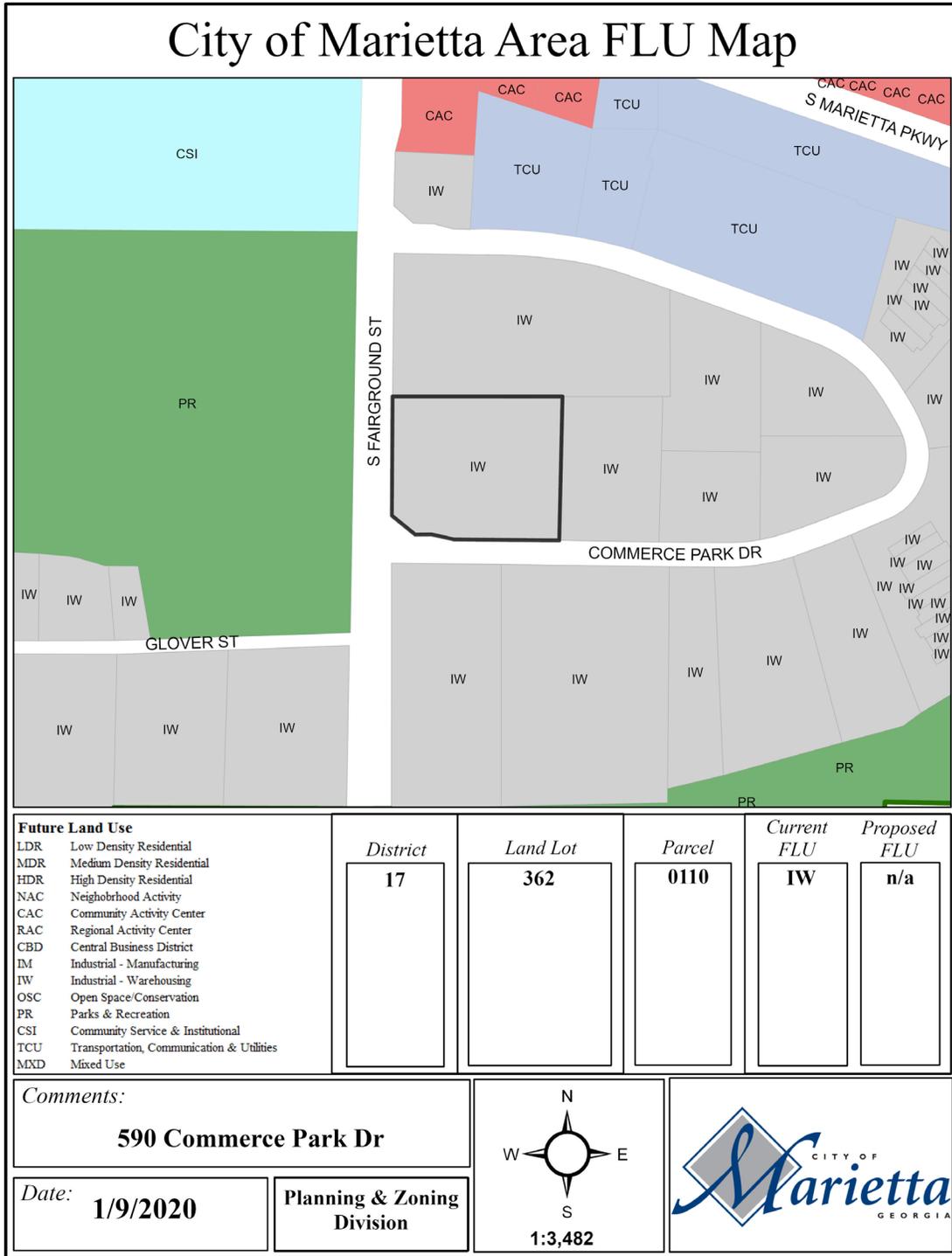
Comments:
590 Commerce Park Drive

Date: **6/29/2020**

**Planning & Zoning
 Division**



FLU MAP



PICTURES OF PROPERTY



Subject property at 590 Commerce Park Dr



Front setback portion of subject property

STAFF ANALYSIS

Location Compatibility

The applicant, ZMW LLP, is requesting the rezoning of 590 Commerce Park Drive from LI (Light Industrial) to LI with an additional use so that an individual suite may be used by LGE Credit Union. The property has been used as an office park with businesses such as insurance companies, tool repairs/services, and a real estate agency. The property is approximately 3.277 acres and sits at the corner of South Fairground Street and Commerce Park Drive. The parcels to the east, north, and south of the subject property are also zoned LI, while the property across South Fairground Street to the west is zoned OI (Office Institutional). The applicant's request is to allow the operation of a bank in a Light Industrial zoning district.

Use Potential and Impacts

The subject property contains a one-story building, approximately 39,769 square feet in size, that was built in 1996. The building has consistently been used for various professional offices such as real estate agency, insurance office, tool repair, and warehousing. The applicant is not proposing any changes to the site as a part of this request. LGE Credit Union wishes to relocate from 430 Commerce Park Drive to the subject property due to the proximity of the new location to the old location. However, despite both properties being zoned Light Industrial, banks or financial institutions are not listed as a permitted use in LI zoning districts. An additional use would be required to operate a bank at the new location.

The applicant has stated that only one suite will be used as a bank and a walk-up ATM will be installed near the front entrance of the building. Modern banks operate similarly to other professional and administrative offices in that most customer transactions are conducted on-line and the offices are primarily used by employees. Since this location is on the edge of the industrial area and easily accessible to a collector road, a low intensity use such as a bank is appropriate and consistent in character and impact to other industrial uses.

The Future Lane Use (FLU) of this parcel, as specified in the City's Comprehensive Plan is Industrial Warehousing (IW). The purpose of IW is to *provide areas that can support light industrial, office/warehouse and distribution uses, and the vehicular traffic associated with such uses*. It is important to protect IW districts from encroachment of residential uses and the rezoning of IW properties to any residential designation is highly discouraged. Compatible zonings include LI, OS, and PID. The proposed zoning and usage of LI with an additional usage of a bank is consistent and supported by the City's Comprehensive Plan.

Environmental Impacts

Because the applicant is not proposing any site modifications, there should be no negative environmental impacts resulting from this rezoning. No floodplains, wetlands, topographical concerns, streams, or endangered species are present on the site.

Economic Functionality

There has been consistent business license history on the property, suggesting it is a functioning property as currently zoned. Broadening the types of allowed uses may increase the occupancy of the building. However, because the property was built specifically for office use, it does not contain the visibility and options for signage that most retail and personal service businesses need to thrive.

Infrastructure

There are no site modifications being proposed. The subject property contains approximately 157 parking spaces for the 39,769 square foot building, or one parking space for every 300 square feet. The applicant has stated thirty-five (35) parking spaces will be designated for the bank. Section 716.07 requires professional and general offices have one space for every 350 square feet, while banks are required to have one space for every 300 square feet of building area. Based on the provided parking spaces and building square footage, parking is provided at approximately one space for every 253 square feet of building space. As a result, there are enough parking spaces on site to satisfy the City's parking requirement.

Otherwise, allowing a bank as a permitted use on this property should not have any additional impacts on the transportation, education, water, sewer, electricity, or other public infrastructure in the area.

History of Property

The Board of Zoning Appeals approved variances for a parking expansion at this property in 2008. Per V2008-24 the following variances were granted:

- Variance to increase the maximum impervious surface coverage from 75% to 78.99% [*§708.26 (H)*]
- Variance to reduce the required rear yard setback for an accessory structure from ten (10) feet to five (5) feet [*§708.26 (F)*].

There is no history of any Special Land Use Permits or rezonings for the subject property.



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

Overlay District Issues

This property is located within Tier B of the Commercial Corridor Design Overlay District. According to the City's Ordinance, "*the general purpose of the Tier B design overlay is to encourage private development to integrate some pedestrian design features and aesthetic improvements into automobile-oriented corridors...*" [§712.09 (G)]. Compliance with the Overlay requirements would only be expected if the renovation cost of construction exceeds 50% of the building's value.



ANALYSIS & CONCLUSION

ZMW LLP is requesting the rezoning of 590 Commerce Park Drive from LI to LI with an additional use so that an individual suite may be used by LGE Credit Union. The property is approximately 3.277 acres and sits at the corner of South Fairground Street and Commerce Park Drive. The parcels to the east, north, and south of the subject property are also zoned LI, while the property across South Fairground Street to the west is zoned OI. The applicant’s request is to allow the operation of a bank in a Light Industrial zone.

The subject property contains a one-story building, approximately 39,769 square feet in size, that was built in 1996. The building has consistently been used for various professional offices such as real estate agency, insurance office, tool repair, and warehousing. The applicant is not proposing any changes to the site. LGE Credit Union to the subject property due to the proximity of the new location to the old location. However, despite both properties being zoned Light Industrial, banks or financial institutions are not listed as a permitted use in LI zoning districts. Since banks operate similarly to other professional offices in LI, the proposed use should not have any adverse impact to the surrounding area.

The Board of Zoning Appeals previously approved the following variances (V2008-24) for a parking expansion at this property in 2008. These variances would need to be included if the property were to be rezoned as requested:

- Variance to increase the maximum impervious surface coverage from 75% to 78.99% [*§708.26 (H)*]
- Variance to reduce the required rear yard setback for an accessory structure from ten (10) feet to five (5) feet [*§708.26 (F)*].

The Future Lane Use (FLU) of this parcel, as specified in the City’s Comprehensive Plan is Industrial Warehousing (IW). The purpose of IW is to *provide areas that can support light industrial, office/warehouse and distribution uses, and the vehicular traffic associated with such uses.* It is important to protect IW districts from encroachment of residential uses and the rezoning of IW properties to any residential designation is highly discouraged. Compatible zonings include LI, OS, and PID. The proposed zoning and usage of LI with an additional usage of a bank is consistent and supported by the City’s Comprehensive Plan.

Prepared by: _____

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?	6" along parking lot, 10" in Commerce Park Dr, and a 14" in Fairground 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"
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:	Yes
What percentage of the property is in the flood plain?	20%
What is the drainage basin for the property?	Rottenwood Creek
Is there potential for the presence of wetlands as determined by the U.S. Environmental Protection Agency?	No
If so, is the use compatible with the possible presence of wetlands?	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
- Site plans must address what methods will be proposed for used grease, wash water storage and/or disposal

TRANSPORTATION

What is the road affected by the proposed change? _____

What is the classification of the road? _____

What is the traffic count for the road? _____

Estimated # of trips generated by the proposed development? _____

Estimated # of pass-by cars entering proposed development? _____

Do sidewalks exist in the area? _____

Transportation improvements in the area? _____

If yes, what are they? _____



DATA APPENDIX CONTINUED

EMERGENCY SERVICES

Nearest city or county fire station from the development?	149 Dodd St
Distance of the nearest station?	1.5 miles
Most likely station for 1 st response?	52
Service burdens at the nearest city fire station (under, at, or above capacity)?	Under

Comments:

- Accessibility Analysis Worksheet will be required with any alteration or renovation to commercial spaces. Should be included with building permit documents.
- Requirements for improvements will greatly depend on how much construction will be done to the new space to provide the area of function needed. Not enough information to provide detailed expectations.

MARIETTA POWER - ELECTRICAL

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:

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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 #: 2020-26 Registrar #: 20200578 PZ #: 20-189
Planning Commission Hearing: 8/4/2020 City Council Hearing: 8/12/2020

Owner's Name Jeffery M. Jones, ZMW LLLP

EMAIL Address: Jeffery.jo1@gmail.com

Mailing Address 3396 Robinson Farms Trace Zip Code: 30068 Telephone Number 678-522-0310

COMPLETE ONLY IF APPLICANT IS NOT OWNER:

Applicant: _____

EMAIL Address: _____

Mailing Address _____ Zip Code: _____

Telephone Number _____ Email Address: _____

Address of property to be rezoned: 590 Commerce Park Dr

Land Lot (s) 362 District _____ Parcel _____ Acreage _____ Ward _____ Future Land Use: _____

Present Zoning Classification: LI Proposed Zoning Classification: LI w/ add'l use

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.

Jeffrey M. Jones
Signature of Owner

Signature of Applicant

Jeffrey M. Jones
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.

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.

Jeffrey M. Jones
Signature

JEFFREY M. JONES
Please Print

3396 Robinwood Farms Tract, Marietta, GA 30060
Address

6-18-2020
Date

Signed, sealed and delivered in the presence of: T. W. Wright



T.W. Wright My Commission Expires: 9-21-2021

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



Ladies and Gentlemen,

LGE Community Credit Union for the last 40 years had its main office and an ancillary branch located at 430 Commerce Park Drive. Cobb County Public Safety purchased and moving into that location displacing our branch operation forcing a move of the branch operation to a nearby location. We chose 590 Commerce Park Drive, because of its proximity to the former branch and the convenience to long term members who have been utilizing that branch, many from the Lockheed Martin location just down the street.

Additionally, LGE had a similar operation for several years in the very same location for which we are requesting a variance to continue that use. All that we request is the ability, to utilize this space to continue servicing members in Marietta that use LGE for their banking needs mainly through concierge personnel available inside the building. We would very much appreciate your consideration in granting of this request.

Sincerely

A handwritten signature in blue ink, appearing to read "Chris A. Leggett", is written over the word "Sincerely".

Chris A. Leggett
President/CEO



This credit union is federally insured by the
National Credit Union Administration.

P. O. Box 1188
Marietta, Georgia 30061
770-424-0060
LGEccu.org

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TO: Marietta Daily Journal

FROM: City of Marietta

RUN AD DATE: July 17, 2020

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

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

Z2020-26 [REZONING] ZMW LLLP is requesting the rezoning of approximately 3.3 acres located in Land Lot 362, District 17, Parcel 0110 of the 2nd Section, Cobb County, Georgia, and being known as 590 Commerce Park Drive from LI (Light Industrial) to LI (Light Industrial) with an additional use for a bank and/or financial institution. Ward 1A.

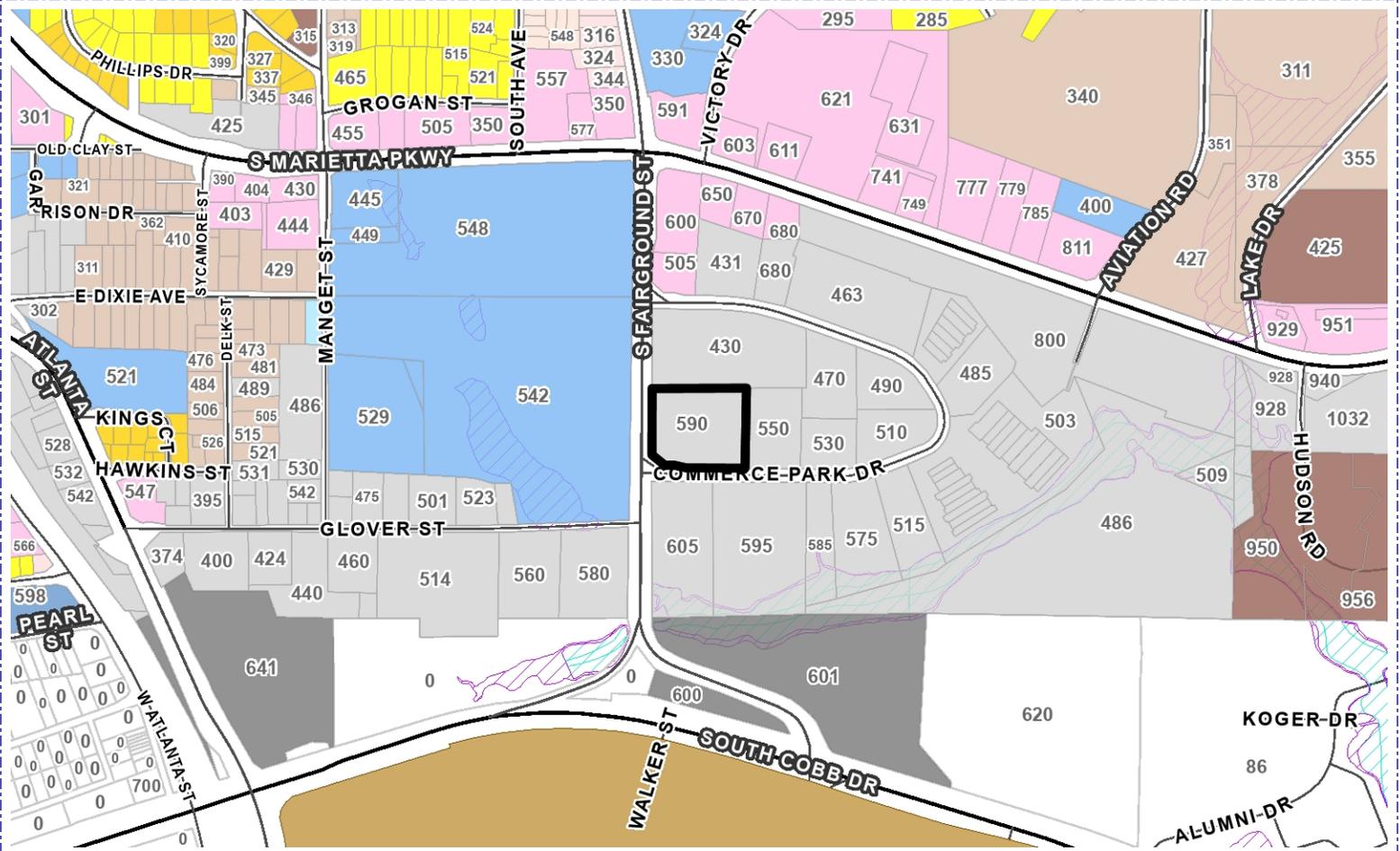
A description and plat of the property sought for the rezoning, special land use permit, and variances are on file in the Planning and Zoning Office, City Hall, and is available for inspection between 8:00 A.M. and 5:00 P.M., Monday through Friday. Anyone wishing to attend may do so and be heard relative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

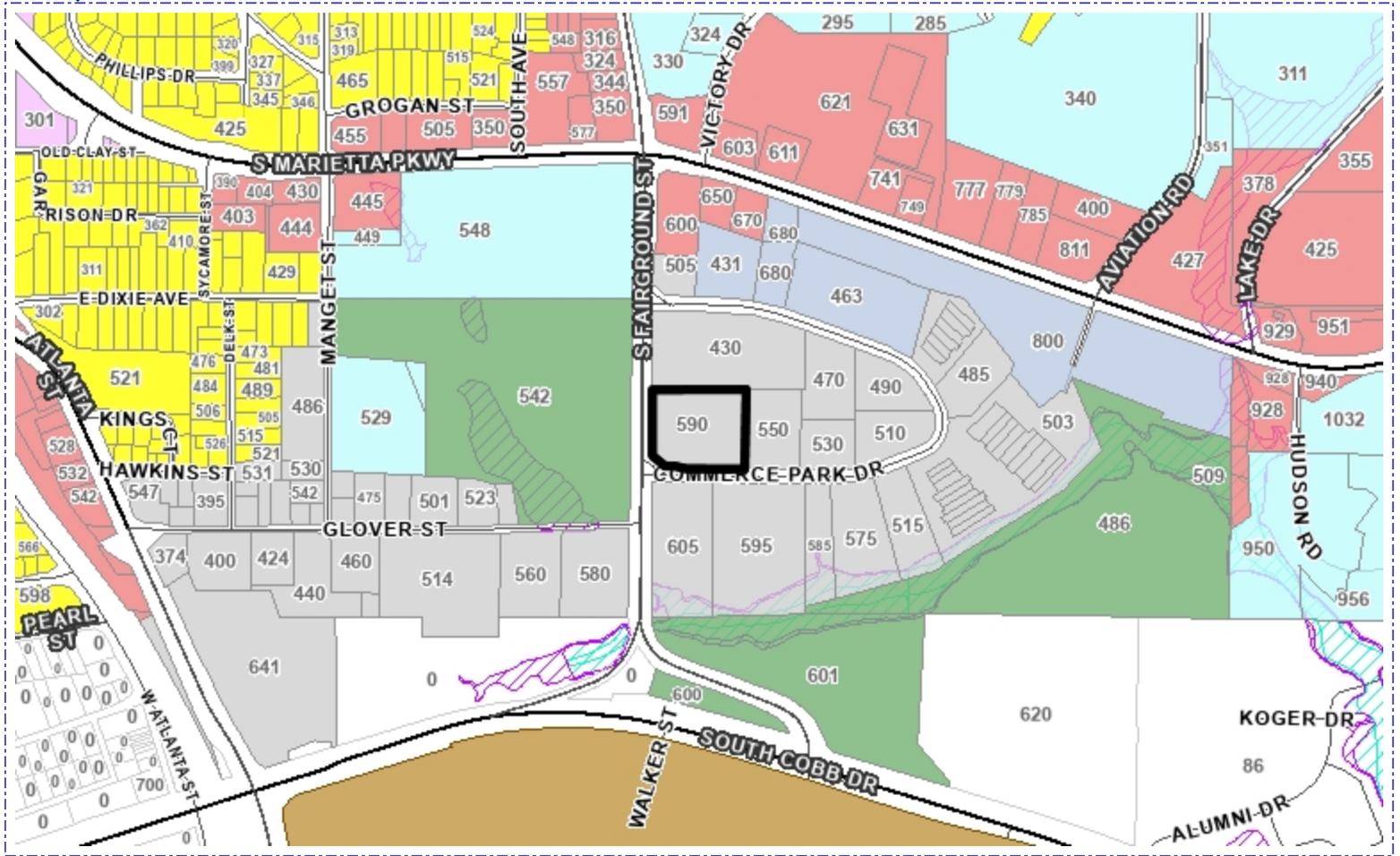
City of Marietta
205 Lawrence Street
Marietta, Georgia 30060

Rezoning

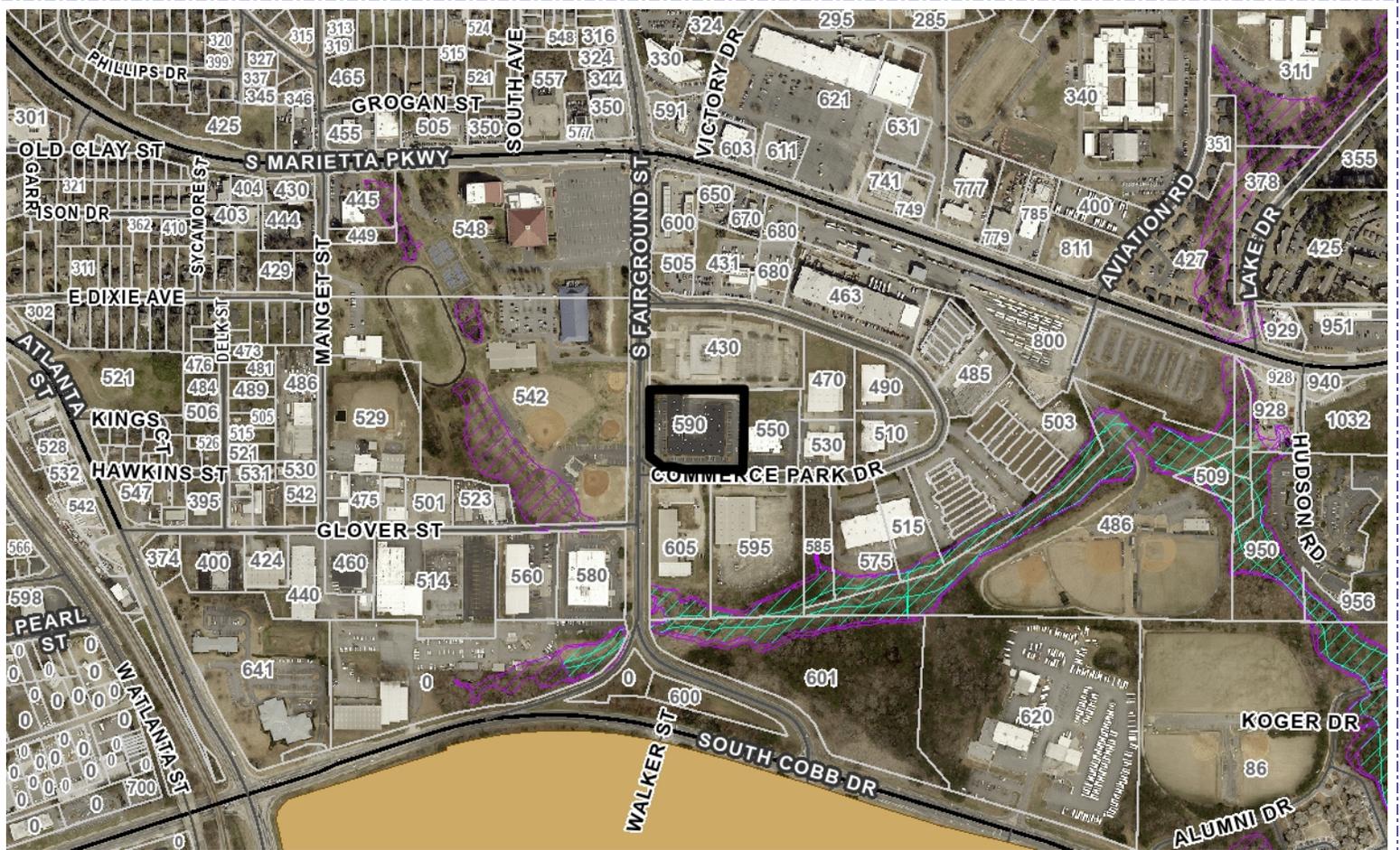


Address	Parcel Number	Acreage	Ward	Zoning	FLU
590 COMMERCE PARK DR	17036200110	3.277	1A	LI	IW

Property Owner:	ZMW, LLLP	Zoning Symbols <ul style="list-style-type: none"> — 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
Applicant:		
Proposed Zoning:	LI to LI w/add'l use as bank	
Agent:		
Proposed Use:		
Planning Commission Date:	08/04/2020	
City Council Hearing Date:	08/12/2020	Case Number: Z2020-26
City of Marietta Planning & Zoning		



Address	Parcel Number	Acreage	Ward	Zoning	FLU
590 Commerce Park Dr	17036200110	3.277	1A	LI	IW
Planning Commission Hearing Date:	08/04/2020	Future Land Use Symbols 			
City Council Hearing Date:	08/12/2020				
Future Land Use:	IW				
Case Number:	Z2020-26				
Comments:					
City of Marietta Planning & Zoning					

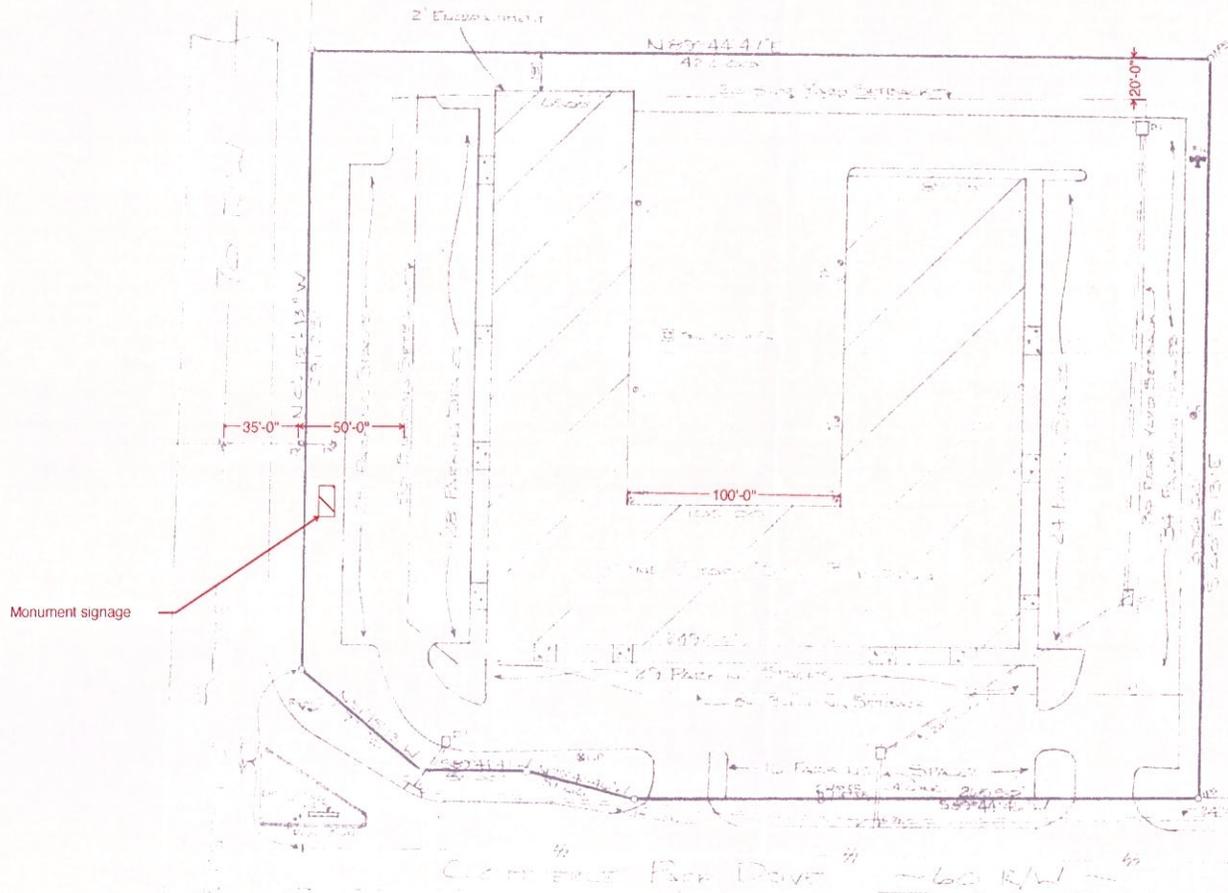


Address	Parcel Number	Acreage	Ward	Zoning	FLU
590 COMMERCE PARK DR	17036200110	3.277	1A	LI	IW

Property Owner:	ZMW, LLLP
Applicant:	
City Council Hearing Date:	08/12/2020
Planning Commission Hearing Date:	08/04/2020
BZA Hearing Date:	Case Number: Z2020-26
Comments:	
City of Marietta Planning & Zoning	

Legend

- Railroads
- City Limits
- Cobb County Pockets



All that tract or parcel of land lying and being in Land Lot 362 of the 17th District, 2nd section, Cobb County, Georgia and being more particularly described as follows:

Beginning at the northeasterly intersection of fairground street and Commerce Park Drive said point being the TRUE POINT OF BEGINNING; Proceeding thence N00°15'13"W along the easterly right-of-way of fairground street for a distance of 291.25 feet to a point; Proceeding thence S89°44'47"W for a distance of 422.00 feet to a point; Proceeding thence S00°15'13"W for a distance of 350.00 feet to a point on the northerly right-of-way of Commerce Park Drive; Proceeding thence along the northerly right-of-way of Commerce Park Drive S89°44'40"W for a distance of 265.50 feet to a point; Proceeding thence along said right-of-way N72°40'46"W for a distance of 51.66 feet to a point; Proceeding thence S89°44'47"W for a distance of 35.00 feet to a point; Proceeding thence along said right-of-way N81°15'13"W for a distance of 72.70 feet to a point and the TRUE POINT OF BEGINNING;

Said tract contains 3.322 acres as shown on a plat by D. W. Lynch Surveyors dated August 21, 1996.

- THE FOLLOWING EASEMENTS DO NOT AFFECT THIS PROPERTY
- 1) DEED BOOK 290 PAGE 100
 - 2) " " 154 PAGE 194
 - 3) " " 1841 PAGE 870
 - 4) " " 2380 PAGE 337
 - 5) " " 1525 PAGE 445
 - 6) " " 258 PAGE 454

THE FIELD DATA UPON WHICH THIS PLAT IS BASED HAS A CLOSURE PRECISION BETTER THAN ONE FOOT IN 10,000 FEET.

A TOPCON GTS-3 WAS USED TO OBTAIN THE LINEAR AND ANGULAR MEASUREMENTS USED IN THE PREPARATION OF THIS PLAT.

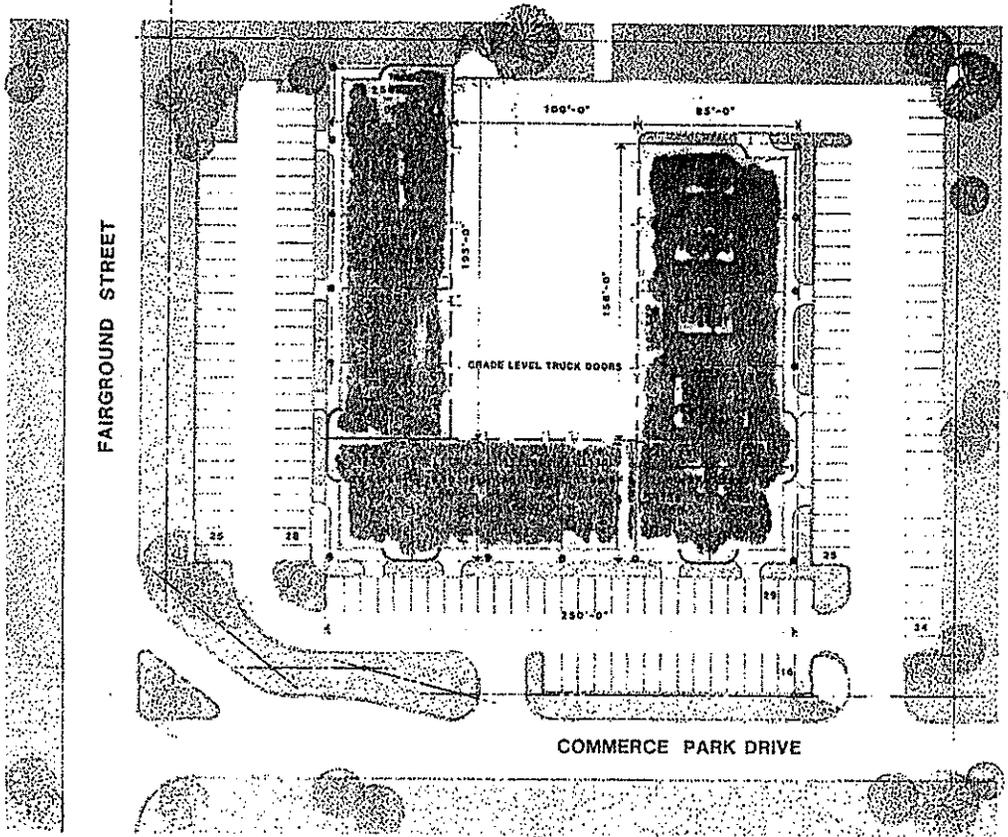


PLEASE PRINT NAME AND ADDRESS OF CLIENT
 SPECIAL RECORD MAP AND FOUND REFER
 TO LOT 362 IS NOT IN AN AREA HAVING
 A FLOOD HAZARD
 COMMUNITY 130226-50F

590 COMMERCE PARK DRIVE

Survey For:
BILLY M. JONES &
WACHOVIA BANK OF
 AKA
 BUILDING # 1100, MARIETTA COMMERCE PARK
 Land Lot 362, District 17th
 2ND SECTION, COBB County, Georgia
 Scale 1" = 40' Date August 21, 1996

D. W. Lynch Surveyors
 Smyrna, Georgia (404) 433-2060



SITE PLAN BUILDING 1100

1" = 30' - 0"



1100 COMMERCE PARK DRIVE

42,435 SF TOTAL
157 SPACES

SPECIAL FEATURES

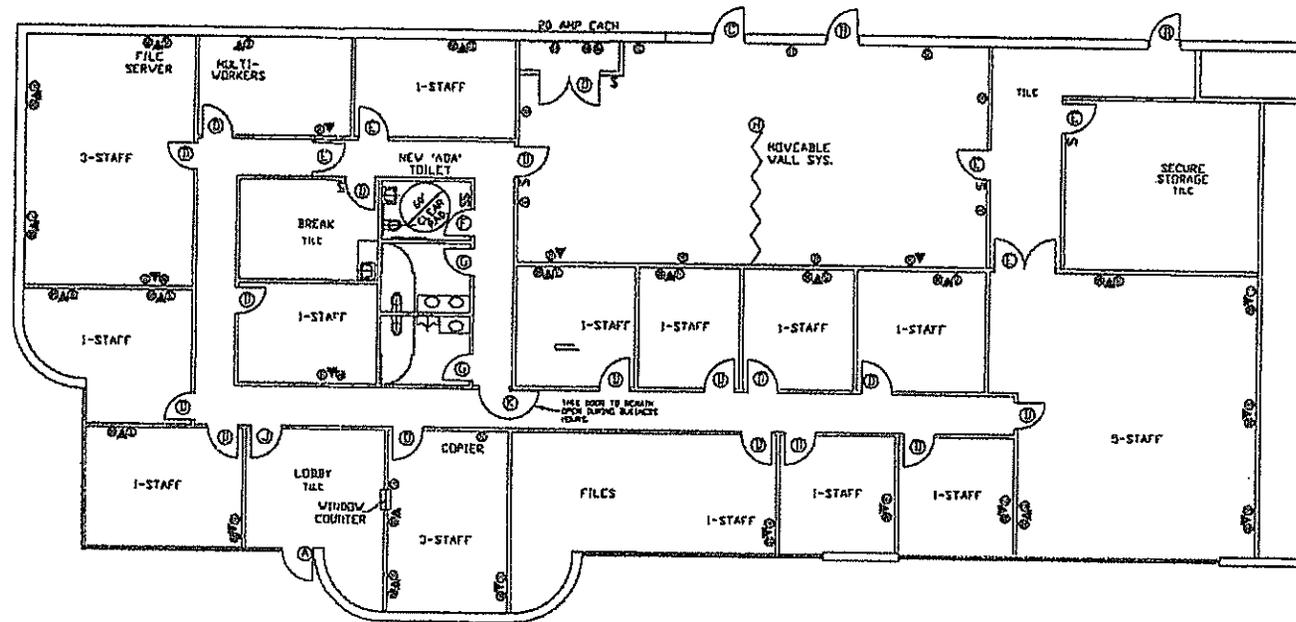
- 14 CLEAR CEILING HEIGHT
- GRADE LEVEL TRUCK DOORS
- 2505 SF TO 29760 SF SPACES
- HIGH FINISH OFFICES
- CONTROLLED SIGNAGE

C.P. DEVELOPMENT ASSOCIATES

COMMERCE PARK BUILDING 1100 5/70

ASSOCIATES
ATLANTA GEORGIA

#125



- DOOR SCHEDULE**
- Ⓐ EXISTING MAIN ENTRANCE GLASS DOOR TO HAVE LEVER HANDLE DOUBLE CYLINDER LOCKSET MECHANISM, AND DOOR CLOSER.
 - Ⓑ EXISTING REAR DOOR TO REMAIN WITH LEVER HANDLE DOUBLE CYLINDER LOCKSET MECHANISM, DOOR CLOSER, AND PANIC BAR.
 - Ⓒ NEW DOOR TO MATCH EXISTING REAR DOORS.
 - Ⓓ INTERIOR DOOR WITH LEVER HANDLE LOCKSET MECHANISM.
 - Ⓔ INTERIOR DOOR WITH LEVER HANDLE PRIVACY LOCKSET MECHANISM (PUSH BUTTON).
 - Ⓕ INTERIOR DOOR WITH LEVER HANDLE PRIVACY LOCKSET MECHANISM (PUSH BUTTON) AND DOOR CLOSER.
 - Ⓖ INTERIOR DOOR WITH DOOR CLOSER, PUSH PAD AND PULL HANDLE.
 - Ⓗ INSTALL MOVABLE WALL SYSTEM IN LARGE CONFERENCE ROOM.
 - Ⓙ INTERIOR DOOR WITH DOOR CLOSER, LEVER HANDLE HARDWARE, PRIVACY (PUSH BUTTON) LOCK SET WITH BUZZER ACTIVATION MECHANISM ON LATCH STRIKE PLATE AND BUZZER ACTIVATION BUTTONS FOR EACH DOOR AT RECEPTIONIST COUNTER AND CASHIER WINDOW.
 - Ⓚ INTERIOR DOOR WITH LEVER HANDLE DOOR HARDWARE WITH PANIC BAR ON THE TOILET HALLWAY SIDE FOR EMERGENCY USE ONLY IN THE EVENING AND WEEKENDS. THIS DOOR TO REMAIN OPEN DURING NORMAL BUSINESS HOURS.

SWITCH S
 WALL MOUNTED DUPLEX Ⓞ
 DEDICATED DUPLEX Ⓟ
 VOICE & DATA OUTLET ▼

	Department of Administrative Services Space Management, Utilization & Design Two Northside 75 Drive, Suite 134 Atlanta, Georgia 30318-7701 404-352-4890 / FAX 404-352-4889
	AGENCY: DHR-Division of Family & Children Services Cobb County
DRAWN BY: WPH	LOCATION: LEASED SPACE NEXT TO CSE Marietta, GA
REVISIONS: 6,454 SQ. FT.	SCALE: 1/8"=1'-0"
DATE: 1/29/99	