



REZONING APPLICATION ANALYSIS

ZONING CASE #: Z2020-34

LEGISTAR: #20200890

LANDOWNERS:

RGM Properties Partnership, LLLP
870 Old Canton Road
Marietta, GA 30068

McMullan Partners, LLC
870 Old Canton Road
Marietta, GA 30068

Ruben G. McMullan
870 Old Canton Road
Marietta, GA 30068

APPLICANT: Nexus Marietta, LLC
2870 Peachtree Road, Suite 331
Atlanta, Georgia 30305

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

PROPERTY ADDRESS: 350 Virginia Place; 411, 417, 420, 421, 430, 431, 440, 441, 450, 456, 460, 464, 470, 500, 506, 510, 520 & 524 Meadowbrook Place

PARCEL DESCRIPTION: Land Lot 649, District 17, Parcels 0390, 0380, 0370, 0210, 0990, 0220, 0360, 0230, 0350, 0240, 1580, 1440, 0270, 1590, 0030; Land Lot 648, District 17, Parcel 0790; Land Lot 650, District 17, Parcels 0610 & 0620; and Land Lot 647, District 17, Parcel 0020

AREA: 16.82±

COUNCIL WARD: 6A

EXISTING ZONING: CRC (Community Retail Commercial) & RRC (Regional Retail Commercial)

REQUEST: MXD (Mixed Use Development)

FUTURE LAND USE: RAC (Regional Activity Center)

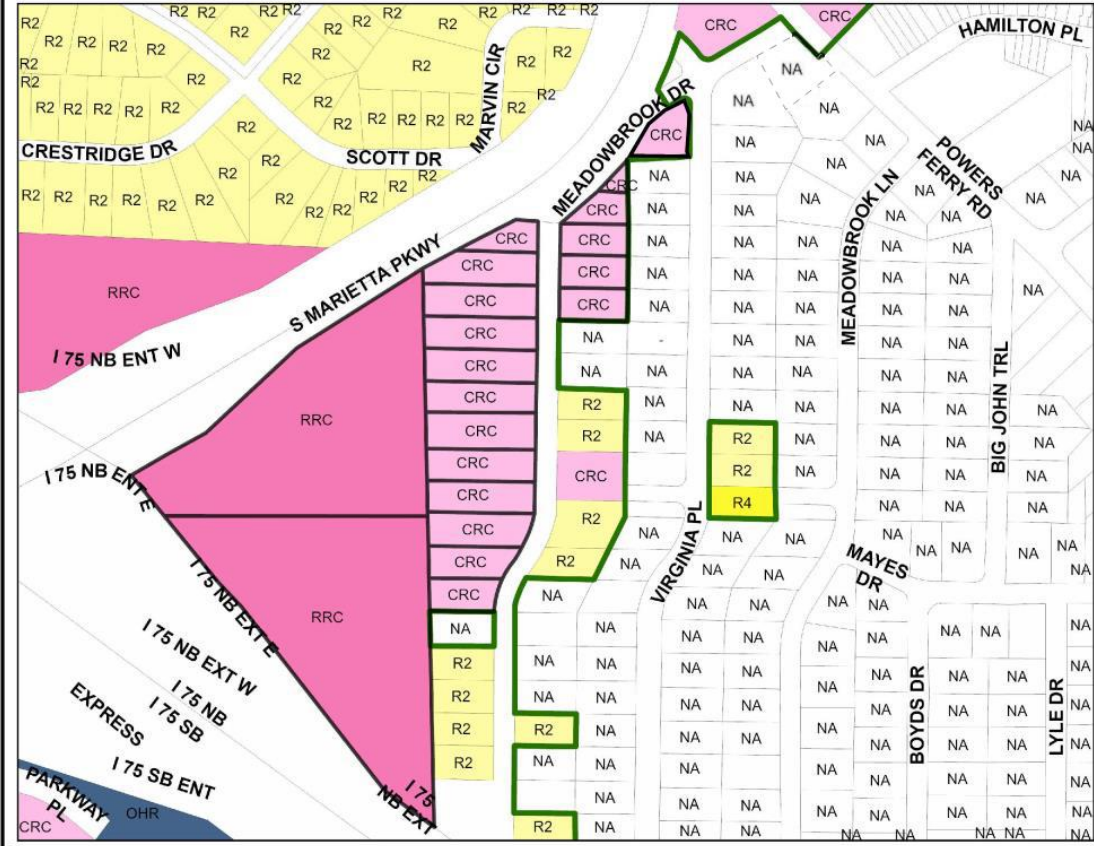
REASON FOR REQUEST: This proposal includes the construction of 45,000 square feet of retail/restaurant/event space; 39 townhomes; 160 senior apartments; and 176 multifamily apartments.

PLANNING COMMISSION HEARING: Tuesday, February 2, 2021 – 6:00 p.m.

CITY COUNCIL HEARING: Wednesday, February 10, 2021 – 7:00 p.m.

MAP

City of Marietta Area Zoning Map

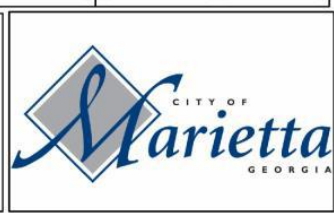
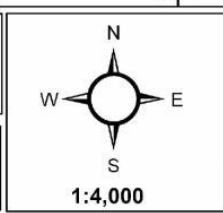


Zoning		District	Land Lot	Parcel	Current Zoning	Proposed Zoning
SINGLE FAMILY RESIDENTIAL R-1 One Unit/Acre R-2 Two Unit/Acre R-3 Three Unit/Acre R-4 Four Unit/Acre ATTACHED FAMILY RESIDENTIAL RA-4 Four Unit/Acre RA-6 Six Unit/Acre RA-8 Eight Unit/Acre PRD(SF) Planned Residential Dev. MHP Mobile Home Park MULTI FAMILY RESIDENTIAL RM-8 Eight Unit/Acre RM-10 Ten Unit/Acre RM-12 Twelve Unit/Acre RHR Residential High Rise PRD(MF) Planned Residential Dev.	COMMERCIAL NRC Neighborhood Retail CRC Community Retail RRC Regional Retail CBD Central Business District PCD Planned Commercial Dev. MXD Mixed-Use Dev. OIT Office Institutional Trans. LRO Low-Rise Office OI Office Institutional OS Office Services OHR Office High-Rise INDUSTRIAL LI Light Industrial HI Heavy Industrial PID Planned Industrial Dev.	17	648 649 650 647	0390, 0380, 0370, 0210, 0990, 0220, 0360, 0230, 0350, 0240, 1580, 1440, 0790, 0270, 1590, 0030, 0610, 0620, 0020	CRC RAC	MXD

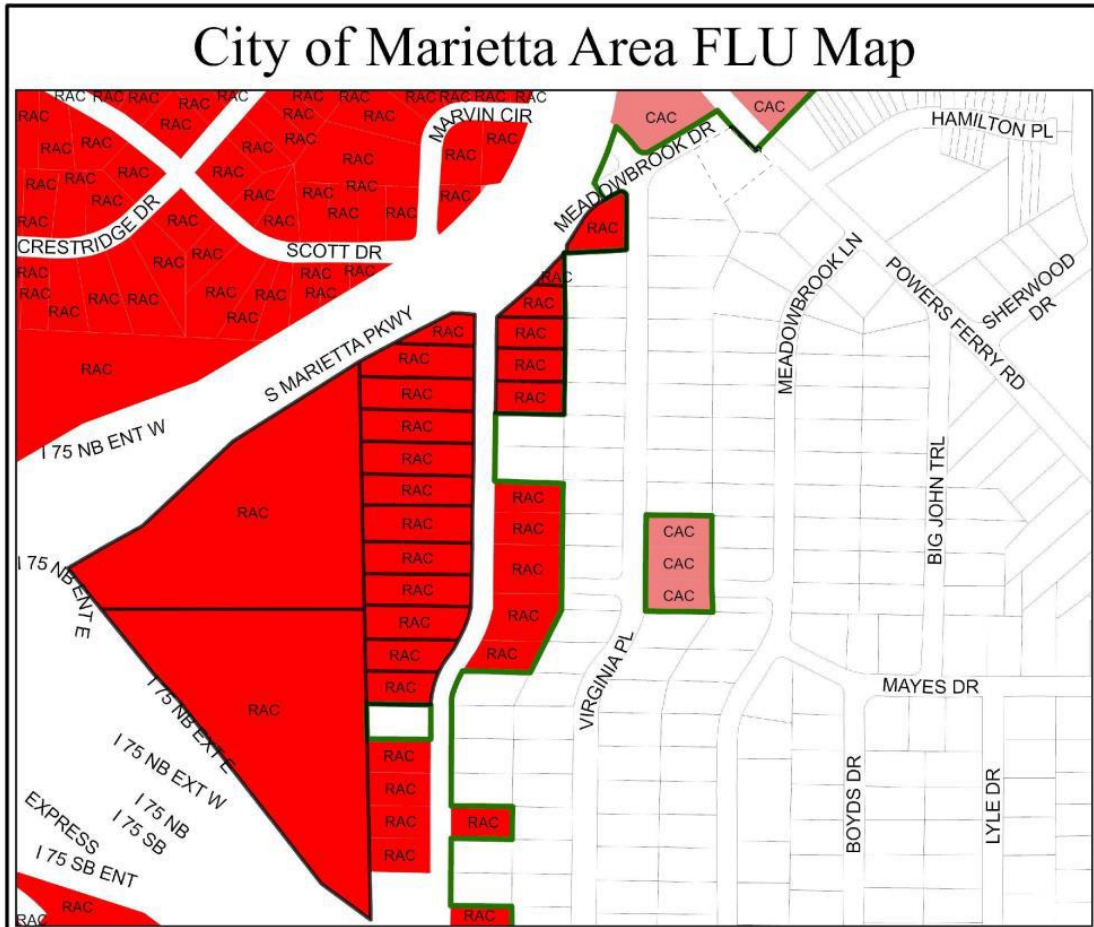
Comments:
 350 Virginia Pl; 411, 417, 420, 421, 430, 431, 440, 441, 450
 456, 460, 464, 470, 500, 506, 510, 520, 524 Meadowbrook Dr

Date: **10/28/2020**

Planning & Zoning Division



FLU MAP

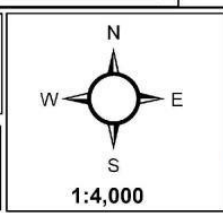


Future Land Use	District	Land Lot	Parcel	Current FLU	Proposed FLU
LDR Low Density Residential MDR Medium Density Residential HDR High Density Residential NAC Neighborhood Activity CAC Community Activity Center RAC Regional Activity Center CBD Central Business District IM Industrial - Manufacturing IW Industrial - Warehousing OSC Open Space/Conservation PR Parks & Recreation CSI Community Service & Institutional TCU Transportation, Communication & Utilities MXD Mixed Use	17	648 649 650 647	0390, 0380, 0370, 0210, 0990, 0220, 0360, 0230, 0350, 0240, 1580, 1440, 0790, 0270, 1590, 0030, 0160, 0620, 0020	RAC	RAC

Comments:
 350 Virginia Pl; 411, 417, 420, 421, 430, 431, 440, 441, 450,
 456, 460, 464, 470, 500, 506, 510, 520, 524 Meadowbrook Dr

Date: **10/28/2020**

**Planning & Zoning
 Division**



PICTURES OF PROPERTY



Properties on Meadowbrook Drive



Properties on Meadowbrook Drive



Properties on Meadowbrook Drive



Billboard Locations



STAFF ANALYSIS

Location Compatibility

Nexus Marietta, LLC is requesting the rezoning of nineteen (19) parcels addressed off Meadowbrook Drive and located at the southeastern intersection of Interstate 75 and South Marietta Parkway. The overall development site is 16.82 acres in area and originally included an annexation request for a 0.47-acre parcel that has since been withdrawn. The subject properties are currently zoned RRC (Regional Retail Commercial) and CRC (Community Retail Commercial). The applicant is requesting the MXD (Mixed Use Development) zoning classification to construct 45,000 square feet of retail, restaurant, and/or event space; thirty-nine (39) townhomes; one hundred sixty (160) age restricted apartments; and 176 multifamily apartment units.

Use Potential and Impacts

The purpose of the MXD zoning district is to “*allow flexible site planning and building arrangements for commercial, office and residential uses under a unified plan which fosters natural resource conservation and reduces traffic congestion.*” Although the location of this property near I-75 and South Marietta Parkway would seem to be ideal for such a dense development, one of the limitations is the fact that the only access to the property is along Meadowbrook Drive to Powers Ferry Road and traffic congestion is already problematic in the area. The project is proposed to include a commercial component (45,000 sq.ft.) that would allow goods and services to be provided to the surrounding community; and the residential portion of the development contains 375 housing units on 16.82 acres at a density of 22.3 units/acre. A development of this size would increase traffic, and it appears unlikely that the amount of commercial space included in this project would provide enough services to reduce the number of daily trips enough to make any noticeable impact. In addition, successful commercial components within the proposed development would draw additional traffic to the already overburdened area near the intersection of South Marietta Parkway and Powers Ferry Road.

Additionally, while there is clearly a stream and adjacent floodplain on the southeast portion of the site near I-75, there is no indication of how much of the site is contained within the floodplain or potential wetlands. The Zoning Ordinance does not allow wetlands and floodplain areas be included in density calculations, so 22.3 units/acre is likely an underestimation of the true density. In comparison, in August 2020, City Council approved an apartment project marketed towards students on Frey’s Gin Road (Z2020-13). That project contained 166 complete units (shared living and kitchen space) at 17.33 units/acre. Had the density been calculated using the number of bedrooms, since they are leased by the room, the density of the development would be 48.07 units/acre.

Three different residential housing types are included in this proposal: fee simple townhomes, age restricted (55+) apartment units, and multifamily apartments that will be marketed towards, but not limited to, “senior & mature adults.”

The future land use designation for this development area is RAC (Regional Activity Center), which is intended for areas that can support a high intensity of development serving regional markets and trade areas. These are areas that are located along major arterials and highway interchanges. Although the Comprehensive Plan does not explicitly require direct and easy access to these major arterials and interchanges, it is implied. Residential uses are considered compatible with RAC if they are provided in a mixed-use or high-density capacity with pedestrian friendly design. Under the RAC future land use, with property design, the City’s Comprehensive Plan could support MXD zoning.

Environmental Impacts

There are numerous environmental considerations associated with this site that will make development difficult. It contains floodplain, streams and associated stream buffer requirements, and the potential for wetlands.

Economic Functionality

The development site contains approximately thirteen structures that function as nonconforming residences on commercially zoned properties. Although an assemblage of this size and location would ordinarily justify a high intensity use, the development site has access and environmental issues that will limit its development potential and does not appear to be developable as proposed.

There are also two billboards on the property – one along I-75 and one along South Marietta Parkway. The site plan does not include these structures, so it is unclear whether the applicant’s intent is to keep the structure or remove them. Any proposal to keep the billboards on property zoned MXD would require multiple variances.

Infrastructure

Access to this development will be solely from Meadowbrook Drive. The intersection of Meadowbrook Drive with Powers Ferry Road is unsignalized and is close enough to the intersection of South Marietta Parkway and Powers Ferry Road to be hindered by it. A traffic study will be required; and the outcome and recommendations will be crucial due to the amount of traffic expected to come from a development of this size. Should the project be approved, preemptive traffic calming on Meadowbrook Drive would be required to promote walkability and deter speeding. Because of the number of new residential units being provided, the Zoning Ordinance requires at least two access points to arterial or collector streets. Unless additional access can be provided, the following variance would be necessary to implement the proposed plan:

- Variance to reduce the number of access points to an arterial or collector street from 2 to 1 for a development containing more than 100 dwelling units. [§730.01 (A)]

The parking calculations provided on the site plan do not appear to be correct and indicate a shortage. For example, townhouses are required to have two garage spaces and two driveway spaces on site with 0.2 spaces per unit provided off-site for guests. Parking for the age-restricted units are incorrectly classified as one space for every 4 beds/units, which is the requirement for assisted living facilities and personal care homes.

Parking for any apartment, even if age restricted, is based on the number of bedrooms and would range from 1.7 spaces per one-bedroom unit to 2.2 spaces for every two- and three-bedroom unit. A development containing 336 new apartments would require between 572 and 740 parking spaces, depending on the bedroom mixture. The entire development contains only approximately four hundred seventy (470) striped, surface spaces, not including the garage or driveway spaces for the townhomes.

Existing water and sanitary sewer infrastructure will likely need to be upgraded to accommodate a project of this scale.

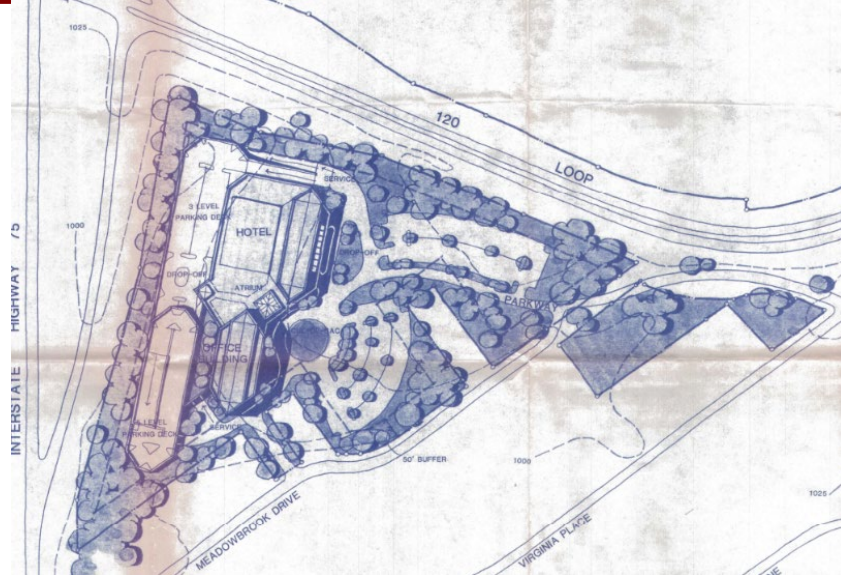
Marietta City Schools anticipates twenty-two (22) new students resulting from the proposed development. Lockheed Elementary would serve the school and has ample room to accommodate elementary age students; however, Marietta Middle School and Marietta High School are already over capacity.

Overhead Electrical/Utilities

Considering the substantial reconfiguration of the site will be necessary to accomplish this project, it is unlikely that any existing power poles will conflict with any new buildings. All structures must be at least 10 feet away from the 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.

History of Property

Much of this area was rezoned from residential (R-20 and R-10) to GC (General Commercial) in 1986 for the proposed construction of a hotel, office building, and five-level parking deck. The case Z-8612 was site plan specific and included many stipulations, including a requirement that the developer widen Meadowbrook Drive to four lanes, with sidewalks, to Powers Ferry Road.



Site plan from Z-8612

Parcels addressed as 441, 510, & 520 Meadowbrook Drive were rezoned to CRC in 2001 (Z2001-05). One parcel, 460 Meadowbrook Drive, was rezoned to CRC in 2004 (Z2004-13).

Historical Impacts

There is no known historical significance associated with this site.

Other Issues

The plan submitted with a rezoning application for MXD is considered the general plan and is intended to establish conceptual approval of items such as road configuration, dwelling unit density, building height, floor area, and tree protection and recreation areas. Should this rezoning be approved, a detailed plan would be required to be submitted and approved by City Council prior to land disturbance and must include a tree plan, architectural elevations, and a more detailed site plan.

Because of the flexibility allowed under MXD zoning, there are no minimum requirements for dwelling units and/or apartments that are provided under other, traditional zoning categories. For instance, PRD-MF establishes the required minimum floor areas for apartments as:

- 500 sq. ft. for an efficiency
- 650 sq. ft. for 1-bedroom unit
- 800 sq. ft. for 2-bedroom unit
- 1000 sq. ft. for 3-bedroom unit

ANALYSIS & CONCLUSION

Nexus Marietta, LLC is requesting the rezoning of 19 parcels addressed off Meadowbrook Drive and located at the southeastern intersection of Interstate 75 and South Marietta Parkway. The overall development site is 16.82 acres in area and originally included an annexation request for a 0.47-acre parcel that has since been withdrawn. The subject properties are currently zoned RRC and CRC. The applicant is requesting the MXD zoning classification to construct 45,000 square feet of retail, restaurant, and/or event space; 39 townhomes; 160 age restricted apartments; and 176 multifamily apartment units.

Although the location of this property near I-75 and South Marietta Parkway would seem to be ideal for such a dense development, one of the limitations is the fact that the only access to the property is along Meadowbrook Drive to Powers Ferry Road and traffic congestion is already problematic in the area. A development of this size would increase traffic, and it appears unlikely that the amount of commercial space included in this project would provide enough services to reduce the number of daily trips enough to make any noticeable impact.


Access to this development will be solely from Meadowbrook Drive, which intersects with Powers Ferry Road near South Marietta Parkway. A traffic study will be required, and the outcome and recommendations will be crucial due to the amount of traffic expected to come from a development of this size. Unless additional access can be provided, the following variance would be necessary to implement the submitted plan:

- Variance to reduce the number of access points to an arterial or collector street from 2 to 1 for a development containing more than 100 dwelling units. [§730.01 (A.)]

The parking calculations provided on the site plan do not appear to be correct and indicate an overall shortage. There are also numerous environmental considerations on this site that will make development difficult, including floodplain, the potential for wetlands, streams, and associated stream buffer requirements.

The future land use designation for this development area is RAC (Regional Activity Center), which is intended for areas that can support a high intensity of development serving regional markets and trade areas. These are areas that are located along major arterials and highway interchanges. Although the Comprehensive Plan does not explicitly require direct and easy access to these major arterials and interchanges, it is implied. Residential uses are considered compatible with RAC if they are provided in a mixed-use or high-density capacity with pedestrian friendly design. Under the RAC future land use, with property design, the City's Comprehensive Plan could support MXD zoning.

Prepared by: 

Approved by: 



DATA APPENDIX

CITY OF MARIETTA - WATER

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

CITY OF MARIETTA - WASTEWATER

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

DATA APPENDIX CONTINUED

DRAINAGE AND ENVIRONMENTAL CONCERNS

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

- CLOMR required for floodplain impacts.
- Stream Buffer impacts.
- Storm water management will be challenging.
- Recommend going more vertical on deck and buildings to eliminate buffer/floodplain encroachments.
- Traffic Study required - Cobb DOT to approve entrance.
- Full site development plans required

TRANSPORTATION

What is the road affected by the proposed change?	<u>Powers Ferry/Meadow Brook</u>
What is the classification of the road?	<u>Arterial (State Route)/ Local</u>
What is the traffic count for the road?	<u>Unknown</u>
Estimated # of trips generated by the proposed development?	<u>unknown</u>
Estimated # of pass-by cars entering proposed development?	<u>unknown</u>
Do sidewalks exist in the area?	<u>Yes (Powers Ferry)</u>
Transportation improvements in the area?	<u>No</u>
If yes, what are they?	<u>NA</u>

Additional Comments:

Need a traffic study completed. Traffic Calming on Meadow Brook needs to be preemptively reviewed and recommendations provided. Results of the traffic study will most likely trigger redesign/construction of Meadowbrook. Must also provide chance for Cobb County to review as they have completed substantial transportation improvements in that area and they currently have the ROW in some locations.

DATA APPENDIX CONTINUED

EMERGENCY SERVICES

Nearest city or county fire station from the development?	52
Distance of the nearest station?	2.2 miles
Most likely station for 1 st response?	52
Service burdens at the nearest city fire station (under, at, or above capacity)?	under

Comments:

The development shall be required to comply with all provisions of the State Fire/Safety Minimum Standards, including:

505.1 Address identification.

New and existing buildings shall be provided with approved address identification. The address identification shall be legible and placed in a position that is visible from the street or road fronting the property. Address identification characters shall contrast with their background. Address numbers shall be Arabic numbers or alphabetical letters. Numbers shall not be spelled out. Each character shall be not less than 4 inches (102 mm) high with a minimum stroke width of 1/2 inch (12.7 mm). Where required by the fire code official, address identification shall be provided in additional approved locations to facilitate emergency response. Where access is by means of a private road and the building cannot be viewed from the public way, a monument, pole or other sign or means shall be used to identify the structure. Address identification shall be maintained.

505.2 Street or road signs.

Streets and roads shall be identified with approved signs. Temporary signs shall be installed at each street intersection when construction of new roadways allows passage by vehicles. Signs shall be of an approved size, weather resistant and be maintained until replaced by permanent signs.

D103.1 Access road width with a hydrant.

Where a fire hydrant is located on a fire apparatus access road, the minimum road width shall be 26 feet (7925 mm), exclusive of shoulders (see Figure D103.1).

D105.2 Width.

Aerial fire apparatus access roads shall have a minimum unobstructed width of 26 feet (7925 mm), exclusive of shoulders, in the immediate vicinity of the building or portion thereof.

D105.3 Proximity to building.

One or more of the required access routes meeting this condition shall be located not less than 15 feet (4572 mm) and not greater than 30 feet (9144 mm) from the building and shall be positioned parallel to one entire side of the building. The side of the building on which the aerial fire apparatus access road is positioned shall be approved by the fire code official.

D105.4 Obstructions.

Overhead utility and power lines shall not be located over the aerial fire apparatus access road or between the aerial fire apparatus road and the building. Other obstructions shall be permitted to be placed with the approval of the fire code official.

D106.2 Projects having more than 200 dwelling units.

Multiple-family residential projects having more than 200 dwelling units shall be provided with two separate and approved fire apparatus access roads regardless of whether they are equipped with an approved automatic sprinkler system.

D106.3 Remoteness.

Where two fire apparatus access roads are required, they shall be placed a distance apart equal to not less than one-half of the length of the maximum overall diagonal dimension of the property or area to be served, measured in a straight line between accesses.

Where a building (proposed) exceeds 12,000 SF, or has any floor or portion thereof below grade, or is 3-floors or greater, please include the following note:

This building (prospective building) will require needs assessment testing for the installation of an Emergency Responder Radio Coverage system. Testing must be by authorized contractors. A signed acknowledgement form is required. [IFC 510]

In addition, the following City Fire Protection Codes apply:

Fire Sprinkler protection is required for all new commercial buildings [Marietta Code 2-6-140(B)]

Fire Sprinkler protection is required for all new multi-family residential buildings [Marietta Code 2-6-140(C)]

Fire Sprinkler protection is required for all new one- and two-family dwellings built closer than 10 feet to a property line or closer than 20 feet to another structure [Marietta Code 2-6-140(D)]

Fire hydrants must be provided:

1. within 300 feet of a building before framing; and,
2. if any portion of a building is more than 400 feet from a fire hydrant, as measured by an approved route around the exterior [Marietta Ordinance 710.06, IFC 507.5].
3. Fire hydrants shall be painted as follows:
 - a) public fire hydrants - silver with a blue 1" retro reflective band applied circumferentially to the bonnet.
 - b) private fire hydrants (located on the customer side of the meter) - red with a blue 1" retro reflective band applied circumferentially to the bonnet.

Fire flow information shall be provided by the owner or contractor [IFC 507.3]. Requests for a fire flow test can be made on the Marietta Power and Water website, www.mariettaga.gov. Once the report is received, please image the fire flow report onto the plan set. A fire flow test is valid for 6 months from the test date. Marietta has adopted IFC Appendix B, fire flow requirements for buildings – Residential Min. 1000 GPM @ 20 PSI for 2 hours – Commercial Min. 1500 GPM @ 20 PSI for 2 hours.



MARIETTA POWER - ELECTRICAL

Does Marietta Power serve this site? Yes, x No

If not, can this site be served? Yes No

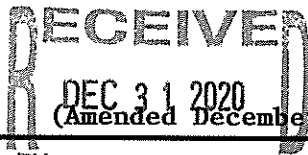
What special conditions would be involved in serving this site?

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:	2,350
Current enrollment of Elementary School:	688
Current enrollment of Middle School:	1,362
Current enrollment of High School:	2,545
Number of students generated by present development:	0
Number of students projected from the proposed development:	22
New schools pending to serve this area:	0
<u>Comments:</u>	

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

APPLICATION FOR REZONING

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

For Office Use Only:

Application #: Z2020-34 Legistar #: 20200890 PZ #: 20-273
 Planning Commission Hearing: 02/02/2021 City Council Hearing: 02/10/2021

Owner's Name RGM Properties Partnership, L.L.L.P.; McMullan Partners, LLC; and Ruben G. McMullan

EMAIL Address: rubemc@att.net

Mailing Address 870 Old Canton Road Marietta, GA Zip Code: 30068 Telephone Number (770) 977-1852

COMPLETE ONLY IF APPLICANT IS NOT OWNER:
Applicant and Owners Representative - J. Kevin Moore - Moore Ingram Johnson & Steele, LLP
 Applicant: Nexus Marietta, LLC

EMAIL Address: stephen@shml00.com

Mailing Address Suite 331, 2870 Peachtree Road, Atlanta, GA Zip Code: 30305

Telephone Number (770) 363-2665 Add'l Email Address: _____

Address of property to be rezoned: See Attached Amended Exhibit "C"

Land Lot (s) 06470 District 17 Parcel Amended Ex. C Acreage 16.820± Ward 6A Future Land Use: RAC

Present Zoning Classification: 06490, 06500 (Amended) RRC, CRC Proposed Zoning Classification: MXD

REQUIRED INFORMATION

Applicant must submit the following information by 4:00 p.m. on or before the application deadline. Failure to submit any item, or any additional information that might be requested, on or before the deadline will result in the application being held until the next scheduled meeting of the Planning Commission.

1. **The original application must be submitted with ALL ORIGINAL SIGNATURES - Copies of the application or signature(s) will NOT be accepted. ALL rezoning submittals must include proposed plans, supplementary material, etc. in Adobe Acrobat on computer disk.**
2. Legal Description. Legal description must be in a WORD DOCUMENT.
3. Application fee (\$500)
4. Copy of the deed that reflects the current owner(s) of the property.
5. Copy of current tax bill showing payment or a certification from the City of Marietta Tax Office stating that taxes have been paid.
6. Site plan, plat or survey prepared by an architect, engineer (P.E. or Civil Engineer), Landscape Architect or Land Surveyor whose state registration is current and valid, and whose seal shall be affixed to the site plan/plat/survey.

Copies Required: One (1) - (8 1/2" x 11") -or- (11" x 17") drawn to scale. Optional Additional Plat size: (24"x 36").

If providing (24"x 36") then 5 copies REQUIRED.

The following information must be included:

- Specific use or uses proposed for the site
- Acreage, bearing and distances, other dimensions, and location of the tract(s)
- Locations, sizes and setbacks of proposed structures, including the number of stories and total floor area
- Detention/retention areas, and utility easements
- Public or private street(s) - right of way and roadway widths, approximate grades
- Location and size of parking area with proposed ingress and egress
- Specific types and dimensions of protective measures, such as buffers
- Landscaping
- Wetlands, stream buffers, and 100 year floodplain

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

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

EXHIBIT "C" - ATTACHMENT TO APPLICATION FOR REZONING
(Amended December 30, 2020)

Application No.: Z2020-34
 Legistar No.: 20200890
 Hearing Dates: February 2, 2021
 February 10, 2021
 (Tabled Hearing Dates)

Applicant: Nexus Marietta, LLC
 Titleholders: RGM Properties Partnership, L.L.L.P.;
 McMullan Partners, LLC; and
 Ruben G. McMullan

ADDRESS, PARCEL, AND OWNER LISTING FOR PROPERTIES
INCLUDED IN APPLICATION FOR REZONING

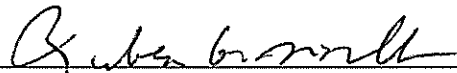
<u>Property Address</u>	<u>Tax Parcel No.</u>	<u>Property Owner</u>
350 Virginia Place	17-06490-0390	RGM Properties Partnership, L.L.L.P.
411 Meadowbrook Drive	17-06490-0380	Ruben G. McMullan and RGM Properties Partnership, L.L.L.P.
417 Meadowbrook Drive	17-06490-0370	RGM Properties Partnership, L.L.L.P.
420 Meadowbrook Drive	17-06490-0210	RGM Properties Partnership, L.L.L.P.
421 Meadowbrook Drive	17-06490-0990	RGM Properties Partnership, L.L.L.P.
430 Meadowbrook Drive	17-06490-0220	RGM Properties Partnership, L.L.L.P.
431 Meadowbrook Drive	17-06490-0360	RGM Properties Partnership, L.L.L.P.
440 Meadowbrook Drive	17-06490-0230	RGM Properties Partnership, L.L.L.P.
441 Meadowbrook Drive	17-06490-0350	RGM Properties Partnership, L.L.L.P.
450 Meadowbrook Drive	17-06490-0240	RGM Properties Partnership, L.L.L.P.
456 Meadowbrook Drive	17-06490-1580	RGM Properties Partnership, L.L.L.P.
460 Meadowbrook Drive	17-06490-1440	McMullan Partners, LLC
464 Meadowbrook Drive	17-06480-0790	RGM Properties Partnership, L.L.L.P.
470 Meadowbrook Drive	17-06490-0270	RGM Properties Partnership, L.L.L.P.
500 Meadowbrook Drive	17-06490-1590	RGM Properties Partnership, L.L.L.P.
506 Meadowbrook Drive	17-06490-0030	RGM Properties Partnership, L.L.L.P.
510 Meadowbrook Drive	17-06500-0610	RGM Properties Partnership, L.L.L.P.
520 Meadowbrook Drive	17-06500-0620	McMullan Partners, LLC
524 Meadowbrook Drive	17-06470-0020	RGM Properties Partnership, L.L.L.P.

EXHIBIT "A" - ATTACHMENT TO APPLICATION FOR REZONING
(Page Two of Two)

Application No.: _____
Legistar No.: _____
Hearing Dates: **December 1, 2020**
December 9, 2020

Applicant: Nexus Marietta, LLC
Titleholders: RGM Properties Partnership, L.L.L.P.;
McMullan Partners, LLC; and
Ruben G. McMullan

RGM PROPERTIES PARTNERSHIP, L.L.L.P.

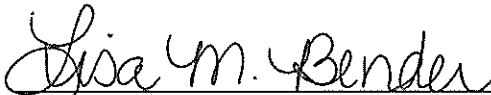
BY: 
Ruben G. McMullan
General Partner

Date Executed: October 16, 2020

Address: 870 Old Canton Road
Marietta, Georgia 30068

Telephone: (770) 977-1852
E-mail: rubemc@att.net

Signed, sealed, and delivered in the presence of:


Notary Public
My Commission Expires: 3/12/23

[Notary Seal]

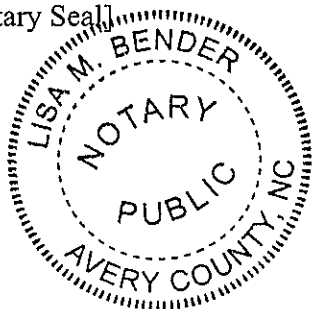


EXHIBIT "A" - ATTACHMENT TO APPLICATION FOR REZONING
(Page Two of Two)

Application No.: _____
Legistar No.: _____
Hearing Dates: December 1, 2020
December 9, 2020

Applicant: Nexus Marietta, LLC
Titleholders: RGM Properties Partnership, L.L.L.P.;
McMullan Partners, LLC; and
Ruben G. McMullan

McMULLAN PARTNERS, LLC

BY: *Rubén G. McMullan*
Ruben G. McMullan
Manager

Date Executed: October 16, 2020

Address: 870 Old Canton Road
Marietta, Georgia 30068

Telephone: (770) 977-1852
E-mail: rubemc@att.net

Signed, sealed, and delivered in the presence of:

Lisa M. Bender
Notary Public
My Commission Expires: 3/12/23

[Notary Seal]

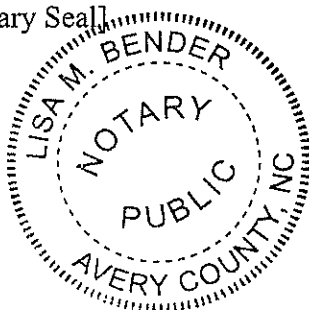
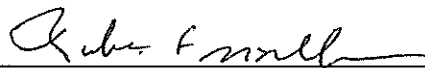


EXHIBIT "A" - ATTACHMENT TO APPLICATION FOR REZONING
(Page Two of Two)

Application No.: _____
Legistar No.: _____
Hearing Dates: December 1, 2020
December 9, 2020

Applicant: Nexus Marietta, LLC
Titleholders: RGM Properties Partnership, L.L.L.P.;
McMullan Partners, LLC; and
Ruben G. McMullan



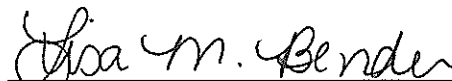
Ruben G. McMullan

Date Executed: October 16, 2020

Address: 870 Old Canton Road
Marietta, Georgia 30068

Telephone: (770) 977-1852
E-mail: rubemc@att.net

Signed, sealed, and delivered in the presence of:



Notary Public
My Commission Expires: 3/12/23

[Notary Seal]

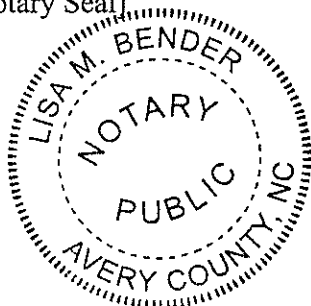
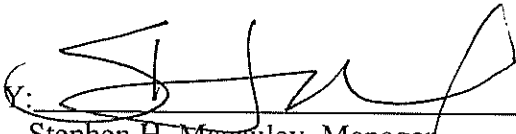


EXHIBIT "B" - ATTACHMENT TO APPLICATION FOR REZONING
(Page Two of Two)

Application No.: _____
Legistar No.: _____
Hearing Dates: **December 1, 2020**
December 9, 2020

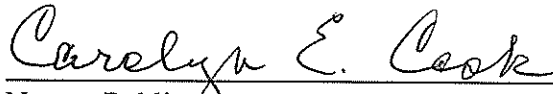
Applicant: Nexus Marietta, LLC
Titleholders: RGM Properties Partnership, L.L.L.P.;
McMullan Partners, LLC; and
Ruben G. McMullan

NEXUS MARIETTA, LLC

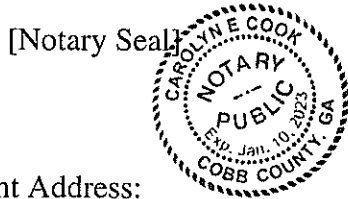
BY: 
Stephen H. Macauley, Manager

Date Executed: October 19, 2020

Signed, sealed, and delivered in the presence of:



Notary Public
My Commission Expires: January 10, 2023



Applicant Address:

Nexus Marietta, LLC
Suite 331
2870 Peachtree Road
Atlanta, Georgia 30305
(770) 363-2665
E-mail: stephen@shm100.com

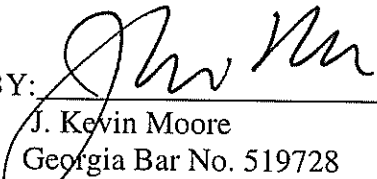
ATTACHMENT TO APPLICATION FOR REZONING

Application No.: _____
Legistar No.: _____
Hearing Dates: December 1, 2020
December 9, 2020

Applicant: Nexus Marietta, LLC
Titleholders: RGM Properties Partnership, L.L.L.P.;
McMullan Partners, LLC; and
Ruben G. McMullan

Representative for Applicant and Property Owners:

MOORE INGRAM JOHNSON & STEELE, LLP


BY: 

J. Kevin Moore
Georgia Bar No. 519728

Attorneys for Applicant and Property Owners

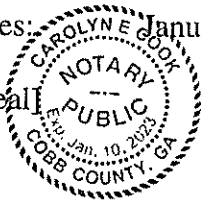
Date Executed: October 20, 2020

Signed, sealed, and delivered in the presence of:



Notary Public
Commission Expires: January 10, 2023

[Notarial Seal]



Moore Ingram Johnson & Steele, LLP
Attorneys at Law
Emerson Overlook
Suite 100
326 Roswell Street
Marietta, Georgia 30060
(770) 429-1499
(770) 429-8631 (Telefax)
E-mail: jkm@mijs.com

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TO: Marietta Daily Journal

FROM: City of Marietta

RUN AD DATE: January 15, 2021

**CITY OF MARIETTA
PUBLIC NOTICE OF REZONINGS & VARIANCE**

The City of Marietta hereby gives notice that a public hearing will be held on the following by the Planning Commission on **Tuesday, February 2nd, 2021, 6:00 P.M.**, City Hall, for a recommendation to the City Council at their meeting on **Wednesday, February 10th, 2021, 7:00 p.m.**, City Hall, for a final decision to be made.

Z2020-34 [REZONING] NEXUS MARIETTA, LLC is requesting the rezoning of 16.82 acres located in Land Lot 649, District 17, Parcels 0390, 0380, 0370, 0210, 0990, 0220, 0360, 0230, 0350, 0240, 1580, 1440, 0270, 1590, 0030; Land Lot 648, District 17, Parcel 0790; Land Lot 650, District 17, Parcels 0610 & 0620; and Land Lot 647, District 17, Parcel 0020 of the 2nd Section, Cobb County, Georgia, and being known as 350 Virginia Place; 411, 417, 420, 421, 430, 431, 440, 441, 450, 456, 460, 464, 470, 500, 506, 510, 520, & 524 Meadowbrook Drive from CRC (Community Retail Commercial) and RRC (Regional Retail Commercial) to MXD (Mixed Use Development). Ward 6A.

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

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

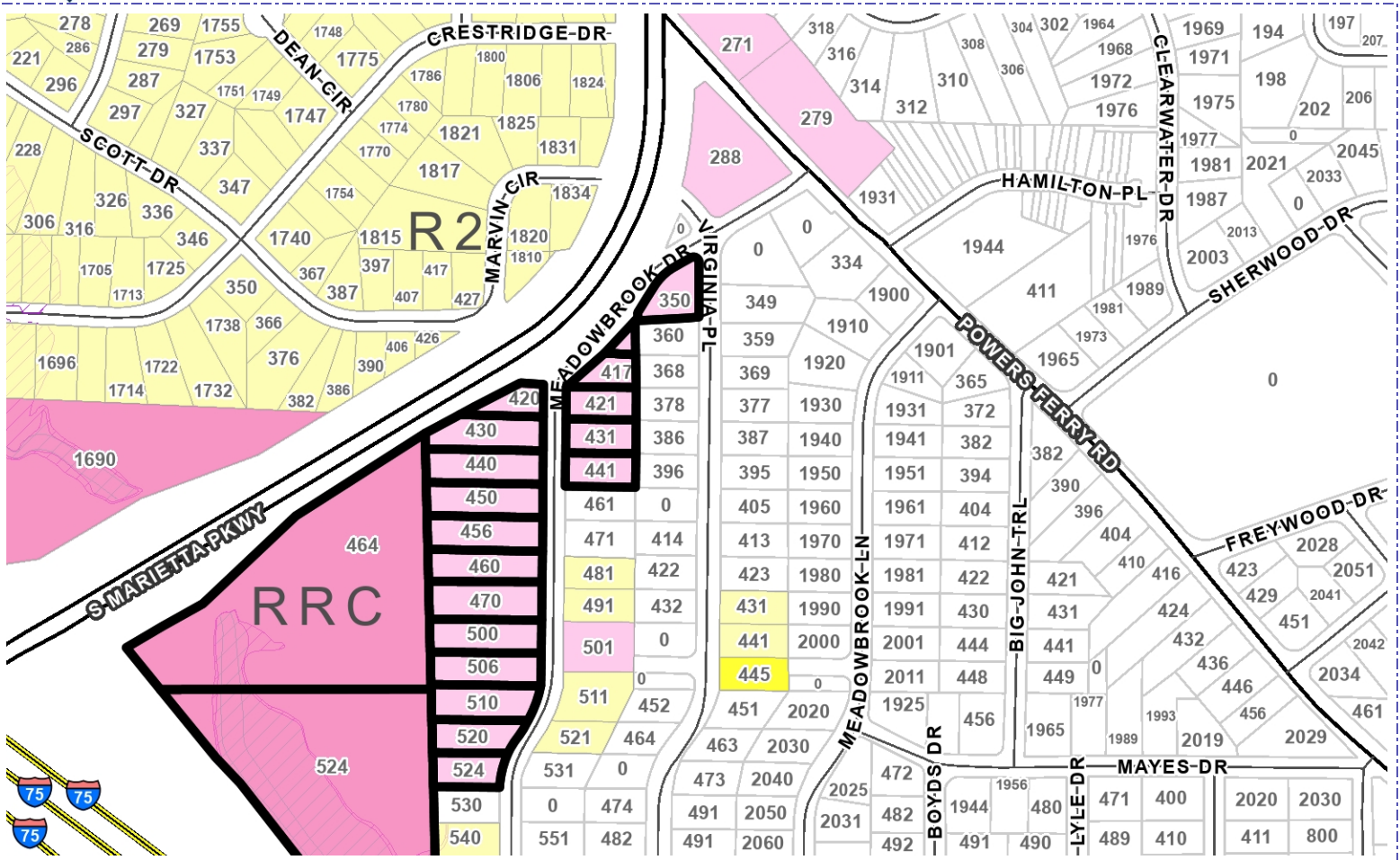
Accessibility to Meetings: If you believe you may need the City/BLW to provide special accommodations in order to attend/or participate in any of the above meetings, please call ADA Coordinator at 770-794-5558 no later than 48 hours before the date of the above meeting.

City of Marietta
205 Lawrence Street
Marietta, Georgia 30060

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Rezoning



Address	Parcel Number	Acreage	Ward	Zoning	FLU
417 MEADOWBROOK DR	17064900370	0.222	6A	CRC	RAC
464 MEADOWBROOK DR	17064800790	5.852	6A	RRC	RAC
520 MEADOWBROOK DR	17065000620	0.37	6A	CRC	RAC
411 MEADOWBROOK DR	17064900380	0.069	6A	CRC	RAC
500 MEADOWBROOK DR	17064901590	0.482	6A	CRC	RAC
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431 MEADOWBROOK DR	17064900360	0.311	6A	CRC	RAC
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510 MEADOWBROOK DR	17065000610	0.476	6A	CRC	RAC
420 MEADOWBROOK DR	17064900210	0.233	6A	CRC	RAC
524 MEADOWBROOK DR	17064700020	0.31	6A	CRC	RAC
470 MEADOWBROOK DR	17064900270	0.561	6A	CRC	RAC
421 MEADOWBROOK DR	17064900990	0.296	6A	CRC	RAC
450 MEADOWBROOK DR	17064900240	0.506	6A	CRC	RAC
524 MEADOWBROOK DR	17064700020	5.993	6A	RRC	RAC
506 MEADOWBROOK DR	17064900030	0.47	6A	CRC	RAC
350 VIRGINIA PL	17064900390	0.346	6A	CRC	RAC
460 MEADOWBROOK DR	17064901440	0.468	6A	CRC	RAC
456 MEADOWBROOK DR	17064901580	0.509	6A	CRC	RAC
440 MEADOWBROOK DR	17064900230	0.512	6A	CRC	RAC

Property Owner: Various on File

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

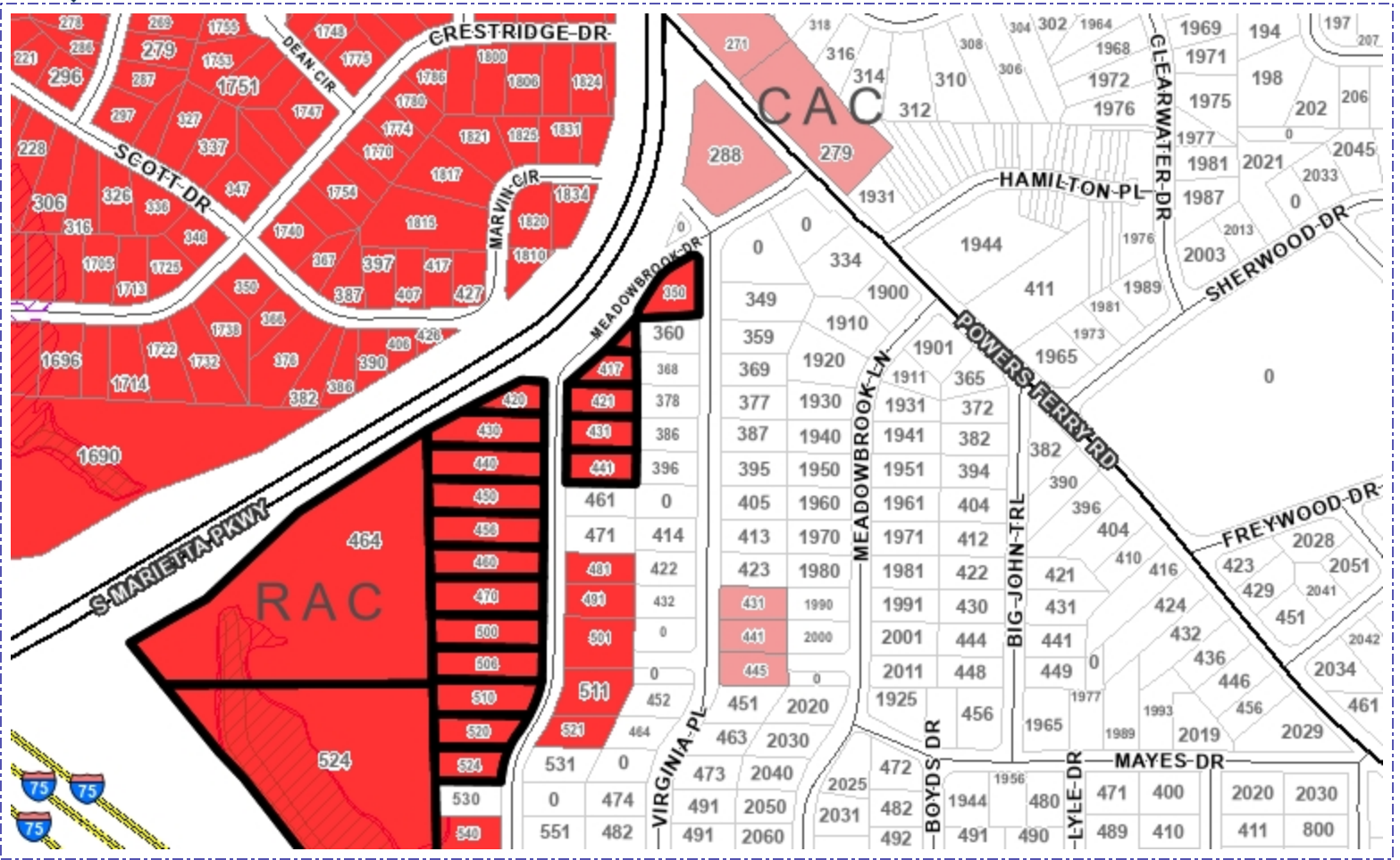
Applicant: Nexus Marietta

Proposed Zoning:	RRC, CRC to MXD	
Agent:	J. Kevin Moore, Esq.	
Proposed Use:		
Planning Commission Date:	02/02/2021	
City Council Hearing Date:	02/10/2021	Case Number: Z2020-34
City of Marietta Planning & Zoning		

- 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



Future Land Use














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440 MEADOWBROOK DR	17064900230	0.512	6A	CRC	RAC

Planning Commission Hearing Date:	02/02/2021	Future Land Use Symbols Railroads City Limits Cobb County Pockets RAC - Regional Activity Center CAC - Community Activity Center NAC - Neighborhood Activity Center
City Council Hearing Date:	02/10/2021	
Future Land Use:	RAC	

Case Number:

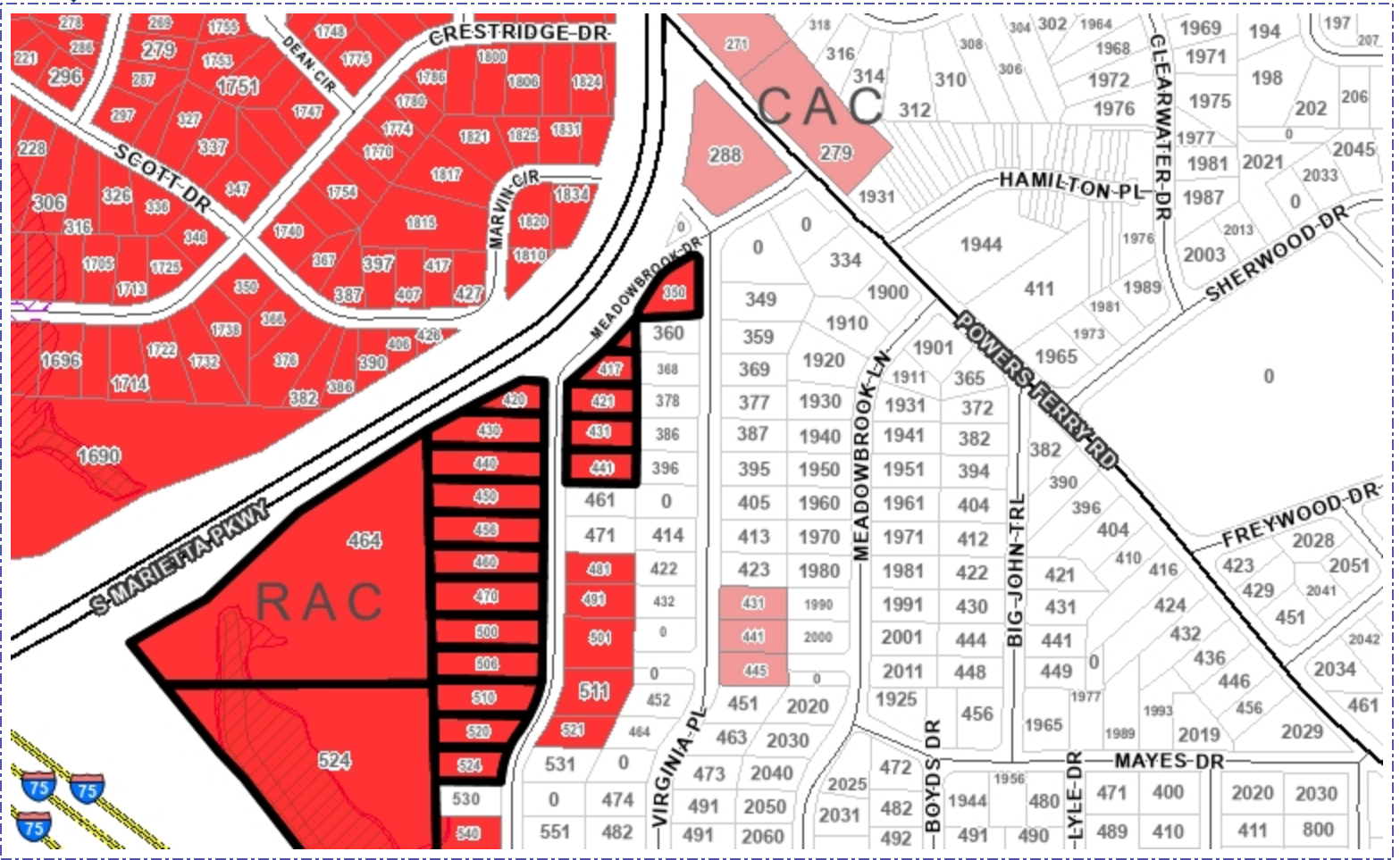
Comments:

City of Marietta Planning & Zoning

-  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



Future Land Use














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440 MEADOWBROOK DR	17064900230	0.512	6A	CRC	RAC

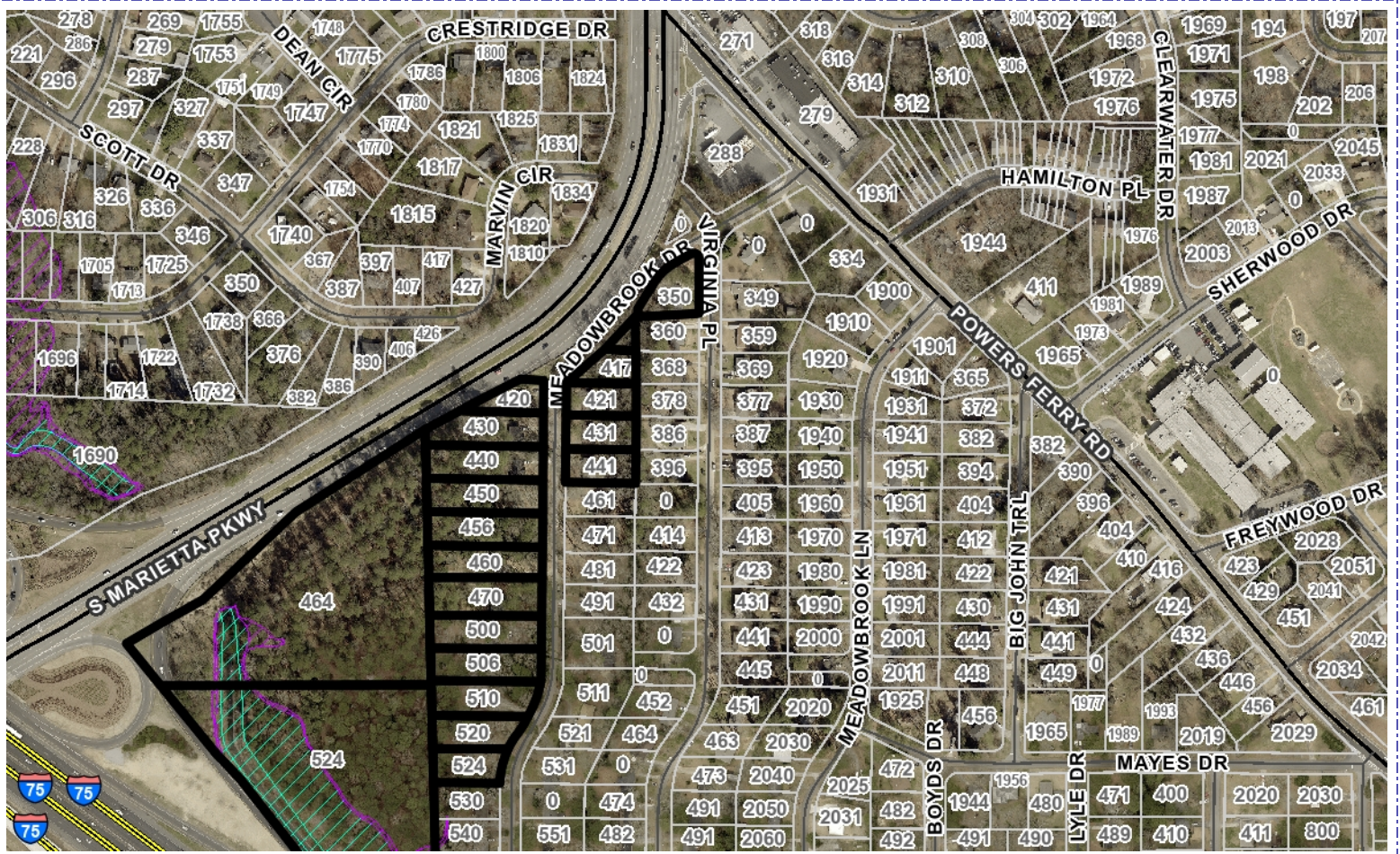
Planning Commission Hearing Date:	02/02/2021	Future Land Use Symbols Railroads City Limits Cobb County Pockets RAC - Regional Activity Center CAC - Community Activity Center NAC - Neighborhood Activity Center
City Council Hearing Date:	02/10/2021	
Future Land Use:	RAC	

Case Number:

Comments:

City of Marietta Planning & Zoning

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-  MDR - Medium Density Residential
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-  TCU - Transportation and Utilities



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Property Owner: Various on File


Applicant: Nexus Marietta

City Council Hearing Date: 01/13/2021

Legend

- Railroads
- City Limits

Planning Commission
Hearing Date: 01/06/2021

 Cobb County Pockets

BZA Hearing Date: Case Number: Z2020-34

Comments:

City of Marietta Planning & Zoning

A soft-focus photograph of lavender flowers in shades of purple and pink, with green stems and leaves. Two butterflies with orange and black wings are visible, one in the lower-left and one in the upper-right. A semi-transparent white rectangular box is centered over the image, containing the title and date.

NEXUS GARDENS

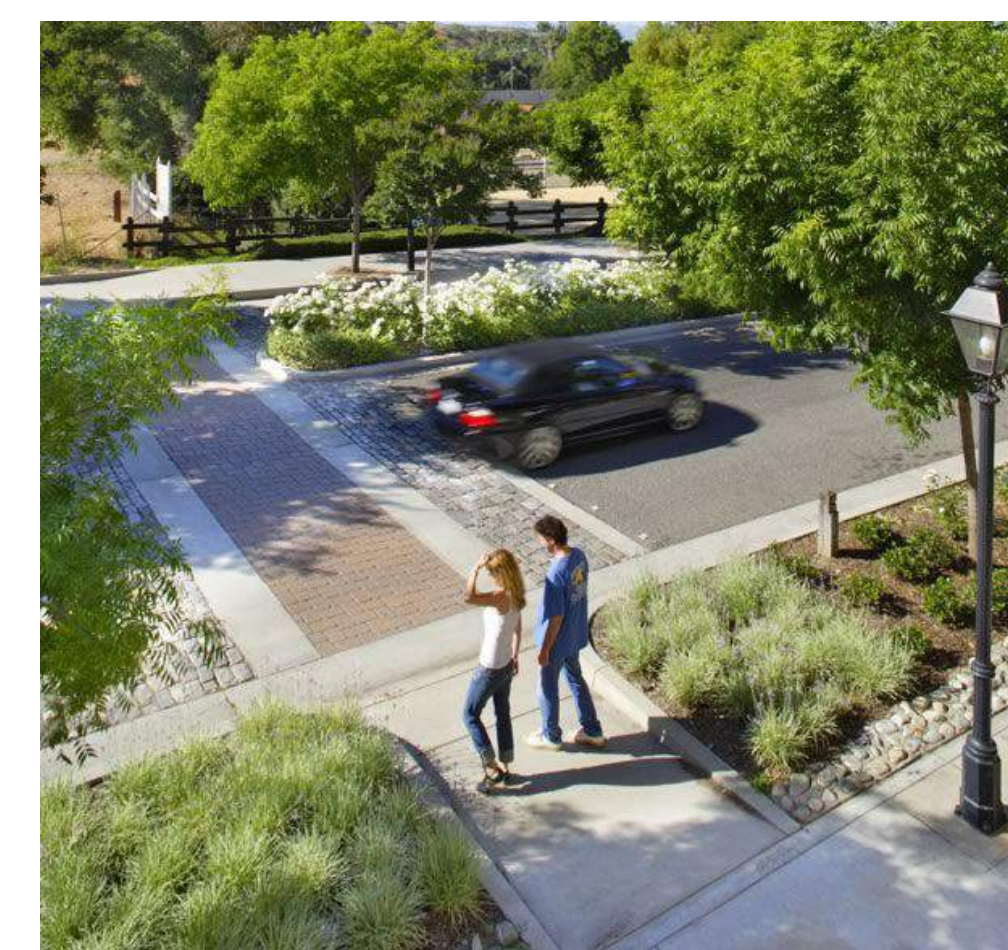
September 2020

MACAULEY

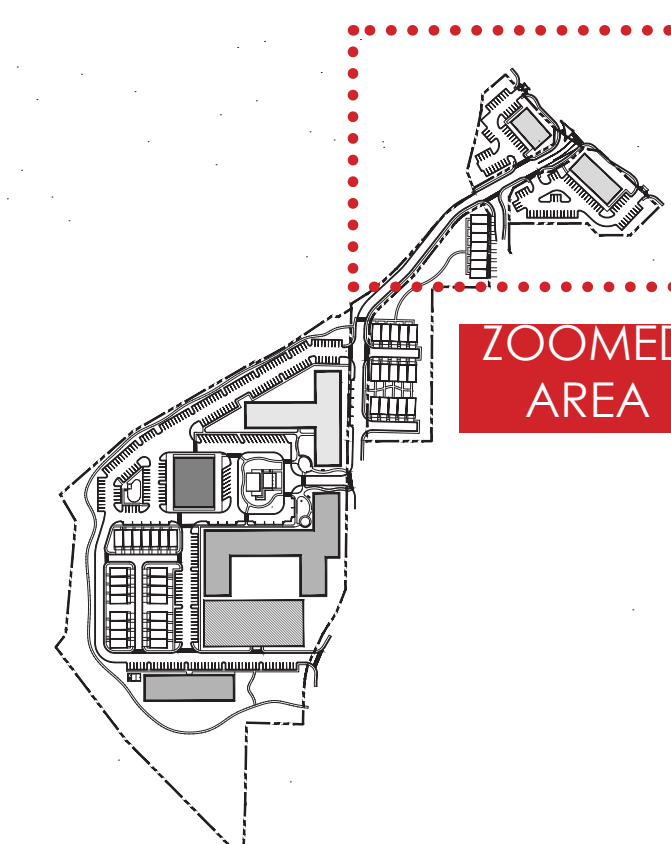


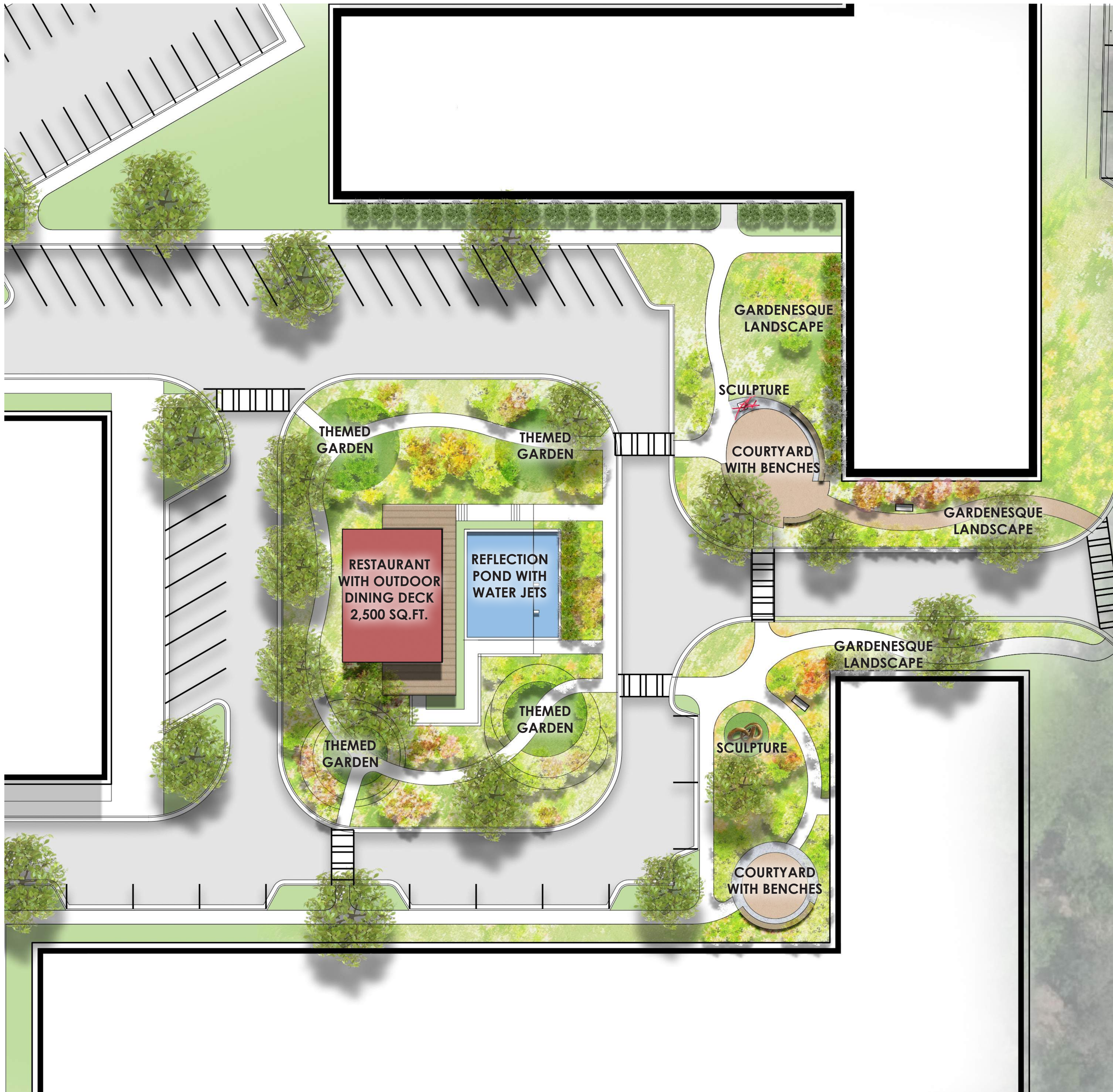


GARDENESQUE ENTRY FROM POWERS FERRY ROAD

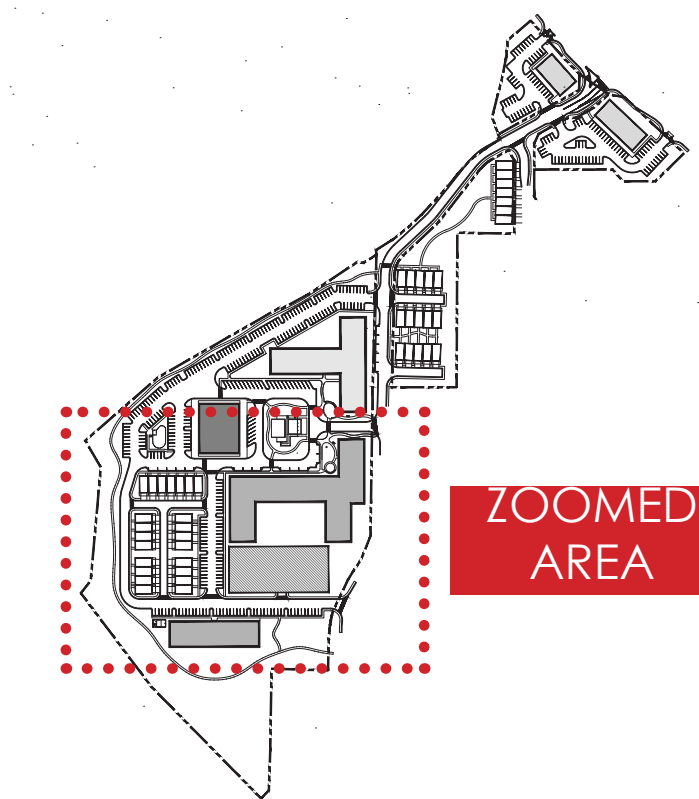


VISIONING PHOTOS





VISIONING PHOTOS



TOWN SQUARE CONCEPTUAL DESIGN









NEXUS GARDENS: VISIONING BOARD
CITY OF MARIETTA, GEORGIA

MACCAULEY

DESIGN PRECEDENTS:
MULTI-FAMILY BUILDINGS

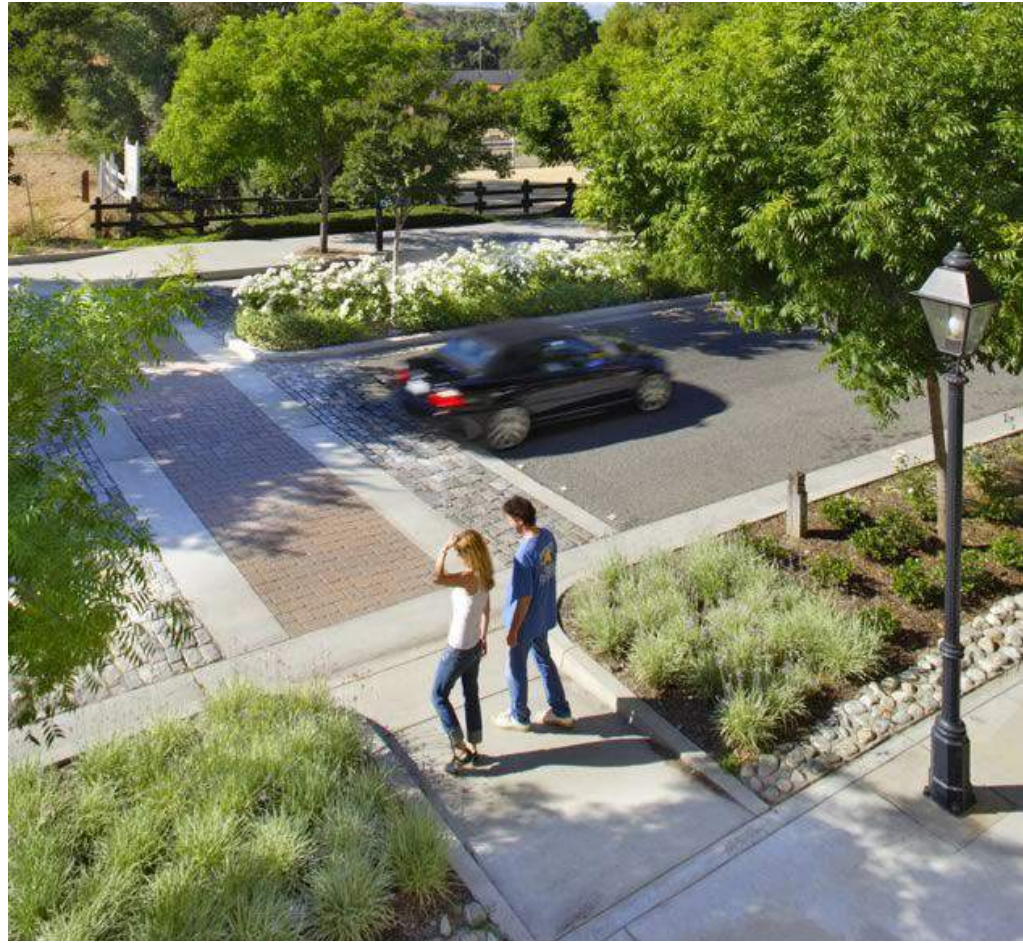
NEXUS GARDENS: VISIONING BOARD
CITY OF MARIETTA, GEORGIA



MACAULEY

DESIGN PRECEDENTS:
MULTI-FAMILY COURTYARD







DESIGN PRECEDENTS:
TOWNSQUARE

NEXUS GARDENS: VISIONING BOARD
CITY OF MARIETTA, GEORGIA



NEXUS GARDENS: VISIONING BOARD
CITY OF MARIETTA, GEORGIA

MACAULEY



DESIGN PRECEDENTS:
TOWNSQUARE

DESIGN PRECEDENTS:
TOWNHOME CONCEPTUAL DESIGN

