

1. Planning Commission Agenda

Documents:

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

2. Z2020-28 East Dixie Ave 297

Documents:

[Z2020-28 EAST DIXIE AVE 297.PDF](#)

3. Z2020-29 SLUP Franklin Gateway 1200

Documents:

[Z2020-29 SLUP FRANKLIN GATEWAY 1200.PDF](#)



City of Marietta

Meeting Agenda

205 Lawrence Street
Post Office Box 609
Marietta, Georgia 30061

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

Wednesday, November 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:

20200846 September 1, 2020 Regular Planning Commission Meeting Minutes

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

REZONINGS/SPECIAL LAND USE PERMIT/CODE AMENDMENT:

20200795 Z2020-28 [REZONING] SANDRA ALLEN DUPREE

Z2020-28 [REZONING] SANDRA ALLEN DUPREE is requesting the rezoning of 0.46 acres located in Land Lot 289, District 17, Parcel 1700 of the 2nd Section, Cobb County, Georgia, and being known as **297 East Dixie Avenue** from LI (Light Industrial) to R-4 (Single Family Residential - 4 units/acre). Wards 1A.

20200811 Z2020-29 [SPECIAL LAND USE PERMIT] REEF KITCHENS (NIRMAAN INVESTMENT LLC)

Z2020-29 [SPECIAL LAND USE PERMIT] REEF KITCHENS (NIRMAAN INVESTMENT LLC) is requesting a Special Land Use Permit for 0.92 acres zoned CRC (Community Retail Commercial) and located in Land Lot 714, District 17, Parcel 0050, 2nd Section, Marietta, Cobb County, Georgia, and being known as **1200 Franklin Gateway**. Special land use permit for a mobile retail food establishment. Ward 1A.

20200840 CA2020-06 [CODE AMENDMENT]

CA2020-06 [CODE AMENDMENT] Proposal to amend the Comprehensive Development Code of the City of Marietta, Division 708.05 Single Family Residential - Attached (RA-4), Division 708.06 Single Family Residential - Attached (RA-6), Division 708.07 Single Family Residential - Attached (RA-8), Division 708.09 Planned Residential Development - Single Family (PRD-SF), Division 708.11 Multi Family Residential (RM-10), Division 708.12 Multi Family Residential (RM-12), Division 708.14 Planned Residential Development - Multi Family (PRD-MF), Division 708.20 Mixed Use Development, and Division 724.02, Division of Terms, regarding open space, amenity area, and driveway requirements.

OTHER BUSINESS:**20200847 2021 Planning Commission Calendar of Meeting Dates**

Review and Approval of the 2021 Planning Commission Calendar.

ADJOURNMENT:



REZONING APPLICATION ANALYSIS

ZONING CASE #: Z2020-28

LEGISTAR: 20200795

LANDOWNERS: Sandra Allen DuPree
5750 Old Dallas Road SW
Powder Springs, GA 30127

APPLICANT: Same as above

AGENT: n/a

PROPERTY ADDRESS: 297 East Dixie Avenue

PARCEL DESCRIPTION: 17 0289 01700

AREA: 0.458 AC

COUNCIL WARD: 1A

EXISTING ZONING: LI (Light Industrial)

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

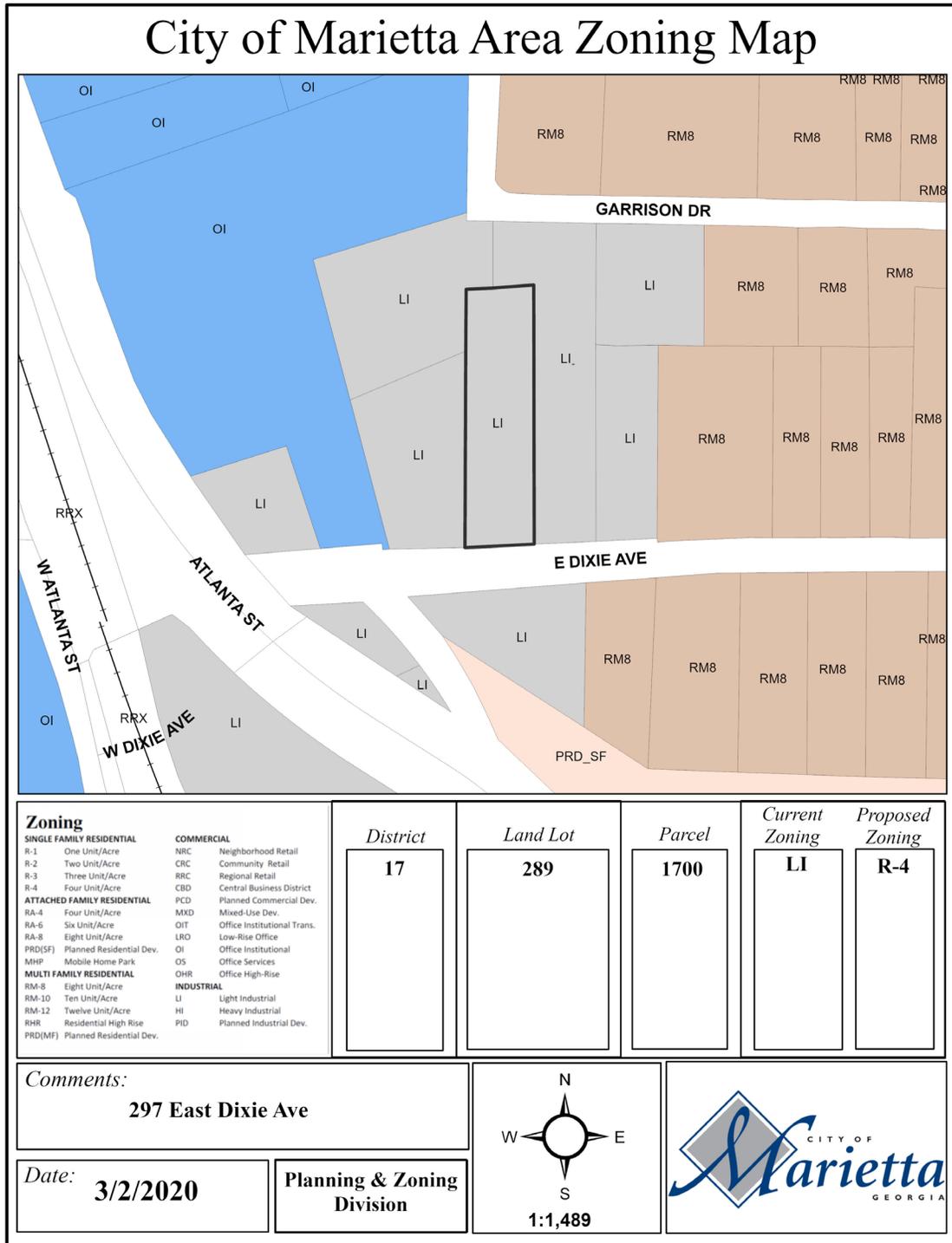
FUTURE LAND USE: MDR (Medium Density Residential)

REASON FOR REQUEST: The applicant is requesting this rezoning so the property can continue to be used as a single-family residence.

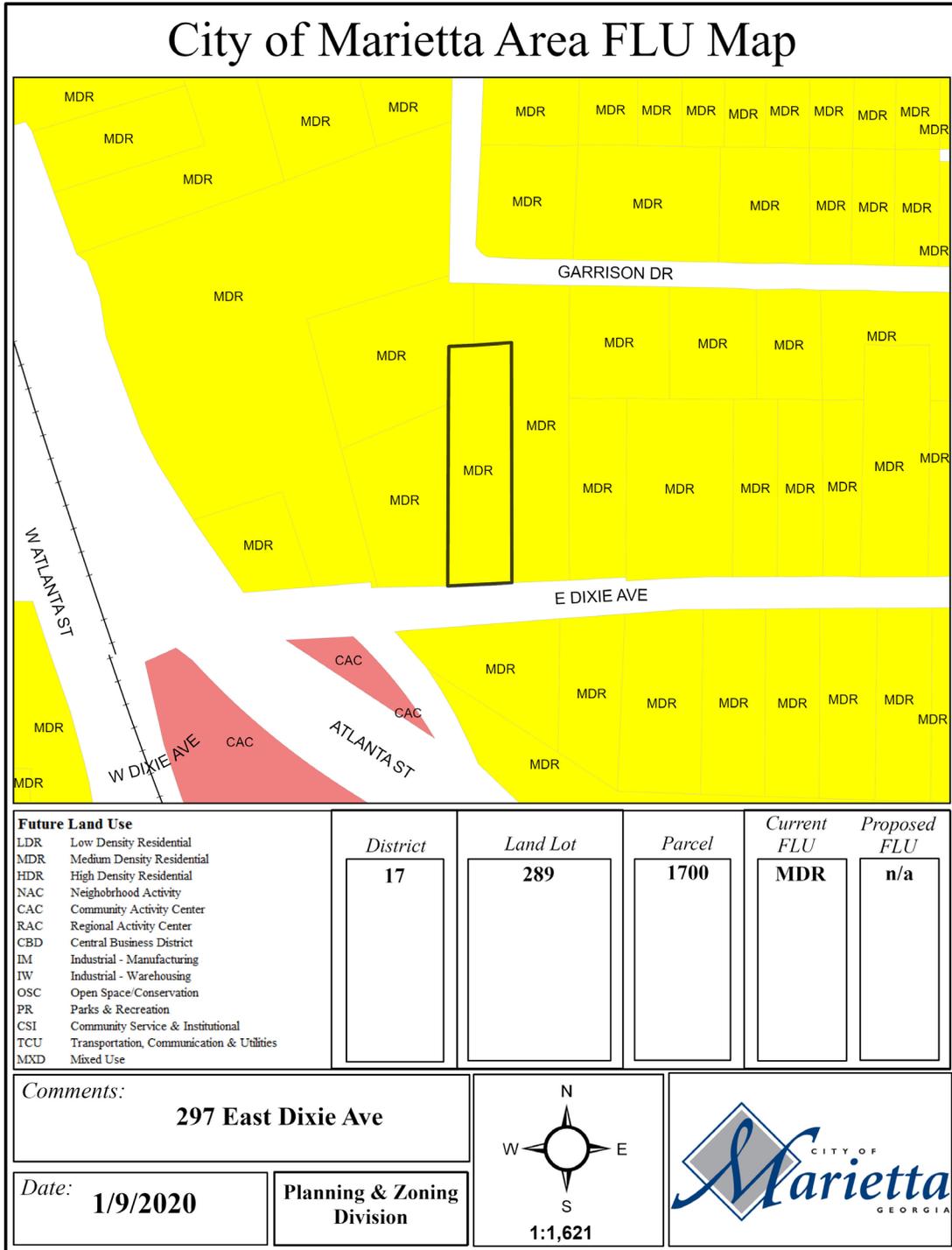
PLANNING COMMISSION HEARING: Wednesday, November 4th, 2020 – 6:00 pm

CITY COUNCIL HEARING: Wednesday, November 11th, 2020 – 7:00 p.m.

MAP



FLU MAP



PICTURES OF PROPERTY



Subject property at 297 East Dixie Avenue



Rear yard of subject property



Subject property

STAFF ANALYSIS

Location Compatibility

The owner and applicant, Sandra Allen DuPree, is requesting to rezone the property located at 297 East Dixie Avenue from LI (Light Industrial) to R-4 (Single Family Residential – 4 units/acre) in order to continue using the existing structure as a single-family residence. The adjacent properties are also zoned LI. Overall, this section of East Dixie Avenue is a mixture of LI (used as residences as well), RM-8 (Multi-Family Residential – 8 units/acre) and OI (Office Institutional) zonings. It should be noted that most of the surrounding properties have been continuously used as residences despite their LI zoning designation.

Use Potential and Impacts

The applicant is requesting to rezone the property from LI to R-4 to continue the use of the structure as a residence. The applicant has stated that they plan to sell the property as a residence in the near future. Most of the surrounding properties, despite their commercial zoning, have never been used as a business other than a home occupation. The surrounding area is mostly residential in nature aside from the few businesses at the end of the block along West Atlanta Street. The use of this property as a residence would be consistent with the area and should have no negative impacts on surrounding properties if rezoned. The home southeast of the subject property at 316 East Dixie Avenue was similarly rezoned from commercial to residential in 2008. Rezoning the subject property from LI to R-4 supports the existing character of the surrounding properties.

The property was renovated starting in 2013 but the applicant has stated that no additional construction will be taking place on the property. The current survey provided shows the property complies with all bulk and area regulation for R-4 but one; the following variance will be required should the rezoning request be granted:

- Variance to reduce the minimum lot width for a property zoned R-4 from seventy-five (75) feet to seventy (70) feet [*§708.04 (H)*]

The Future Land Use designation of this area is MDR (Medium Density Residential). MDR is intended for residential densities ranging from five (5) to eight (8) units per acre. The subject property's location at the edge of the neighborhood with proximate access to an arterial roadway is more compatible with a denser use, while the location also serves as a transition to the industrial/office/commercial corridor along Atlanta Street. This request to rezone from LI to R-4 would be supported by the City's Comprehensive Plan.

Environmental Impacts

There is no indication that any streams, floodplains, wetlands, or endangered species exist on the property

Economic Functionality

The applicant has stated no proposed improvements will take place and that the structure has been consistently used as a residence for years despite its industrial zoning designation. Most of the surrounding properties are also used residentially. Due to its size and construction type, this property would be better suited for residential use.

Infrastructure

The proposed use as a single-family residence would have minimal impact on the transportation, education, water, sewer, electricity, or other public infrastructure in the area. As shown on the submitted plan, there is a shared drive between the subject property and the neighboring property at 305 East Dixie Avenue.

Overhead Electrical/Utilities

There are existing overhead utilities along the north side East Dixie Avenue.

History of Property

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



ANALYSIS & CONCLUSION

The owner and applicant, Sandra Allen DuPree, is requesting to rezone the property located at 297 East Dixie Avenue from LI to R-4 in order to continue using the existing structure as a single-family residence. The adjacent properties are also zoned LI. Overall, this section of East Dixie is a mixture of LI (used as residences as well), RM-8 (Multi-Family Residential – 8 units/acre) and OI (Office Institutional) zonings. It should be noted that most of the surrounding properties have been continuously used as residences despite their LI zoning designation.

The applicant is requesting the rezoning of the subject property from LI to R-4 in order to continue the use of the structure as a residence. The applicant has stated that they plan to sell the property.

Most of the surrounding properties, despite their commercial zoning, have never been used as a business other than a home occupation. The surrounding area is mostly residential in nature aside from the few businesses at the end of the block along West Atlanta Street. The use of this property as a residence would be consistent with the area and should have no negative impacts on surrounding properties if rezoned.

The applicant has stated that no additional construction will be taking place on the property. Due to existing conditions, the following variance would be required should the rezoning request be granted:

- Variance to reduce the minimum lot width for a property zoned R-4 from seventy-five (75) feet to seventy (70) feet [*§708.04 (H)*]

The Future Land Use designation of this area is MDR (Medium Density Residential). MDR is intended for residential densities ranging from five (5) to eight (8) units per acre. The subject property’s location at the edge of the neighborhood with proximate access to an arterial roadway is more compatible with a denser use, while the location also serves as a transition to the industrial/office/commercial corridor along Atlanta Street. As a result, this request to rezone from LI to R-4 would be supported by the City’s Comprehensive Plan.

Prepared by: J. Sindello

Approved by: Shelly Griffin



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 inch
Capacity of the water line?	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?	6 inch
Capacity of the sewer line?	A.D.F Peak
Estimated waste generated by proposed development?	Not provided
Treatment Plant Name?	S Cobb
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>No</u>
What percentage of the property is in the flood plain?	<u>N/A</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>N/A</u>
Do stream bank buffers exist on the parcel?	<u>No</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>

TRANSPORTATION

What is the road affected by the proposed change?	<u></u>
What is the classification of the road?	<u></u>
What is the traffic count for the road?	<u></u>
Estimated # of trips generated by the proposed development?	<u></u>
Estimated # of pass-by cars entering proposed development?	<u></u>
Do sidewalks exist in the area?	<u></u>
Transportation improvements in the area?	<u></u>
If yes, what are they?	<u></u>



DATA APPENDIX CONTINUED

EMERGENCY SERVICES

Nearest city or county fire station from the development?	51
Distance of the nearest station?	1.2 Mi
Most likely station for 1 st response?	51
Service burdens at the nearest city fire station (under, at, or above capacity)?	Under

The Fire Department has no objection to rezoning from LI to R4.

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 #: 22020-28 Legistar #: 20200795 PZ #: 20-256

Planning Commission Hearing: 11-4-20 City Council Hearing: 11-11-20

Owner's Name Sandra Allen Dupree

EMAIL Address: sdupree@sandy-springs.ga.gov

Mailing Address 5750 Old Dallas Rd SW, Zip Code 30127 Telephone Number

COMPLETE ONLY IF APPLICANT IS NOT OWNER:

Applicant:

EMAIL Address:

Mailing Address Zip Code:

Telephone Number Add'l Email Address:

Address of property to be rezoned 297 East Dixie Avenue

Land Lot (s) 0289 District 17 Parcel 01700 Acreage .458 Ward 1A Future Land Use: MDR

Present Zoning Classification: LF Proposed Zoning Classification: RY

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.

8. REZONING REQUESTS TO PRD, PCD, PID, or MXD MUST INCLUDE THE GENERAL PLAN CHECKLIST WITH THIS APPLICATION.

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.

Sandra Allen Dupree
Applicant Print Name

[Signature]
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.
- **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]
Applicant Signature (if not the Owner)

Sandra Allen Dupree
Please Print

Owner Signature

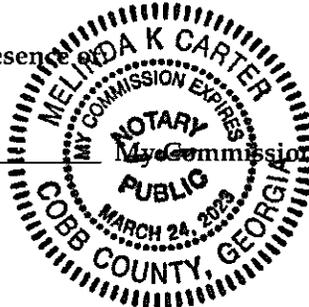
Please Print

5750 Old Dallas Rd, SW Powder Springs, GA 30127
Mailing Address

9/22/2020
Date

Signed, sealed and delivered in the presence of

Melinda K. Carter



My Commission Expires: March 24, 2023

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

Date 9-22-2020

To: City Marietta Rezoning

I would like to get my property located at 297 East Dixie Avenue rezoned to Residential it is currently Light Industrial. Unfortunately, I was unaware it could be changed even if I didn't apply for Light Industrial. It is presenting a hardship since I'm now unable to sell my property. Thank you for consideration and rezoning my property.

Thank you,

Property Owner

Sandra A DuPree

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TO: Marietta Daily Journal

FROM: City of Marietta

RUN AD DATE: October 16, 2020

**CITY OF MARIETTA
PUBLIC NOTICE OF REZONINGS, VARIANCES, & SPECIAL LAND USE PERMITS**

The City of Marietta hereby gives notice that a public hearing will be held on the following by the Planning Commission on **Wednesday, November 4th, 2020, 6:00 P.M.**, City Hall, for a recommendation to the City Council at their meeting on **Wednesday, November 11th, 2020, 7:00 p.m.**, City Hall, for a final decision to be made.

Z2020-28 [REZONING] SANDRA ALLEN DUPREE is requesting the rezoning of 0.46 acres located in Land Lot 289, District 17, Parcel 1700 of the 2nd Section, Cobb County, Georgia, and being known as 297 East Dixie Avenue from LI (Light Industrial) to R-4 (Single Family Residential – 4 units/acre). Wards 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.

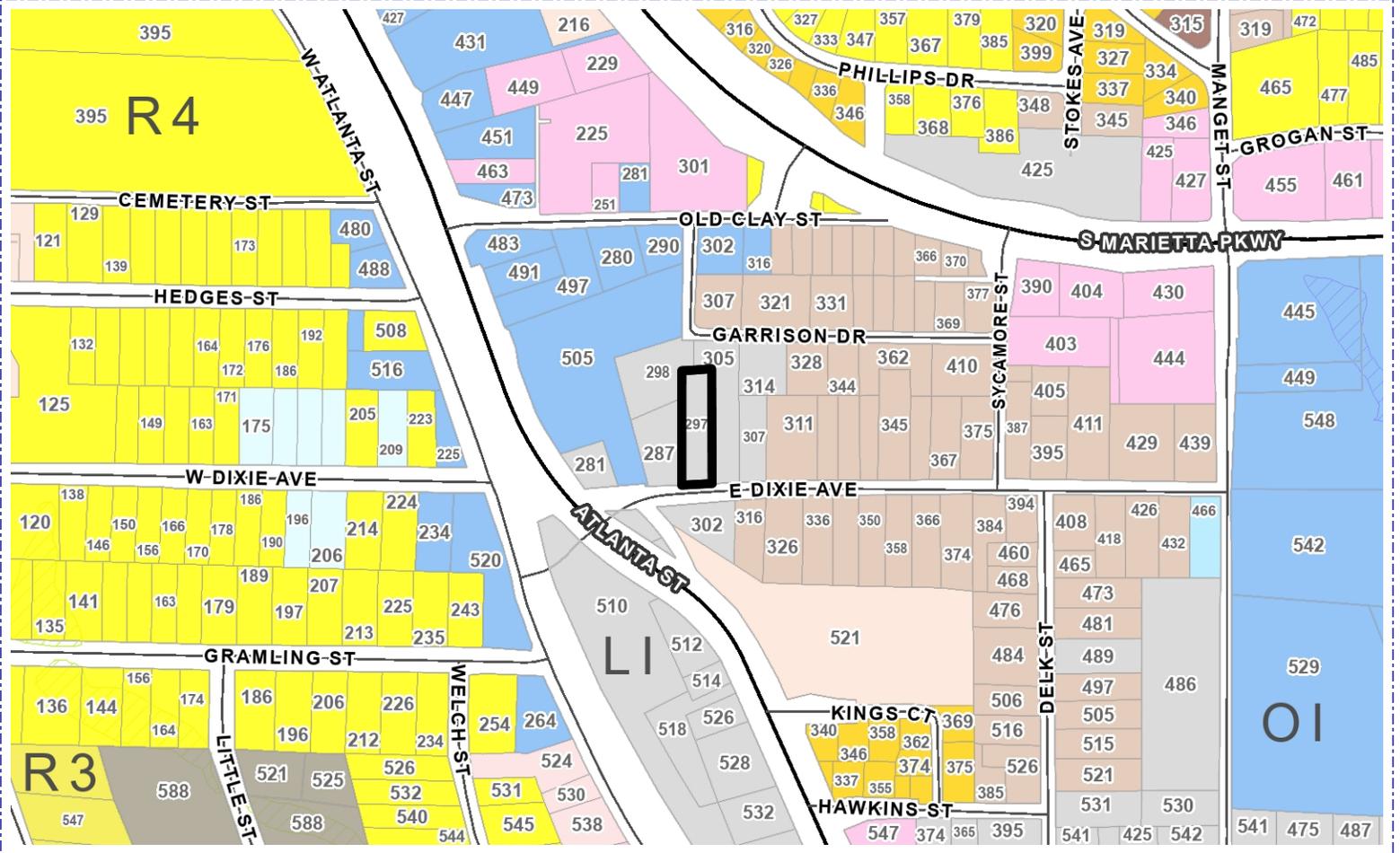
For additional information please call the Planning and Zoning Office (770) 794-5669.

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

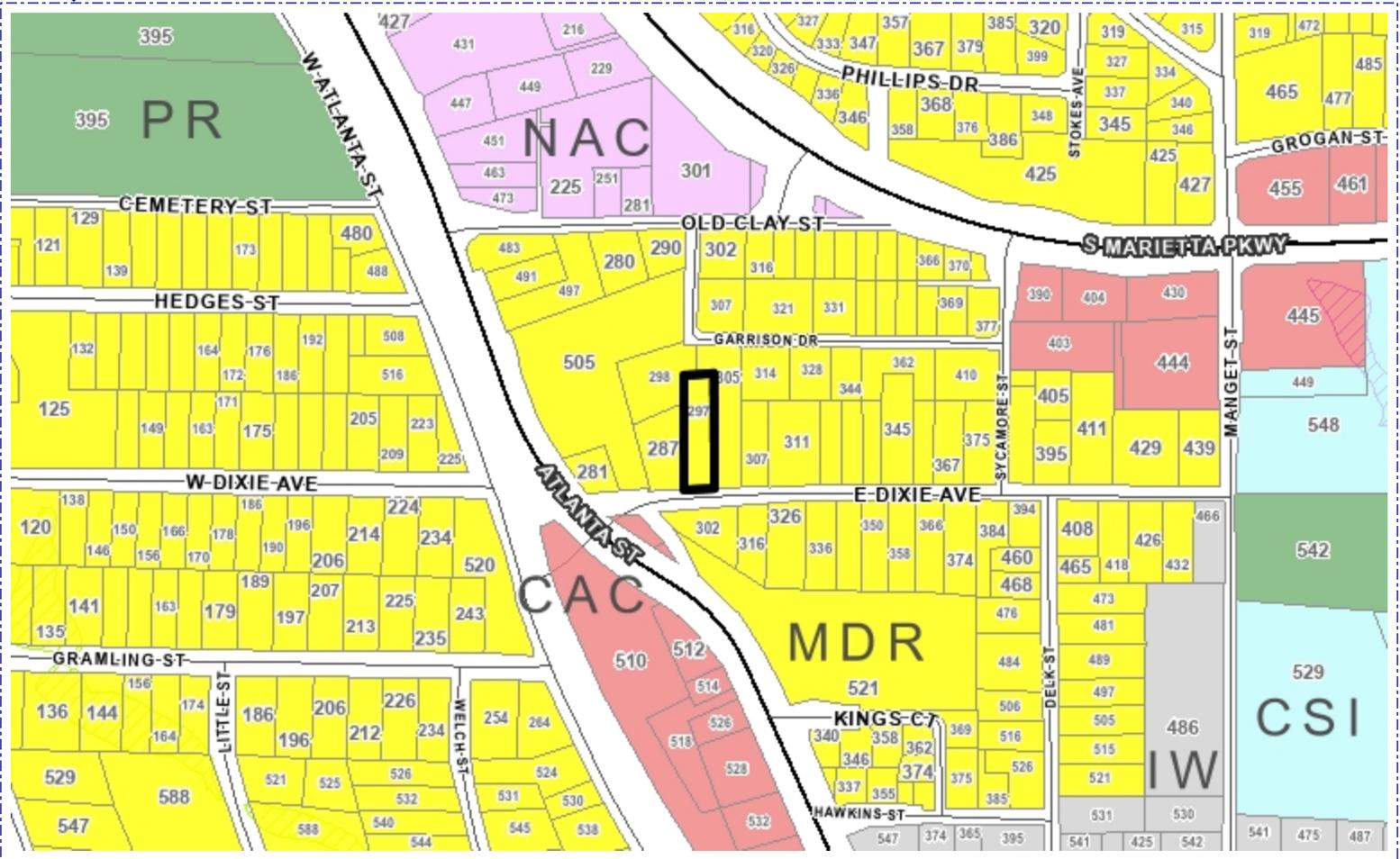


Rezoning



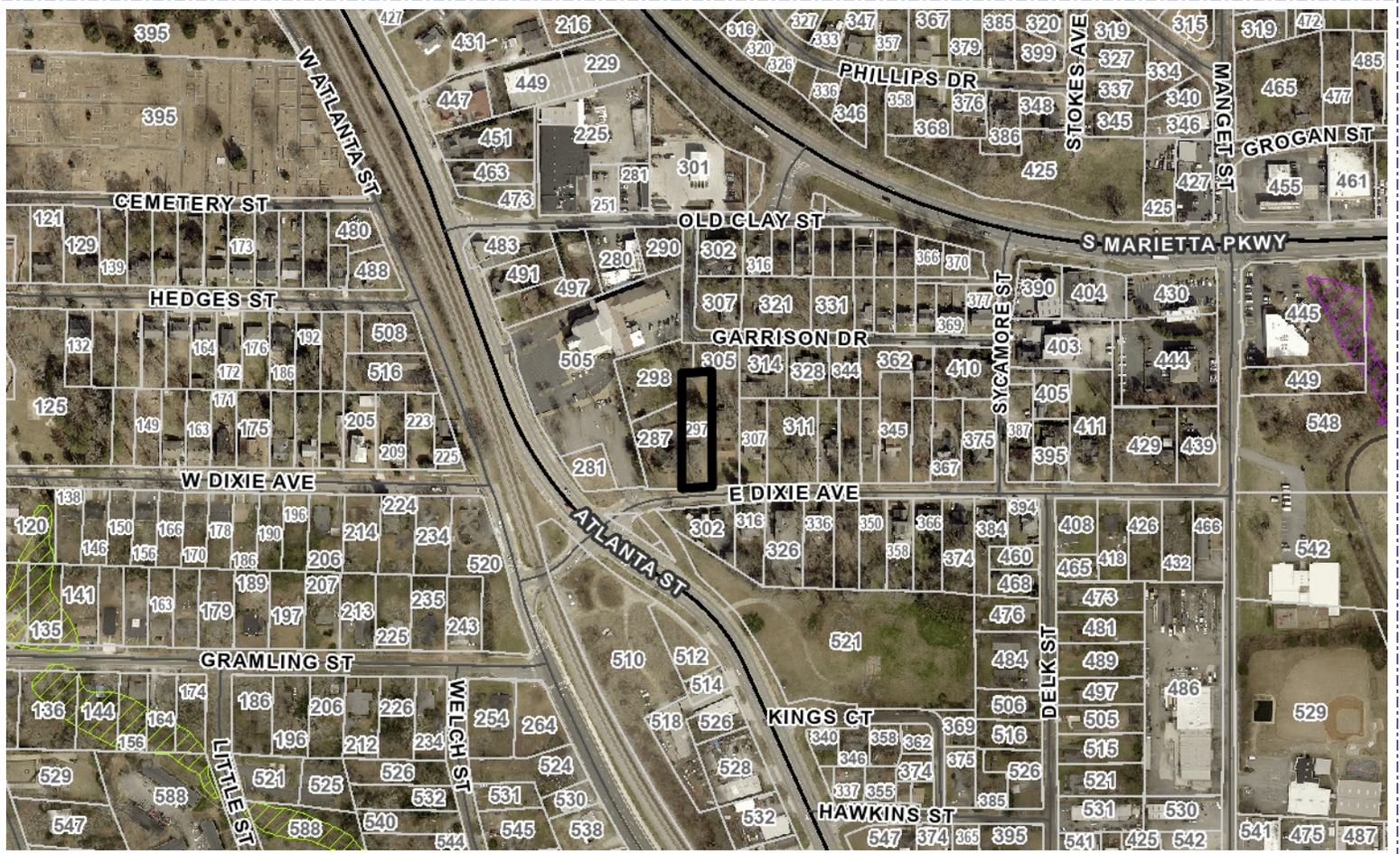
Address	Parcel Number	Acreage	Ward	Zoning	FLU
297 E DIXIE AVE	17028901700	0.458	1A	LI	MDR

Property Owner:	Sandra Allen DuPree	Zoning Symbols
Applicant:		
Proposed Zoning:	LI to R4	
Agent:		
Proposed Use:		
Planning Commission Date:	11/04/2020	
City Council Hearing Date:	11/11/2020	Case Number: Z2020-28
City of Marietta Planning & Zoning		



Address	Parcel Number	Acreage	Ward	Zoning	FLU
297 E DIXIE AVE	17028901700	0.458	1A	LI	MDR

Planning Commission Hearing Date: 11/04/2020 City Council Hearing Date: 11/11/2020 Future Land Use: MDR Case Number: Comments:	Future Land Use Symbols Railroads City Limits Cobb County Pockets RAC - Regional Activity Center CAC - Community Activity Center NAC - Neighborhood Activity Center CBD - Central Business District MXD - Mixed Use Development CSI - Community Service and Institutional HDR - High Density Residential MDR - Medium Density Residential LDR - Low Density Residential OSC - Open Space / Conservation PR - Parks / Recreation IW - Industrial Warehousing IM - Industrial Manufacturing TCU - Transportation and Utilities
City of Marietta Planning & Zoning	



Address	Parcel Number	Acreage	Ward	Zoning	FLU
297 E DIXIE AVE	17028901700	0.458	1A	LI	MDR

Property Owner:	Sandra Allen DuPree
Applicant:	
City Council Hearing Date:	11/11/2020
Planning Commission Hearing Date:	11/04/2020
BZA Hearing Date:	Case Number: Z2020-28
Comments:	
City of Marietta Planning & Zoning	

Legend

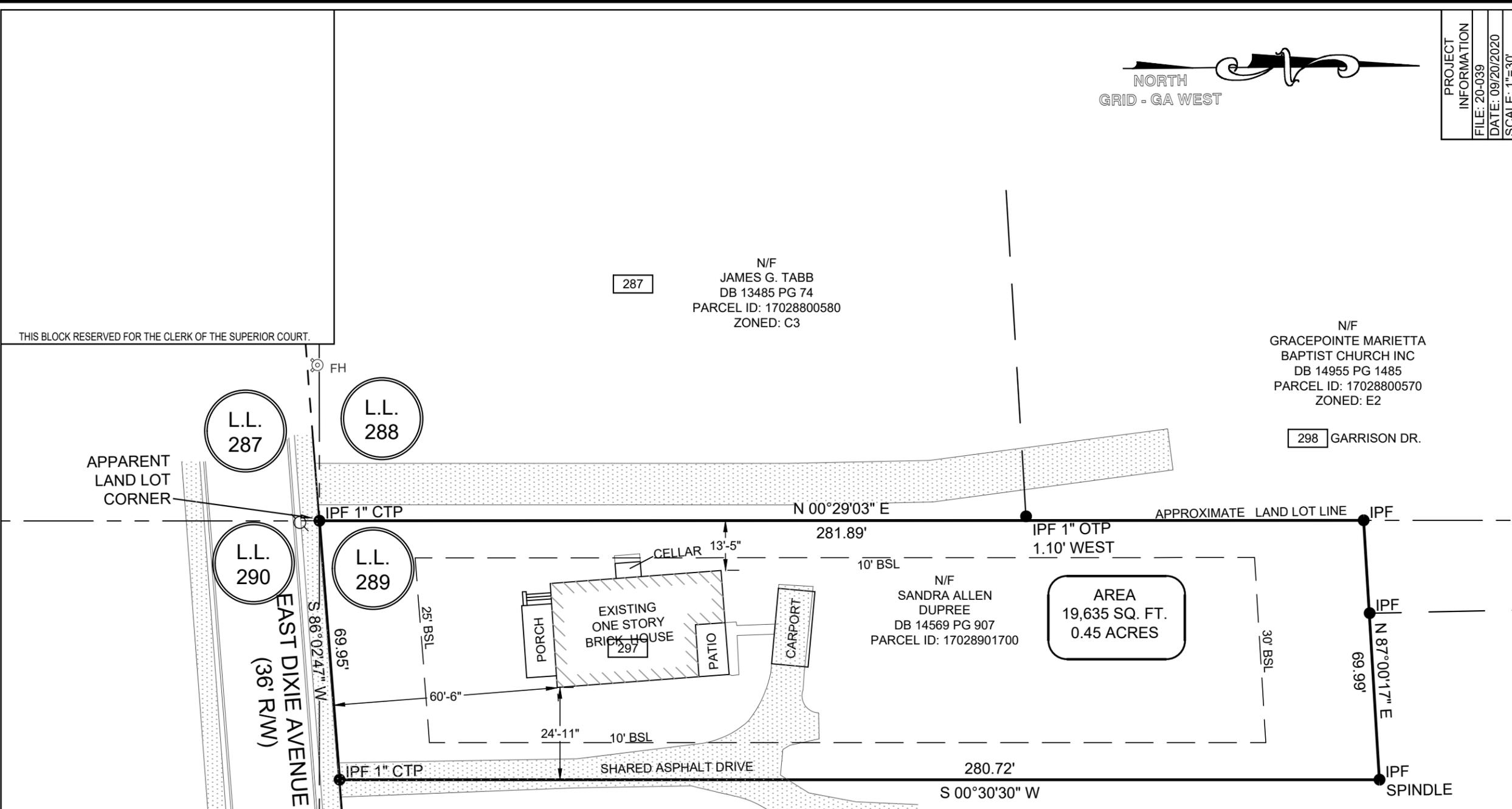
- Railroads
- City Limits
- Cobb County Pockets



PROJECT INFORMATION
 FILE: 20-039
 DATE: 09/20/2020
 SCALE: 1"=30'

LEGEND

- IPF - IRON PIN FOUND (1/2" REBAR UNLESS OTHERWISE NOTED)
- IPP - IRON PIN PLACED
- RB - REBAR
- OTF - OPEN TOP PIPE
- CTP - CRIMPED TOP PIPE
- FH - FIRE HYDRANT
- BSL - BUILDING SETBACK LINE
- ☉ - POWER POLE



THIS BLOCK RESERVED FOR THE CLERK OF THE SUPERIOR COURT.

287
 N/F
 JAMES G. TABB
 DB 13485 PG 74
 PARCEL ID: 17028800580
 ZONED: C3

N/F
 GRACEPOINTE MARIETTA
 BAPTIST CHURCH INC
 DB 14955 PG 1485
 PARCEL ID: 17028800570
 ZONED: E2

298 GARRISON DR.

N/F
 SANDRA ALLEN
 DUPREE
 DB 14569 PG 907
 PARCEL ID: 17028901700

AREA
 19,635 SQ. FT.
 0.45 ACRES

305
 N/F
 CRESTVIEW CAMBODIAN
 MISSION BAPTIST CHURCH
 DB 6242 PG 348
 PARCEL ID: 17028901130
 ZONED: E2

RETRACEMENT SURVEY AUTHORIZED
 AND PREPARED FOR:
SANDRA ALLEN DUPREE
 PROPERTY LOCATED IN:
 LAND LOT 289,
 17th DISTRICT, 2nd SECTION,
 IN THE CITY OF MARIETTA
 COBB COUNTY, GEORGIA

SURVEYORS CERTIFICATION

THIS IS A RETRACEMENT OF AN EXISTING PARCEL OF LAND AND DOES SUBDIVIDE OR CREATE A NEW PARCEL OR MAKE ANY CHANGES TO ANY REAL PROPERTY BOUNDARIES. THE RECORDING INFORMATION OF THE DOCUMENTS, MAPS, PLATS, OR OTHER INSTRUMENTS WHICH CREATED THE PARCEL OR PARCELS ARE STATED HEREON. RECORDATION OF THIS PLAT DOES NOT IMPLY APPROVAL OF ANY LOCAL JURISDICTION, AVAILABILITY OF PERMITS, COMPLIANCE WITH LOCAL REGULATIONS OR REQUIREMENTS, OR SUITABILITY FOR ANY USE OR PURPOSE OF THE LAND. FURTHERMORE, THE UNDERSIGNED LAND SURVEYOR CERTIFIES THAT THIS PLAT COMPLIES WITH THE MINIMUM TECHNICAL STANDARDS FOR PROPERTY SURVEYS IN GEORGIA ASSET FORTH IN THE RULES AND REGULATIONS OF THE GEORGIA BOARD OF REGISTRATION FOR PROFESSIONAL ENGINEERS AND LAND SURVEYORS AND AS SET FORTH IN O.C.G.A. SECTION 15-6-67.



Joel M Hart
 JOEL M HART GA R.L.S. #2884 09/20/20

THIS PLAT HAS BEEN CALCULATED FOR CLOSURE AND IS FOUND TO BE ACCURATE TO WITHIN 1 FOOT IN 70,255'.

THE FIELD DATA UPON WHICH THIS PLAT IS BASED HAS A CLOSURE PRECISION OF 1 FOOT IN 10,000+ AND AN ANGULAR ERROR OF 3" PER POINT, AND WAS NOT ADJUSTED. ANGLES AND DISTANCES WERE MEASURED USING A TOPCON GPT8000A TOTAL STATION.



NOTES :

1. ALL MATTERS OF TITLE ARE EXCEPTED, THIS SURVEY WAS PREPARED WITHOUT A COMPLETE TITLE SEARCH.
2. THIS SURVEY COMPLIES WITH BOTH THE RULES OF THE GEORGIA BOARD OF REGISTRATION FOR PROFESSIONAL ENGINEERS AND LAND SURVEYORS AND THE OFFICIAL CODE OF GEORGIA ANNOTATED (O.C.G.A.) 15-6-67, IN THAT WHERE A CONFLICT EXISTS BETWEEN THOSE TWO SETS OF SPECIFICATIONS, THE REQUIREMENTS OF LAW PREVAIL.
3. EAST DIXIE AVENUE RIGHT-OF WAY BASED ON OBSERVATION ONLY. NO SPECIFIED RECORDED WIDTH FOUND.

ELEVATIONS
 DESIGN GROUP LLC
SURVEYORS AND ENGINEERS
 204 HIGHTOWER ROAD
 HIRAM, GA 30141
 770-865-6774
 ELEVATIONS.DG.COM



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

SPECIAL LAND USE PERMIT APPLICATION ANALYSIS

ZONING CASE #: Z2020-29 **LEGISTAR #:** 20200811

LANDOWNERS: Nirmaan Investment, LLC
1200 Franklin Gateway
Marietta, GA 30067

APPLICANT: Vessel GA Operations, LLC – Michelle Moses
d.b.a Reef Kitchens
233 Peachtree St. NE
Harris Tower – Ste 2600
Atlanta, GA 30303

PROPERTY ADDRESS: 1200 Franklin Gateway

PARCEL DESCRIPTION: 17071400050

AREA: ~0.92 acres **COUNCIL WARD:** 1A

EXISTING ZONING: CRC (Community Retail Commercial)

REQUEST: Special Land Use Permit (SLUP)

FUTURE LAND USE: RAC (Regional Activity Center)

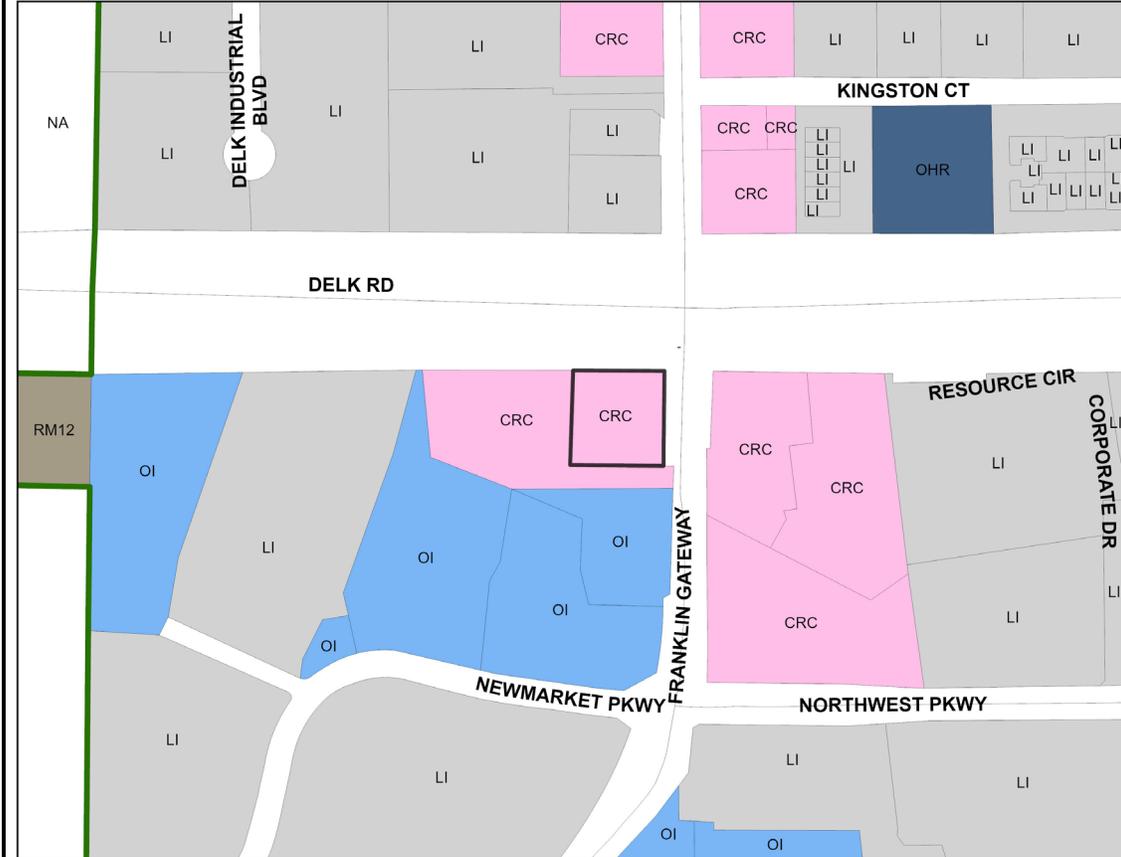
REASON FOR REQUEST: The applicant is requesting a SLUP in order to operate a mobile retail food establishment (food truck) as an independent use from the existing business use (fuel station) on-site.

PLANNING COMMISSION HEARING: Wednesday, November 4, 2020 – 6:00p.m.

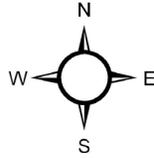
CITY COUNCIL HEARING: Wednesday, November 11, 2020 – 7:00 p.m.

MAP

City of Marietta Area Zoning Map



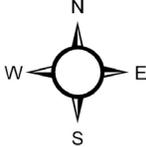
Zoning	District	Land Lot	Parcel	Current Zoning	Proposed Zoning
SINGLE FAMILY RESIDENTIAL R-1 One Unit/Acre R-2 Two Unit/Acre R-3 Three Unit/Acre R-4 Four Unit/Acre ATTACHED FAMILY RESIDENTIAL RA-4 Four Unit/Acre RA-6 Six Unit/Acre RA-8 Eight Unit/Acre PRD(SF) Planned Residential Dev. MHP Mobile Home 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. MMD 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	714	0050	CRC
					SLUP

Comments: 1200 Franklin Gateway		 1:3,635	
Date: 3/2/2020	Planning & Zoning Division		

City of Marietta Area FLU Map



Future Land Use		District	Land Lot	Parcel	Current FLU	Proposed FLU
LDR	Low Density Residential	17	714	0050	RAC	n/a
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					

<p><i>Comments:</i></p> <p style="text-align: center;">1200 Franklin Gateway</p>	 1:2,533	
<p><i>Date:</i> 1/9/2020</p>	<p>Planning & Zoning Division</p>	

PICTURES OF PROPERTY



1200 Franklin Gateway

STAFF ANALYSIS

Location Compatibility

The applicant, Vessel GA Operations, LLC, identified as REEF Kitchens, is requesting a Special Land Use Permit to operate its mobile food business at 1200 Franklin Gateway. The subject property is nearly an acre at 0.918 acres, zoned CRC (Community Retail Commercial), and surrounded by similarly zoned properties. The site currently operates as a fuel station with convenience store. The subject property lies at the southwest corner of the Franklin Gateway and Delk Road intersection. The surrounding businesses include fuel stations, restaurants, hotels, offices, and warehouse space. The applicant has a 1-year lease agreement with the property owner to utilize the north section of the property for their mobile retail food establishment (food truck).

Use Potential and Impacts

REEF Kitchens' business model uses mobile food trucks placed at satellite locations to distribute prepared food; its uniqueness is the food truck does not accept orders on-site. The food is prepped for off-site delivery by the growing third-party transportation companies (example: Door Dash, Uber Eats, Postmates, etc.). This SLUP request is to allow a 24'x8.5' (204 square feet) food truck that looks similar to a trailer and will be at the subject property seven (7) days a week. The trailer will be removed from the site daily and driven to its commissary kitchen off-site for cleaning and grease removal. Their normal business hours would be from 11 a.m. to 2 a.m.

As conditionally allowed by the Director of Development Services, mobile retail food establishments are allowed on property zoned CRC 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 40 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 3 days consecutively or 12 days annually. The applicant wishes to fulfill its 1-year lease at the subject property. Any relief from these conditions could only be authorized by City Council.



The intersection of Franklin Gateway and Delk Road is intensely commercial and serves many of the nearby industrial parks. The nearest residential areas are apartment complexes to the north along Franklin Gateway. Having a mobile food truck establishment at this corner should not cause any negative impacts on the area. However, the proposed placement of the trailer does not meet the 40-foot setback requirement and would need the following variance:

- Variance to reduce the required setback for a mobile retail food establishment from forty (40) feet to twenty two (22) feet. [§708.16 (C.2.c)]

The subject property’s Future Land Use designation is RAC (Regional Activity Center). The purpose of RAC is to *provide for areas that can support a high intensity of development serving regional markets and trade areas*. Compatible zonings include RRC, OHR, RHR, PCD and MXD. The applicant’s business to increase food delivery through third party transportation network companies would be compatible with the RAC category. Therefore, this SLUP request is supported by the City’s Comprehensive Plan.

Environmental Impacts

Food service qualifies as an MS4 (Municipal Separate Stormwater Sewer Systems) “*highly-visible pollutant source*” facility due to food waste. Proof of proper methods for grease and wash water storage and disposal would be required. The applicant stated that all disposal and cleaning of the food truck will be handled off-site at the commissary kitchen.

Otherwise, no floodplains, wetlands, topographical concerns, streams, or endangered species are present on the site.

Economic Functionality

There has been a consistent business license history for fuel station and convenience store at the property, suggesting it is economically functional under the current zoning. Broadening the types of allowed uses may increase the occupancy of the site. However, because the property was built specifically for a fuel station, it does not contain the aspects of food preparation and/or disposal that is needed to operate any eating establishment.

Infrastructure

The proposed location for the food truck also includes two additional parking spaces. According to Cobb County Assessor’s data, the convenience store is 985 square feet in size and would require five (5) parking spaces, not including the spaces at the fuel pumps. According to the submitted site plan, seven (7) parking spaces would remain. Therefore, the placement of a mobile food truck on-site every day will not negatively impact the available parking.

The Public Works Department strongly suggest an entrance/exit reconfiguration due to the



increased traffic pattern and proximity to Delk Road intersection. The Engineering Division has requested a stipulation that both entrances be right-in, right-out only.

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

City Council previously approved the following variances for redevelopment on the site; however, it was never built. (V2016-13)

- Variance to reduce the rear setback from 35' to 20'.
- Variance to reduce the planted border area along Franklin Gateway from 10' to 0'.
- Variance to reduce required parking from 28 to 25 spaces.
- Variance to reduce the minimum area required for planter islands from 125 to 72 square feet without a tree.
- Variance to reduce the setbacks for an accessory structure and allow it to be closer to the road than the principal building.

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

Other Issues

Marietta Water would like to see a detailed description of how the food truck will be handling the wastewater created by the operations.

The Fire Department has created a *Fire Safety Operating Permit* application which will be required prior to beginning operation.

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

REEF Kitchens is requesting a Special Land Use Permit to operate a mobile food business at 1200 Franklin Gateway, which is 0.918 acres in size and zoned CRC. The site currently operates as a fuel station with convenience store. The subject property lies at the southwest corner of the Franklin Gateway and Delk Road intersection. Staff does not have the authority to allow a food truck for more than 3 days consecutively or 12 days annually. Any relief from these conditions could only be authorized by City Council.

REEF Kitchens has a one-year lease agreement with the property owner to use the northern section of the property for their mobile retail food establishment, which looks similar to a trailer and does not accept orders on-site. Instead, the food is prepped for off-site delivery by the growing third-party transportation companies (example: Door Dash, Uber Eats, Postmates, etc.). This SLUP request is to allow a 24'x8.5' (204 square feet) food truck at the subject property seven (7) days a week. The trailer will be removed from the site daily and driven to its commissary kitchen off-site for cleaning and grease removal. Their normal business hours would be from 11 a.m. to 2 a.m.

The intersection of Franklin Gateway and Delk Road is intensely commercial and serves many of the nearby industrial parks. The nearest residential areas are apartment complexes to the north along Franklin Gateway. Having a mobile food truck establishment at this corner should not cause any negative impacts on the area. However, the proposed placement of the trailer does not meet the 40-foot setback requirement and would need the following variance:

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Prepared by: Jasmine Thornton

Approved by: Shelley Grace



DATA APPENDIX

CITY OF MARIETTA - WATER

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



DATA APPENDIX CONTINUED

DRAINAGE AND ENVIRONMENTAL CONCERNS

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

*Due to the increased traffic pattern and proximity to Delk Road intersection, Engineering requests stipulation that both entrances be right in right out only.

TRANSPORTATION

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



DATA APPENDIX CONTINUED

EMERGENCY SERVICES

Nearest city or county fire station from the development?	55
Distance of the nearest station?	0.33 mi
Most likely station for 1 st response?	55
Service burdens at the nearest city fire station (under, at, or above capacity)?	under

Comments:

Operation from the Mobile Food Preparation Vehicle within the City shall be required to comply with 2018 IFC 319.1, as modified in GA Rule 120-3-3-.04. The permit application is available on www.SagesGov.com/marietta-ga.

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

APPLICATION FOR VARIANCE OR APPEAL

(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 #: Z2020-29 SLUP Registrar #: 20200811 BZA Hearing Dt:
City Council Hearing Dt (if applicable) #: 11-11-20 PZ #: 20-257

This is a variance/appeal application for:

Board of Zoning Appeals checkbox

Board of Zoning Appeals

City Council checkbox

City Council

Owner's Name Nirmaan Investment LLC

EMAIL Address: niravnmb@hotmail.com

Mailing Address 1200 Franklin Gateway Zip Code: 30067 Phone Number (404)293-6262

COMPLETE ONLY IF APPLICANT IS NOT OWNER:

Applicant: Michelle Moses (Reef Kitchens - Vessel GA Operations LLC)

EMAIL Address: michelle.moses@reefkitchens.com

Mailing Address 233 Peachtree ST., NE Hamis Tower, Suite 2600, Atlanta, GA Zip Code: 30303 Phone Number (404)380-0632

Address of subject property: 1200 Franklin Gateway Date of Acquisition:

Land Lot (s) 07140 District 17 Parcel 17071400050 Acreage 0.918 Zoned CRC Ward 1A FLU: RAC

List the variance(s) or appeal requested (please attach any additional information):

Variance request to operate our mobile food unit onsite 7 days a week; returning to base of operation nightly.

Required Information

- 1. Application fee (\$250)
2. Completed notarized application. The original application must be submitted with ALL original signature(s) - Copies of the application or signature(s) will NOT be accepted.
3. Copy of the deed that reflects the current owner(s) of the property.
4. Letter describing the reason for the variance request, stating why strict adherence to the code would result in a particular hardship (as distinguished from a mere inconvenience or desire to make more money).
5. Site plan - drawn to scale. Site plans must illustrate property lines and all relevant existing information and conditions in addition to proposed additions or modifications within the referenced property lines of the tract(s).
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.
6. 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

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.

Michelle Moses
Applicant Print Name

Michelle Moses
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.
- **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.

Michelle Moses
Applicant Signature (if not the Owner)

Michelle Moses
Please Print

N/A
Owner Signature

Please Print

82 Howell Landing Duluth GA 30096
Mailing Address

09/15/2020
Date

Signed, sealed and delivered in the presence of:

V. Patel

My Commission Expires: 08/01/2021



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



Marietta City Council
205 Lawrence Street
Marietta, GA 30061-0609

Re: REEF Kitchens' Request for a variance from certain requirements in DIV 708.16(C)(2)

Honorable Members of the Marietta City Council:

I write on behalf of Vessel GA Operations LLC d/b/a REEF Kitchens (herein "REEF") in connection with its application for a variance from certain provisions of Division 708.16 as they pertain to operation of mobile retail food establishments within the CRC Zone. Specifically, REEF is applying for a variance in connection with its operation at 1200 Franklin Gateway SE Marietta, GA 30067 (herein "1200 Franklin"). As shown more fully on the site plan included as part of this application, REEF's mobile unit is on the paved parking area adjacent to the existing gas station at 1200 Franklin.

As background, REEF's mobile units (here "REEF Kitchens" or "Kitchens") are commercial-grade kitchens within containers or trailers that are placed on existing parking lots. Rather than the traditional food-truck model, through which customers walk up and directly order from mobile food trucks, REEF Kitchens primarily produce food that is ordered and delivered through third-party delivery platform companies such as Uber Eats, Door Dash, and Postmates. As a mobile food unit, REEF's Kitchen at 1200 Franklin leaves the site each day to return to its commissary kitchen located at Prep Atlanta.

Georgia Code, in the context of considering and granting variances, defines Substantial hardship as "a significant, unique, and demonstrable economic, technological, legal, or other type of hardship to the person requesting a variance or waiver which impairs the ability of the person to continue to function in the regulated practice or business." O.C.G.A. § 50-13-9.1(b)(1). While this application calls for a justification beyond "mere inconvenience or desire to make more money", REEF believes strict compliance with Division 708.16(C)(2) would cause it to suffer substantial hardship.

In addition to operating internal restaurant brands, REEF's model provides restaurant partners with the ability to expand their delivery reach without having to establish new brick and mortar locations. Strict compliance with 708.16(C)(2), which limit the time that Kitchens are permitted to be on a site within the CRC Zone, the hours of operation, and require a temporary use authorization would add significant logistical and financial burdens.

- Logistically, REEF selected 1200 Franklin for its unique location between I-75 and Cobb Parkway. This location allows quick access to these main roadways limiting the travel needs for the Kitchen during its daily trip to Prep Atlanta. Minimizing that travel time is critical to REEF's success as moving the Kitchens daily and across long distances causes gradual degradation and wear and tear, leading to increased breakages, repair costs, and lapses in service.
- In addition to the benefits offered at 1200 Franklin, strict compliance would require REEF identify over 30 lots to operate a single Kitchen within the CRC zone.
- Not only would REEF's operation be impacted but the financial benefit provided to the owners of 1200 Franklin would be significantly reduced should the site be restricted to a 12-day operation.



In short, strict compliance with the operational conditions contained within Division 708.16(c)(2) is problematic for REEF's model due to increased burdens for restaurant partners, logistical challenges to secure additional viable sites for operation, wear and tear on the Kitchen trailer itself, and cost.

In addition to curing the substantial hardships outlined above, REEF believes that granting this variance request is in line with the criteria found in Section 712.01(E). Importantly, the presence of REEF's mobile unit does not impact the standard flow of vehicles in and out of 1200 Franklin. REEF's operation at 1200 Franklin currently provides a unique benefit to the surrounding area, which is heavily populated with hotels, by extending its hours of operations beyond that of the nearby brick and mortar establishments.

As REEF continues to grow its operations in and around the City of Marietta, it hopes to increase engagement and collaboration with local restaurant brands, landowners, the City Council and other stakeholders. We look forward to discussing this application with the Council.

Respectfully,

Michelle Moses
Senior Launcher
REEF Kitchens

TO: Marietta Daily Journal

FROM: City of Marietta

RUN AD DATE: October 16, 2020

**CITY OF MARIETTA
PUBLIC NOTICE OF REZONINGS, VARIANCES, & SPECIAL LAND USE PERMITS**

The City of Marietta hereby gives notice that a public hearing will be held on the following by the Planning Commission on **Wednesday, November 4th, 2020, 6:00 P.M.**, City Hall, for a recommendation to the City Council at their meeting on **Wednesday, November 11th, 2020, 7:00 p.m.**, City Hall, for a final decision to be made.

Z2020-29 [SPECIAL LAND USE PERMIT] REEF KITCHENS (NIRMAAN INVESTMENT LLC) is requesting a Special Land Use Permit for 0.92 acres zoned CRC (Community Retail Commercial) and located in Land Lot 714, District 17, Parcel 0050, 2nd Section, Marietta, Cobb County, Georgia, and being known as 1200 Franklin Gateway. Special land use permit for a mobile retail food establishment. Ward 1A.

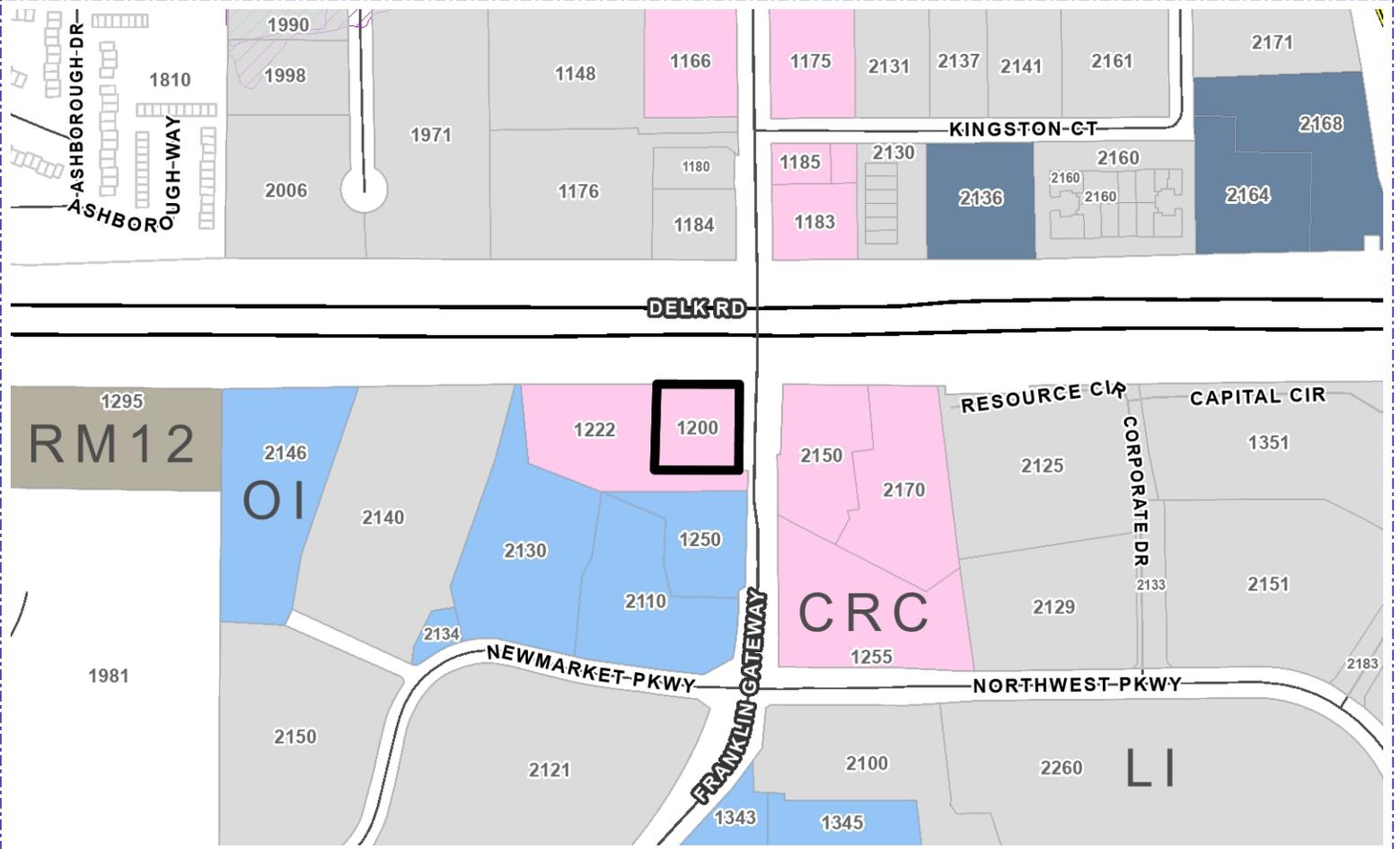
A description and plat of the property sought for the rezoning, special land use permit, and variances are on file in the Planning and Zoning Office, City Hall, and is available for inspection between 8:00 A.M. and 5:00 P.M., Monday through Friday. Anyone wishing to attend may do so and be heard relative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

For additional information please call the Planning and Zoning Office (770) 794-5669.

Accessibility to Meetings: If you believe you may need the City/BLW to provide special accommodations in order to attend/or participate in any of the above meetings, please call 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
1200 FRANKLIN GATEWAY	17071400050	0.95	1A	CRC	RAC

Property Owner:	Nirmaan Investment LLC	Zoning Symbols
Applicant:	Michelle Moses/Reef Kitchens-Vessel GA Operations LLC	
Agent:		
Proposed Use:		
Planning Commission Hearing Date:	11/04/2020	
City Council Hearing Date:	11/11/2020	
Case Number:	Z2020-29	
City of Marietta Planning & Zoning		

Future Land Use

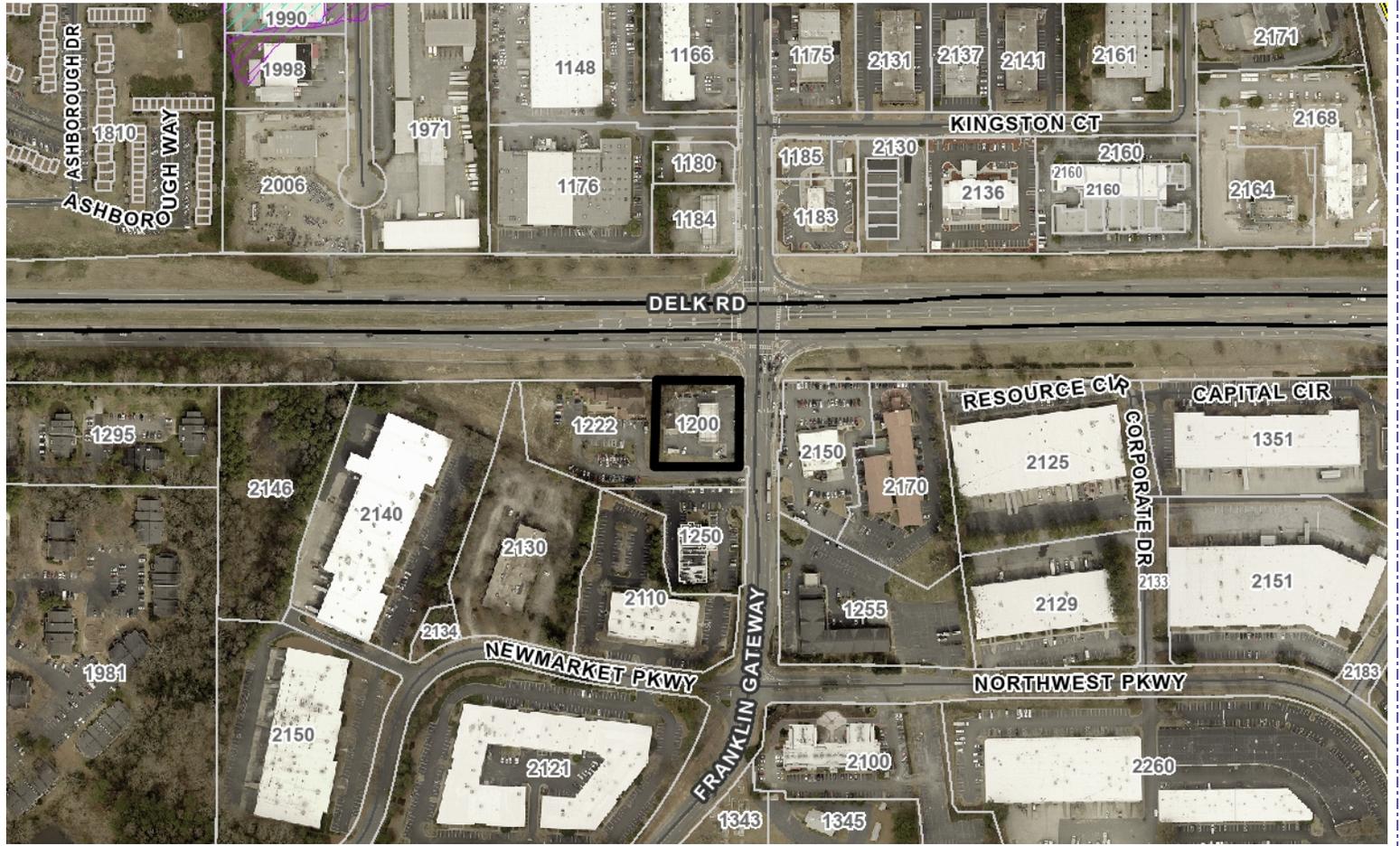


Address	Parcel Number	Acreage	Ward	Zoning	FLU
1200 FRANKLIN GATEWAY	17071400050	0.95	1A	CRC	RAC

Planning Commission Hearing Date:	11/04/2020
City Council Hearing Date:	11/11/2020
Future Land Use:	RAC
Case Number:	
Comments:	

Future Land Use Symbols

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

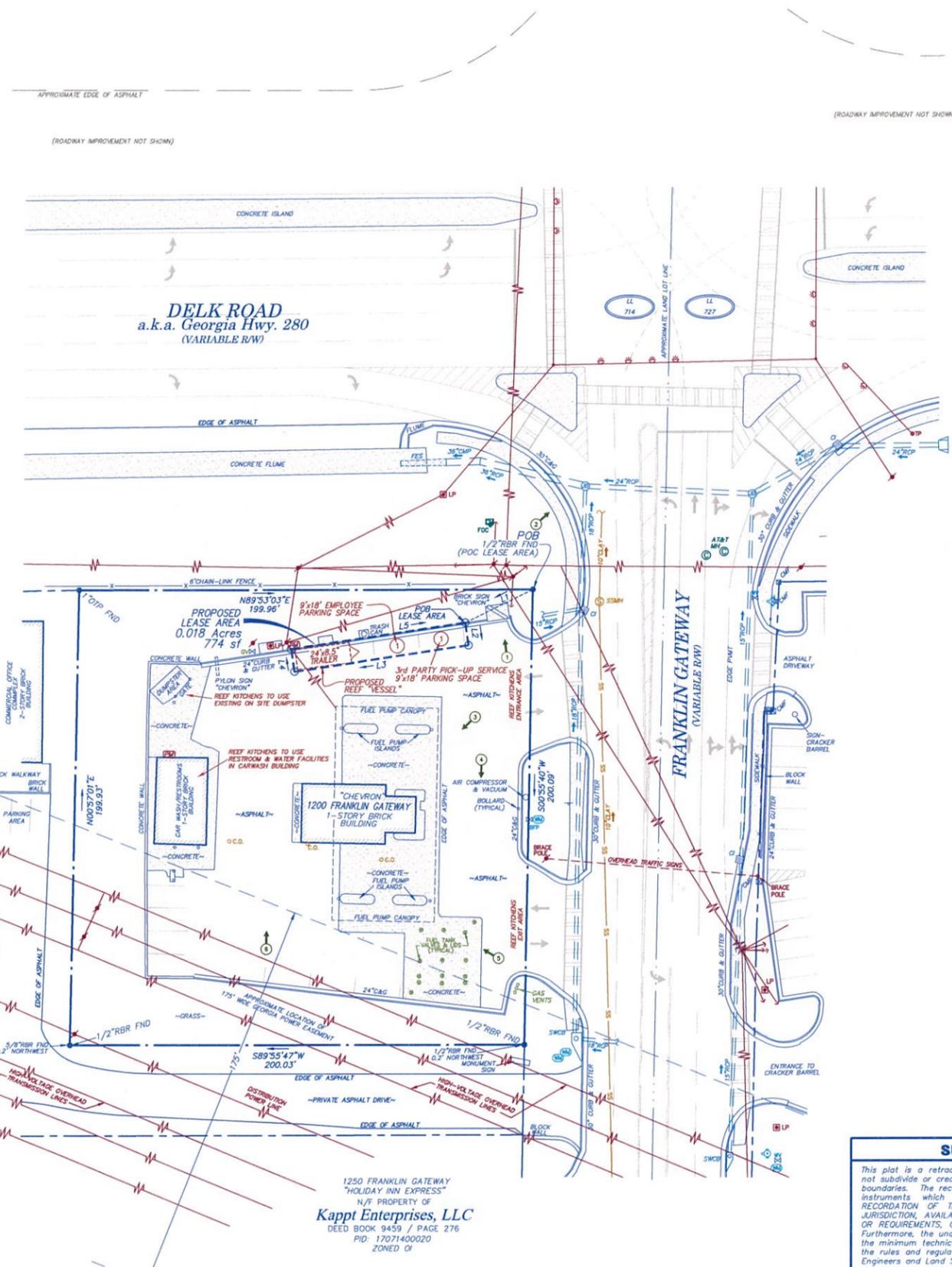


Address	Parcel Number	Acreage	Ward	Zoning	FLU
1200 FRANKLIN GATEWAY	17071400050	0.95	1A	CRC	RAC

Property Owner:	Nirmaan Investment LLC				
Applicant:	Michelle Moses/Reef Kitchens-Vessel GA Operations LLC				
City Council Hearing Date:	11/11/2020				
Planning Commission Hearing Date:	11/04/2020				
BZA Hearing Date:	Case Number: Z2020-29				
Comments:					

Legend

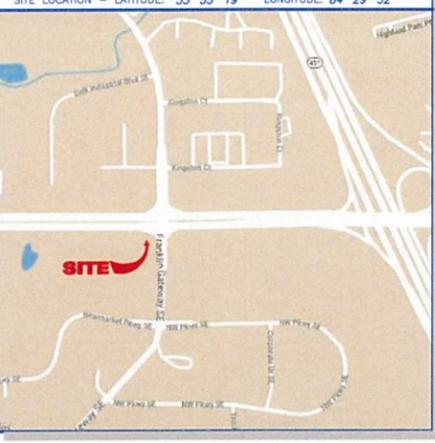
- Railroads
- City Limits
- Cobb County Pockets



SITE PHOTOGRAPHS



VICINITY MAP



GENERAL NOTES

THIS SURVEY HAS BEEN PREPARED FOR THE EXCLUSIVE USE OF THE PERSON OR ENTITIES NAMED HEREON. NO EXPRESS OR IMPLIED WARRANTIES WITH RESPECT TO THE INFORMATION SHOWN HEREON IS TO BE EXTENDED TO ANY PERSONS OR ENTITIES OTHER THAN THOSE SHOWN HEREON.

REVISIONS LISTED ON THIS SURVEY APPLY ONLY TO THE SPECIFIC CHANGES REFERENCED, AND DO NOT CONSTITUTE AN UPDATE OF OTHER DATA ON THIS SURVEY. THE "SURVEY DATE" SHOWN HEREON IS THE APPLICABLE DATE AS RELATED TO PROVISIONS OF STATUTES OF LIMITATION UNLESS SPECIFICALLY NOTED OTHERWISE.

THIS SURVEY HAS BEEN PREPARED WITHOUT THE BENEFIT OF A CURRENT TITLE INSPECTION REPORT. EASEMENTS OR OTHER ENCUMBRANCES MAY EXIST ON PUBLIC RECORD BUT NOT BE SHOWN HEREON.

THIS PROPERTY IS NOT LOCATED IN A SPECIAL FLOOD HAZARD AREA BASED ON THE FLOOD INSURANCE RATE MAP FOR THIS AREA. THE MAP NUMBER FOR THIS AREA IS 1306700136G, AND THE DATE OF SAID MAP IS 12/16/2008. THIS DETERMINATION WAS MADE BY GRAPHICALLY DETERMINING THE POSITION OF THIS SITE ON SAID FIRM MAPS UNLESS OTHERWISE NOTED.

PLEASE NOTE: ABOVE GROUND UTILITIES ARE SHOWN HEREON. NO UNDERGROUND UTILITIES WERE MARKED OR LOCATED.

THE DATUM FOR THIS SITE WAS ESTABLISHED UTILIZING GLOBAL POSITIONING SYSTEMS, AND BASED ON POSITIONAL VALUES FOR THE VIRTUAL REFERENCE STATION NETWORK DEVELOPED BY GPS SOLUTIONS. THE HORIZONTAL REFERENCE FRAME IS NORTH AMERICAN DATUM OF 1983(2011)-STATE PLANE COORDINATE SYSTEM OF GEORGIA-WEST ZONE. THE VERTICAL REFERENCE FRAME IS NORTH AMERICAN VERTICAL DATUM OF 1988. ANY DIRECTIONS OR DIMENSIONS SHOWN ARE A RECTANGULAR, GROUND LEVEL PROJECTION OF THE STATE PLANE COORDINATE SYSTEM.

NO ZONING REPORT OR ZONING LETTER WAS PROVIDED TO THE SURVEYOR.

THE SITE IS ZONED "CRC" (COMMUNITY RETAIL COMMERCIAL DISTRICT). THE MINIMUM YARD SETBACKS ARE: FRONT - 40 FEET, SIDE - 25 OR 15 FEET, AND REAR - 35 FEET.

ZONING AND SETBACKS SHOULD BE CONFIRMED AND VERIFIED BY PLANNING AND ZONING PRIOR TO DESIGN OR CONSTRUCTION ACTIVITIES.

RIGHT-OF-WAY LINES SHOWN ON THIS SURVEY THAT ARE NOT ACTUAL BOUNDARIES OF THE SUBJECT TRACT(S) ARE DEPICTED GRAPHICALLY AND ARE SHOWN APPROXIMATELY FOR INFORMATIONAL PURPOSES ONLY. SAID RIGHT-OF-WAY LINES SHOULD NOT BE UTILIZED FOR DESIGN PURPOSES.

LEGEND

- STANDARD ABBREVIATIONS**
- AC AIR CONDITIONER
 - BH BORE HOLE
 - BSL BUILDING SETBACK LINE
 - CI CURB INLET
 - CMF CORRUGATED METAL PIPE
 - CO CONCRETE MONUMENT FND
 - CS SANITARY CLEANOUT
 - CPED COMMUNICATION PEDESTAL
 - CTP CRIMPED TOP PIPE
 - DI DROP INLET
 - DIP DUCTILE IRON PIPE
 - DWCB DOUBLE WING CATCH BASIN
 - FND FOUND
 - FNC FENCE
 - FM FOUND
 - GM GAS METER
 - INV INVERT
 - JB JUNCTION BOX
 - MH MANHOLE
 - OCS OUTLET CONTROL STRUCTURE
 - OTF OPEN TOP PIPE
 - PM POWER METER
 - PKS PK NAIL SET
 - POB POINT OF BEGINNING
 - POC POINT OF COMMENCEMENT
 - RCP REINFORCED CONCRETE PIPE
 - RBR IRON REINFORCING BAR
 - S/S 5/8" RBR SET CAPPED LSF 621
 - SS SANITARY SEWER
 - SWCB SINGLE WING CATCH BASIN
 - TRANS ELECTRIC TRANSFORMER
- STANDARD SYMBOLS**
- OVERHEAD TRAFFIC SIGNAL LIGHT
 - POWER POLE
 - GUY WIRE
 - POWER LINE
 - LIGHT POLE
 - ELECTRIC TRANSFORMER
 - WATER VAULT
 - GAS VALVE
 - GAS METER
 - WATER VALVE
 - WATER METER
 - FIRE HYDRANT
 - UNDERGROUND GAS LINE
 - UNDERGROUND ELECTRIC LINE
 - UNDERGROUND COMMUNICATION LINE
 - UNDERGROUND WATER LINE
 - PHOTO POSITION INDICATOR
 - REGULAR PARKING SPACE COUNT
 - HANDICAP PARKING SPACE
 - TREE POSITION INDICATOR SIGN

LINE TABLE

LINE	BEARING	DISTANCE
L1	S63°54'44"W	33.29'
L2	S08°37'36"E	10.00'
L3	S81°22'24"W	77.40'
L4	N08°37'36"W	10.00'
L5	N81°22'24"E	77.40'

SURVEYOR CERTIFICATION

This plat is a retracement of an existing parcel or parcels of land and does not subdivide or create a new parcel or make any changes to any real property boundaries. The recording information of the documents, maps, plats, or other instruments which created the parcel or parcels are stated hereon. RECORDATION OF THIS PLAT DOES NOT IMPLY APPROVAL OF ANY LOCAL JURISDICTION, AVAILABILITY OF PERMITS, COMPLIANCE WITH LOCAL REGULATIONS OR REQUIREMENTS, OR SUITABILITY FOR ANY USE OR PURPOSE OF THE LAND. Furthermore, the undersigned land surveyor certifies that this plat complies with the minimum technical standards for property surveys in Georgia as set forth in the rules and regulations of the Georgia Board of Registration for Professional Engineers and Land Surveyors and as set forth in O.C.G.A. Section 15-6-67.

James R. Coleman
 Georgia Registered Land Surveyor # 2798

1200 FRANKLIN GATEWAY
 EXISTING CHEVRON FUEL STATION
 N/E PROPERTY OF
Nimann Investments, LLC
 DEED BOOK 15504 / PAGE 5717
 PID: 17071400050

SITE AREA
 0.918 Acres
 39,994 sf
 (INCLUDES LEASE AREA)

PROPOSED LEASE AREA
 0.018 Acres
 774 sf



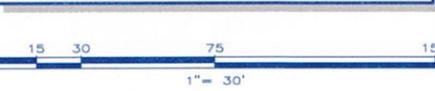
Land Surveying • 3D Laser Scanning

1660 Barnes Mill Road
 Marietta, Georgia 30062

Phone: (770) 795-9900
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 EMAIL: info@geosurvey.com
 Certificate of Authorization #LSF-000621

GRAPHIC SCALE



BOUNDARY SURVEY & PROPOSED SITE IMPROVEMENTS

**1200 Franklin Gateway
 (Reef site: ATL-037)**

FOR

Vessel GA Operations, LLC

CS JOB NO:	20206640	DRAWING SCALE:	1" = 30'	SURVEY DATE:	7-6-2020
FIELD WORK:	CC	CITY:	MARIETTA	STATE:	GA
PROJ MGR:	GEE	COUNTY:	COBB	REVISIONS (SEE GENERAL NOTES)	1. 7/15/20 Revised lease area location
REVIEWED:	JRC	LAND LOT:	714		
DWG FILE:	20206640-1.dwg	DISTRICT:	17th	SECTION:	2nd

IF YOU DIG

Know what's below.
 Call before you dig.
 Dial 811
 Or Call 800-282-7411

PLEASE NOTE: LEASE LINES AND LEASE AREAS DEPICTED HEREON ARE TO BE UTILIZED FOR LEASING RIGHTS PURPOSES ONLY AND ARE NOT TO BE UTILIZED FOR TRANSFER OF TITLE.