



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

MEMORANDUM

TO: Honorable Mayor Tumlin and City Council Members
Marietta Planning Commission Members

THRU:

FROM:



SUBJECT: Revised Plan for Z2019-04 dated 3.20.19

DATE: April 1, 2019

BACKGROUND: The annexation and rezoning request for Z2019-04 Lower Roswell Rd & Indian Trail was originally received by staff at the end of December 2018. The original plan was for sixty-three (63) total units (62 townhomes and 1 detached home) and was forwarded to Cobb County on January 2, 2019. Cobb County sent a **formal objection** to the annexation on February 1st, 2019. On March 26th, 2019, staff received a revised plan for the development, which reduced the number of units to fifty-two (52) units - 15 detached and 37 attached townhomes. Staff immediately notified Cobb County of the revised plan.

ISSUE: Based on the revised plan, Traton Homes is requesting to build 37 townhomes and 15 detached residences on the subject property. The development proposes new private roads off Indian Trail and private alleys to access the townhome units. This proposed development would yield a density of 6.95 units/acre. In addition to other issues identified by Public Works that must be addressed, the following variances would be necessary to implement the revised plan:

1. Variance to reduce the required driveway length from 20 feet to 18 feet, as measured from back of curb or sidewalk. [§708.09 (B.2.e)]
2. Variance to waive the active recreational feature. [§708.09 (B.2.i)]
3. Variance to reduce the minimum open space from 25% to 21% (1.63 acres). [§708.09 (H)]
4. Variance to reduce the minimum lot size requirement from 4,000 sq. ft. to the footprint of the smallest unit. [§708.09 (H)]
5. Variance to reduce the minimum centerline radii from 100 feet to what is shown on the plan dated 3/20/19 (received by staff 3/26/19). [§730.01 (H)]
6. Variance to waive the requirement to install a sidewalk along S. Marietta Parkway. [§732.07]
7. Variance to allow sidewalks as designated on the plans dated 3/20/19 (received by staff 3/26/19). [§732.07 (C)]
8. Variance to waive the requirements of an acceleration and deceleration lane into the new subdivision. [§730.01 (I.4.b)]
9. Variance to allow a single-family development of more than 51 dwelling units to provide one access point to an arterial street. [§730.01 (A.)]
10. Variance to allow a billboard outside 100' of I-75. [§714.04 (G)]
11. Variance to waive the requirement that a billboard be regulated as a principal use. [§714.04 (G.1)]
12. Variance to allow a billboard within 500' of a residential zoning district. [§714.04 (G.2)]

NOTE: See Pool Photo Exhibit B in package

NO PRELIMINARY PLAT SUBMITTED

COBB DOT DISPUTES VARIANCE NUMBERS SIX AND SEVEN

BILLBOARD VARIANCES MAY SET CITY-WIDE PRECEDENCE

13. Variance to increase the allowable number of faces for a billboard from two (2) to three (3). [*§714.04 (G.4)*]

14. Variance to allow a billboard remain within 1000' radius of another billboard. [*§714.04 (G.5)*]

15. Variance to allow a billboard on property zoned PRD-SF. [*§714.04 (G.11)*]

16 - MINIMUM UNIT SIZE 1,400 SQUARE FEET -- 900 SF PROPOSED

The Future Land Use (FLU) designation for the parcels within Cobb County are classified as LDR (Low Density Residential). The parcels within City limits are classified as CAC (Community Activity Center). The City's Comprehensive Plan describes LDR as appropriate for single family dwellings up to four (4) units per acre, and CAC is suitable for retail and service including businesses and professional offices. Should the properties be annexed and rezoned, the City would assign a future land use classification of MDR (Medium Density Residential) for consistency with the requested density of 6.95 units/acre.

**OMISSION - NO STAFF
RECOMMENDATION?**

**INCOMPLETE
APPLICATION**

City of Marietta Code: Definition of Variance: A device which grants a property owner relief from certain provisions of a zoning ordinance when, because of the particular physical surroundings, shape or topographical condition of the property, **compliance would result in a particular hardship as distinguished from a mere inconvenience or a desire to make more money.**

City of Marietta Application Form: **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).**

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 #: _____ Legistar #: _____ BZA Hearing Dt: _____

City Council Hearing Dt (if applicable) #: _____ PZ #: _____

This is a variance/appeal application for:

☐

Board of Zoning Appeals

☐

City Council

Owner's Name _____

EMAIL Address: _____

Mailing Address _____ Zip Code: _____ Phone Number _____

COMPLETE ONLY IF APPLICANT IS NOT OWNER:

Applicant: _____

EMAIL Address: _____

Mailing Address _____ Zip Code: _____ Phone Number _____

Address of subject property: _____ Date of Acquisition: _____

Land Lot (s) _____ District _____ Parcel _____ Acreage _____ Zoned _____ Ward _____ FLU: _____

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

_____**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 ½" x 11") -or- (11" x 17") drawn to scale.
Optional Additional Plat size: (24"x 36"). If providing (24"x 36") then 25 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**SEE HIGHLIGHTED TEXT ABOVE**

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

Signature of Owner

Signature of Applicant

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

**INCOMPLETE
APPLICATION**

APPLICANT CERTIFICATION

- The 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.

Signature of Applicant

Date

Please Print

OWNER CERTIFICATION

- The Owner 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 Owners'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 hereby gives permission to enter on the property for inspection during the time application is pending.

Signature of Owner

Please Print

Address

Date

Signed, sealed and delivered in the presence of:

My Commission Expires: _____

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

MOORE INGRAM JOHNSON & STEELE

A LIMITED LIABILITY PARTNERSHIP
WWW.MIJS.COM

MARIETTA, GEORGIA
EMERSON OVERLOOK
326 ROSWELL STREET
SUITE 100
MARIETTA, GEORGIA 30060
TELEPHONE (770) 428-1489

KNOXVILLE, TENNESSEE
408 N. CEDAR BLUFF ROAD
SUITE 500
KNOXVILLE, TENNESSEE 37923
TELEPHONE (865) 692-9039

JACKSONVILLE, FLORIDA
10201 CENTURION PARKWAY N.
SUITE 401
JACKSONVILLE, FLORIDA 32256
TELEPHONE (904) 428-1465

BRENTWOOD, TENNESSEE
5200 MARYLAND WAY
SUITE 301
BRENTWOOD, TENNESSEE 37027
TELEPHONE (615) 425-7347

LEXINGTON, KENTUCKY
771 CORPORATE DRIVE
SUITE 430
LEXINGTON, KENTUCKY 40503
TELEPHONE (859) 309-0026

ORLANDO, FLORIDA
7380 WEST SAND LAKE ROAD
SUITE 500
ORLANDO, FLORIDA 32819
TELEPHONE (407) 367-6233

MECHANICSBURG, PENNSYLVANIA
5000 RITTER ROAD
SUITE 106
MECHANICSBURG, PENNSYLVANIA 17055
TELEPHONE (717) 790-2854

April 1, 2019

Hand Delivered

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

RE: Application for Rezoning - Zoning Case No.: Z2019-04
(Legistar No. 20190009)

Applicant: Traton Homes, LLC
Property Owners: 1905 Lower Roswell Road, LLC; 1923 Lower
Roswell Road, LLC; 1935 Lower Roswell Road,
LLC; 53 Indian Trail, LLC; 56 Indian Trail,
LLC; 63 Indian Trail, LLC; 76 Indian Trail,
LLC; and Alvaro A. Arauz and Elizabeth S.
Arauz

Property: 7.48 acres, more or less, located at the
intersection of the northerly side of Lower
Roswell Road and the easterly side of South
Marietta Parkway, and along the northerly and
southerly sides of Indian Trail, being 53, 56, 63,
73, and 76 Indian Trail and 1895, 1905, 1923,
and 1935 Lower Roswell Road, Land Lot 1206,
16th District, 2nd Section, City of Marietta,
Cobb County, Georgia

Dear Shelby:

The undersigned and this firm represent Traton Homes, LLC, the Applicant (hereinafter referred to as "Applicant"), and the Property Owners listed in the Application for Rezoning (hereinafter collectively referred to as "Owners" or "Property Owners"), in their request for rezoning of approximately 7.48 acres of property located at the intersection of the northerly side of Lower Roswell Road and the easterly side of South Marietta Parkway, and along the northerly and

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 Department of Planning and Zoning
 City of Marietta
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southerly sides of Indian Trail, and being more particularly known as 53, 56, 63, 73, and 76 Indian Trail and 1895, 1905, 1923, and 1935 Lower Roswell Road, Land Lot 1206, 16th District, 2nd Section, City of Marietta, Cobb County, Georgia (hereinafter the “Property” or “Subject Property”). After conferences and communications with Planning and Zoning Staff and various City Staff, and reviewing the City’s Rezoning Application Analysis, we have been authorized by the Applicant to submit 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 categories of R-20 (Cobb County) and Community Retail Commercial (“CRC”) (City of Marietta) to the proposed zoning category of PRD-SF (Planned Residential Development – Single Family), site plan specific to the revised Zoning Plan prepared for Applicant by Gaskins Surveying Company, Inc., dated and last revised March 20, 2019, and filed contemporaneously with this letter of agreeable stipulations and conditions. A reduced copy of the revised Zoning Plan is attached hereto for ease of reference as Exhibit “A” and incorporated herein by reference.
- (2) The Subject Property consists of 7.48 acres, more or less, and shall be developed for a residential community, consisting of both single-family attached and detached residences, as follows:
 - a) Thirty-seven (37) attached townhomes; and
 - b) Fifteen (15) detached, single-family residences.
- (3) The proposed townhomes shall be Traditional in style and architecture, and shall be substantially similar to the elevations attached collectively as Exhibit “B” and incorporated herein by reference. **ELEVATIONS NOT PROVIDED -- DOWNLOADED WEBSITE PHOTOS ONLY**
- (4) The proposed single-family homes shall be Traditional and Craftsman in style and architecture, and shall be substantially similar to the elevation attached as Exhibit “C” and incorporated herein by reference. **ELEVATIONS NOT PROVIDED -- DOWNLOADED WEBSITE PHOTOS**
- (5) All homes shall have facades consisting of brick, stone, stacked stone, cedar shake shingles, board and batten, cementitious siding, or combinations thereof, with complementary accents, in compliance with the City of Marietta’s “four-sided architecture” requirement. **ELEVATIONS NOT PROVIDED -- DOWNLOADED WEBSITE PHOTOS ONLY**

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 Department of Planning and Zoning
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- (6) All homes shall have two-car garages. No garage areas within the proposed community shall be converted into heated living space for the units.
- (7) All homes within the proposed community shall be "for sale" units. There shall be no more than a maximum of five (5) percent of the units being leased at any one time, which restriction shall be included in the Declaration of Covenants, Easements, and Restrictions.
- (8) Applicant agrees to the recording and enforcement of a Declaration of Covenants, Easements, and Restrictions which shall contain covenants, rules, and regulations applicable to the proposed community.
- (9) Additionally, and in conjunction with the Declaration of Covenants, Easements, and Restrictions, Applicant agrees to the creation of a mandatory homeowners association which shall be responsible for the upkeep and maintenance of the entrance area, signage, all common areas, open space, landscaped areas, general landscaped areas, mail kiosk, private streets and alley ways, fencing, open space and amenity areas, and the like contained within the community.
REASON? AVOID ENVIRONMENTAL DISCLOSURES?
- (10) The proposed residential community shall not be subject to the "Georgia Condominium Act."
BROWNFIELD - SEE NEXT PAGE PRELIMINARY PLAT ?
- (11) 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 consistent with the architecture and style of the residences; and shall comply with the City of Marietta Sign Ordinance. The entrance landscaping shall be professionally designed, implemented, and maintained, and shall be irrigated.
- (12) Applicant agrees to establish an extensive landscaping presentation along Lower Roswell Road. The landscaping presentation may contain berms, fencing, and a variety of plant and tree material, or combinations of such features to achieve the quality intended. **LANDSCAPE PLAN REQUIRED PER APPLICATION**
- (13) The proposed community shall have a total of 1.63 acres (21.5 percent) of open space, as more particularly shown and reflected on the referenced, revised Zoning Plan. **OPEN SPACE INCLUDES BILLBOARD**

Facility Name ☐ NULL Address ☒ NULL

[View Report](#)

1 of 1 Find | Next

Applications for Limitation of Liability under the Georgia Brownfield Act Response Action (N-HSI and HSI Properties)

Report Generation Date: 7/1/2019

Record Counts: 1

Fac ID	Facility Name	Address	Acre	Type	Cleanup Plan	Cleanup Complete	RRS	Type 5 RRS	Use Restricted
1008	Boyd Property	1900 & 1908 Lower Roswell Rd., Marietta, GA 30068	2.9	N-HSI		3/17/03	Residential		Not Restricted

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Zoning Manager
Department of Planning and Zoning
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- (14) The proposed community shall have passive amenities consisting of community open space and “gathering” areas for the use and enjoyment of the residents and their guests.
- (15) Setbacks for the proposed development shall be as shown and reflected on the referenced, revised Zoning Plan.
- (16) The proposed community shall have private alley ways and streets. The private streets shall be twenty-four (24) feet in width, from back-of-curb to back-of-curb. Construction of the private alley ways and streets shall comply in all respects as to materials, base, and other requirements with the City of Marietta Code. Guest parking areas shall be provided, as more particularly shown and reflected on the referenced, revised Zoning Plan. **CONCEPTUAL "ZONING" PLAN SHOWS 20 FEET**
- (17) Street lighting within the proposed community shall be environmentally sensitive, decorative, and themed to the architecture and style of the residences, as offered by the power provider.
- (18) The detention areas shall be as shown and reflected on the revised Zoning Plan. The area shall be fenced with a black, vinyl-clad chain link fence, a minimum of six (6) feet in height, with landscaping to the exterior for purposes of visual screening. The landscaping shall be approved by the City Arborist during the Plan Review and Permitting Process. All vegetation and landscaping surrounding the detention area shall be maintained by the mandatory homeowners association.
- (19) All setbacks, landscape, and buffer areas may be penetrated for purposes of fencing, access, utilities, and stormwater management; including, but not limited to, drainage and detention facilities and any and all slopes or other required engineering features of the foregoing. Any disturbed area shall be restored with comparable plantings as allowed by the City of Marietta or any utility provider.

STIPULATIONS DO NOT ADDRESS DEVELOPMENT AGREEMENT NOR DO THEY ESTABLISH ANY RESTRICTIONS ON THE EXISTING, NON-CONFORMING BILLBOARD

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

NOT COMPATIBLE WITH SEWELL MANOR SUBDIVISION, COUNTY COMPREHENSIVE PLAN, CITY COMPREHENSIVE PLAN OR GUIDELINES

LOW DENSITY RESIDENTIAL (LDR)



The purpose of the Low Density Residential category is to provide for areas that are suitable for low-density housing between one (1) and two and one-half (2.5) dwelling units per acre, and non-supportive senior living housing that in certain circumstances may reach five (5) dwelling units per acre. Allowable residential density is dependent upon factors, such as product type and mix, structure/building height, tract size, topographic conditions and the like, in order to provide compatibility with adjacent residential uses. Specific development proposals shall be evaluated with respect to the following policy guidelines. In addition, the LDR designation includes Small Area Policy Guidelines (SAPG) in Appendix 4.

- LDR-P1** Proposals at the low end of the density range should be encouraged in areas that are currently developed at similar densities.
- LDR-P2** Proposals at the high end of the density range should be encouraged in areas where adequate services and facilities can accommodate such densities and where such proposed densities do not adversely affect the stability of existing residential areas.
- LDR-P3** New residential uses should be developed in a manner that helps protect the character of these areas.
- LDR-P4** Any area of floodplain or wetlands shall be subtracted from the aggregate area of the site submitted for zoning or development prior to the calculation of residential density.

Residential Design Guidelines

Design Guidelines are established to ensure that public and private development projects implement the goals, objectives, policies and character of the city of Marietta.

The Guidelines provide a framework for:

- Enhancing the quality of the residential built environment;
- Achieving quality contextual design
- Encouraging a diversity of architectural styles
- Providing design flexibility instead of aesthetic control
- Creating a pedestrian-oriented environment built upon the city's history and activities
- Protecting and improving property values
- Providing investor and property owner confidence through design continuity

The Design Guidelines achieve the above through standards for new construction that regulate site design, residential building placement and residential design.

This brochure focuses on residential architecture and design. The Guidelines include an explanation of the general and specific design principles, as well as a series of statements describing appropriate and inappropriate design solutions to implement those principles. Photographs and drawings are also included to illustrate acceptable and unacceptable design solutions.

Our approach values creativity and allows for numerous design solutions for any particular project.

Residential Design

The purpose of residential design guidelines is to establish design standards for new construction. The first step in design is to identify a home's orientation and placement to contribute to a unified streetscape creating a sense of place. The second critical part in design is a residence whose form and architecture contributes to the character of the neighborhood.

EXISTING DENSITY 1.75 UNITS PER ACRE
PROPOSED DEVELOPMENT 6.95 UNITS PER ACRE

Appropriate:

- New development that incorporates an architectural style or architectural elements consistent with the desired style of development in the surrounding neighborhood
- New development that complements the architectural heritage of the district in which it is located
- Multiple residences within a single development that relate architecturally with each other and the elements of the surrounding neighborhood

Various architectural elements that may be found on a home:

1. Transoms
2. Trim detail
3. Porch
4. Shutters
5. Window mullions/casings
6. Brick detail
7. Cornice detailing
8. Masonry exterior veneer



Inappropriate:

- No architectural elements
- Use of an architectural style that does not complement the fabric of the surrounding neighborhood
- Exact replication of each residence

All facades (sides) of a residence should reflect a unified architectural treatment; however, there is a hierarchy of treatment based on location, function and level of pedestrian interaction. The specific guidelines for facades are divided into front, side and back facades. Facades should use a combination of architectural details, materials, window and door patterns and other design features to form a cohesive and visually interesting design.

The design of the front of the residence is critical for the atmosphere to be created along the street front.

PHOTOS ARE NOT BUILDING ELEVATIONS



EXHIBIT "B"

Substantially Similar to the "elevations?" (Stipulation# 3 incorporated by reference) Incorporate a downloaded photo of a building that's under construction?



APPLICANT REQUESTING VARIANCE (#2) FROM PROVIDING ACTIVE AMENITY - NO POOL PROPOSED



006 LAWANNA DRIVE - LOT 6
Marietta, GA 30080

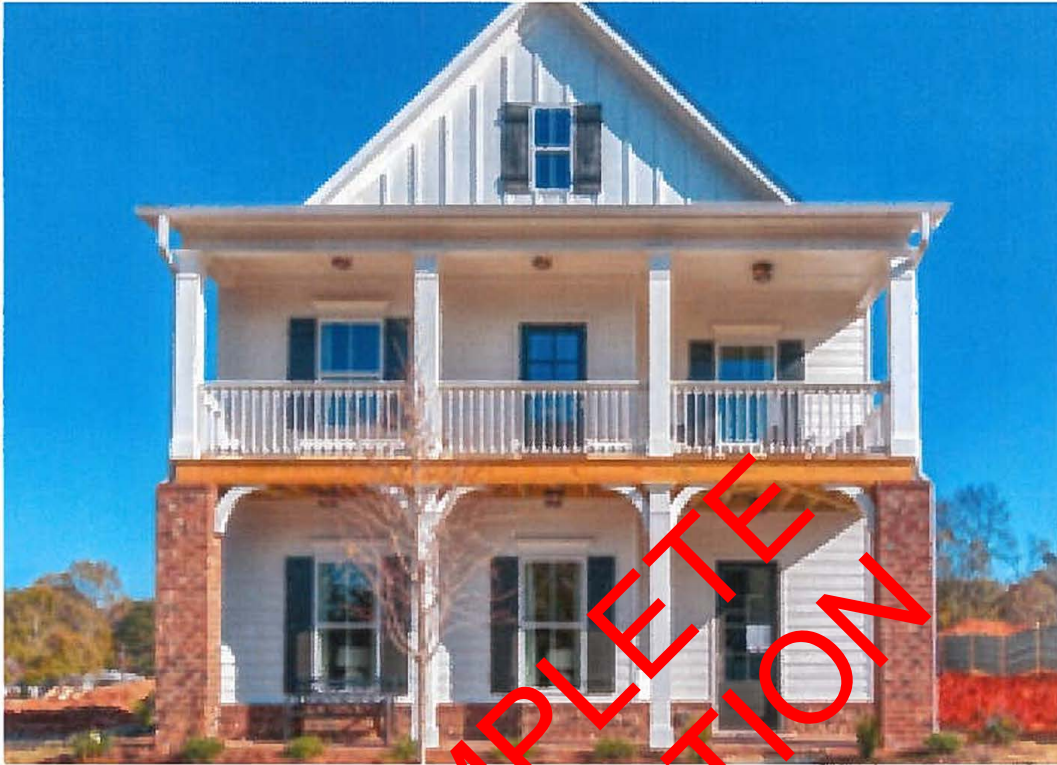
PRICE	TYPE	SQ FT
\$299,900	Townhome	1,701

SOURCE: TRATON HOMES WEBSITE

PROPOSED "TOWNHOMES" ARE 900 SQUARE FEET TO 1,296 SQUARE FEET

**IS THIS DOWNLOADED PHOTO "ELEVATION"
SUB- STANTIALLY-SIMILAR?**

EXHIBIT C - APPLICATION



Is this substantially similar to what will be built within a development that will have 900 square foot townhouses with no active amenities? Incorporate by reference?



2463 DAVIS DRIVE – LOT 1

Smyrna, GA 30080

PRICE	TYPE	SQ FT
\$599,900	Single Family Home	2,168

SOURCE: ABOVE IMAGE DOWNLOADED FROM TRATON HOMES WEBSITE ON 7/9/2019

EXHIBIT "C"

https://www.tratonhomes.com/available-homes/?fwp_home_location=smyrna&fwp_type=single-family-home



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 #: 22019-04 Legistar #: _____ PZ #: 18-609
Planning Commission Hearing: 02/05/2019 City Council Hearing: 02/13/2019

Owner's Name See Exhibit "A" Attached Collectively

EMAIL Address: See Attached Property Owner Contact Information

Mailing Address _____ Zip Code: _____ Telephone Number _____

COMPLETE ONLY IF APPLICANT IS NOT OWNER:

Applicant Representative: J. Kevin Moore - Moore Ingram Johnson & Steele, LLP
Applicant: Traton Homes, LLC

EMAIL Address: clif@tratonhomes.com

Mailing Address 720 Kennesaw Avenue, Marietta, GA Zip Code: 30060

Telephone Number (770) 427-9064 Email Address: clif@tratonhomes.com

Address of property to be rezoned: 53, 56, 63, 73, 76 Indian Trail
1895, 1905, 1923, 1935 Lower Roswell Road

Land Lot (s) 12060 District 16 Parcel 0030 Acreage 7.48± Ward 6A Future Land Use: CAC (City)
0050, 0060, 0070, 0250, 0270, 0280, 0300 Low-Density
Present Zoning Classification: CRC (City) Proposed Zoning Classification: PRD-SF Residential
R-20 (Cobb County) (Cobb County)

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 ½" 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

NOT PROVIDED / SHOWN ON SITE PLAN

7. A detailed written description of the proposed development/project must be submitted with the application.

**INCOMPLETE - DETAILS NOT PROVIDED, SPECIFICALLY NEED
FOR VARIANCES**

ATTACHMENT TO APPLICATION FOR REZONING

Application No.: _____
 Legistar No.: _____
 Hearing Dates: February 5, 2019
 February 13, 2019

Applicant: Traton Homes, LLC
Titleholders: 1905 Lower Roswell Road, LLC; 1923 Lower Roswell Road, LLC; 1935 Lower Roswell Road, LLC; 53 Indian Trail, LLC; 56 Indian Trail, LLC; 63 Indian Trail, LLC; 76 Indian Trail, LLC; and Alvaro A. Arauz and Elizabeth S. Arauz

DESCRIPTION OF PROPOSED DEVELOPMENT/PROJECT

The property which is the subject of the Application for Rezoning by Applicant, Traton Homes, LLC (hereinafter "Applicant") is an assemblage of nine parcels totaling 7.48 acres, more or less, located in Land Lot 1206, 16th District, 2nd Section, Cobb County, Georgia, and are more particularly identified in the Property Owner/Parcel Listing submitted with the Application for Rezoning (hereinafter collectively the "Property" or the "Subject Property"). Six of the parcels are located within unincorporated Cobb County; and, therefore, Applications for Annexation for those parcels are filed contemporaneously with the Application for Rezoning of the overall tract. The Rezoning Application seeks approval of a request to rezone the Subject Property from the existing R-20 (Cobb County) and Community Retail Commercial ("CRC") (City of Marietta) zoning classifications to the PRD-SF zoning classification. Applicant is seeking rezoning for a townhome community.

The assembled parcels are located on the northerly side of Lower Roswell Road (1905, 1923, and 1935 Lower Roswell Road), the easterly side of the North Marietta Parkway (1895 Lower Roswell Road), and the northerly and southerly sides of Indian Trail (53, 63, 73, 56, 76 Indian Trail). The properties contain either small businesses, single-family residences, or are vacant lots. Applicant proposes the construction of a maximum of sixty-two (62) townhome units and one (1) single-family residence. All residences shall be traditional or Craftsman style in architecture and design, with the exteriors consisting of brick, stone, stacked stone, cedar shake, board and batten, and combinations thereof. All residences shall have two car garages. Access to the proposed development will be as shown on the Zoning Plan submitted with the Application for Rezoning.

Extensive landscaping will be done for the overall project. Approximately 0.94 acres of open space shall be provided for the use and enjoyment of residents for passive recreational activities and gatherings. However, Applicant will seek a waiver for the required minimum open space area of 1.87 acres.

Applicant will supplement its Application for Rezoning with additional items; including, but not limited to the following, throughout the rezoning process: **NOT PROVIDED - NO LANDSCAPE PLAN , BUILDING ELEVATIONS OR FLOOR PLANS**

- (1) Updated and revised Zoning Plan, if necessary;
- (2) Landscape Plan for buffer areas and proposed Open Space areas;
- (3) Elevations, floorplans, and finishes; and
- (4) Details for open space and amenity areas.

A detailed letter of agreeable zoning stipulations and conditions will be submitted on behalf of Applicant prior to the hearings before the Planning Commission and City Council. Variances for required open space and minimum driveway length are set forth on the Zoning Plan submitted with the Application for Rezoning; however, any additional required variances will be more particularly set forth during the rezoning process.

ARE ANY ADDITIONAL VARIANES PROPOSED?

Applicant is very excited with the opportunity of this new project within the City of Marietta. The project will redevelop the Property for a quality product in a highly sought after area of the City, in close proximity to Downtown Marietta and with interstate connectivity.



COBB COUNTY BOARD OF COMMISSIONERS

100 Cherokee Street, Suite 300
Marietta, Georgia 30090-7000
Phone: (770) 528-3305 Fax: (770) 528-2606

Michael H. Boyce
Chairman

CERTIFIED MAIL
7015 0640 0001 4999 4515

February 1, 2019

The Honorable Steve Tumlin
Mayor
City of Marietta
205 Lawrence Street
Marietta, Georgia 30060

Re: Petition for Annexation– Land Lot 1206, 16th District, Parcels 0003, 0004, 0005, 0006, 0025 & 0027, 2nd Section, 1895 Lower Roswell Road, 53, 56, 63, 73 & 76 Indian Trail, Cobb County, Georgia; Notice of Objection

Dear Mayor Tumlin:

This correspondence is the **basis of objection** in response to the above-referenced annexation petition. For the reasons indicated below, Cobb County respectfully objects to this proposed annexation and rezoning, in accordance with the provisions of O.C.G.A. § 36-36-113 and the terms contained in sections 2 and 4 of the Intergovernmental Agreement with the City of Marietta, dated July 12, 2004 (“HB 489 Agreement”).

The subject properties are currently zoned R-20, which allows an average density of 1.75 units per acre (upa), and are proposed for rezoning to PRD-SF with a density of 8.76 upa. The site is located within an area designated as Low Density Residential (LDR) on the Cobb County Future Land Use Map. The LDR designation accommodates detached single-family residential development at densities ranging from 1.0 to 2.5 upa. Additionally, all surrounding unincorporated properties are zoned R-20 and designated as LDR.

The proposed rezoning is objectionable pursuant to Section 4 of the HB 489 Agreement. The requested action does not constitute a down-zoning, as the proposed density under the City’s PRD-SF classification is significantly higher than what would be allowed under the County’s R-20 classification. Additionally, the proposed zoning classification and the County’s Future Land Use designation are incompatible according the land use compatibility table (Exhibit A) contained within the HB 489 Agreement.

Further, this objection is valid pursuant to O.C.G.A. § 36-36-113(d)(1)(A) as the proposed rezoning results in “a substantial change in the intensity of the allowable use of the property or a change to a significantly different allowable use.” The PRD-SF zoning, as proposed to be applied

Re: Petition for Annexation– Land Lot 1206, 16th District, Parcels 0003, 0004, 0005, 0006, 0025 & 0027, 2nd Section, 1895 Lower Roswell Road, 53, 56, 63, 73 & 76 Indian Trail, Cobb County, Georgia; Notice of Objection

to the area of annexation, would result in a substantial change in the intensity of the use of the property. The density would increase from 1.75 to 8.56 units per acre.

The area of annexation in this application is within the “buffer for the eastern arch” on the map titled “Undeveloped LDR Land, 2 miles outside unobjectionable area,” contained within Exhibit B of the HB 489 Agreement. Within the aforementioned buffer, the agreed upon density is “up to 4 (units per acre).”

This letter is being sent because there has been no resolution resulting from informal negotiation and / or the timeframe for initiating arbitration is about to lapse in accordance with O.G.C.A. § 36-36-113 (c). This letter will be provided to the Georgia Department of Community Affairs (DCA) along with the forms requesting the appointment of an arbitration panel. DCA will provide a list of potential panelist from which the City will have the opportunity to excuse a set number. This must be accomplished within fifteen (15) days of the date you receive this letter.

Should you have any questions or need any additional information, please contact Jay Northrup, Intergovernmental Coordinator, at (770) 528-2199 or jay.northrup@cobbcounty.org.

ANNEXATION/REZONING

APPLICANT: Marietta
1206/16

PETITION NO : _____ :

PRESENT ZONING: R-20

PETITION FOR: PRD :

**TRANSPORTATION COMMENTS &
RECOMMENDATIONS**

The following comments and recommendations are based on office review of the subject annexation/rezoning case:

PLANS ARE CONCEPTUAL PER COBB DOT AND DO NOT SHOW DETAILS AND/OR SPECIFIC USES

Reviewed plans do not show detailed plans and/or specific uses. Additional concerns/comments will be provided after plans have been submitted to Cobb County via the formal Plan Review Process.

Indian Trail is classified as a local road. R/W does not appear to meet the minimum requirements.

Reviewed plans do not show future plans or specific uses. Additional concerns/comments will be provided after plans have been submitted to Cobb County via the formal Plan Review Process.

Recommend applicant consider entering into a development agreement pursuant to O.C.G.A. 36-71-13 for dedication of the following system improvements to mitigate traffic concerns: a) donation of right-of-way along Indian Trail, 25' from road centerline.

NO MENTION IN ZONING STIPULATIONS LETTER

Recommend applicant be required to meet all Cobb County Development Standards and Ordinances related to project improvements.

**DEVELOPER REQUESTING VARIANCES
-- SEE VARIANCE NUMBERS 6 & 7**

Recommend curb, gutter and sidewalk entire property frontage.

Plans to be submitted for Cobb County Plan Review and approval.

REZONING APPLICATION ANALYSIS**ZONING CASE #:** Z2019-04**LEGISTAR:** 20190009**LANDOWNERS:**

Owner:	Address:
53 Indian Trail, LLC	53 Indian Trail/ 1895 Lower Roswell Road
56 Indian Trail, LLC	56 Indian Trail
63 Indian Trail, LLC	63 Indian Trail
Alvaro A. Arauz & Elizabeth Arauz	73 Indian Trail
76 Indian Trail, LLC	76 Indian Trail
1905 Lower Roswell Road, LLC	1905 Lower Roswell Road
1923 Lower Roswell Road, LLC	1923 Lower Roswell Road
1935 Lower Roswell Road, LLC	1935 Lower Roswell Road

APPLICANT: Traton Homes, LLC
 720 Kennesaw Avenue
 Marietta, GA 30060

AGENT: J. Kevin Moore, Esq.
 Moore, Ingram, Johnson, & Steele, LLP
 326 Roswell Street
 Marietta, GA 30060

PROPERTY ADDRESS: 53, 56, 63, 73, & 76 Indian Trail and 1895, 1905, 1923,
 & 1935 Lower Roswell Road

PARCEL DESCRIPTION: 16120600040, 16120600250, 16120600050,
 16120600060, 16120600270, 16120600030,
 16120600070, 16120600300, 16120600280

AREA: ~7.48 **COUNCIL WARD:** 6A

EXISTING ZONING: R-20 (Cobb County Single Family Residential Zoning) &
 CRC (Community Retail Commercial)

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

FUTURE LAND USE: LDR (Cobb County Low Density Residential) & CAC
 (Community Activity Center)

REASON FOR REQUEST: The applicant is requesting the annexation of six (6) parcels and the rezoning of nine (9) parcels to PRD-SF in order to develop sixty-three (63) townhome units and one (1) single-family residence.

PLANNING COMMISSION HEARING: Tuesday, April 2nd, 2019 – 6:00 p.m.

CITY COUNCIL HEARING: Wednesday, April 10th, 2019 – 7:00 p.m.

STAFF ANALYSIS

Location Compatibility

The applicant, Traton Homes, LLC, is requesting the annexation of six (6) parcels (53, 56, 63, 73 & 76 Indian Trail and 1895 Lower Roswell Road) into the City of Marietta limits and, along with three (3) parcels (1905, 1923, and 1935 Lower Roswell Road) that are already within the City limits, rezone the nine (9) parcels to accommodate a new residential development. Collectively, the subject property would total approximately 7.48 acres. The parcels within Cobb County are zoned R-20 (Single Family Residential) and the parcels within the City limits are zoned CRC (Community Retail Commercial). The applicant wishes to rezone all the parcels to PRD-SF (Planned Residential Development – Single Family).

Adjacent to the development is an established single-family neighborhood within Cobb County that is zoned R-20. Across Lower Roswell Road to the south is a QuikTrip that is zoned CRC. The overall development would lie at the northeastern corner of South Marietta Parkway and Lower Roswell Road.

Use Potential and Impacts

Traton Homes is proposing to construct a 63-unit townhome development along with one (1) single family detached residence. The new single-family detached residence would be developed on the parcel at 76 Indian Trail and the townhome units would be developed on the remaining parcels. The development proposes new private roads off Indian Trail and private alleys to access the townhome units. This proposed development would yield a density of 8.56 units/acre. Townhouse developments at other locations within the City of Marietta have been approved at densities like that proposed for this project, as shown below:

Development	Townhome Units	Acreage	Density
Allgood Rd/Lawrence Dr	59	5.24	11.25
Roseline St	22	1.87	11.76
White St 271	16	1.45	11.03
Powder Springs Rd 1400	72	8.03	9.0
North Square	90	13.92	6.5
Cambridge Walk	30	4.27	7.0
The Registry	12	1.02	11.8
Frasier St	32	3.29	9.72

The purpose of the requested zoning (PRD-SF) is to allow flexibility with design standards (setbacks, density, etc.) for site plan specific developments. However, PRD-SF does have additional requirements for townhome construction, such as open space and impervious surface regulations.

No Building Height Restrictions or Buffer Requirements for PRD-SF zoning district

Attached units are required to provide a 2-car garage and a driveway at least 20 feet in length to accommodate 2 additional cars. According to the plans, the applicant is requesting a variance to reduce the driveway length to 18 feet. There is also a guest parking requirement of 0.2 spaces per unit for the 63 attached units. Based on this standard, the proposed development would require 13 parking spaces; the plans show 23 guest spaces.

PRD-SF zoning also requires a recreation area to be provided at a ratio of 1 acre per 50 units (or a proportional percentage thereof) with a minimum of 10,000 square feet provided. This area is required to contain at least one passive recreational feature, such as a walking trail, pavilion, gazebo or picnic area, and at least one active recreational feature. A 63-unit development would require 1.26 acres of recreation space. The site plan that has been submitted shows "open space" but does not indicate any amenities to be provided other than a pool and pool house for their active feature. In addition, PRD-SF requires a minimum lot size of 4,000 sq. ft. Like recently approved townhome developments by Traton Homes, a variance is being requested to reduce the minimum lot size to the footprint of each unit; the remainder of the property will be common space.

Is this variance request granted to others? Why is it being requested so often by Traton?

Considering the proposed site plan has a number of features that do not meet current requirements under the PRD-SF zoning classification, the following variances would be necessary for approval of the plan as submitted.

- Variance to reduce the required driveway length from 20 feet to 18 feet, as measured from back of curb or sidewalk. [§708.09 (B.2.e)]
- Variance to waive the requirement for passive recreational features. [§708.09 (B.2.i)]
- Variance to reduce the recreation area from 1.26 acres to 0.94 acres. [§708.09 (B.2.i)]
- Variance to reduce the required open space from 25% (1.87 acres) to 12.6% (0.94 acres). [§708.09 (H)]
- Variance to reduce the minimum lot size requirement from 4,000 sq. ft. to the footprint of the smallest unit. [§708.09 (H)]

Would there be 900 SF lots?

The Future Land Use (FLU) designation is used to describe the anticipated land uses in a long-term perspective. The parcels within Cobb County are classified as LDR (Low Density Residential). The parcels within City limits are classified as CAC (Community Activity Center). The City's Comprehensive Plan describes LDR as appropriate for single-family dwellings up to four (4) units per acre; and CAC is suitable for retail and service including businesses and professional offices. Should the property be annexed and rezoned, the City would propose a future land use classification of HDR (High-Density Residential) for consistency with the requested density of 8.56 units/acre. The City's Comprehensive Plan describes HDR as appropriate for housing with densities ranging from nine (9) to twelve (12) units per acre.

In a letter dated February 1, 2019, Cobb County has formally objected to the annexation because the proposed density exceeds that identified the 2004 HB 489 Agreement. Under this agreement, the agreed upon density for residential developments in the proposed area is up to 4 units per acre.

Environmental Impacts

The proposed housing development, or any development, would substantially increase the amount of impervious surface and runoff given that only one (1) out of the nine (9) parcels is currently developed. There is no floodplain or indication of endangered species on the site. City staff has identified state waters at the northwestern corner of the subject property (63 Indian Trail), which may impact the proposed design of the project.

Economic Functionality

Although functional as currently zoned, structures on portions of the subject property have been demolished since 2016. There is one remaining parcel that is functioning as zoned. Limited vehicular accessibility for the commercial parcels along Lower Roswell Road due to congestion at the signalized intersection is an issue impacting the functionality of these parcels as zoned.

THE SITE HAS LIMITED VEHICULAR ACCESS PER CITY STAFF

Infrastructure

PRIVATE ONE-WAY STREET PROPOSED FOR NEW DEVELOPMENT? RESULTS IN LOSS OF USE FOR SEWELL MANOR BUT DEVELOPMENT CAN USE SEWELL MANOR ROADS

Access to the overall development would be from Lower Roswell Road and the Indian Trail neighborhood to the east. The individual units would be accessed from private roads or alleys. All private roads must be designed and constructed according to public road standards including easements, visibility, intersections, paving widths, etc.

The proposed roads and alleys cannot accommodate curbside pick-up by City sanitation vehicles. Dumpsters, trash pails, and/or trash corrals would have to be provided in locations that accommodate City sanitation vehicles. Also, the Fire Department and Public Works have expressed concern that the long hammerheads may create an issue for adequate access. Additional issues identified by Public Works are listed in the "Appendix" to this report.

Sidewalks must be incorporated along all streets and public improvements. Sidewalks - minimum width five (5) feet - must be provided within the development and along the perimeter of the development.

CONTRAVENES VARIANCES 6 & 7 PER CITY STAFF

When new subdivisions intersect with arterial and collector streets, an acceleration and deceleration lane is required with the minimum standards of being 200 feet in length, including a 50 foot taper. There have been previous proposals to relocate the north-south section of Indian Trail further away from the major intersection of South Marietta Parkway and Lower Roswell Road, which would improve safety and accessibility to the subject property and Indian Trail neighborhood.

The Zoning Ordinance requires residential developments containing more than 51 units to provide at least two access points to an arterial or collector street. Lower Roswell Road, an arterial road, is the primary access point with an alternative access point from Indian Trail, a local road.

Because of the potential traffic hazards created by adding this many units to an already hazardous intersection, a traffic impact study will be required.

The following are transportation related variances that would be necessary to proceed with the submitted plan:

FIVE TRANSPORTATION VARIANCES

- Variance to reduce the minimum centerline radius from 100 feet to what is shown on the plan dated 12/14/18. [§730.01 (H)]
- Variance to waive the requirement to install a sidewalk along S. Marietta Parkway. [§732.07]
- Variance to allow sidewalks as designated on the plans submitted (dated: 12/14/2018). [§732.07 (C)]
- Variance to waive the required acceleration and deceleration lane on Lower Roswell Road. [§730.01 (I.4.b.)]
- Variance to allow a single-family development of more than 51 dwelling units provide one access point to an arterial street. [§730.01 (A.)]

Sewer availability for the northern portion of this property will be a significant issue. A gravity sanitary sewer system will not work on this site without considerable changes in topography.

ECONOMIC FUNCTIONALITY - DEVELOPER IS REQUESTING DENSITY TO PAY FOR HIGH DEVELOPMENT COSTS - SHOULD NOT BE PUBLIC BURDEN

Overhead Electrical/Utilities

The proposed location of the units facing Lower Roswell Road may create a conflict with the existing power poles. Structures shall be set at least 10 feet from the utility poles and lines.

Due to the short distance between the townhome buildings and Lower Roswell Road, there is a high probability for conflict with the proposed buildings and existing power lines. If the power poles or utility lines are affected by the development, they must be relocated underground at the developer's expense. This would also minimize potential conflicts with street trees.

HIGH DENSITY SHOULD NOT BE GRANTED TO GUARANTEE TRATON'S PROFIT

History of Property

The subject properties within the city limits were annexed from Cobb County in 1998.

Other Issues

Should the property be annexed and rezoned as submitted, separate hearings would be necessary for the right of way exchange and rezoning. The existing billboard at the corner of South Marietta Parkway and Lower Roswell Road would be removed as part of this project.

The elementary school serving this area would be Lockheed.

ORIGINALLY, BILLBOARD WAS TO BE REMOVED -- NOW REMAINING ON SITE AND SIX ADDITIONAL VARIANCES ARE BEING REQUESTED SPECIFIC TO THE BILLBOARD



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

ANALYSIS & CONCLUSION

The applicant, Traton Homes, LLC, is requesting the annexation of six (6) parcels (53, 56, 63, 73 & 76 Indian Trail and 1895 Lower Roswell Road) into the City of Marietta limits and, along with three (3) parcels (1905, 1923, and 1935 Lower Roswell Road) that are already within the City limits, rezone the nine (9) parcels to accommodate a new residential development. Collectively, the subject property would be approximately 7.48 acres. The current zoning classification for the parcels within Cobb County are zoned R-20 and the parcels within the City limits are zoned CRC. The applicant wishes to rezone all the parcels to PRD-SF.

Traton Homes is proposing to develop a 63-unit townhome development with one (1) single family residence. The new single-family residence would be developed on the parcel at 76 Indian Trail and the townhome units would be developed on the remaining parcels. The development proposes new private roads off Indian Trail and private alleys to access the townhome units. This proposed development would yield a density of 8.56 units/acre.

In addition to other issues identified by Public Works that must be addressed, the following variances would be necessary:

1. Variance to reduce the required driveway length from 20 feet to 10 feet, as measured from back of curb or sidewalk. [§708.09 (B.2.e)]
2. Variance to waive the requirement passive recreational features. [§708.09 (B.2.i)]
3. Variance to reduce the recreation area from 1.26 acres to 0.94 acres. [§708.09 (B.2.i)]
4. Variance to reduce the minimum open space from 25% to 12.6%. [§708.09 (H)]
5. Variance to reduce the minimum lot size requirement from 4,000 sq. ft. to the footprint of the smallest unit. [§708.09 (H)]
6. Variance to reduce the minimum centerline radii from 100 feet to what is shown on the plan dated 12/14/18. [§730.01 (H)]
7. Variance to waive the requirement to install a sidewalk along S. Marietta Parkway. [§732.07]
8. Variance to allow sidewalks as designated on the plans submitted (dated: 12/14/2018). [§732.07 (C)]
9. Variance to waive the requirements of an acceleration and deceleration lane into the new subdivision. [§730.01 (F.1.b)]
10. Variance to allow a single-family development of more than 51 dwelling units provide one access point to an arterial street. [§730.01 (A.)]

The Future Land Use (FLU) designation for the parcels within Cobb County are classified as LDR (Low Density Residential). The parcels within City limits are classified as CAC (Community Activity Center). The City's Comprehensive Plan describes LDR as appropriate for single family dwellings up to four (4) units per acre, and CAC is suitable for retail and service including businesses and professional offices. Should the properties be annexed and rezoned, the City would assign a future land use classification of HDR (High-Density Residential) for consistency with the requested density of 8.56 units/acre.

In a letter dated February 1, 2019, Cobb County has formally objected to this annexation because the proposed density violates the 2004 HB 489 Agreement, which limits residential density for annexation in this area to be no more than 4 units per acre.

Prepared by: Shelly J. Roth

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" DIP
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?	R. L Sutton
Treatment Plant Capacity?	N/A
Future Plant Availability?	N/A

There is a major change in elevation on this site. A gravity sanitary sewer system will not work on this site without considerable changes in topography.

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?	Sope Creek
Is there potential for the presence of wetlands as determined by the U.S. Environmental Protection Agency?	Yes (63 Indian Trl)
If so, is the use compatible with the possible presence of wetlands?	Yes
Do stream bank buffers exist on the parcel?	Yes (63 Indian Trl)
Are there other topographical concerns on the parcel?	Yes
Are there storm water issues related to the application?	No
Potential presence of endangered species in the area?	No

TRAFFIC STUDY NEEDED PER CITY DOT - NOT PROVIDED

TRANSPORTATION

What is the road effected by the proposed change?	Lower Roswell Rd; Indian Trl
What is the classification of the road?	Arterial; Local
What is the traffic count for the road?	Traffic study needed; contact Cobb DOT to see if they have recently performed a study
Estimated # of trips generated by the proposed development?	370 per day
Estimated # of pass-by cars entering proposed development?	(27 peak AM hr, 32 peak PM hr)
Do sidewalks exist in the area?	0 per day
Transportation improvements in the area?	Yes, on Lower Roswell Rd
If yes, what are they?	Yes, by Cobb DOT

- The existing location and configuration of Indian Trail (a Cobb County roadway) is proposed as the subdivision's entrance. The subdivision's entrance is in close proximity to the intersection of Lower Roswell Road with South Marietta Parkway, situated approximately 275-ft to the east of South Marietta Parkway. The proposed entrance presents traffic concerns including, but not limited to, the following items:
 - Lower Roswell Road: Westbound vehicles stacking and blocking vehicles attempting to enter and exit Indian Trail.

CITY DOT RAISES TRAFFIC ISSUES - VEHICLE STACKING

- Lower Roswell Road: Eastbound vehicles stacking into South Marietta Parkway, due to eastbound vehicles attempting to turn left onto Indian Trail.
- Indian Trail: Vehicles stacking on Indian Trail, due to vehicles attempting to turn left onto Lower Roswell Road.
- Private Alley D: Southbound vehicles unable to turn left onto Indian Trail, due to vehicles attempting to enter Lower Roswell Road.
- Full site development plans required. **BOTH COBB AND CITY DOT REQUEST FULL PLANS**
- State Waters exist at the northwestern corner of 63 Indian Trail. The stream head exists near a stand of three magnolias and a stacked stone wall surrounds the bowl. City staff placed two flags at the head on 01/09/19. The drainage area is less than 25-acres, so only the State-required 25-ft undisturbed stream buffer applies.
- Modifications to County rights-of-way require approval by Cobb County Department of Transportation.
- Deceleration lane required. **VARIANCE REQUESTED WITHOUT JUSTIFICATION**
- Private roads must be constructed to City street standards.
- Roads and alleys have centerline radii less than the required minimum of 100-ft. Adjustments of roadway configurations and/or variances would be required. **VARIANCE# 5**
- Proposed roads and alleys cannot accommodate curbside pick-up by City sanitation vehicles. Dumpsters, trash pads, and/or trash corrals must be provided in locations that accommodate City sanitation vehicles. Trash corrals, rather than trash pads, are required if bins are to be permanently stored on the pad.
- All intersections, curves, hill crests, and other locations of roadway and alleys must meet AASHTO sight distance requirements. In cases where the sight line is not contained within the right of way or easement, a sight distance easement will be required. Areas of concern include, but are not limited to reduced centerline radii locations, corner lots, tree locations, and access points. These will be further reviewed as part of the site development plan review process but warrant comment at this time.
- Any items that require electric service (e.g. amenities area, mail kiosk, entrance signs, sewage pump, etc.) must have a separate address.

SIGHT DISTANCE REQUIREMENTS WARRANT COMMENT AT THIS TIME

DATA APPENDIX CONTINUED**EMERGENCY SERVICES**

Nearest city or county fire station from the development? 52

Distance of the nearest station? 2 MI

Most likely station for 1st response? 52

Service burdens at the nearest city fire station (under, at, or above capacity)?

EDGE OF CITY LIMITS

SERVICE BURDEN = TAX BURDEN FOR CITY RESIDENTS

Comments:

1. Provide a fire access road inside the development to serve lots 56-64 and lots 2-11.
2. The maximum allowable dead end for a fire access road is 150' without providing an acceptable turnaround.
3. Single-family developments containing more than 51 dwelling units shall provide at least two access points to arterial or collector streets.
4. Accessibility for fire equipment on hard surfaced sub-base (subgrade plus an asphalt first layer or bound crushed stone) shall be maintained through all stages of construction from the time flaming begins.
5. Minimum turning radius shall be 35 feet
6. Access to the Mall Kiosk and other amenities shall provide all necessary features to facilitate accessibility and comply with the Georgia Accessibility Code.

MARIETTA POWER - ELECTRICAL

Does Marietta Power serve this site? Yes ☒ No ☒

If not, can this site be served? Yes ☒ No ☐

What special conditions would be involved in serving this site?

Some parcels are served by Cobb EMC and some parcels are served by Marietta Power.

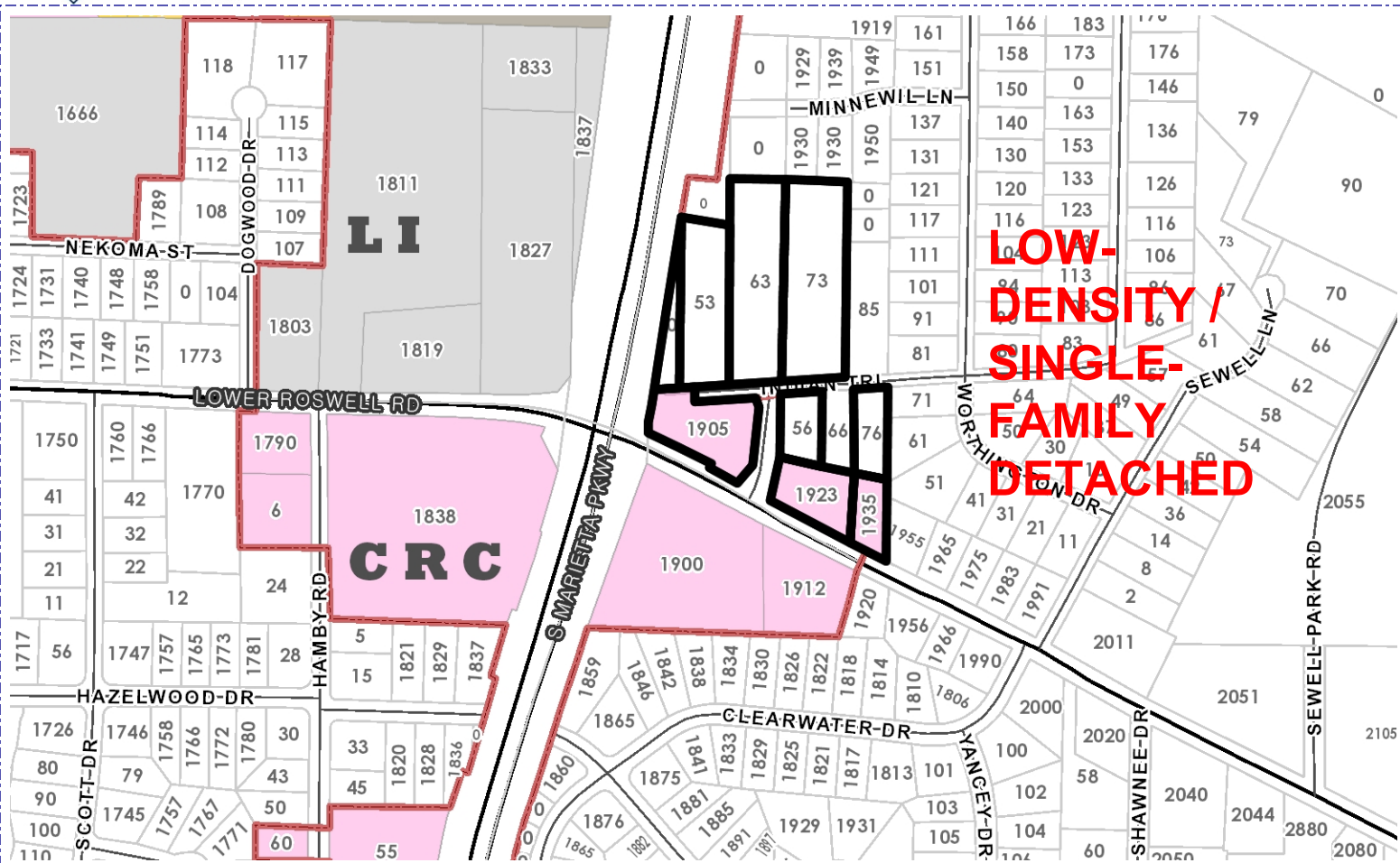
****Customer Choice****

DATA APPENDIX CONTINUED

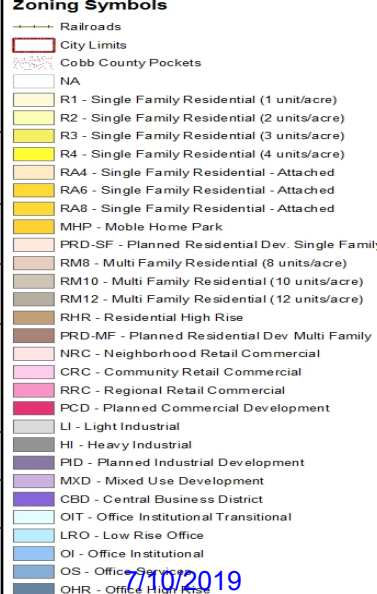
MARIETTA CITY SCHOOLS

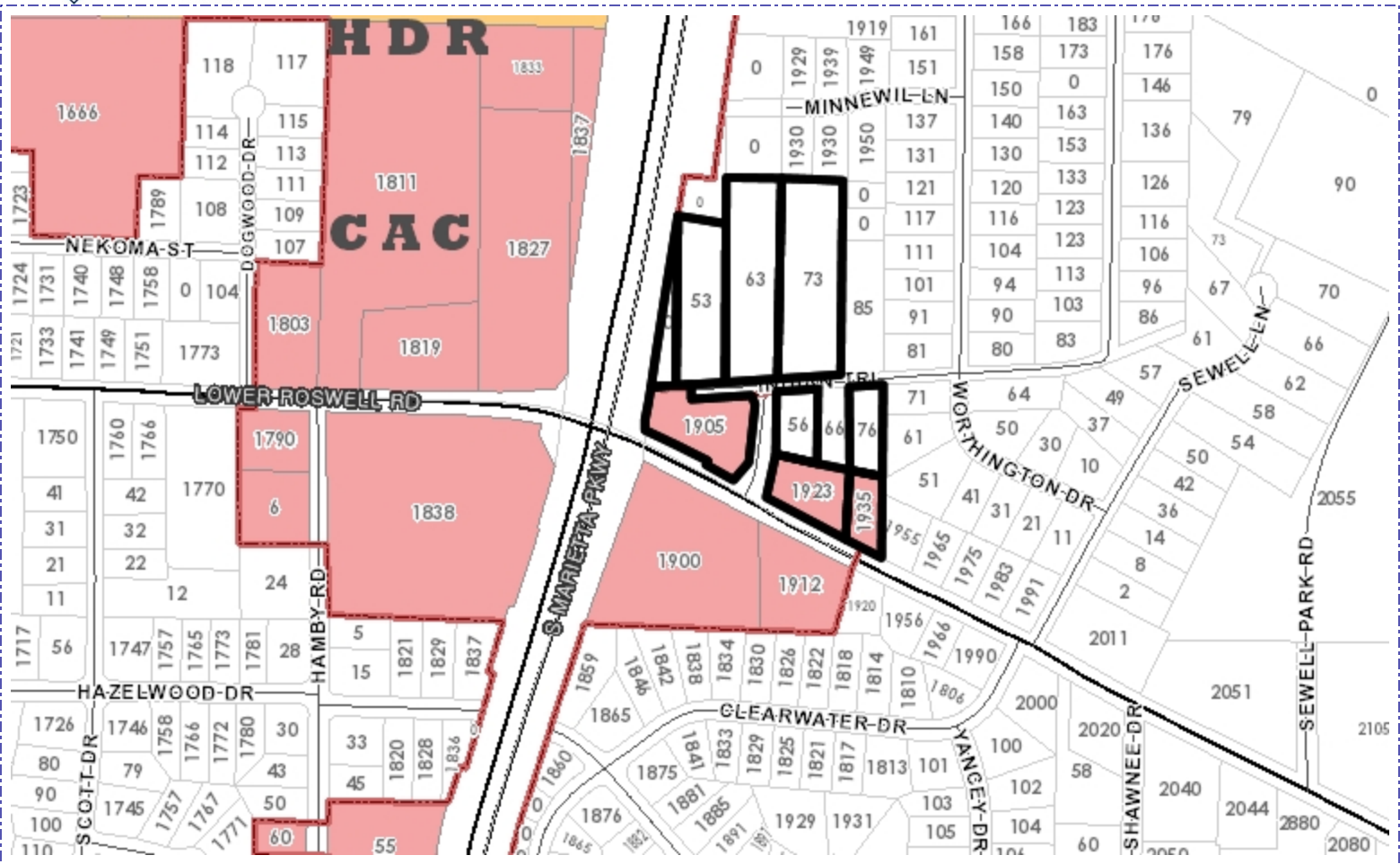
Marietta City Schools Impact Assessment:

Elementary School System Servicing Development:	Lockheed Elementary
Middle School Servicing Development:	Marietta Middle School
High School Servicing Development:	Marietta High School
Capacity at Elementary School:	775
Capacity at Middle School:	1,350
Capacity at Marietta Sixth Grade Academy:	775
Capacity at High School:	2,150
Current enrollment of Elementary School:	671
Current enrollment of Middle School:	1,339 <u>AT CAPACITY</u>
Current enrollment of High School:	2,392 <u>OVER CAPACITY BY</u>
Number of students generated by present development:	0 <u>MORE THAN 10%</u>
Number of students projected from the proposed development:	30
New schools pending to serve this area:	0
<u>Comments:</u> <u>COBB COUNTY SCHOOL DISTRICT ???</u>	




















Address	Parcel Number	Acreage	Ward	Zoning	FLU
1935 LOWER ROSWELL RD	16120600280	0.343	6A	CRC	CAC
1923 LOWER ROSWELL RD	16120600300	0.592	6A	CRC	CAC
1905 LOWER ROSWELL RD	16120600070	0.887	6A	CRC	CAC
56 INDIAN TRL		0.374		NA	
76 INDIAN TRL		0.384		NA	
53 INDIAN TRL		1.056		NA	
73 INDIAN TRL		1.62		NA	
63 INDIAN TRL		1.435		NA	
0	C	0.283			

Property Owner:	Various	Zoning Symbols 
Applicant:	Traton Homes	
Proposed Zoning:	R20 (Cty) CRC (City) to PRD-SF	
Agent:	J. Kevin Moore, Esq.	
Proposed Use:		
Planning Commission Date:		
City Council Hearing Date:	07/10/2019	Case Number: Z2019-04
City of Marietta Planning & Zoning SYH/SEC 7/10/2019		



Address	Parcel Number	Acreage	Ward	Zoning	FLU
1935 LOWER ROSWELL RD	16120600280	0.343	6A	CRC	CAC
1923 LOWER ROSWELL RD	16120600300	0.592	6A	CRC	CAC
1905 LOWER ROSWELL RD	16120600070	0.887	6A	CRC	CAC
56 INDIAN TRL		0.374		NA	
76 INDIAN TRL		0.384		NA	
53 INDIAN TRL		1.056		NA	
73 INDIAN TRL		1.62		NA	
63 INDIAN TRL		1.435		NA	
0	C	0.283			

Planning Commission Hearing Date:	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: 07/10/2019	
Future Land Use: CAC	
Case Number:	
Comments:	

SYN/SEC

City of Marietta Planning & Zoning

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7/10/2019