



City of Marietta

205 Lawrence Street
Post Office Box 609
Marietta, Georgia 30061

Meeting Agenda CITY COUNCIL

R. Steve Tumlin, Mayor
Cheryl Richardson, Ward 1
Jason Waters, Ward 2
Daniel Gaddis, Ward 3
Byron "Tee" Anderson, Ward 4
M. Carlyle Kent, Ward 5
Andre L. Sims, Ward 6
Joseph R. Goldstein, Ward 7

Wednesday, January 14, 2026

7:00 PM

Council Chamber

CALL TO ORDER:

INVOCATION:

Council Member Cheryl Richardson, Ward 1

PLEDGE OF ALLEGIANCE:

PRESENTATIONS:

20260001 Marietta Police Department New Officers

Presentation of New Officers to the Marietta Police Department.

- Officer Jose Doradea
- Officer Brian Souza Silva
- Officer Jayden Ellis
- Officer Dillon Brumet
- Officer Rhazeer Jones

PROCLAMATIONS:

ANNOUNCEMENTS OF GENERAL COMMUNITY INFORMATION BY THE MAYOR, COUNCIL AND/OR CITY MANAGER:

SCHEDULED APPEARANCES:

**Each speaker is allotted five (5) minutes,
for a combined total of 20 minutes.**

20260084 Scheduled Appearance

Scheduled Appearance - Donald Barth.

20260085 Scheduled Appearance

Scheduled Appearance - Tracy Stevenson.

CONSENT AGENDA:

Consent agenda items are marked by an asterisk (*). Consent items are approved by majority of council. A public hearing will be held only for those items marked by an asterisk that require a public hearing (also noted on agenda).

MINUTES:*** 20251078 Regular Meeting - December 10, 2025**

Review and approval of the December 10, 2025 meeting minutes.

*** 20251081 Special Meeting - December 8, 2025**

Review and approval of the December 8, 2025 special meeting minutes.

*** 20260061 Special Meeting - December 18, 2025**

Review and approval of the December 18, 2025 special meeting minutes.

*** 20260070 Special Meeting - January 5, 2026**

Review and approval of the January 5, 2026 special meeting minutes.

MAYOR'S APPOINTMENTS: (for informational purposes only)

CITY COUNCIL APPOINTMENTS:

- * 20260002 Board of Zoning Appeals Appointment (Ward 1)**

Reappointment of James R. Southerland to the Board of Zoning Appeals (Ward 1) for a three (3) year term, expiring January 14, 2029.
- * 20260003 Planning Commission Appointment (Ward 1)**

Reappointment of Craig Smith to the Planning Commission (Ward 1), for a three (3) year term, expiring January 14, 2029.
- * 20260015 City of Marietta Pension Board 2026 Appointments**

Appointment of Ronnie Barrett (Post 4), Patina Brown (Post 5), and Patrick Bonito (Post 8) to the City of Marietta Pension Board for a three-year term, beginning on January 1, 2026, and expiring on December 31, 2028.
- * 20260057 Cobb Municipal Association 2026 Delegates**

Appointment of Joseph R. Goldstein and Cheryl Richardson as voting delegates for the Cobb Municipal Association (CMA) business meetings.
- * 20260058 Georgia Municipal Association 2026 Delegates**

Appointment of Andre Sims as the voting delegate and Joseph R. Goldstein as the alternate voting delegate for the Georgia Municipal Association (GMA) business meetings.
- * 20260059 National League of Cities 2026 Delegates**

Appointment of Joseph R. Goldstein as the voting delegate and Cheryl Richardson as the alternate voting delegate for the National League of Cities business meetings.
- * 20260069 Historic Board of Review Appointment at Large**

Appointment of Johnny Walker to the Marietta Historic Board of Review for the City Council At Large Appointment for a two-year term.
- * 20260079 Pension Board 2026 Appointments**

Appointment of Joseph R. Goldstein and Cheryl Richardson to the City of Marietta Pension Board for a one-year term, expiring on December 31, 2026.

20260052 Appointment of Prosecuting Attorney

Appointment of Benjamin Smith as the Prosecuting Attorney of the Municipal Court, for a two-year term.

20260098 Appointment of Chief Assistant Prosecuting Attorney

Appointment of Courtney Brubaker as Chief Assistant Prosecuting Attorney of the Municipal Court, for a two-year term.

ORDINANCES:**20250816 Z2025-23 [REZONING] PRE POWDER SPRINGS ROAD, LLC (LAURA WILSON HARDING)**

Z2025-23 [REZONING] PRE POWDER SPRINGS ROAD, LLC. (LAURA WILSON HARDING) are requesting the rezoning of 10.9 acres located in in Land Lots 260, 261, & 332, District 19, Parcel 0020 of the 2nd Section, Cobb County, Georgia, and being known as property on Powder Springs Road SW from R-20 (Single Family Residential) in unincorporated Cobb County to PRD-SF (Planned Residential Development - Single Family) in the city. Ward 2B.

Planning Commission recommends Denial

A motion was made by Mr. Diffley, seconded by Mr. Smith, to recommend denying the request. The motion was carried with a vote of 5-2-0. Mr. Sheehan and Mr. McClure opposed.

Should Council vote to approve the request, the following variances would be incorporated as a condition of PRD-SF zoning.

1. Variance to reduce the minimum lot size from 4,000 square feet to 3,000 square feet [§708.09 (H.)]

2. Variance to reduce the proportion of homes within 300 feet of an active recreation facility from 75% to 50% [§708.09 (B.h.)]

3. Variance to provide one (1) access point onto an arterial or collector street rather than two (2) in a development of more than 51 single-family residential units [§730.01 (A.)]

Public Hearing (all parties sworn in)

- * **20250817** **A2025-03 [ANNEXATION] PRE POWDER SPRINGS ROAD, LLC. (LAURA WILSON HARDING)**

A2025-03 [ANNEXATION] PRE POWDER SPRINGS ROAD, LLC. (LAURA WILSON HARDING) are requesting the annexation of property located in Land Lots 260, 261, & 332, District 19, Parcel 0020 of the 2nd Section, Cobb County, Georgia, and being known as property on Powder Springs Road SW, consisting of approximately 10.9 acres. Ward 2B.

Planning Commission recommends Denial

A motion was made by Mr. Diffley, seconded by Mr. Smith, to recommend denying the request. The motion was carried with a vote of 5-2-0. Mr. Sheehan and Mr. McClure opposed.

Motion to Table

- * **20250818** **CA2025-07 [CODE AMENDMENT]**
CA2025-07 [CODE AMENDMENT] In conjunction with the requested annexation of property located in Land Lots 260, 261, & 332, District 19, Parcel 0020 of the 2nd Section, Cobb County, Georgia, and being known as property on Powder Springs Road SW, the City of Marietta proposes to designate the Future Land Use of said property as MDR (Medium Density Residential). Ward 2B.

Planning Commission recommends Denial

A motion was made by Mr. Diffley, seconded by Mr. Smith, to recommend denying the request. The motion was carried with a vote of 5-2-0. Mr. Sheehan and Mr. McClure opposed.

Motion to Table

20250947 Z2025-25 [REZONING] TRATON, LLC.

Z2025-25 [REZONING] TRATON, LLC. is requesting the rezoning of 3.28 acres located in Land Lot 1076 of the 16th District, Parcels 530, 1180, 330, 380, 370, 360, 350, 340, 450, 630, 460, 470, 480, 490, 500, 510, 320, 650, 640, 430, & 410 of the 2nd Section, Cobb County, Georgia, and being known as 116 & 122 Burnap Street; 103, 83, 87, 91, 95, & 99 Croft Street; 100, 101, 102, 106, 108, 110, 112, 114, & 116 Jordan Street; 315, 319, 325, & 329 Roselane Street from R-2 (Single Family Residential - 2 units/acre) to R-4 (Single Family Residential - 4 units/acre) with an increased density of 5.5 units/acre. Ward 4B.

Planning Commission recommends Approval

A motion was made by Mr. Sheehan, seconded by Mr. Hunter, to recommend approving the request as stipulated. The motion was carried with a vote of 7-0-0.

Should Council vote to approve the request the following stipulation letter would be incorporated as a condition of zoning.

1) Letter of Agreeable Stipulations and Conditions to Shelby Little, AICP, Planning & Zoning Manager, from J. Kevin Moore dated January 5, 2026.

Public Hearing (all parties sworn in)

20251049 Z2026-01[REZONING] ANDREW & JESSICA McENTYRE

Z2026-01[REZONING] ANDREW & JESSICA McENTYRE are requesting the rezoning of 0.291 acres located in Land Lot 1291, District 16, Parcel 0140 of the 2nd Section, Cobb County, Georgia, and being known as a 63 Trammell Street from R-4 (Single Family Residential - 4 units/acre) to R-4 (Single Family Residential - 4 units/acre) with an increase in density to 6.9 units/acre. Ward 3A.

Planning Commission recommends Approval

A motion was made by Mr. McClure, seconded by Mr. Diffley, to recommend approval of the request as stipulated. The motion was carried with a vote of 7-0-0.

Should Council approve the request the following variances are incorporated.

For 63 Trammell Street:

- 1) Variance to decrease the minimum lot width from 75 ft. to 50 ft. [§708.04 (H)]*
- 2) Variance to decrease the minimum lot size from 7,500 sq. ft. to 6,300 sq. ft. [§708.04(H)]*
- 3) Variance to reduce the side setbacks from 10 ft. to 5 ft. [§708.04 (H)]*

For Reynolds Street Lot:

- 1) Variance to decrease the minimum lot width from 75 ft. to 49 ft. [§708.04 (H)]*
- 2) Variance to decrease the minimum lot size from 7,500 sq. ft. to 6,300 sq. ft. [§708.04(H)]*
- 3) Variance to reduce the side setbacks from 10 ft. 5 ft. [§708.04 (H)]*

Public Hearing (all parties sworn in)

**20251050 Z2026-02 [REZONING] AVIS MOBILITY VENTURES, LLC. (FVR
GEORGIA, LLC.)**

**Z2026-02 [REZONING] AVIS MOBILITY VENTURES, LLC. (FVR
GEORGIA, LLC.)** are requesting the rezoning of 0.417 acres located in Land Lots 641 & 656 of the 17th District, Parcel 0050 of the 2nd Section, Cobb County, Georgia, and being known as 1401 Cobb Parkway South from CRC (Community Retail Commercial) to LI (Light Industrial). Ward 7A.

Planning Commission recommends Approval

A motion was made by Mr. Smith, seconded by Mr. Diffley, to recommend approving CRC (Community Retail Commercial) with additional use. The motion was carried with a vote of 7-0-0.

The following variance would be incorporated as a condition of CRC (Community Retail Commercial) zoning, specific to the subject property:

1) The storage of passenger vehicles be reinstated as a legally nonconforming use subject to restrictions outlined in Section 706. An occupational license from the City will be required.

Public Hearing (all parties sworn in)

20251051**Z2026-03 [REZONING] THE PALMS AT PACES FERRY, LLC.**

Z2026-03 [REZONING] THE PALMS AT PACES FERRY, LLC is requesting the rezoning of 2.335 acres located in Land Lots 858 & 859 of the 16th District, Parcels 180 (Cobb), 480, 030, and 470 of the 2nd Section, Cobb County, Georgia, and being known as 1583, 1567, 1605 and 1611 Bells Ferry Road from R-20 (Cobb County) and R-2 (Single Family Residential - 2 units/acre) to PRD-SF (Planned Residential Development - Single Family). Ward 5B.

Planning Commission recommends Approval

A motion was made by Mr. Diffley, seconded by Ms. McCrae, to recommend approval of the request as submitted. The motion was carried with a vote of 7-0-0.

With Council's approval the following variances are incorporated as conditions of zoning:

- 1) Variance to reduce the minimum tract size from 3 acres to 2.335 acres [§708.09 (H)]*
- 2) Variance to reduce the minimum recreation area from 17,424 sq. ft. to 10,600 sq. ft. [§708.09 (B.1.h)]*

Public Hearing (all parties sworn in)**20251052****A2026-01 [ANNEXATION] THE PALMS AT PACES FERRY, LLC.**

A2026-01 [ANNEXATION] THE PALMS AT PACES FERRY, LLC. is requesting the annexation of property located in Land Lot 859, District 16, Parcel 0180 of the 2nd Section, Cobb County, Georgia, and being known as 1583 Bells Ferry Road, consisting of approximately 0.72 acres, plus any associated right-of-way. Ward 5B.

Planning Commission recommends Approval

A motion was made by Mr. Diffley, seconded by Ms. McCrae, to recommend approving the annexation request in conjunction with PRD-SF zoning. The motion was carried with a vote of 7-0-0.

Public Hearing (all parties sworn in)

20251053**CA2026-01 [CODE AMENDMENT]**

CA2026-01 [CODE AMENDMENT] In conjunction with the requested annexation and rezoning of property located in Land Lots 858 & 859, District 16, Parcels 0180, 480, 030, and 470 of the 2nd Section, Cobb County, Georgia, and being known as 1583, 1567, 1605, and 1611 Bells Ferry Road, the City of Marietta proposes to designate the Future Land Use of said property as MDR (Medium Density Residential). Ward 5B.

Planning Commission recommends Approval

A motion was made by Mr. Diffley, seconded by Ms. McCrae, to recommend approval of the code amendment in conjunction with the annexation of 1583 Bells Ferry Road. The motion was carried with a vote of 7-0-0.

*Public Hearing (all parties sworn in)***RESOLUTIONS:****CITY ATTORNEY'S REPORT:**

- * **20260072** **Denial of Claim**

Denial of Claim for Morgan Danyelle Wells.
- * **20260094** **Denial of Claim**

Denial of Claim for Crete Carrier Corporation.
- * **20260095** **Denial of Claim**

Denial of Claim for Eric T. Omgba.
- * **20260096** **Denial of Claim**

Denial of Claim for Amadeo Manuel Reyes Barrios.

CITY MANAGER'S REPORT:**MAYOR'S REPORT:****COMMITTEE REPORTS:**

1. Economic/Community Development: Andre Sims, Chairperson**2. Finance/Investment: M. Carlyle Kent, Chairperson***** 20251092 Amendment to the FY2026 Parks Bond Fund**

Motion to approve the Budget amendment for the Parks, Recreation, and Facilities Department for a partial reimbursement payment from the Georgia Department of Natural Resources as part of the Land and Water Conservation Fund (LWCF) grant for Larry Ceminsky Park.

*** 20260081 Annual Comprehensive Financial Report FY2025**

Motion to receive and file the FY2025 Annual Comprehensive Financial Report.

3. Judicial/Legislative: Joseph R. Goldstein, Chairperson**4. Parks, Recreation and Tourism: Jason Waters, Chairperson***** 20260006 Laurel Park Tennis Center Independent Contractor Agreement Renewal**

Motion approving the 2nd Modification to the Independent Contractor Agreement with Tennis Dynamics, LLC, extending the term for operations of the Laurel Park Tennis Center until December 31, 2029.

5. Personnel/Insurance: Cheryl Richardson, Chairperson**6. Public Safety Committee: Byron "Tee" Anderson, Chairperson****7. Public Works Committee: Daniel Gaddis, Chairperson***** 20251090 Adair Drive Utilities**

Motion authorizing a variance from the underground utilities ordinance by Comcast Communications for allowing for the installation of fiber optic cable to be over-lashed on existing fiber optic cable and requiring the removal of all duplicate utility poles where Comcast Communications is “next to transfer” along Adair Drive from the utility pole at 29 Adair Drive to the utility pole at 36 Adair Drive. This motion does not grant a perpetual variance. Comcast Communications must relocate underground at its expense if other utilities at the location are moved underground. Ward 4B

* **20251093 Delk Street Speed Study**

Motion authorizing Public Works to conduct the speed study of Delk Street from East Dixie Avenue to Hawkins Street to determine if traffic calming measures are needed. Ward 1A

* **20251094 Applications to the Atlanta Regional Commission's (ARC) Transportation Improvement Program (TIP) and Livable Centers Initiative (LCI) Funding Solicitations**

Motion approving the resolutions in support of the City's submittal of the Rottenwood Creek Trail Project, the North Marietta Parkway Streetscape Project, and the Roswell Road Corridor Study to ARC's TIP and LCI funding solicitations, and commitment of 20 percent matching funds for each project, if awarded.

Council Member Goldstein discloses that members of his family and/or entities owned by members of his family own the East Marietta Shopping Center that fronts Roswell Road.

Further, Council Member Goldstein discloses that he owns property at 31 Powers Ferry Manor that is within 2,000 feet of Roswell Road and that members of his family and/or entities owned by members of his family own properties that are within 2,000 feet of Roswell Road.

OTHER BUSINESS:

* **20251079 BLW Actions of January 12, 2026**

Review and approval of the January 12, 2026 actions and minutes of Marietta Board of Lights and Water.

UNSCHEDULED APPEARANCES:

**Each speaker is allotted five (5) minutes,
for a combined total of 30 minutes.**

ADJOURNMENT: