



Department of Development Services  
205 Lawrence Street  
Marietta, Georgia 30060  
Brian Binzer, Director

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## **REZONING APPLICATION ANALYSIS**

**ZONING CASE #:** Z2015-26

**LEGISTAR #:** #20150561

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**PROPERTY OWNER/APPLICANT:**

**City of Marietta  
205 Lawrence Street  
Marietta, GA 30060**

**PROPERTY ADDRESS:**

**Beavers Street. Gunter Street  
& Adams Circle Right of Way**

**PARCEL DESCRIPTION:**

**Land Lots 1212 & 1213, District 16**

**COUNCIL WARD: 5A**

**EXISTING ZONING:**

**Unzoned right-of-way**

**REQUEST:**

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

**FUTURE LAND USE:**

**N/A**

**REASON FOR REQUEST: City of Marietta is seeking to abandon and rezone public  
right of way located along Beavers Street, Gunter Street and Adams Circle.**

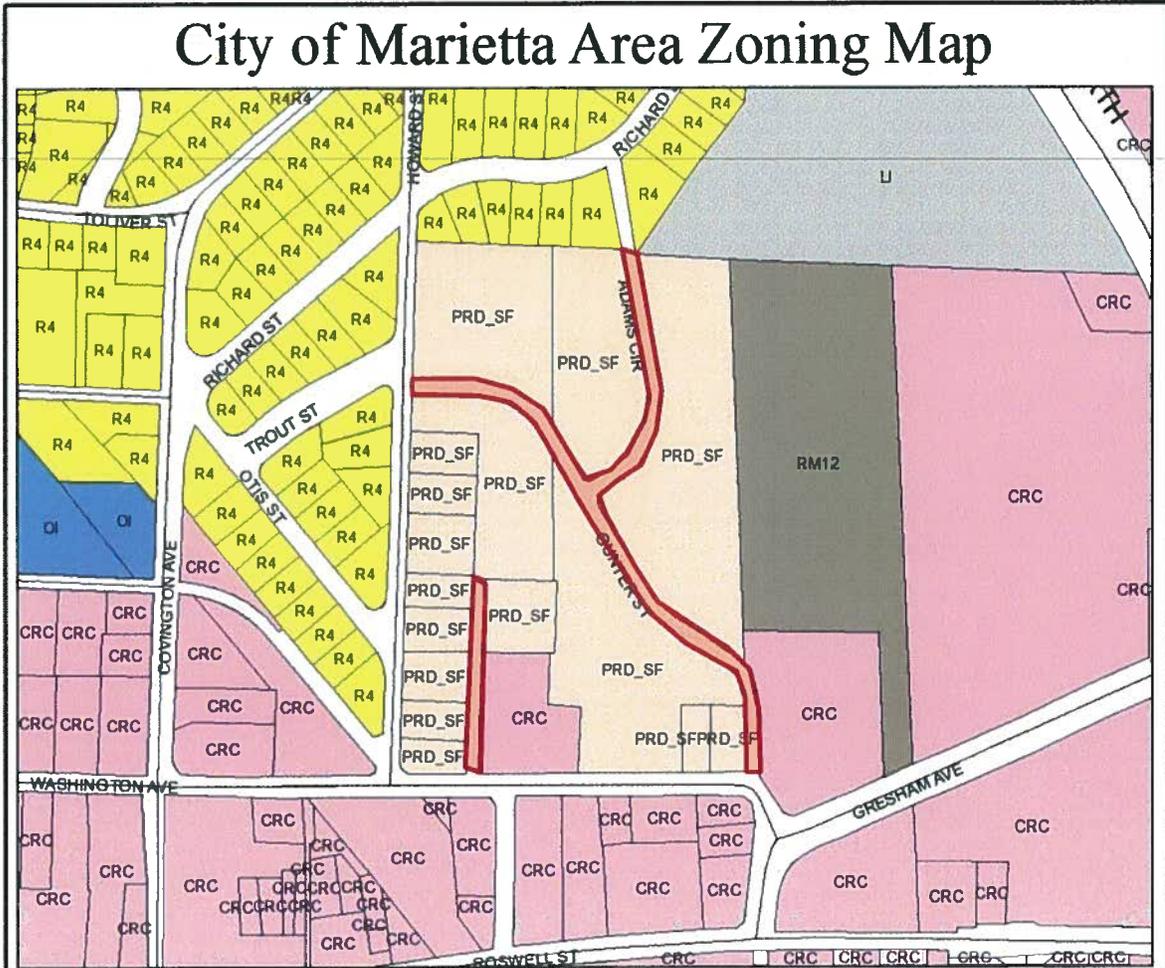
**PLANNING COMMISSION HEARING: Wednesday, August 4, 2015 – 6:00 p.m.**

**CITY COUNCIL HEARING:**

**Wednesday, August 12, 2015 – 7:00 p.m.**

MAP

City of Marietta Area Zoning Map

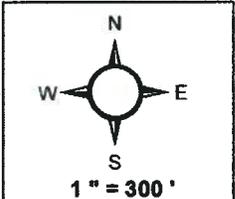


Zoning		District	Land Lot	Parcel	Current Zoning	Proposed Zoning
<b>SINGLE FAMILY RESIDENTIAL</b> R-1 One Unit/Acre R-2 Two Unit/Acre R-3 Three Unit/Acre R-4 Four Unit/Acre <b>ATTACHED FAMILY RESIDENTIAL</b> RA-4 Four Unit/Acre RA-6 Six Unit/Acre RA-8 Eight Unit/Acre PRD(SF) Planned Residential Dev. MHP Mobile Home Park <b>MULTI FAMILY RESIDENTIAL</b> RM-8 Eight Unit/Acre RM-10 Ten Unit/Acre RM-12 Twelve Unit/Acre RHR Residential High Rise PRD(MF) Planned Residential Dev.	<b>COMMERCIAL</b> NRC Neighborhood Retail CRC Community Retail RRC Regional Retail CBD Central Business District PCD Planned Commercial Dev. MDD Mixed-Use Dev. OIT Office Institutional Trans. LRO Low-Rise Office OI Office Institutional OS Office Services OHR Office High-Rise <b>INDUSTRIAL</b> LI Light Industrial HI Heavy Industrial PID Planned Industrial Dev.	16	1213	RoW	N/A	PRD-SF

Comments: **Beavers St, Gunter St, and Adams Cir Right of Way**

Date: **7/15/15**

Planning & Zoning Department



**PICTURES OF PROPERTY**



**Beavers Street Right of Way**



**Intersection of Gunter and Washington Streets**



**Gunter Street Right of Way**



**Adams Circle looking north**

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## STAFF ANALYSIS

### *Location Compatibility*

The City of Marietta is seeking to assign a zoning classification to public right of way along Beaver Street, Gunter Street and Adams Circle in order to sell or exchange additional property to the adjacent property owners. **A public hearing on the right of way is being held by the City Council at the August 12, 2015 meeting.** The surrounding properties are zoned PRD-SF (Planned Residential Development – Single Family) and CRC (Community Retail Commercial). The purpose of this rezoning application is to assign a zoning classification of PRD-SF on unzoned portions of right of way so they may be used for the Marvelle (Boston Homes) single family residential development.

### *Use Potential and Impacts*

Although Beavers Street still shows as active right of way, it has been barricaded since approximately 2010, when the home at the end of the street was demolished by Marietta Housing Authority. The entirety of Gunter Street and Adams Circle are to be abandoned and rezoned. Both streets were historically used as the primary roads through Boston Homes, but were gated off when Boston Homes was demolished. There would be no significant impact on any adjacent properties.

Because the property is currently right of way, it does not have a future land use designation. However, the future land use for the surrounding area is MDR (Medium Density Residential), which is intended for areas that are “*suitable for medium density housing with densities ranging from three (3) to six (6) dwelling units per acre.*” The PRD-SF zoning district is a compatible zoning for properties with a FLU of MDR. As a result, this request is in line with the recommendations set forth in the City’s Comprehensive Plan.

### *Environmental Impacts*

There should be no additional environmental impacts caused by the conversion of this land to private, instead of public ownership.

### *Economic Functionality*

The transfer of ownership and responsibility of this property will be beneficial to both the property owners and the City.

The Beavers Street right of way has clearly not been maintained for many years.



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*Infrastructure*

The rezoning of this right of way should not affect any public infrastructure in the area.

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*History of Property*

Since this property was previously public right of way, there is no history of any variances, rezonings, or Special Land Use Permits for this property.

*Other Issues*

The subject property, if abandoned and assigned a zoning classification, should be absorbed by the adjacent property owner(s) into private property ownership through the platting process. The Department of Development Services, along with the Public Works Department, will assist the developer with this procedure.

## ANALYSIS & CONCLUSION

The City of Marietta is seeking to assign a zoning classification to public right of way along Beavers Street, Gunter Street and Adams Circle in order to sell or exchange additional property to the adjacent property owners. **A public hearing on the abandonment of the right of way is also being held by the City Council at the August 12, 2015 meeting.** The purpose of this rezoning application is to assign a zoning classification of PRD-SF to unzoned portions of right of way.

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Because the property is currently right of way, it does not have a Future Land Use designation. However, the Future Land Use for the surrounding area is MDR (Medium Density Residential), which is intended for areas that are "*suitable for medium density housing with densities ranging from three (3) to six (6) dwelling units per acre.*" The PRD-SF zoning district is a compatible zoning for properties with a Future Land Use designation of MDR. As a result, this request is in line with the recommendations set forth in the City's Comprehensive Plan.

Prepared by: Shelly Trum

Approved by: Rusty Roth



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## DATA APPENDIX

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### *CITY OF MARIETTA - WATER*

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Is a water line adjacent to the property?	Yes
If not, how far is the closest water line?	N/A
Size of the water line?	6 - inch
Capacity of the water line?	Flow test required
Approximate water usage by proposed use?	Not provided

### *CITY OF MARIETTA - SEWER*

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Is a sewer line adjacent to the property?	Yes
If not, how far is the closest sewer line?	N/A
Size of the sewer line?	Not known
Capacity of the sewer line?	A.D.F. Study may be required
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 a floodplain?	Est. 5 – 10%
What is the drainage basin for the property?	Sope 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?	---
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

**Transportation**

What is the road affected by the proposed change?	Beaver St, Adams Circle, Gunter Street, Howard Street, Washington Avenue
What is the classification of the roads?	Beaver St: Local Adams Circle: Local Gunter Street: Local Howard Street: Local Washington Avenue: Collector
What is the traffic count for the road?	---
Estimated number of cars generated by the proposed development? **	---
Estimated number of trips generated by the proposed development? **	---
Do sidewalks exist in the area?	---
Transportation improvements in the area?	NO
If yes, what are they?	---



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## DATA APPENDIX CONTINUED

### EMERGENCY SERVICES

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Nearest city or county fire station from the development?	Station 52
Distance of the nearest station?	0.9 miles
Most likely station for 1 <sup>st</sup> response?	Station 52
Service burdens at the nearest city fire station (under, at, or above capacity)?	none

### Comments:

\*Comply with all state and local codes for occupancy classification including but not limited to sprinkler system, fire alarm system, and protection of hazards.

### MARIETTA POWER - ELECTRICAL

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

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

What special conditions would be involved in serving this site?

Additional comments: n/a



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

## APPLICATION FOR REZONING

(OWNER/APPLICANT OR REPRESENTATIVE MUST BE PRESENT AT ALL PUBLIC HEARINGS)

Application #: 22015-26      Legistar #: 20150561  
 Planning Commission Hearing: 7-1-15      City Council Hearing: 7-8-15

Owner's Name City of Marietta      Email Address: \_\_\_\_\_

Mailing Address 205 Lawrence ST      Zip Code: 30060      Telephone Number \_\_\_\_\_

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

Applicant: City of Marietta

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

Telephone Number \_\_\_\_\_      Email Address: \_\_\_\_\_

Address of property to be rezoned: Beavers ST ROW / Gunder ST ROW (portion of) / ADAMS CIR  
 Land Lot (s) \_\_\_\_\_ District \_\_\_\_\_ Parcel \_\_\_\_\_ Acreage \_\_\_\_\_ Ward 5A Future Land Use: MDR  
 Present Zoning Classification: un-zoned      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. **ALL** rezoning submittals must include proposed plans, supplementary material, etc. in Adobe Acrobat on computer disk. **The original application must be submitted with ALL original signatures - Copies of the application or signature(s) will NOT be accepted.**
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. Plat/survey showing the dimensions, acreage, location of the tract(s) and utility easements 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 plat/survey.
7. Site plan (25 copies, drawn to scale) prepared by an architect, engineer, (P.E. or Civil Engineer), whose state registration is current and valid, showing the following:
  - One copy scaled to an 8 1/2" X 11" size
  - Specific use or uses proposed for the site
  - Locations, sizes and setbacks of proposed structures, including the number of stories and total floor area
  - Detention/retention areas
  - 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 and 100 year floodplain
8. A detailed written description of the proposed development / project must be submitted with the rezoning application.

**TO: Marietta Daily Journal**

**FROM: City of Marietta**

**RUN AD DATE: July 17, 2015**

**PUBLIC NOTICE OF REZONINGS, AND CODE AMENDMENTS**

The City of Marietta hereby gives notice that a public hearing will be held on the following rezonings and code amendment by the Planning Commission on **Tuesday, August 4, 2015, 6:00 P.M.**, City Hall, for a recommendation to the City Council at their meeting on **Wednesday, August 12, 2015, 7:00 p.m.**, City Hall, for a final decision to be made.

**Z2015-26 [REZONING] CITY OF MARIETTA** request rezoning for property located in Land Lots 1212 & 1213, District 16, 2<sup>nd</sup> Section, Marietta, Cobb County, Georgia and being known as Adams Circle, Beavers Street and Gunter Street right-of-way from unzoned to PRD-SF [Planned Residential Development – Single Family]. Ward 5A.

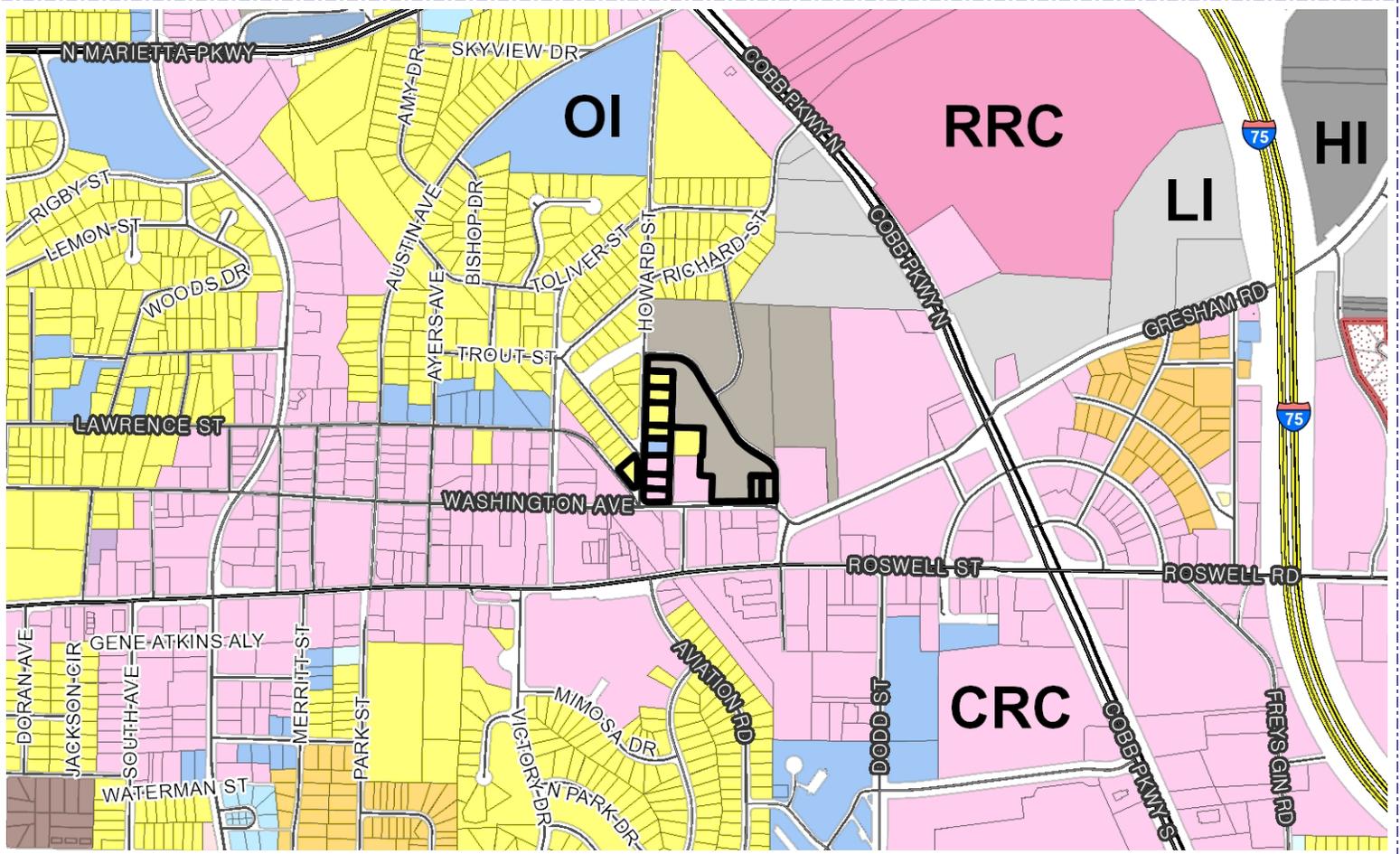
A description and plat of the property sought for the rezoning and future land use assignment are on file in the Planning and Zoning Office, City Hall, and is available for inspection between 8:00 A.M. and 5:00 P.M., Monday through Friday. Anyone wishing to attend may do so and be heard relative thereto.

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 Mr. Patrick Henley, ADA Coordinator, at 770-794-5558 (voice) or 770-794-5560 (TDD) 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
BEAVERS ST RIGHT OF WAY			5A	UNZONED	MDR
GUNTER ST RIGHT OF WAY (PORTION OF)			5A	UNZONED	MDR

Property Owner:	City of Marietta
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Applicant:	City of Marietta
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Proposed Zoning:	PRD-SF
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Agent:	
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Proposed Use:	
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Planning Commission Date:	8/4/15
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City Council Hearing Date:	8/12/15	Case Number:	Z2015-26
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City of Marietta Planning & Zoning

**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