



REZONING APPLICATION ANALYSIS

ZONING CASE #: Z2025-17

LEGISTAR: 20250570

LANDOWNERS: RGM Properties Partnership, LLLP
McMullan Partners, LLC
870 Old Canton Road
Marietta, GA 30068

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

AGENT: J. Kevin Moore
Moore, Ingram, Johnson & Steele, LLP

PROPERTY ADDRESS: 222, 224, 226 Herbert Drive
1454, 1462 Blanche Drive
1651 Crestridge Drive

PARCEL DESCRIPTION: 16128100720; 16128100730; 17057700020;
17064800570; 17064800330; 17064800540

AREA: +/-19.451 acres

COUNCIL WARD: 7A

EXISTING ZONING: RRC (Regional Retail Center)
R-2 (Single-Family Residential, 2 units/acre)
R-4 (Single-Family Residential, 4 units/acre)

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

FUTURE LAND USE: RAC (Regional Activity Center)
MDR (Medium Density Residential)

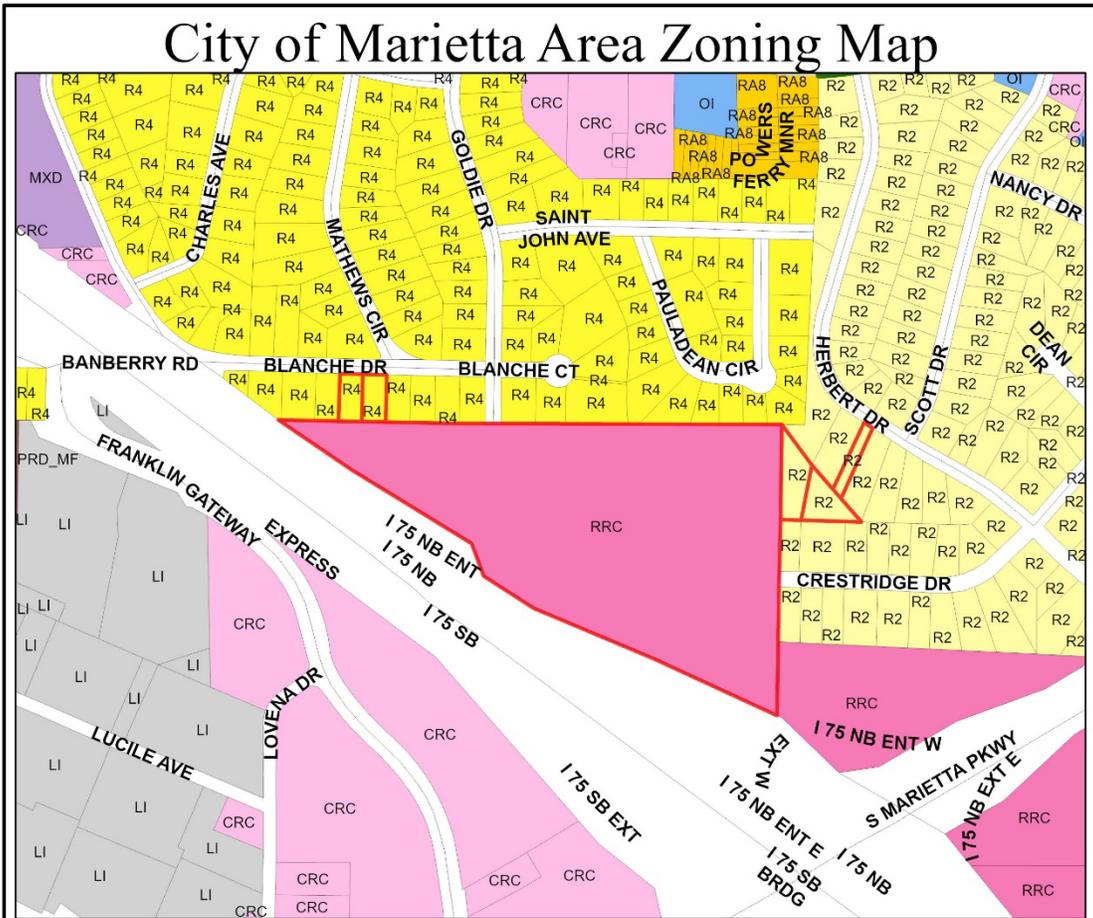
REASON FOR REQUEST: To construct up to 119 single-family homes
(detached and attached/townhomes)

PLANNING COMMISSION HEARING: Tuesday, September 2nd, 2025 at 6:00pm

CITY COUNCIL HEARING: Wednesday, September 10th, 2025 at 7:00pm

MAP

City of Marietta Area Zoning Map

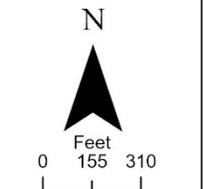


Zoning		District	Land Lot	Parcel	Current Zoning	Proposed Zoning
SINGLE FAMILY RESIDENTIAL	COMMERCIAL					
R-1 One Unit/Acre	NRC Neighborhood Retail	17	648	0540	R-2	PRD-SF
R-2 Two Unit/Acre	CRC Community Retail	17	648	0330	R-2	
R-3 Three Unit/Acre	RRC Regional Retail	17	648	0570	R-2	
R-4 Four Unit/Acre	CBD Central Business District	17	577	0020	RRC	
ATTACHED FAMILY RESIDENTIAL	PCD Planned Commercial Dev.	16	1281	0720	R-4	
RA-4 Four Unit/Acre	MXD Mixed-Use Dev.	16	1281	0730	R-2	
RA-6 Six Unit/Acre	OIT Office Institutional Trans.					
RA-8 Eight Unit/Acre	LRO Low-Rise Office					
PRD(SF) Planned Residential Dev.	OI Office Institutional					
MHP Mobile Home Park	OS Office Services					
MULTI FAMILY RESIDENTIAL	OHR Office High-Rise					
RM-8 Eight Unit/Acre	INDUSTRIAL					
RM-10 Ten Unit/Acre	LI Light Industrial					
RM-12 Twelve Unit/Acre	HI Heavy Industrial					
RHR Residential High Rise	PID Planned Industrial Dev.					
PRD(MF) Planned Residential Dev.						

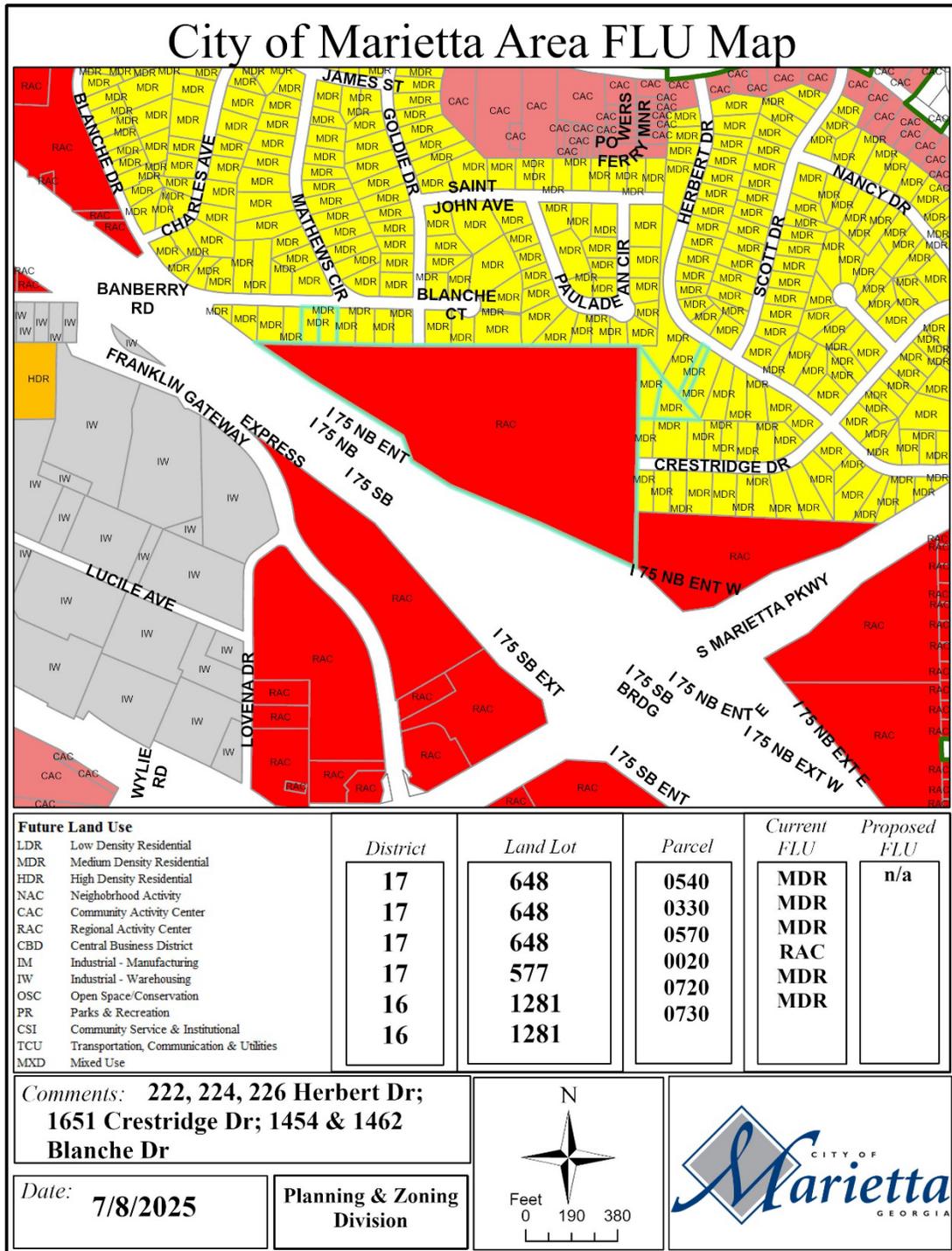
Comments: 222, 224, 226 Herbert Dr;
1651 Crestridge Dr; 1454 & 1462
Blanche Dr

Date: 7/8/25

Planning & Zoning Division




FLU MAP

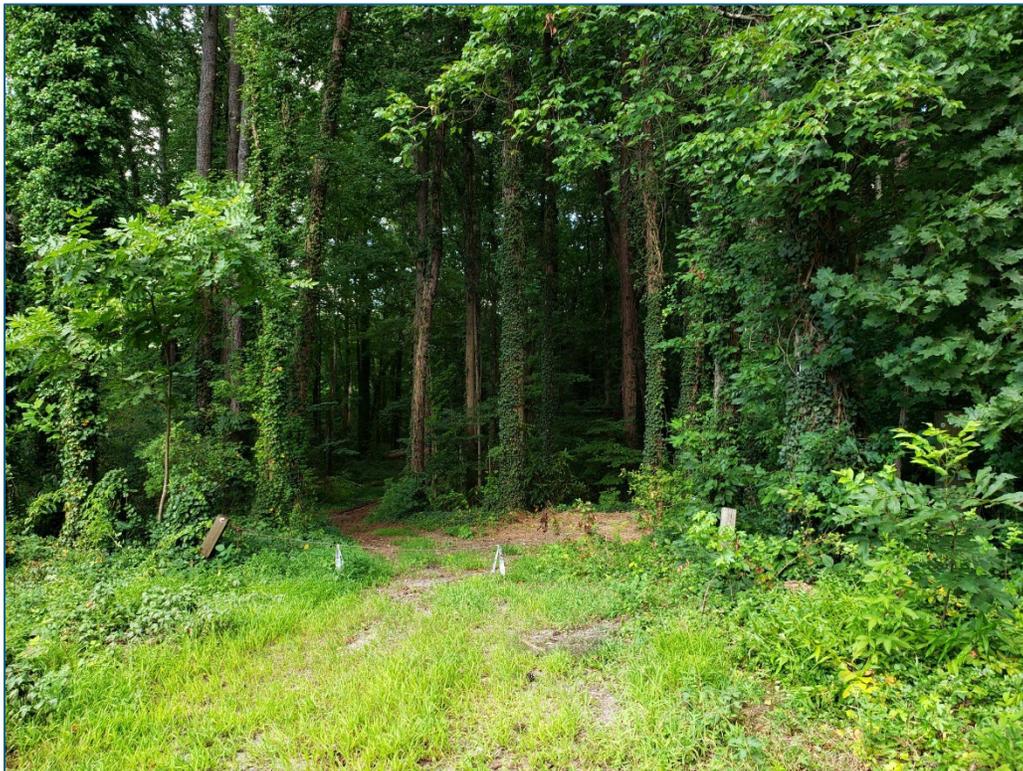


PICTURES OF PROPERTY





1454 & 1462 Blanche Drive



Dead end at Crestridge Drive

STAFF ANALYSIS

Location Compatibility

Kevin Moore, on behalf of Traton, LLC, is requesting that approximately 19.5 acres located between I-75 and an established single-family neighborhood be rezoned to PRD-SF (Planned Residential Development, Single-Family) to enable the construction of up to 119 homes. The property is currently comprised of six (6) parcels, with the largest zoned RRC (Regional Retail Center) and measuring approximately 18.4 acres. The other smaller parcels are zoned R-4 (Single-Family Residential, 4 units/acre) and R-2 (Single-Family Residential, 2 units/acre). The subject property was considered (and denied) as part of a rezoning in April 2021 (Z2020-35) to enable the construction of a 204-unit townhome development, though the request at the time encompassed a wider area (approximately 30 acres versus this application’s 19.5 acres).

The large parcel zoned RRC is undeveloped, although four (4) billboards dot the tract’s western boundary along I-75. Two (2) lots zoned R-4 on Blanche Drive contain houses and are part of a single-family neighborhood, Lakeview Subdivision, platted in 1951. These lots are proposed to be repurposed as an entrance to the development, where a new street would provide access to/from Blanche Drive. The other three (3) residential lots (off Herbert Drive, zoned R-2) are vacant and add slightly more developable area to the larger tract. A second entrance to the development is proposed just south of the Herbert Drive lots, from Crestridge Drive, which currently dead ends from the established Powers Ferry Hills neighborhood at the edge of the parcel.

Streams run north-south and east-west across the property; approximately 1.3 acres (or 6.7%) are in the floodplain. In addition to the floodplain, stream buffers occupy 7.25 acres of the property, further limiting its developable area. All told, about 8.7 acres are encumbered by water challenges. A sewer line (and associated 20-foot easement) which roughly parallels I-75 must also be considered in the development proposal.

Use Potential and Impacts

Housing Units

Both detached single-family homes and townhomes are proposed in the new development. While the application states 119 units will be built, the site plan shows 113. These numbers will have to be clarified. As illustrated in the site plan, however, the unit breakdown is as follows:

Unit Mix/Breakdown			
Type	Stories/Bedrooms	Heated Floor Area	No. of Units
Detached House	2 stories/3 bedrooms	1,800 sf	33
Alley Loaded Townhouse	3 stories/3 bedrooms	2,101 sf	52
Front Loaded Townhouse	2 stories/3 bedrooms	1,805 sf	28
		Total	113

Housing density for the site is calculated on the basis of units proposed per developable acre; per code, wetlands, floodplain areas and standing bodies of water are discounted from the total possible acreage. And, although the area devoted to stream buffers is not mentioned in the code, it has a clear impact on the suitability of the land for development. Subtracting the floodplain (approximately 1.3 acres) from the total tract size (19.5 acres) yields an area of 18.2 acres. At this rate, density for the development would be 6.2 units/acre (assuming 113 units). If 7.25 acres of stream buffers are removed from the calculation, the density increases to approximately 10.3 units per acre. Should further refinement of the plan show wetlands or standing water present, however, the density would increase to reflect less developable area. For comparison's sake, developments with similar densities are shown below. All developments are zoned PRD-SF except for the Bluffs at Bells Ferry, zoned MXD (Mixed-Use Development).

Developments of Similar Densities			
Name	Year Approved	No. of Units	Density
Marvelle	2015	99 - 75 detached/ 24 attached	5.74
Cottages at Keeler Woods	2019 & 2020	39 detached	5.66
Promenade Ridge	2020	36 detached	6.79
Bluffs at Old Bells Ferry	2022	53 attached	6.11

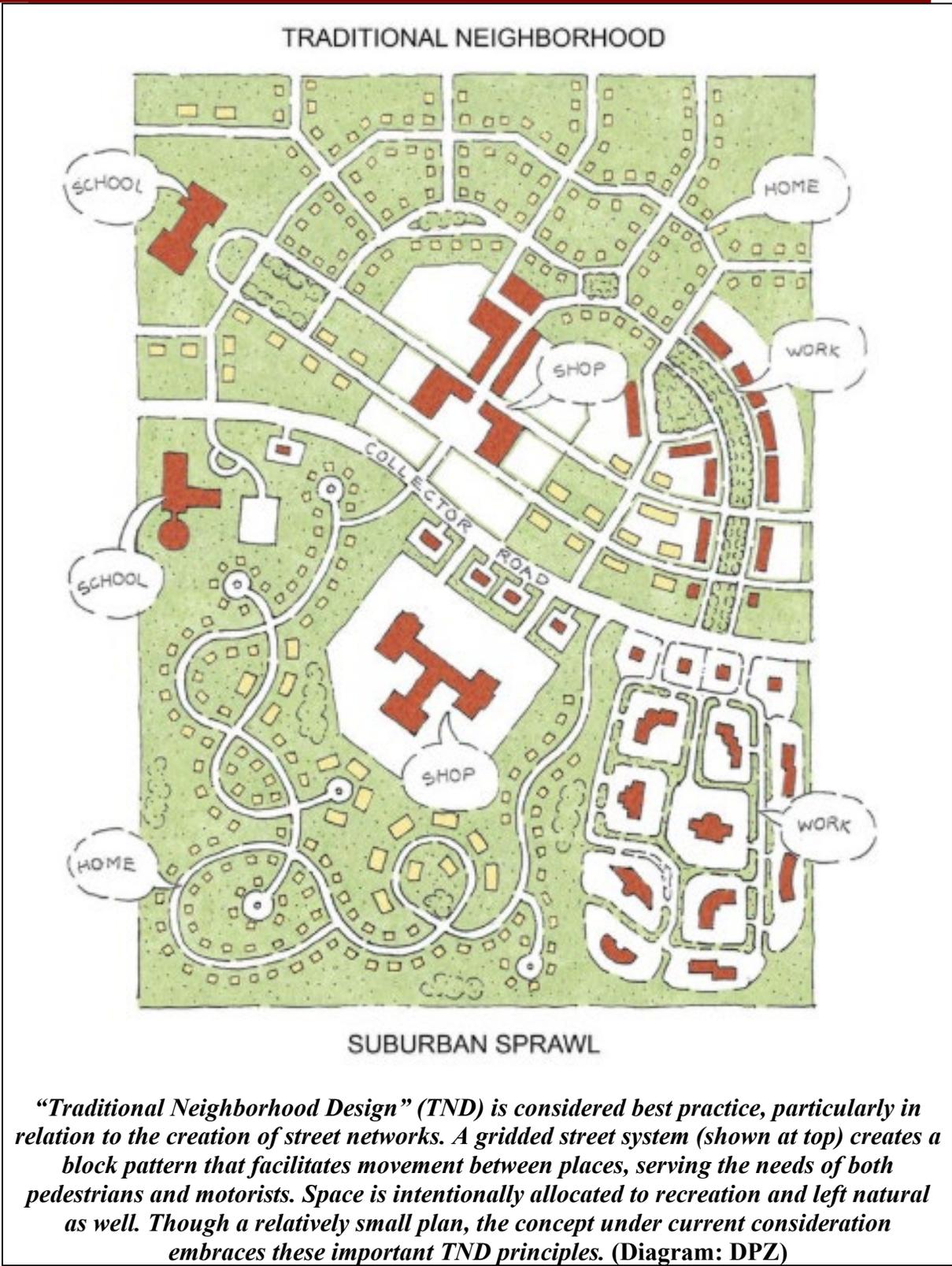
Site Design

The requested zoning for the development is PRD-SF, one of the most flexible zoning designations in City code. Greater latitude is granted to developers to establish many of the parameters of development, such as setbacks and density. Per code, developers are granted this leeway *in exchange for innovative designs to foster increased walkability and respect natural resources*. To meet the purpose and intent of the zoning district, then, developers must present a concept which reflects these attributes; PRD-SF zoning is not meant to simply give “carte blanche” to develop at will.

Staff finds that the proposed neighborhood design *does* offer a more thoughtful approach to layout and design to justify PRD-SF zoning. Unlike most site plans presented to the City, the concept under consideration appears to have been structured around natural systems and walkability. Staff notes:

- **Natural areas are respected.** All homes are shown to respect stream buffer limits (though they will need to be penetrated for the sake of a street connection). Homes are also situated around green spaces, demonstrating their value to the development.
- **The concept is designed to incorporate green spaces and amenities,** paying equal attention to the location of open space as that of the proposed homes. Sometimes, plans for PRD-SF developments include neighborhood green spaces and amenities as an apparent afterthought – placed into corners on unbuildable land. Ill-designed and located open spaces and amenities – rather than simply being underutilized - can detract from a neighborhood, becoming eyesores if poorly maintained.

- **Homes are well-situated.** Land to accommodate parks and green spaces is incorporated, likely without sacrificing unit count, due to the proposed “alley loaded townhomes.” These townhomes are clustered together on the plan, claiming relatively small portions of the site, rather than being spread out on larger lots. The space-saving is gained from the units being served in most instances only by 16-foot alleys to the rear. Such an arrangement, however, is not supported by zoning code, which states that alleys should only be included within developments as a secondary means of access to the rear or sides of buildings and should not be substituted as a primary street. Other traffic engineering requirements of the Engineering and Fire departments may end up trumping this design solution, however.
- **Sidewalks are provided on both sides of the street.** The plan presented shows sidewalks being incorporated from the beginning rather than being an afterthought.
- **The inclusion of on-street parking further contributes to the walkability of the development,** as passing cars naturally slow down when next to parked vehicles, creating natural traffic calming effects. The parked cars themselves also act as a barrier between the pedestrian and the flow of traffic, creating a more comfortable environment for walkers.
- **New streets tie into the existing neighborhood, increasing opportunities for walking and biking not only for new residents but for the existing neighborhood.** Providing such connections rather than proposing an isolated development which has no relation to the surrounding, existing residential development.



Bulk & Area Code Requirements

Two (2) access points are required for developments containing more than 51 residential units, which the concept plan reflects. However, code stipulates that connections should be to arterial or collector streets, whereas the only possible connections in this circumstance are to local streets.

Although PRD-SF is a flexible zoning category where many bulk and area standards (such as setbacks) are created by the developer, minimum standards are required to be met regarding parking, lot size, floor area, and impervious surface, among others. Based on the plan submitted, Staff finds:

- **Minimum tract size** required by code is three (3) acres, which is comfortably met with the site encompassing 19.5 acres.
- **Minimum lot size** required is 4,000 square feet for detached homes, whereas some lots measure only approximately 3,000 square feet.
- **Minimum floor area** required is 1,400 square feet, which is surpassed by the smallest unit proposed being 1,800 square feet.
- **Maximum impervious surface coverage** allowed is 65% of the site, whereas only 50% of the proposal is impervious.
- **Minimum open space** required for the development is 25%, whereas proposed provision is double that, at 50% of the site, as shown in the table below.

Open Space Provided	9.71 acres (49.92% of site area)
Recreational Green Space	0.56 acres
Open Green Space	1.64 acres
Stream Buffers	7.25 acres
Detention	0.26 acres

Open Space and Recreation Requirements

While Staff believes the plan meets code in terms of amount of recreation space provided (if “recreational” and “open green space” are considered to satisfy active and passive components required of PRD developments), an amendment would have to be made to include another active recreation feature in the development to meet the requirement that 75% of homes be located within 300 feet of an active amenity. Staff measurements find that only 55% of homes currently fall within the 300-foot radius of the pool/clubhouse proposed, leaving the westernmost residences beyond reach. Adding an active recreation component to any of the parks proposed in the western part of the development (such as swings, a bocce ball court, or a piece of exercise equipment) would satisfy the requirement.

Parking Requirements

Parking in PRD-SF is required to be accommodated both on individual lots (two [2]-car garages and 20-foot driveways to accommodate two [2] additional cars) and through guest parking spaces (to be provided at a ratio of 0.2 spaces per unit). This would result in a total

of 475 parking spaces required for the proposed 113-unit development: 452 garage and driveway spaces, along with 23 guest parking spaces.

All homes feature two-car garages, satisfying code, but driveways of the alley loaded townhomes (52 units) measure only approximately six (6) to seven (7) feet long. All other driveways appear to be at least 20 feet long. Guest parking provided (49 spaces) is beyond that required by code (23 spaces). The surplus of 26 guest parking spaces, however, does not fully compensate for the lack of car parking available due to the short driveways at individual alley-loaded townhouses. Without 20-foot driveways, the parking capacity is diminished so that each townhouse unit can only provide parking for two (2) cars rather than four (4). Taking the surplus guest parking into account, this still results in an overall deficit of 78 parking spaces for the development according to code.

Parking Provision for 113 Units					
	In garages	In driveways	Guest parking	Total	Parking ratio*
Parking Required by Code	226	226	23	475	4.2
Parking Supplied	226	122	49	397	3.5
<i>Net difference</i>	<i>0</i>	<i>-104</i>	<i>+26</i>	<i>-78</i>	

*Effective total parking spaces per unit across entire development

Although a common focal point, the driveway arrangement and apparent lack of sufficient parking in a similar development – Manget (designed by the same firm responsible for the current submission, TSW) - has not resulted in a greater number of traffic-related calls/complaints to the police, according to Deputy Chief Twaddell (via email). Incidence logs for the Manget community for the date range of July 1, 2021 to July 1, 2025 and found there were only two (2) vehicle-related calls received – both regarding abandoned automobiles. Aggregated data for other comparable neighborhoods in the city also found that the issues did not rise to the level of police complaint (email from Makenzie Glass to Deputy Chief Twaddell, 7/3/25).

Staff highlights this data point to balance other data points that have been received (e.g. individual complaints). While not the sole measurement, this data does show, however, that auto-related issues were never so great as to warrant police intervention. When a development is intelligently planned and scaled- as the current concept appears to be, parking challenges can be minimized. There are also weighted benefits gained from dedicating less land to vehicles and parking including more open space and greater walkability.

Staff suggests that parking requirements contained in the zoning ordinance be revisited to confirm that best practices and current trends are incorporated. Revisions may be necessary to ensure a balance is struck between the orderly parking of cars and neighborhood designs that promote the best quality environments and lifestyles for residents.

Billboards

The large, undeveloped parcel at 1651 Crestridge Drive contains four (4) billboards along I-75. While the site plan includes these structures, it is unclear whether the applicant intends to keep the billboards or if they are to be removed. The two (2) northernmost billboards are within 75 feet of planned residential units. No information was provided regarding the billboards' sizes.

The billboards are considered legally nonconforming because they are less than the required 1,000 feet apart, with only about 500 feet separating each structure. The billboards are also not located on separate, independent parcels of property, as is required by code. This proposal has the potential to increase the billboards' nonconformity due to the following:

- Billboards not allowed on residential property [§714.04 (G.11)]
- Billboards must be the only principal use on a property [§714.04 (G.1)]
- Additional buildings and signage not allowed on same property as billboard [§714.04 (G.9)]
- Structures are not allowed within the billboards' "fall zone" [§714.04 (G.10)]

Rather than granting numerous variances to legitimize the multitude of nonconformities, Staff suggests the stipulation listed below become a condition of rezoning. Such a stipulation would allow the billboards to remain if the development moves forward, but it would not encourage the structures' perpetual survival, as is intended by *Section 706, Nonconforming Uses*.

- Stipulation to allow the four (4) existing billboards to remain and continue their nonconforming status in association with this project only, their status to be reevaluated in any future redevelopment.

Variances Required

Based on the analysis above, Staff finds that the following variances from zoning code would be required for the plan to proceed as illustrated:

- Variance to allow private alleys as a primary means of access. [§716.06]
 - ***All developments for which alleys are proposed shall be reviewed and approved by City Council at a regularly scheduled meeting as a separate item on the agenda.***
- Variance to reduce the required width of two-way private alleys from 20-feet to 16-feet of travelway. [§716.06 (B.)]
- Variance to waive the required turnaround for dead-end alleys. [§716.06 (D. & I.)]
- Variance to decrease the percentage of units within 300 feet of an active recreation feature from 75% to 55%. [§708.09 (B.1.h.)]
- Variance to allow the proposed 113 single family units to be accessed off local streets as shown on submitted plan. [§730.01 (A)]
- Variance to reduce the minimum lot size from 4,000 square feet for detached homes as shown on submitted plan. [§708.09 (H)]

- Variance to reduce the minimum size of driveways from 20 feet to accommodate two (2) additional cars to six (6) feet for the alley loaded townhomes (52 units).
[§708.09 (B.1.d.)]

Building elevations were not supplied, nor a landscape plan provided. An assessment of compliance could not be conducted regarding the code's four-sided architecture requirement or the tree ordinance. If the rezoning request is approved, these elements will be evaluated with the detailed plan.

Future Land Use

The Future Land Use (FLU) designation is Regional Activity Center (RAC) for the largest parcel (the majority of the site); lots currently zoned for single-family residential purpose have a FLU of MDR (Medium Density Residential). RAC is intended to provide commercial support for regional markets. Within RAC developments, residential use should be limited to a mixed-use capacity and be accompanied by pedestrian friendly improvements.

Although the property is located along major arterials and highway interchanges, the development site does not have direct access to/from these highly traveled thoroughfares. Because of the lack of connectivity to the major thoroughfares, residential uses would be more suitable to this location than a large commercial development. However, PRD-SF is not specifically considered an appropriate zoning category for RAC and, therefore, would not be supported by the City's Comprehensive Plan. Rezoning the existing residential lots to PRD-SF, on the other hand, would be supported by the MDR FLU/Comprehensive Plan. The density of 6.2 units/acre envisioned in the proposal fits the definition of "medium density housing" per the Comprehensive Plan of five (5) to eight (8) units per acre.

Environmental Impacts

Most of the subject area is undeveloped; therefore, any development on the property will increase water runoff. There are multiple stream branches on the subject property - one (1) which runs parallel to the southern property line and two (2) other streams perpendicular to the southern stream. The Engineering Department identified the streams' drainage basin as Rottenwood Creek. Because Rottenwood Creek is listed as an impaired stream, the site will be limited to 50% impervious surface. As presented, impervious surface across the site was calculated by the applicant to be 50.08%.

The most challenging portion of the site to develop, being blanketed by streams and associated buffers, is located adjacent to the interstate and therefore not desirable for home construction. Developers have chosen to largely avoid conflicts with these waterways, therefore, and leave them untouched to serve as buffers between the new development and I-75. A new street is proposed to cross a stream, however, to bridge two (2) halves of the development separated by the waterway and its buffers. Although not mentioned, it appears City stream buffer

variances would be required due to this crossing. Engineering also states a Corps of Engineers permit may be required if wetlands are to be impacted.

Additional comments from Engineering relating to streams/waterways are as follows:

- Finished floor elevations and MEPs to be 3 feet above base flood elevation.
- No rise flood study required.
- Extend flood study one cross section upstream from property line.
- Stormwater concept meeting required.

Economic Functionality

The large parcel currently zoned RRC and bordering I-75 has never have been developed. With access only available through existing single-family neighborhoods, developing a “regional retail center” at this location does not appear feasible. Considering also current market conditions and the need for housing, rezoning the property for residential use is more suitable.

The lots currently zoned for single-family residential use on Blanche Drive could remain and function as such. The Herbert Drive lots, however, do not have direct access to the street beyond that which could be provided by the adjacent 8,000 square foot strip of land, addressed 222 Herbert Drive, which is encumbered by a stream and sewer line. While not impossible to develop, constructing homes on these lots would likely be challenging and costly.

Infrastructure

The Fire Department provided indications that the street configuration may pose challenges vis-à-vis City code. Parts of the fire code which might be applicable to the development were cited in their review. A concern appears to be widths of fire apparatus roads and locations of some of the units potentially out of reach of an apparatus. All buildings are required to be sprinklered, however. See the Appendix for sections of code referenced by the department.

Public Works stated that a traffic study will need to be done. The Transportation Department did not provide any comments.

Overhead Electrical/Utilities

New connections to existing overhead utilities will be required to go underground should the project be approved. No vertical structures could be built within 10 feet of any overhead power lines. No major impediments are foreseen.

History of Property

A rezoning application which included the subject property (Z2020-35) was initially submitted for consideration at the December 2020 Planning Commission and City Council meetings. The scope of the proposal was larger: a 204-unit townhome development over nearly 30 acres of property, assembling 22 individual properties into a planned development (PRD-SF). The project faced opposition from the surrounding neighborhood residents and was tabled multiple times. Ultimately, the plan was denied by City Council in April 2022.

Historical Impacts

N/A

Other Issues

If rezoned to PRD-SF, the submission and approval of a Detailed Plan for the project would be required prior to development, to include a conceptual site plan, tree plan, and architectural elevations.

ANALYSIS & CONCLUSION

Kevin Moore, on behalf of Traton, LLC, is requesting that 19.5 acres between I-75 and an established single-family neighborhood be rezoned to PRD-SF to enable the construction of up to 119 homes. The property is currently comprised of six (6) parcels, with the largest zoned RRC, measuring approximately 18.4 acres, and undeveloped aside from four (4) billboards along I-75. The other smaller parcels, either undeveloped or containing homes, are zoned R-4 and R-2. The single-family lots are proposed to be repurposed into entrances into the new community.

Thirty-three (33) units are proposed to be single-family detached and eighty are to be townhomes per the site plan. Density for the development would be 6.2 units/acre (subtracting floodplain and assuming 113 units) or 10.3 units/acre if stream buffers are omitted from the calculation. Should further refinement of the plan show wetlands or standing water present, however, the density would increase to reflect the reduced footprint of area to be counted towards density per code.

The proposed neighborhood design offers a thoughtful approach to layout and design to justify PRD-SF zoning. In contrast to other approaches, the concept under consideration appears to have been structured around natural systems, walkability, and the incorporation of parks and green spaces. However, the following variances would be required for the proposal to advance:

1. Variance to allow private alleys as a primary means of access. [*§716.06*]
 - ***All developments for which alleys are proposed shall be reviewed and approved by City Council at a regularly scheduled meeting as a separate item on the agenda.***
2. Variance to reduce the required width of two-way private alleys from 20-feet to 16-feet of travelway. [*§716.06 (B.)*]
3. Variance to waive the required turnaround for dead-end alleys. [*§716.06 (D. & I.)*]
4. Variance to decrease the percentage of units within 300 feet of an active recreation feature from 75% to 55%. [*§708.09 (B.1.h.)*]
5. Variance to allow the proposed 113 single family units to be accessed off local streets as shown on submitted plan. [*§730.01 (A)*]
6. Variance to reduce the minimum lot size from 4,000 square feet for detached homes as shown on submitted plan. [*§708.09 (H)*]
7. Variance to reduce the minimum size of driveways from 20 feet to accommodate two (2) additional cars to six (6) feet for the alley loaded townhomes (52 units). [*§708.09 (B.1.d.)*]

Regarding the billboards on the property, Staff suggests the stipulation listed below become a condition of rezoning, rather than numerous variances be granted to legitimize the multitude of nonconformities. Such a stipulation would allow the billboards to remain if the development moves forward, but it would not encourage the structures' perpetual survival, as is intended by *Section 706, Nonconforming Uses*.

- Stipulation to allow the four (4) existing billboards to remain and continue their nonconforming status in association with this project only, their status to be reevaluated in any future redevelopment.

Other variances relating to stream buffers and internal street layout may be necessary, upon further review from the Fire and Engineering departments.

This application was tabled at the August 5th, 2025 Planning Commission meeting in order to address site design challenges. Staff has not yet received any new information.



DATA APPENDIX

CITY OF MARIETTA - WATER

Is a water line adjacent to the property?	Yes
If not, how far is the closest water line?	N/A
Size of the water line?	8 inch in Blanche and 6 inch in Crestridge
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?	10 inch and 8 inch available
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:	Yes
What percentage of the property is in the flood plain?	6.76%
What is the drainage basin for the property?	Rottenwood Creek
Is there potential for the presence of wetlands as determined by the U.S. Environmental Protection Agency?	Yes
If so, is the use compatible with the possible presence of wetlands?	Corp of Engineers permit may be required
Do stream buffers exist on the parcel?	Yes
Are there other topographical concerns on the parcel?	No
Are there storm water issues related to the application?	No
Potential presence of endangered species in the area?	No
<ul style="list-style-type: none"> • <i>Site development plan review required.</i> • <i>Stormwater concept meeting required.</i> • <i>Traffic study required.</i> • <i>Finished floor elevations and MEPs to be 3-ft. above base flood elevation.</i> • <i>No rise flood study required.</i> • <i>Extend flood study one cross section upstream of property line.</i> • <i>Rottenwood Creek is listed as an impaired stream. Site will be limited to 50% impervious surface.</i> 	

TRANSPORTATION

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

DATA APPENDIX CONTINUED

EMERGENCY SERVICES

Nearest city or county fire station from the development?	52
Distance of the nearest station?	1.3
Most likely station for 1 st response?	52
Service burdens at the nearest city fire station (under, at, or above capacity)?	Below Capacity

Site and building construction will be required to conform to state and local Fire/Safety Minimum Standards, and Georgia Accessibility Code.

New buildings will be subject to the Marietta Fire Protection Sprinkler ordinance [2-6-140].

Fire Apparatus Access Roads with Fire Hydrants [D103.1 - IFC 2018]

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, with unobstructed vertical clearance of 13-feet 6-inches (see Figure D103.1). Both Fire Marshal and Public Works Director will allow the required 26'-0" to be measured from FOC-FOC when there is an accompanying exhibit and engineering certification for the curb/gutter to support the max imposed fire apparatus load of 75,000 lbs.

Bridge [D102.1 - IFC 2018]

Where a bridge or an elevated surface is part of a fire apparatus access road, the bridge shall be constructed and maintained in accordance with AASHTO HB-17. Bridges and elevated surfaces shall be designed for a live load sufficient to carry the imposed loads of fire apparatus. Vehicle load limits shall be posted at both entrances to bridges when required by the fire code official. Where elevated surfaces designed for emergency vehicle use are adjacent to surfaces which are not designed for such use, approved barriers, approved signs or both shall be installed and maintained when required by the fire code official. Designed and rated to carry at least 75,000 lbs.

Aerial Fire Apparatus Access Roads [D105 - IFC 2018]

Aerial fire apparatus access roads shall have a minimum unobstructed width of 26 feet (7925 mm), exclusive of shoulders where the vertical distance between the grade plane and the highest roof surface exceeds 30 feet (9144 mm). 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. 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.

Fire Protection Sprinkler - Single Family [[Marietta Code 2-6-140(D)]]

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.

Required Fire Protection Notes - Residential

Please include the following Fire Protection notes on a site development plan for residential construction: 1. New underground piping serving private fire hydrants or sprinkler systems shall be inspected by the Marietta Fire Department. Failure to schedule an underground pipe inspection shall be cause for the pipe to be uncovered, regardless of the stage of construction. Schedule inspections at www.mariettafire.com. 2. When fire apparatus access roads or a water supply for fire protection is required to be installed, such protection shall be installed and made serviceable prior to and during construction. A Fire Access inspection will be required BEFORE vertical construction begins. 3. Provide and maintain a permanent address on buildings clearly visible to the Fire Access Road 4. Streets and roads shall be identified with approved signs at each street intersection, including during construction once the street allows for the passage of vehicles. 5. The Fire Access Road shall be maintained and provide at least a 20-foot wide all-weather drivable surface for fire apparatus with min vertical clearance of 13'-6". 6. Where fire apparatus access roads are designed to minimum standards, NO PARKING – FIRE LANE, using IFC Sign Type 'D', shall be posted on both sides at the beginning of each such road, and shall be maintained. Fire apparatus access roads shall not be obstructed in any manner, including the parking of vehicles. 7. Fire hydrants and water service shall be installed to within 300 feet of units under construction before proceeding with framing. 8. New buildings shall comply with the Marietta Fire Protection Sprinkler Ordinance 9. Access through gates is subject to review for approval by the Fire Department.

Provide Fire Hydrants

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) New public fire hydrants shall be painted silver with a blue 1" retro reflective band applied circumferentially to the bonnet. b) New private fire hydrants (located on the customer side of the meter) shall be painted red with a blue 1" retro reflective band applied circumferentially to the bonnet. 4. Where a fire hydrant is located on a fire apparatus access road, the minimum road width shall be 26 feet (7925 mm), as measured from face of curb (see Figure D103.1).

Fire Flow Test Report - Marietta Water

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 for the fire flow requirement for buildings. Min Residential 1000 GPM @ 20 PSI; Min Commercial 1500 GPM @ 20 PSI.

Domestic Meter Size

PROVIDE THE FOLLOWING NOTE ON THE WATER/UTILITY SHEET: NEW DOMESTIC WATER METERS PROVIDING FIRE PROTECTION SHOULD BE SIZED FOLLOWING CONSULTATION WITH A FIRE SPRINKLER CONTRACTOR OR FIRE PROTECTION ENGINEER.

Fire Protection Notes [505.1 - IFC 2018]

Please add the following Fire Protection Notes: #. Provide and maintain a permanent address on buildings clearly visible to the Fire Access Road.

Fire Protection Notes [505.2 - IFC 2018]

Please add the following Fire Protection Notes: #. Streets and roads shall be identified with approved signs at each street intersection, including during construction once the street allows for the passage of vehicles.

Fire Protection Notes [D102 & D103.1 - IFC 2018]

Please add the following Fire Protection Notes: #. The Fire Access Road shall be maintained and provide an unobstructed 20-foot wide (26-feet, exclusive of shoulders, around fire hydrants) all-weather drivable surface for fire apparatus. Fire apparatus access roads shall not be obstructed in any manner, including the parking of vehicles.

Fire Protection Notes [D103.6 - IFC 2018]

Please add the following Fire Protection Notes: #. Fire apparatus access roads shall be marked with permanent NO PARKING—FIRE LANE. Use sign type D (IFC D103.6), facing the direction of travel. Signs shall have a minimum dimension of 12 inches (305 mm) wide by 18 inches (457 mm) high and have red letters on a white reflective background. During construction, one side of the road shall be posted at the beginning of each street, and upon completion of development the other side shall be posted at the beginning of each street.

Fire Protection Notes [710.06 - Marietta Zoning Code - Residential developments]

Please add the following Fire Protection Notes: #. Fire hydrants and water service shall be installed to within 300 feet, measured along a drivable route on a fire department access road, of units under construction before proceeding with framing.

Fire Protection Notes [2-6-140 - Marietta Code]

Please add the following Fire Protection Notes: #. New buildings shall comply with the Marietta Fire Protection Sprinkler Ordinance.

Detailed Plan

The comments made for this plat review for the subject property are limited to concept, and shall not be construed as a comprehensive site development review.

Life Safety, Fire, and Georgia Accessibility codes and local ordinances are adequately satisfied. No

MARIETTA POWER - ELECTRICAL

Contact will be Jake Howell. 770-794-5704 or jhowell@mariettaga.gov.



DATA APPENDIX CONTINUED

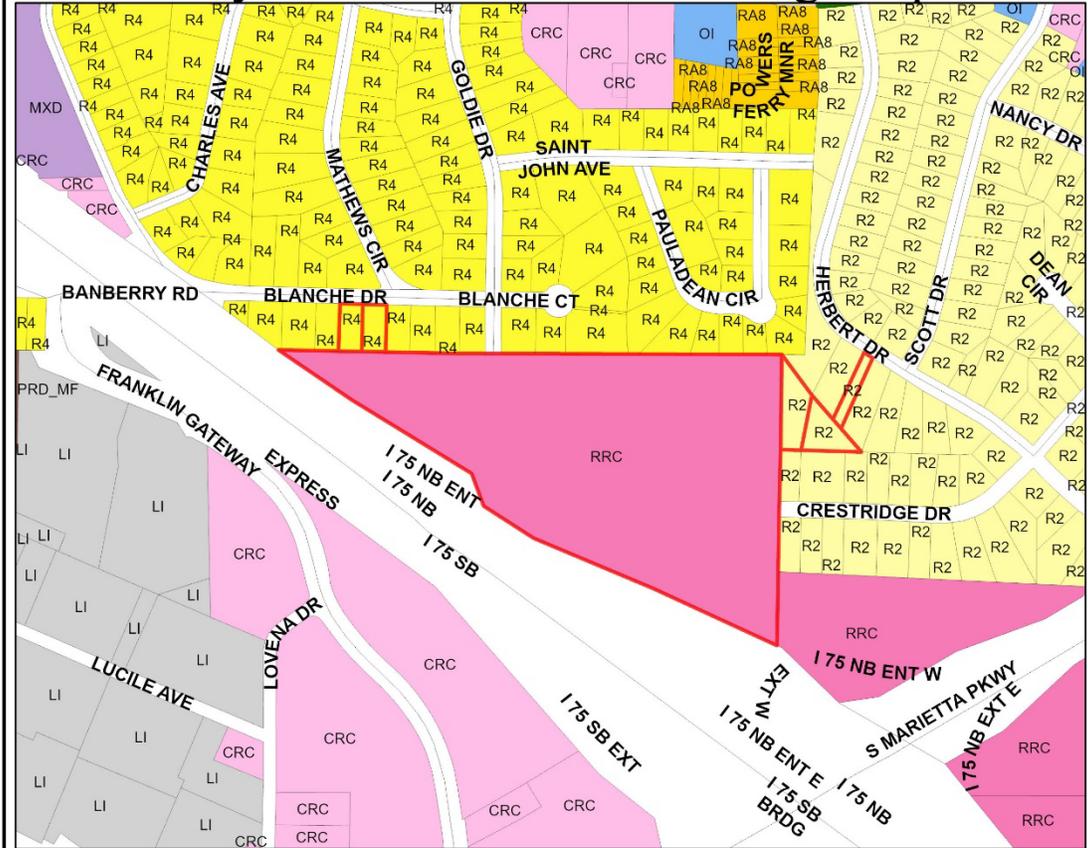
MARIETTA CITY SCHOOLS

Marietta City Schools Impact Assessment:

Elementary School System Servicing Development:	Sawyer Road
Middle School Servicing Development:	6th Grade Academy and Marietta Middle School
High School Servicing Development:	Marietta High School
Capacity at Elementary School:	800
Capacity at Middle School:	1,350
Capacity at Marietta Sixth Grade Academy:	975
Capacity at High School:	2,250
Current enrollment of Elementary School:	549
Current enrollment of 6 th Grade Academy:	675
Current enrollment of Middle School:	1,382
Current enrollment of High School:	2,572
Number of students generated by present development:	0
Number of students projected from the proposed development:	48
New schools pending to serve this area:	none
<u>Comments:</u>	

MAP

City of Marietta Area Zoning Map

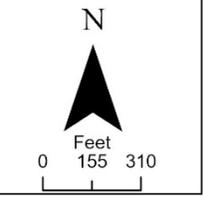


Zoning		District	Land Lot	Parcel	Current Zoning	Proposed Zoning
SINGLE FAMILY RESIDENTIAL	COMMERCIAL					
R-1 One Unit/Acre	NRC Neighborhood Retail	17	648	0540	R-2	PRD-SF
R-2 Two Unit/Acre	CRC Community Retail	17	648	0330	R-2	
R-3 Three Unit/Acre	RRC Regional Retail	17	648	0570	R-2	
R-4 Four Unit/Acre	CBD Central Business District	17	577	0020	RRC	
ATTACHED FAMILY RESIDENTIAL	PCD Planned Commercial Dev.	16	1281	0720	R-4	
RA-4 Four Unit/Acre	MXD Mixed-Use Dev.	16	1281	0730	R-2	
RA-6 Six Unit/Acre	OIT Office Institutional Trans.					
RA-8 Eight Unit/Acre	LRO Low-Rise Office					
PRD(SF) Planned Residential Dev.	OI Office Institutional					
MHP Mobile Home Park	OS Office Services					
MULTI FAMILY RESIDENTIAL	OHR Office High-Rise					
RM-8 Eight Unit/Acre	INDUSTRIAL					
RM-10 Ten Unit/Acre	LI Light Industrial					
RM-12 Twelve Unit/Acre	HI Heavy Industrial					
RHR Residential High Rise	PID Planned Industrial Dev.					
PRD(MF) Planned Residential Dev.						

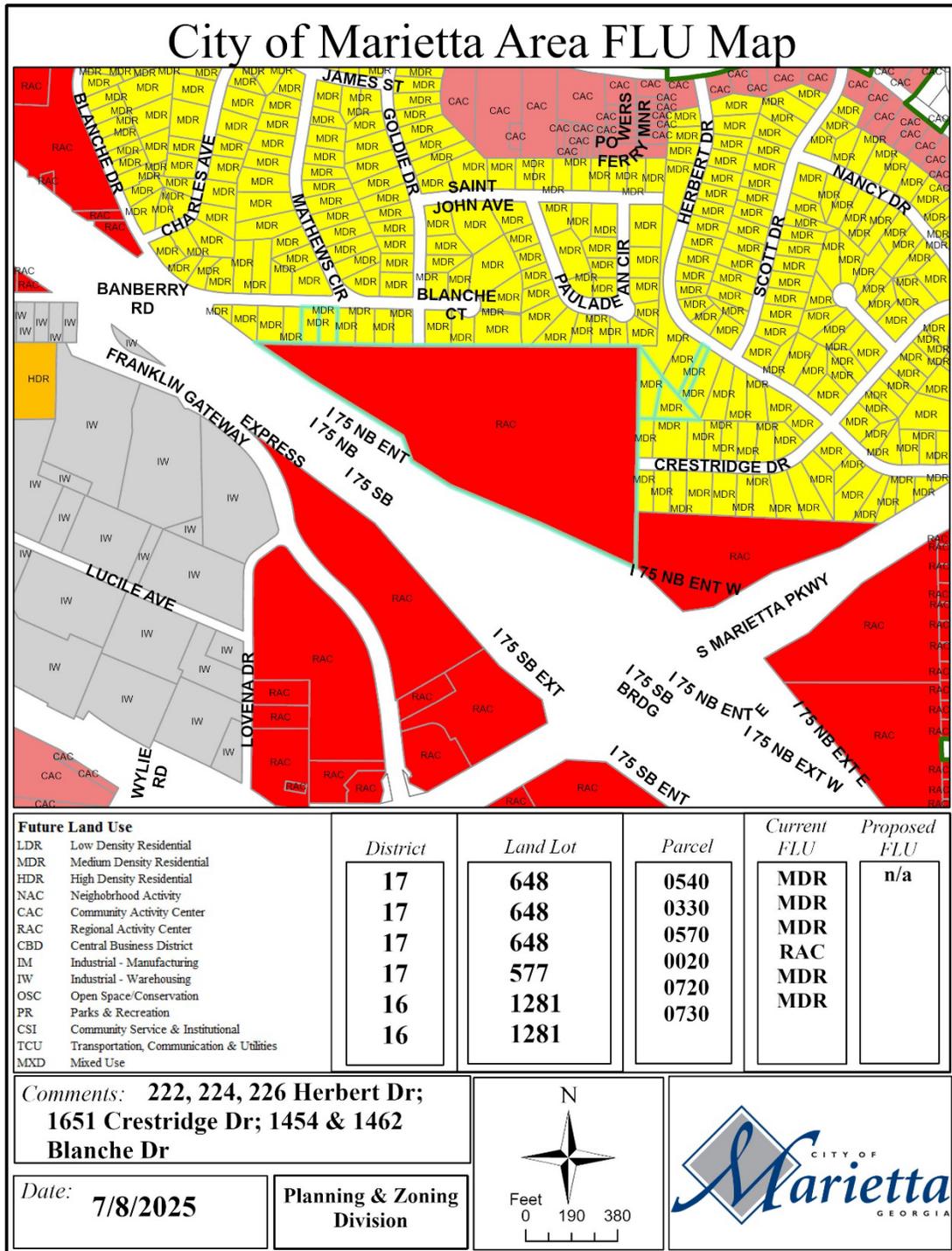
Comments: 222, 224, 226 Herbert Dr;
1651 Crestridge Dr; 1454 & 1462
Blanche Dr

Date: 7/8/25

Planning & Zoning Division




FLU MAP

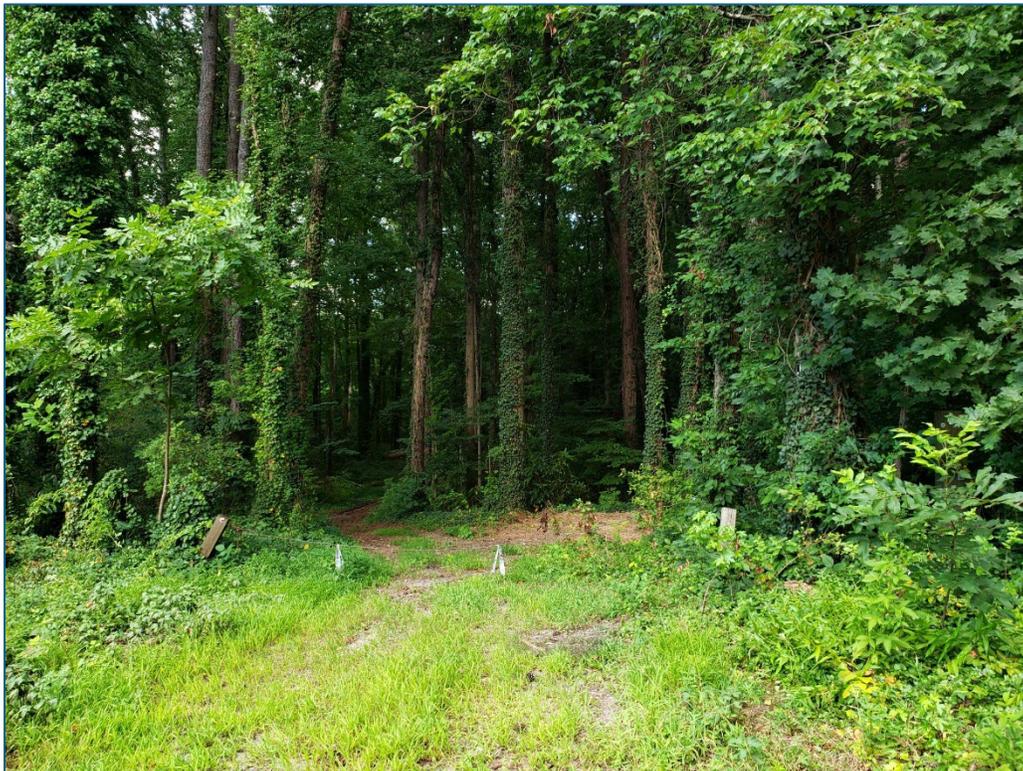


PICTURES OF PROPERTY





1454 & 1462 Blanche Drive



Dead end at Crestridge Drive

STAFF ANALYSIS

Location Compatibility

Kevin Moore, on behalf of Traton, LLC, is requesting that approximately 19.5 acres located between I-75 and an established single-family neighborhood be rezoned to PRD-SF (Planned Residential Development, Single-Family) to enable the construction of up to 119 homes. The property is currently comprised of six (6) parcels, with the largest zoned RRC (Regional Retail Center) and measuring approximately 18.4 acres. The other smaller parcels are zoned R-4 (Single-Family Residential, 4 units/acre) and R-2 (Single-Family Residential, 2 units/acre). The subject property was considered (and denied) as part of a rezoning in April 2021 (Z2020-35) to enable the construction of a 204-unit townhome development, though the request at the time encompassed a wider area (approximately 30 acres versus this application’s 19.5 acres).

The large parcel zoned RRC is undeveloped, although four (4) billboards dot the tract’s western boundary along I-75. Two (2) lots zoned R-4 on Blanche Drive contain houses and are part of a single-family neighborhood, Lakeview Subdivision, platted in 1951. These lots are proposed to be repurposed as an entrance to the development, where a new street would provide access to/from Blanche Drive. The other three (3) residential lots (off Herbert Drive, zoned R-2) are vacant and add slightly more developable area to the larger tract. A second entrance to the development is proposed just south of the Herbert Drive lots, from Crestridge Drive, which currently dead ends from the established Powers Ferry Hills neighborhood at the edge of the parcel.

Streams run north-south and east-west across the property; approximately 1.3 acres (or 6.7%) are in the floodplain. In addition to the floodplain, stream buffers occupy 7.25 acres of the property, further limiting its developable area. All told, about 8.7 acres are encumbered by water challenges. A sewer line (and associated 20-foot easement) which roughly parallels I-75 must also be considered in the development proposal.

Use Potential and Impacts

Housing Units

Both detached single-family homes and townhomes are proposed in the new development. While the application states 119 units will be built, the site plan shows 113. These numbers will have to be clarified. As illustrated in the site plan, however, the unit breakdown is as follows:

Unit Mix/Breakdown			
Type	Stories/Bedrooms	Heated Floor Area	No. of Units
Detached House	2 stories/3 bedrooms	1,800 sf	33
Alley Loaded Townhouse	3 stories/3 bedrooms	2,101 sf	52
Front Loaded Townhouse	2 stories/3 bedrooms	1,805 sf	28
		Total	113



NOTICE OF PUBLIC HEARINGS REZONING REQUEST

On **Tuesday, September 2, 2025, at 6:00 pm**, the Marietta Planning Commission will conduct a public hearing and vote on a recommendation to approve, deny or amend the following request for rezoning.

Z2025-17 [REZONING] TRATON, LLC (RGM PROPERTIES PARTNERSHIP, LLLP.; MCMULLAN PARTNERS, LLC) are requesting the rezoning of 19.451 acres located in Land Lots 576, 577 and 648 of the 17th District and Land Lots 1279, 1280 and 1281 of the 16th District; Parcels 0540, 0570, 0330, 0720, 0730, 0020 of the 2nd Section, Cobb County, Georgia, and being known as 222, 224, & 226 Herbert Drive; 1454 & 1462 Blanche Drive; and 1651 Crestridge Drive from R-2 (Single Family Residential – 2 units/acre), R-4 (Single Family Residential – 4 units/acre), and RRC (Regional Retail Commercial) to PRD-SF (Planned Residential Development – Single Family). Ward 7A.

On **Wednesday, September 10, 2025, at 7:00 pm.**, the Marietta City Council will conduct a second public hearing and vote on a final decision to approve, deny or amend the request.

Public input is important and if you or anyone you know have questions or wish to convey support, opposition, or otherwise offer comment in reference you are invited to do so at the Public Hearings.

Public Hearings are conducted in the chambers of City Hall, located on the lobby level of 205 Lawrence Street and can be accessed directly from the adjacent parking deck at 211 Lawrence Street.

Detailed information for each request including the staff analysis is available on the 'Upcoming Hearings' page of the city website, www.mariettaga.gov or by scanning the following QR code:



Questions can be directed to the Planning and Zoning Office, 2nd Floor, City Hall, Monday through Friday, 8:00am to 5:00pm or by calling (770) 794-5440.

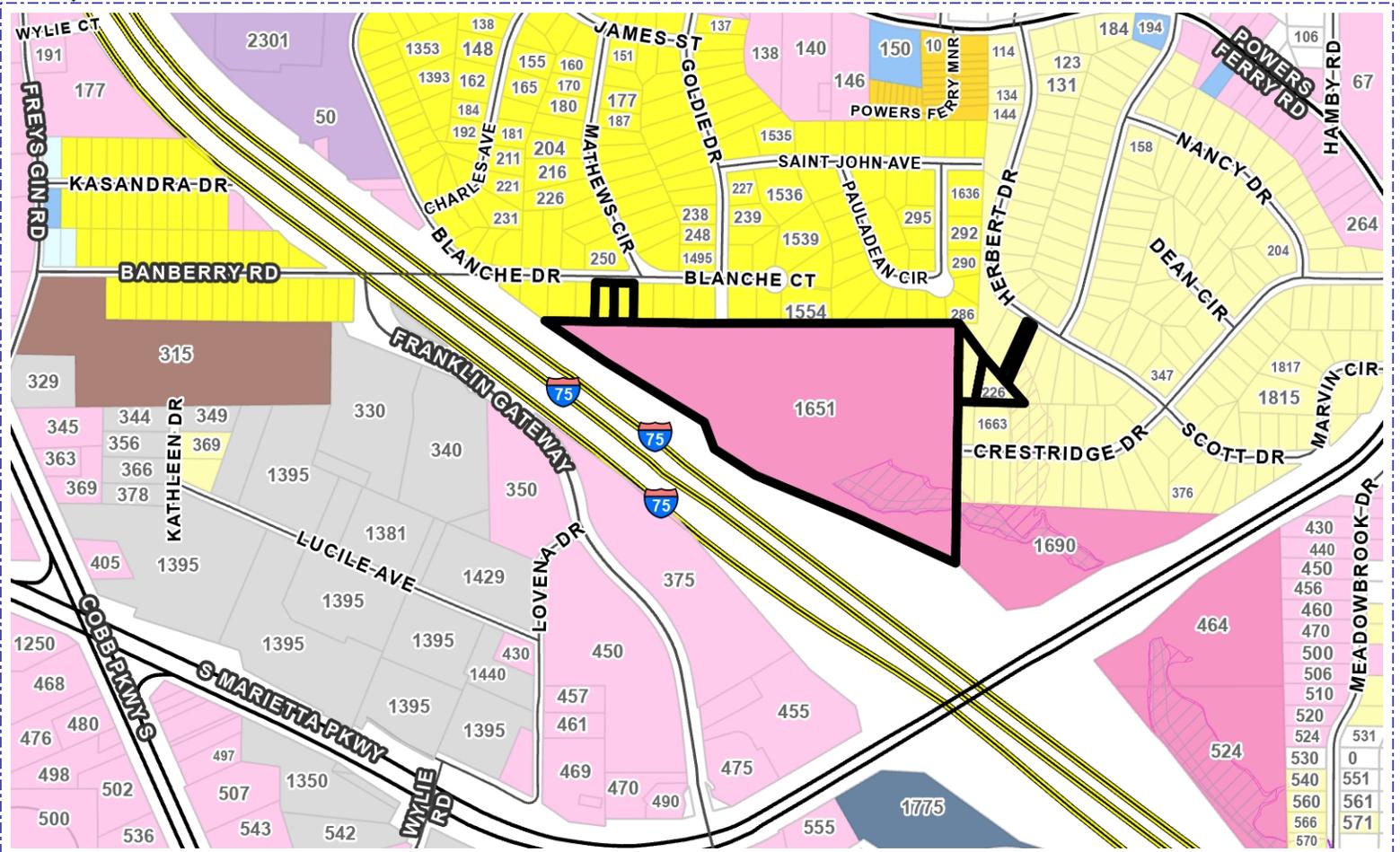
Accessibility to Meetings: If special accommodation is required in order to attend and/or participate in the meetings, please contact the ADA Coordinator for arrangements at (770) 794-5558, no less than 48 hours in advance.

What is a Rezoning Request?

When a property owner seeks to change the zoning of their land, a Rezoning Application must be submitted to the City of Marietta Department of Development Services. Planning and Zoning staff review the request and generate an analysis. The Planning Commission will hold a public hearing to consider the request and vote on a recommendation for City Council. The City Council will then hold a public hearing to consider the request, and a final decision will be made.

Additional information is available on the City's website at www.mariettaga.gov.

Rezoning

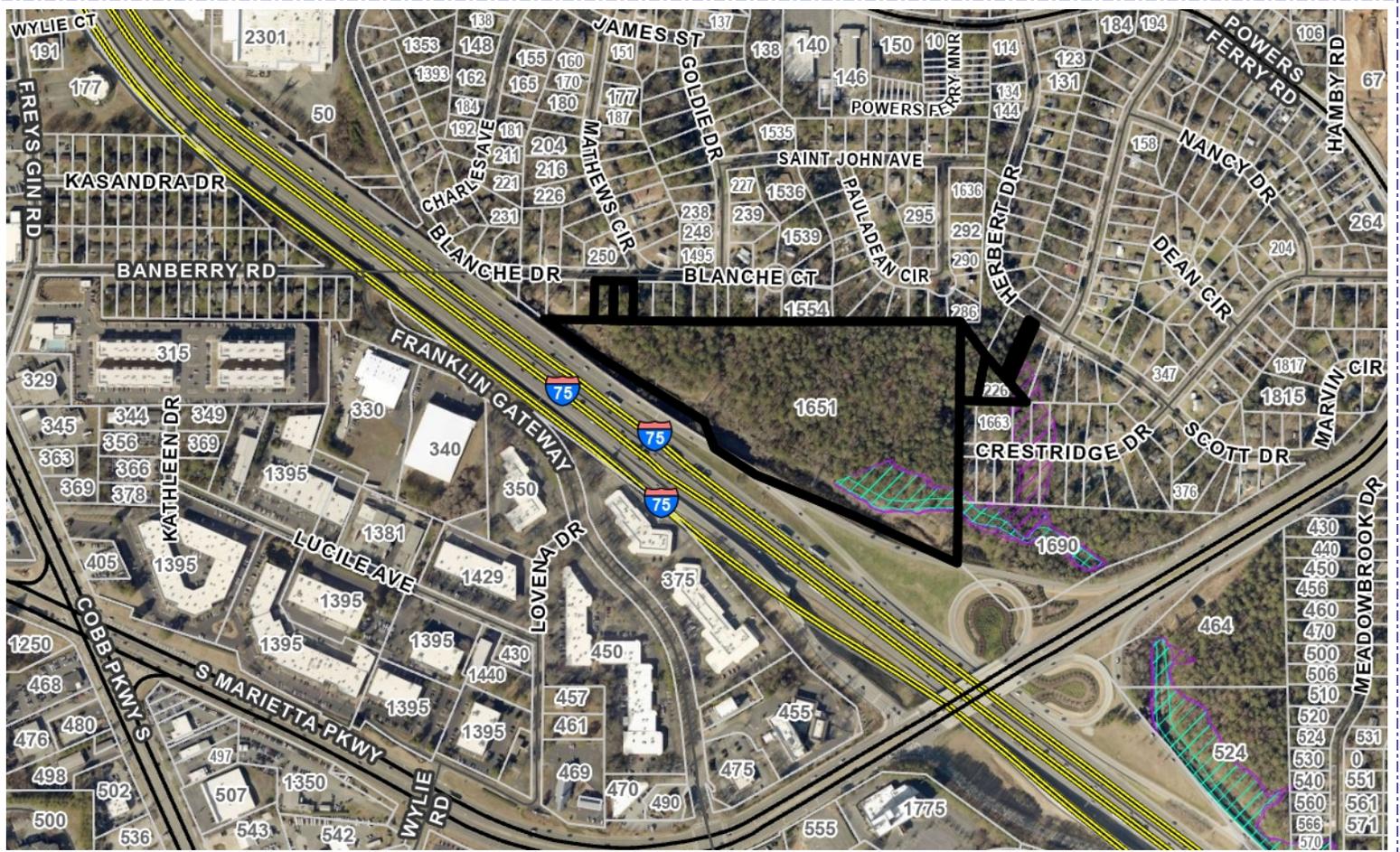


Address	Parcel Number	Acreage	Ward	Zoning	FLU
1454 BLANCHE DR	16128100720	0.251	7A	R4	MDR
1462 BLANCHE DR	16128100730	0.26	7A	R4	MDR
1651 CRESTRIDGE DR	17057700020	18.396	7A	RRC	RAC
222 HERBERT DR	17064800540	0.185	7A	R2	MDR
224 HERBERT DR	17064800570	0.462	7A	R2	MDR
226 HERBERT DR	17064800330	0.383	7A	R2	MDR

Property Owner:	RGM PROPERTIES PARTNERSHIP, LLLP & McMULLAN PARTNERS, LLC.	
Applicant:	TRATON, LLC.	
Proposed Zoning:		
Agent:	KEVIN MOORE	
Proposed Use:	<i>For more information visit www.mariettaga.gov/1439/Upcoming-Hearings</i>	
Planning Commission Date:	09/02/2025	
City Council Hearing Date:	09/10/2025	Case Number: Z2025-17
City of Marietta Planning & Zoning		

Zoning Symbols

- Railroads
- City Limits
- Cobb County Pockets
- NA
- R1 - Single Family Residential (1 unit/acre)
- R2 - Single Family Residential (2 units/acre)
- R3 - Single Family Residential (3 units/acre)
- R4 - Single Family Residential (4 units/acre)
- RA4 - Single Family Residential - Attached
- RA6 - Single Family Residential - Attached
- RA8 - Single Family Residential - Attached
- MHP - Mobile Home Park
- PRD-SF - Planned Residential Dev. Single Family
- RM8 - Multi Family Residential (8 units/acre)
- RM10 - Multi Family Residential (10 units/acre)
- RM12 - Multi Family Residential (12 units/acre)
- RHR - Residential High Rise
- PRD-MF - Planned Residential Dev Multi Family
- NRC - Neighborhood Retail Commercial
- CRC - Community Retail Commercial
- RRC - Regional Retail Commercial
- PCD - Planned Commercial Development
- LI - Light Industrial
- HI - Heavy Industrial
- PID - Planned Industrial Development
- MXD - Mixed Use Development
- CBD - Central Business District
- OIT - Office Institutional Transitional
- LRO - Low Rise Office
- OI - Office Institutional
- OS - Office Services
- OHR - Office High Rise



Address	Parcel Number	Acreage	Ward	Zoning	FLU
1454 BLANCHE DR	16128100720	0.251	7A	R4	MDR
1462 BLANCHE DR	16128100730	0.26	7A	R4	MDR
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224 HERBERT DR	17064800570	0.462	7A	R2	MDR
226 HERBERT DR	17064800330	0.383	7A	R2	MDR

Property Owner:	RGM PROP. PART., LLLP & McMULLAN PRTS, LLC.
Applicant:	TRATON, LLC.
City Council Hearing Date:	09/10/2025
Planning Commission Hearing Date:	09/02/2025
BZA Hearing Date:	Case Number: Z2025-17
Comments:	
City of Marietta Planning & Zoning	

Legend

- Railroads
- City Limits
- Cobb County Pockets



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 #: Z2025-17 Legistar #: 20250570 PZ #: 25-041
 Planning Commission Hearing: ~~August 5, 2025~~ Sep 2, 2025 City Council Hearing: ~~August 18, 2025~~ Sep 10, 2025

Owner's Name RGM Properties Partnership, L.L.L.P.; McMullan Partners, LLC
Documentation showing names of Principals authorized to sign application is **required for Corporations.**

EMAIL Address: [REDACTED]
 Mailing Address Marietta, GA Zip Code: 30068 Telephone Number [REDACTED]

COMPLETE ONLY IF APPLICANT IS NOT OWNER:
 Applicant & Owners' Representative: J. Kevin Moore; Moore Ingram Johnson & Steele, LLP
 Applicant: Traton, LLC
 EMAIL Address: [REDACTED]
 Mailing Address [REDACTED] Zip Code: [REDACTED]
 Telephone Number [REDACTED] Add'l Email Address: _____

Address of property to be rezoned: 222, 224, 226 Herbert Drive; 1454, 1462 Blanche Drive; 1651 Crestridge Drive
12790, 12800, 12810,
 Land Lot (s) 05760, District 16, 17 Parcel See Exh. C Acreage 19.451+/- Ward 7A Future Land Use: RAC, MDR
05770, 06480
 Present Zoning Classification: RRC, R2, R4 Proposed Zoning Classification: PRD-SF

REQUIRED INFORMATION

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

1. Application
2. Legal Description.
3. Copy of the deed that reflects the current owner(s) of the property. Documentation showing names of principals authorized to sign application is **required for Corporations.**
4. Copy of current tax bill showing payment or a certification from the City of Marietta Tax Office stating that taxes have been paid.
5. 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.
6. A detailed written description of the proposed development/project must be submitted with the application.
7. **REZONING REQUESTS TO PRD, PCD, PID, or MXD MUST INCLUDE THE GENERAL PLAN CHECKLIST WITH THIS APPLICATION.**
8. Application fee - *see next page*

ATTACHMENT TO APPLICATION FOR REZONING

Application No.: _____
Legistar No.: _____
Hearing Dates: August 5, 2025
August 13, 2025

Applicant: Traton, LLC
Property Owners: RGM Properties Partnership, L.L.L.P.;
McMullan Partners, LLC

Tax Parcel Nos.: 16-12810-0720; 16-12810-0730;
17-05770-0020; 17-06480-0570;
17-06480-0330; 17-06480-0540

DESCRIPTION OF PROPOSED DEVELOPMENT/PROJECT

The property which is the subject of the Application for Rezoning by Applicant, Traton Homes, LLC (hereinafter "Applicant") consists of a total tract of 19.451 acres, more or less, and is an assemblage of six tax parcels, being more particularly known as 222, 224, and 226 Herbert Drive, 1454 and 1462 Blanche Drive, and 1651 Crestridge Drive, Land Lot 1281, 16th District, and Land Lots 576, 577, and 648, 17th District, 2nd Section, City of Marietta, Cobb County, Georgia (hereinafter collectively the "Property" or the "Subject Property"). The Rezoning Application seeks approval of a request to rezone the Subject Property from its existing zoning categories of Regional Retail Commercial ("RRC"), R2, and R4 to the Planned Residential Development – Single Family ("PRD-SF") zoning classification. Applicant is seeking rezoning for a single-family residential community which will include both single-family residences and townhomes.

The proposed project is an assemblage of a total of six tax parcels, four of which (including the larger one) being undeveloped. Applicant proposes the construction of a maximum of one hundred nineteen (119) single-family homes consisting of both detached homes and townhomes. 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, and shall have two car garages. The entrance area shall be professionally designed, implemented, and maintained.

Natural and landscaped buffers will be utilized adjacent to existing residential communities. Applicant proposes pocket parks and active amenities throughout the community for the use and enjoyment of residents and their guests. Also, due to the location of streams on the Property, the required seventy-five (75) foot buffers will provide additional open space areas throughout the community, further providing residents an opportunity for outdoor gatherings and activities; as well as a providing natural buffer along the Interstate 75 corridor.

Application No.: _____

Legistar No.: _____

Page 2 of 2

Applicant will supplement its Application for Rezoning with additional items; including, but not limited to the following, throughout the rezoning process:

- (1) Updated and revised Zoning Plan, if necessary;
- (2) Landscape and/or Tree Plan and
- (3) Elevations.

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.

Applicant is very excited with the opportunity for development of the Property to provide a much-needed service to the residents and communities within the City of Marietta. The project will meet, and exceed, the standards established by Applicant in its other communities; as well as all standards and ordinances established by the City for similar developments.

ATTACHMENT TO APPLICATION FOR REZONING

Application No.: _____
Legistar No.: _____
Hearing Dates: **August 5, 2025**
August 13, 2025

**BEFORE THE PLANNING COMMISSION
AND THE MAYOR AND CITY COUNCIL
FOR THE CITY OF MARIETTA, GEORGIA**

**CONSTITUTIONAL CHALLENGE
ATTACHMENT TO APPLICATION FOR REZONING**

COME NOW, Applicant, TRATON, LLC (hereinafter referred to as “Applicant”), and Property Owners, RGM PROPERTIES PARTNERSHIP, L.L.L.P. and McMULLAN PARTNERS, LLC (hereinafter collectively referred to as “Owners” or “Property Owners”), and assert the following:

1.

By Application for Rezoning dated and filed with the City of Marietta Planning and Zoning Office on June 24, 2025, Applicant and Property Owners applied for rezoning of certain real property, being approximately 19.451 acres, located within the city limits of the City of Marietta, Cobb County, Georgia, a more particular description and delineation of the subject property being set forth in said Application (hereinafter referred to as the “Property” or the “Subject Property”).

2.

The Application for Rezoning of the Property seeks rezoning from the existing zoning categories of Regional Retail Commercial (“RRC”), R2, and R4 to the proposed zoning category of Planned Residential Development – Single Family (“PRD-SF”), as established by the governing authority of the City of Marietta, Cobb County, Georgia, under and pursuant to

the Zoning and Planning Ordinance of the City of Marietta, Georgia (hereinafter the “Zoning and Planning Ordinance of the City of Marietta”).

3.

As to the existing RRC zoning classification, Applicant and Property Owners do contend the Zoning and Planning Ordinance of the City of Marietta is unconstitutional as applied to the Subject Property in that said Ordinance does not permit the Applicant and Property Owners to utilize the Property to the highest and best use set forth within the Application for Rezoning without the necessity of rezoning. However, Applicant and Property Owners do not contend the current zoning category of RRC is unconstitutional, per se, only as applied. Thus, the Zoning and Planning Ordinance of the City of Marietta deprives Applicant and Property Owners of their Property under and pursuant to Art. I, § I, ¶¶ I and II of the Georgia Constitution of 1983, and the Equal Protection and Due Process Clauses of the Fifth and Fourteenth Amendments to the Constitution of the United States of America. This deprivation of Property without due process violates the constitutional prohibition against the taking of private property without just compensation. Also violated are the Applicant’s and Property Owners’ rights to unfettered use of their Property, as stated above, in that said zoning classifications do not bear a substantial relation to the public health, safety, morality, or general welfare and are, therefore, confiscatory and void. Further, said Ordinance is unconstitutional in that it is arbitrary and unreasonable resulting in relatively little gain or benefit to the public, while inflicting serious injury and loss on the Applicant and Property Owners.

4.

With respect to the existing R2 and R4 zoning categories, the Zoning and Planning Ordinance of the City of Marietta is unconstitutional as applied to the Subject Property in that

said Ordinance deprives Applicant and Property Owners of their Property under and pursuant to Art. I, § I, ¶¶ I and II of the Georgia Constitution of 1983, and the Equal Protection and Due Process Clauses of the Fifth and Fourteenth Amendments to the Constitution of the United States of America. This deprivation of Property without due process violates the constitutional prohibition against the taking of private property without just compensation. The R2 and R4 zoning categories, as they presently exist, together with any intervening zoning categories between the existing R2 and R4 categories and the requested PRD-SF category, violates the Applicant's and Property Owners' rights to unfettered use of their Property in that said zoning classifications do not bear a substantial relation to the public health, safety, morality, or general welfare and are therefore confiscatory and void. Further, said Ordinance is unconstitutional in that it is arbitrary and unreasonable resulting in relatively little gain or benefit to the public, while inflicting serious injury and loss on the Applicant and Property Owners.

5.

To the extent the Zoning and Planning Ordinance of the City of Marietta allows or permits the Mayor and City Council to rezone the Property to any category other than as requested, said Ordinance is further unconstitutional in that same violates Applicant's and Property Owners' constitutionally guaranteed rights to due process, both substantive and procedural. Furthermore, any such action by the Mayor and City Council, or as allowed by the Zoning and Planning Ordinance of the City of Marietta, is an unconstitutional use of the zoning power and would constitute an abuse of discretion with no justification or benefit flowing to the public welfare. Accordingly, said Ordinance or action would likewise represent a taking of private property rights without the payment of just and adequate

compensation in violation of the Constitutions of the State of Georgia and the United States of America.

6.

The Zoning and Planning Ordinance of the City of Marietta is further unconstitutional in that the procedures contained therein pertaining to the public hearing held in connection with the Zoning Application also violate Art. I, § I, ¶¶ I, II, and XII of the Georgia Constitution of 1983 in that said procedures impose unreasonable time restraints, contain the absence of rebuttal, contain the inability to confront witnesses, contain the lack of procedural and evidentiary safeguards, do not restrict evidence received to the issue at hand and are controlled wholly and solely by political considerations rather than the facts and considerations required by law. These procedures fail to comport with the due process requirements of the Constitution of the State of Georgia 1983 and the due process requirements of the Constitution of the United States of America.

Respectfully submitted, this 24th day of June, 2025.

MOORE INGRAM JOHNSON & STEELE, LLP

BY: 

J. KEVIN MOORE
Georgia Bar No. 519728

Attorneys for Applicant and Property Owners

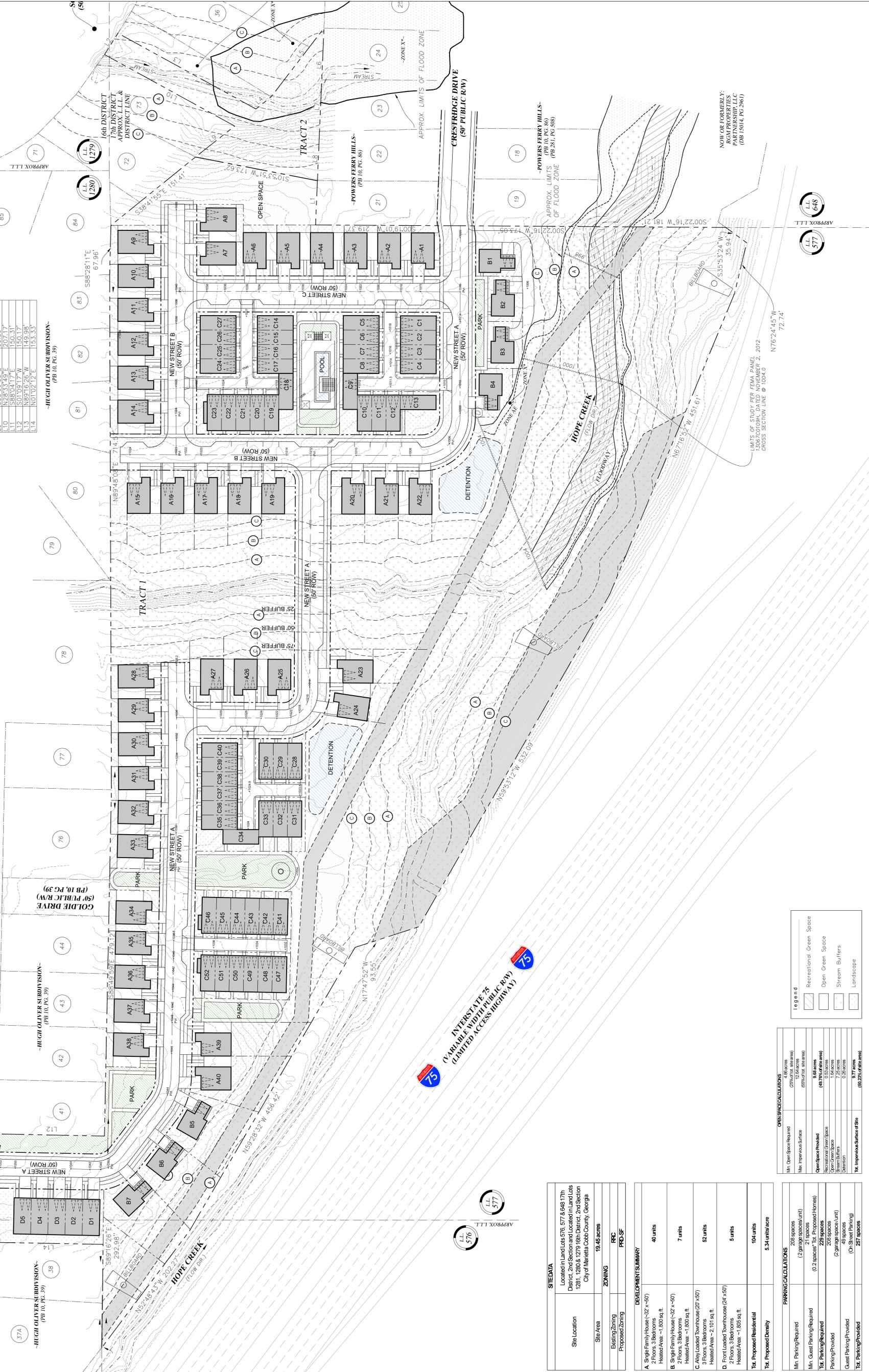
RECEIVED
07/31/2025

CRESTRIDGE DR &
S MARIETTA PKWY

LINE	BEARINGS	DISTANCE
1	S57°47'12"E	55.00'
2	S28°33'45"W	219.72'
3	S28°33'45"W	27.26'
4	S38°29'28"E	120.42'
5	S52°11'08"E	71.84'
6	N87°31'45"W	71.84'
7	N87°26'46"W	61.16'
8	S38°00'55"E	69.39'
9	S38°00'55"E	207.17'
10	N28°33'49"E	150.31'
11	S88°04'17"E	150.17'
12	S01°09'17"W	149.98'
13	N89°16'26"W	149.98'
14	N01°02'12"E	153.33'

GOLDIE DRIVE
BLANCHE DRIVE
(50' PUBLIC ROW)
(PB 10, PG 39)
BLANCHE COURT
(50' PUBLIC ROW)
(PB 10, PG 39)

HIGH OLIVER SUBDIVISION
(PB 10, PG 39)
HIGH OLIVER SUBDIVISION
(PB 10, PG 39)
HIGH OLIVER SUBDIVISION
(PB 10, PG 39)



STEDATA

Site Location: Located in Land Lots 576, 577 & 648 17th District, 2nd Section and Located in Land Lots 1281, 1280 & 1279 16th District, 2nd Section City of Marietta Cobb County, Georgia

Site Area: 19.45 acres

Existing Zoning: RRC

Proposed Zoning: PRD-SF

DEVELOPMENT SUMMARY

A. Single Family House (~32' x ~50')	40 units
2 Floors, 3 Bedrooms Heated Area ~1,800 sq. ft.	
B. Single Family House (~32' x ~50')	7 units
2 Floors, 3 Bedrooms Heated Area ~1,800 sq. ft.	
C. Attached Townhouse (28' x 50')	52 units
3 Floors, 3 Bedrooms Heated Area ~2,101 sq. ft.	
D. Front Loaded Townhouse (24' x 50')	5 units
2 Floors, 3 Bedrooms Heated Area ~1,689 sq. ft.	
Tot. Proposed Residential	104 units
Tot. Proposed Density	5.34 units/acre

PARKING CALCULATIONS

Min. Parking Required	208 spaces
(2 garage spaces/unit)	
Min. Guest Parking Required	21 spaces
(0.2 spaces/Tot. Proposed Homes)	
Tot. Parking Required	229 spaces
Parking Provided	229 spaces
Guest Parking Provided	46 spaces
Tot. Parking Provided	257 spaces

OPEN SPACE CALCULATIONS

Min. Open Space Required	4.88 acres
(25% of total site area)	
Max. Impervious Surface	2.69 acres
(65% of total site area)	
Open Space Provided	6.88 acres
Recreational Green Space	1.84 acres
Open Green Space	2.26 acres
Stream Buffers	2.78 acres
Tot. Impervious Surface of Site	68.25% of site area

Legend

- Recreational Green Space
- Open Green Space
- Stream Buffers
- Landscape

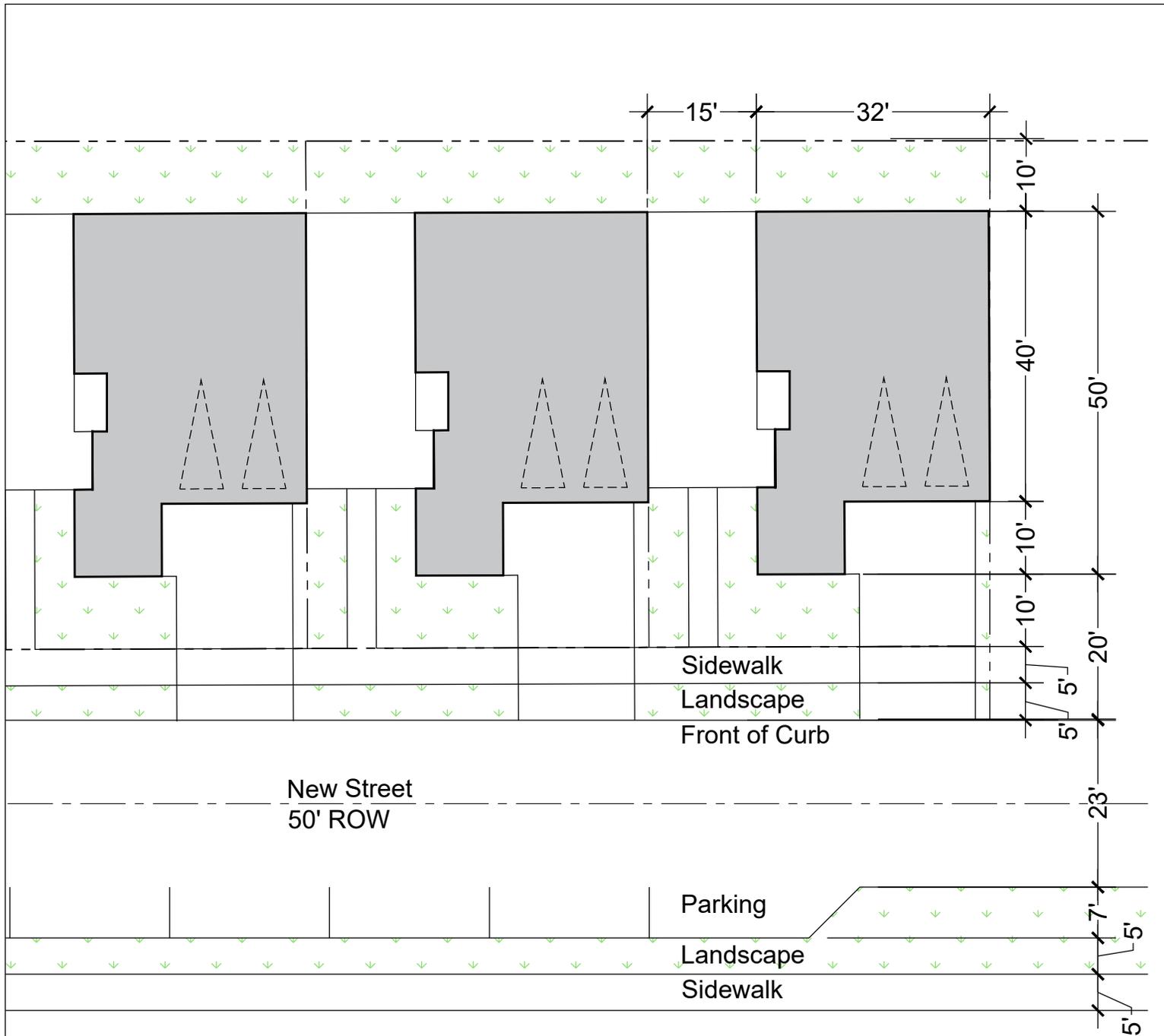
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Project address: 1438 Blanche Dr., 218 Herbert Way, Atlanta, GA 30307
client information: Tricon Homes
sheet title: Zoning Concept Plan
drawing date: July 28, 2025
north arrow & scale: North 0 25 50 100ft

NOW OR FORMERLY:
RGM PROPERTIES
PARTNERSHIP, LLC
(DB 15014, PG 2961)

LIMITS OF STUDY PER FEMA PANEL 13067C0109H, DATED NOVEMBER 2, 2012
CROSS SECTION LINE @ 1004.0

APPROX. L.L.
577
648



TYPICAL SINGLE FAMILY DEVELOPMENT STANDARD

DEVELOPMENT STANDARDS:

- 0' : Side Yard Setback (One Side)
- 15' : Side Yard Setback (One Side)
- Min.10' : Rear Yard Setback
- 10' : Front Yard Setback

project information

Crestridge Dr
& S Marietta
Parkway

client information

Traton
Homes

sheet title

Zoning
Concept
Plan

north arrow + scale

June 23, 2025

North 0 10ft

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Zoning Manager
Department of Planning and Zoning
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(hereinafter the “Property” or “Subject Property”). After communications with area residents, conferences and communications with Planning and Zoning Staff and various City Staff, reviewing the City’s Rezoning Application Analysis, and reviewing the use of surrounding properties, 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 Regional Retail Center (“RRC”), R-2, and R-4 to the proposed zoning category of Planned Residential Development-Single Family (“PRD-SF”), with reference to the revised Zoning Plan prepared for Applicant by TSW, dated and last revised July 28, 2025. A reduced copy of the revised Zoning Plan is attached as Exhibit “A” and incorporated by reference.
- (2) The Subject Property consists of 19.451 acres, more or less, of total site area and will be developed for a single-family residential community, containing a maximum of one hundred four (104) residences, as shown on the referenced, revised Zoning Plan.
- (3) The proposed homes shall be Traditional and Craftsman in style and architecture and shall have exterior facades consisting of brick, stone, stacked stone, cedar shake shingles, board and batten, cementitious siding, and combinations thereof, with complementary accents, in compliance with the City of Marietta’s “four-sided architecture” requirement.
- (4) All homes shall have two-car garages, which shall remain available for parking and incidental storage. Garages cannot be converted into living space or used solely for storage. Such restrictions shall also be included within the Declaration of Covenants, Easements, and Restrictions for the proposed community.
- (5) 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 overall community.
- (6) 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

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entrance areas, signage, all common areas, amenity, parks, and open space areas, landscaped areas, general landscaped areas, mail kiosk, fencing, and the like contained within the community.

- (7) All residences shall be “for sale” residences. No more than five (5) percent of the residences in the overall community shall be leased at any one time, which limitation shall be included within the Declaration of Covenants, Easements, and Restrictions and enforced by the mandatory homeowners association, consistent with City Ordinances.
- (8) Amenities for the proposed community may consist of a pool and cabana. Additionally, there shall be green and pocket park areas; together with walking trails, and nature areas which shall be for passive recreational uses and enjoyment of all community residents and their guests.
- (9) 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. The entrance landscaping shall be professionally designed, implemented, and maintained.
- (10) Setbacks for the proposed development shall be as shown and reflected on the referenced, revised Zoning Plan.
- (11) 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.
- (12) Applicant requests the following variances, which shall be deemed approved by the City of Marietta upon approval of the requested rezoning, as referenced and submitted, together with the stipulations set forth herein:
 - (a) Variance to allow private alleys as a primary means of access [§ 716.06];
 - (b) Variance to reduce the required width of two-way private alleys from twenty (20) feet to sixteen (16) feet of travel way [§ 716.06(B.)];

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- (c) Variance to waive the required turnaround for dead-end alleys [§ 716.06 (D. & I.)];
 - (d) Variance to decrease the percentage of units within three hundred (300) feet of an active recreation feature from 75 percent to 55 percent [§ 708.09 (B.1.h.);
 - (e) Variance to allow the proposed single-family detached and townhome units to be accessed off local streets, as more particularly shown and reflected on the submitted, revised Site Plan [§ 730.01 (A)];
 - (f) Variance to reduce the minimum lot size from 4,000 square feet for detached homes as shown on submitted, revised Site Plan [§ 708.09 (H)]; and
 - (g) Variance to reduce the minimum size of driveways from twenty (20) feet to accommodate two (2) additional cars to six (6) feet for the alley loaded townhomes only [§ 708.09 (B.1.d.)].
- (13) Applicant agrees the four (4) existing billboards shall remain and continue in their non-conforming status in association with this project only, with the status to be re-evaluated in any future redevelopment.

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 shall be a quality development, shall offer a much needed and sought-after type of housing, and shall be an enhancement to the Subject Property and the community as a whole. Thank you for your consideration in this request.

[Balance of page 4 left intentionally blank]

[Signature contained on page 5]

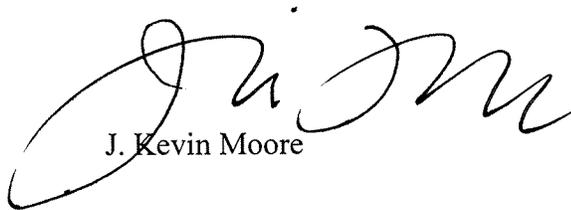
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With kindest regards, I remain

Very truly yours,

MOORE INGRAM JOHNSON & STEELE, LLP



J. Kevin Moore

JKM:cc

Attachment

c: Traton, LLC
(With Copy of Attachment)

GRID	HEIGHT	GRID	HEIGHT
11	10.00	21	10.00
12	10.00	22	10.00
13	10.00	23	10.00
14	10.00	24	10.00
15	10.00	25	10.00
16	10.00	26	10.00
17	10.00	27	10.00
18	10.00	28	10.00
19	10.00	29	10.00
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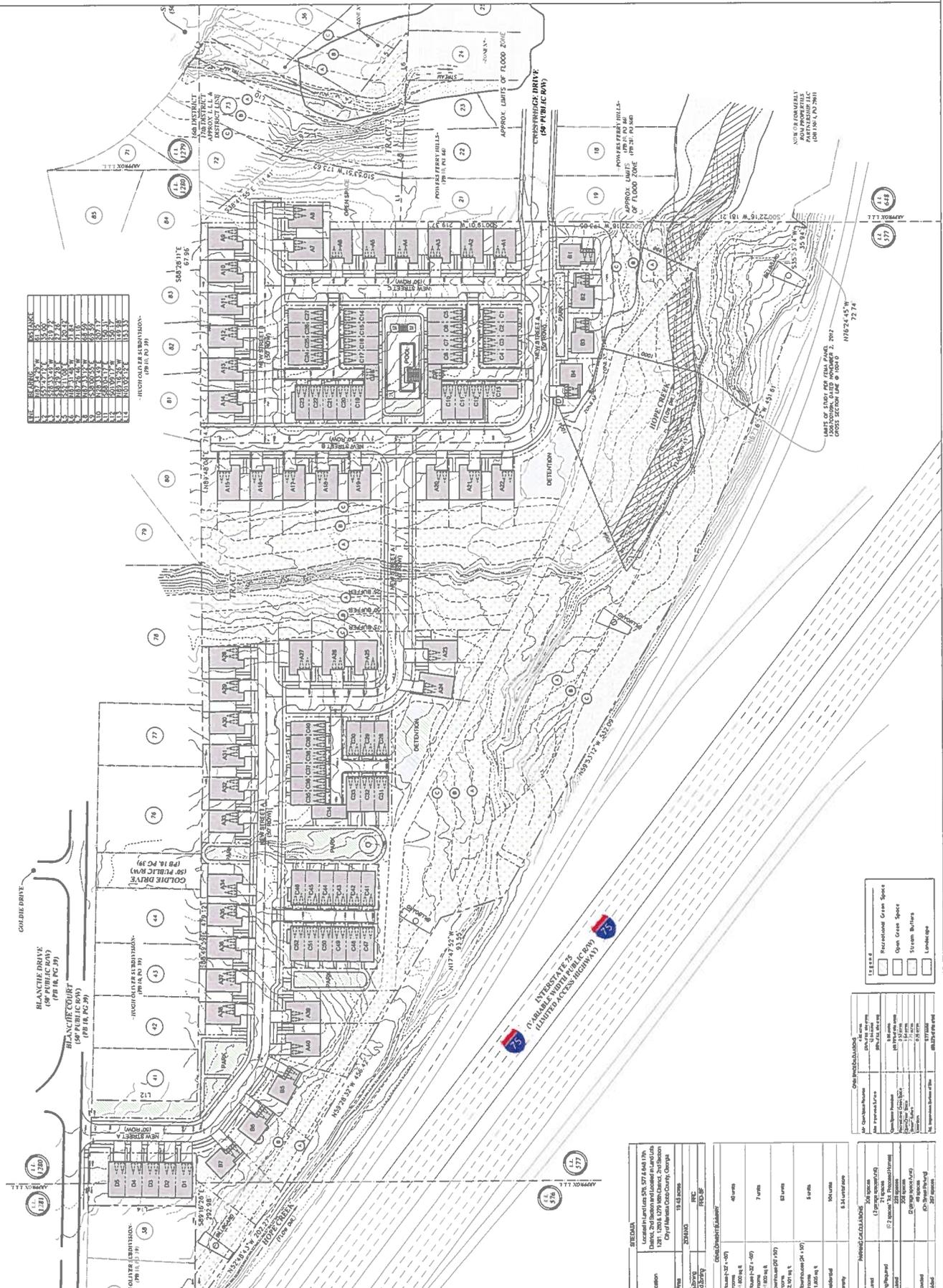


EXHIBIT "A"

ITEM	DESCRIPTION	QUANTITY	UNIT	PRICE	TOTAL
1	Site Preparation	1	Lot	10000	10000
2	Site Grading	1	Lot	10000	10000
3	Site Erosion Control	1	Lot	10000	10000
4	Site Planting	1	Lot	10000	10000
5	Site Fencing	1	Lot	10000	10000
6	Site Lighting	1	Lot	10000	10000
7	Site Security	1	Lot	10000	10000
8	Site Maintenance	1	Lot	10000	10000
9	Site Restoration	1	Lot	10000	10000
10	Site Decommissioning	1	Lot	10000	10000

ITEM	DESCRIPTION	QUANTITY	UNIT	PRICE	TOTAL
1	Recreational Green Space	1	Lot	10000	10000
2	Open Green Space	1	Lot	10000	10000
3	Site Barriers	1	Lot	10000	10000
4	Landscaping	1	Lot	10000	10000