



REZONING APPLICATION ANALYSIS

ZONING CASE #: Z2026-12

LEGISTAR: #20260577

LANDOWNERS:

[REDACTED]
[REDACTED]
[REDACTED]

APPLICANT: Same as above

AGENT:

[REDACTED]
[REDACTED]

PROPERTY ADDRESS: 1155 Powers Ferry Place

PARCEL DESCRIPTION: Land Lot 07870 District 17 Parcel 0110

AREA: +/- 10.727 acres

COUNCIL WARD: 7A

EXISTING ZONING: CRC (Community Retail Commercial)

REQUEST: CRC with an additional use (data infrastructure facility)

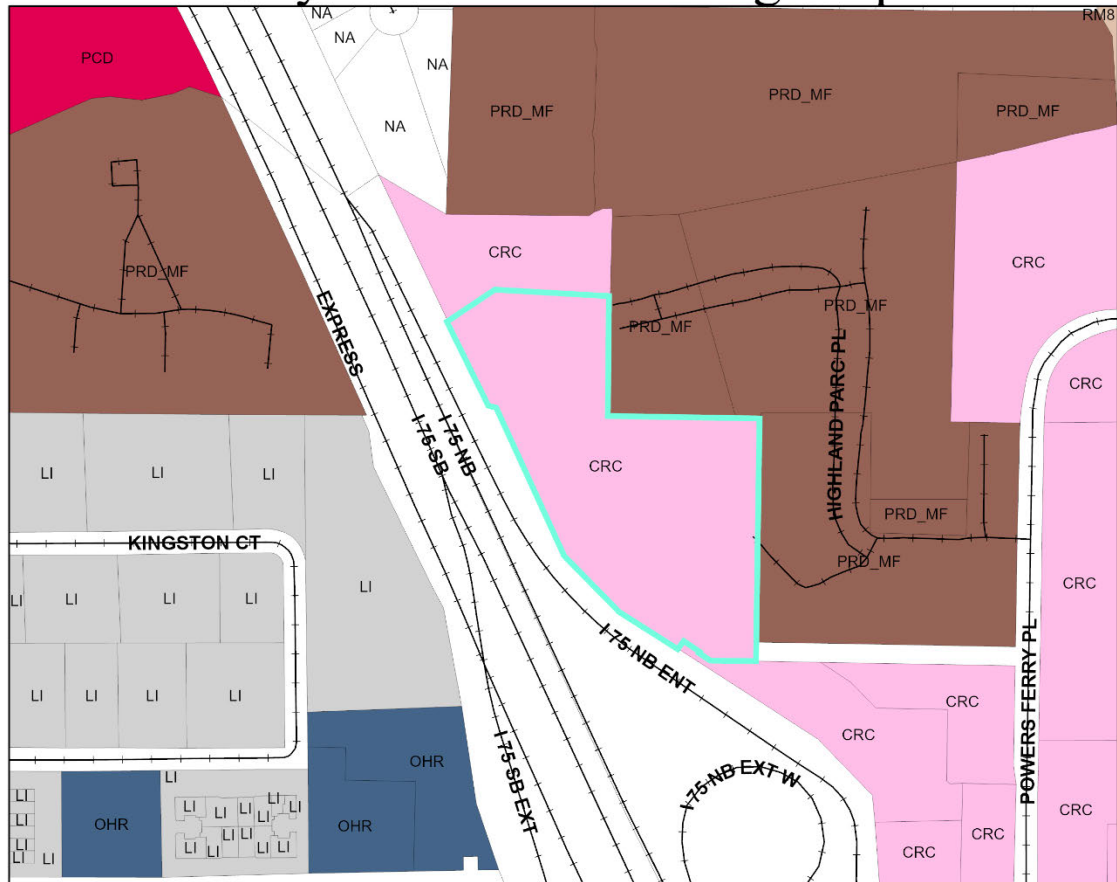
FUTURE LAND USE: RAC (Regional Activity Center)

REASON FOR REQUEST: To allow the existing site and building to be converted into a data infrastructure facility.

PLANNING COMMISSION HEARING: Wednesday, July 1st, 2026 – 6:00 pm

CITY COUNCIL HEARING: Wednesday, July 8th, 2026 – 7:00 pm **TABLED**
Wednesday, August 12th, 2026 – 7:00 pm

City of Marietta Zoning Map



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.

District

17

Land Lot

07870

Parcel

0110

Current Zoning

CRC

Proposed Zoning

CRC w/
additional
use

Comments:

1155 Powers Ferry Place

Date:

6/10/2026

Planning & Zoning
Division

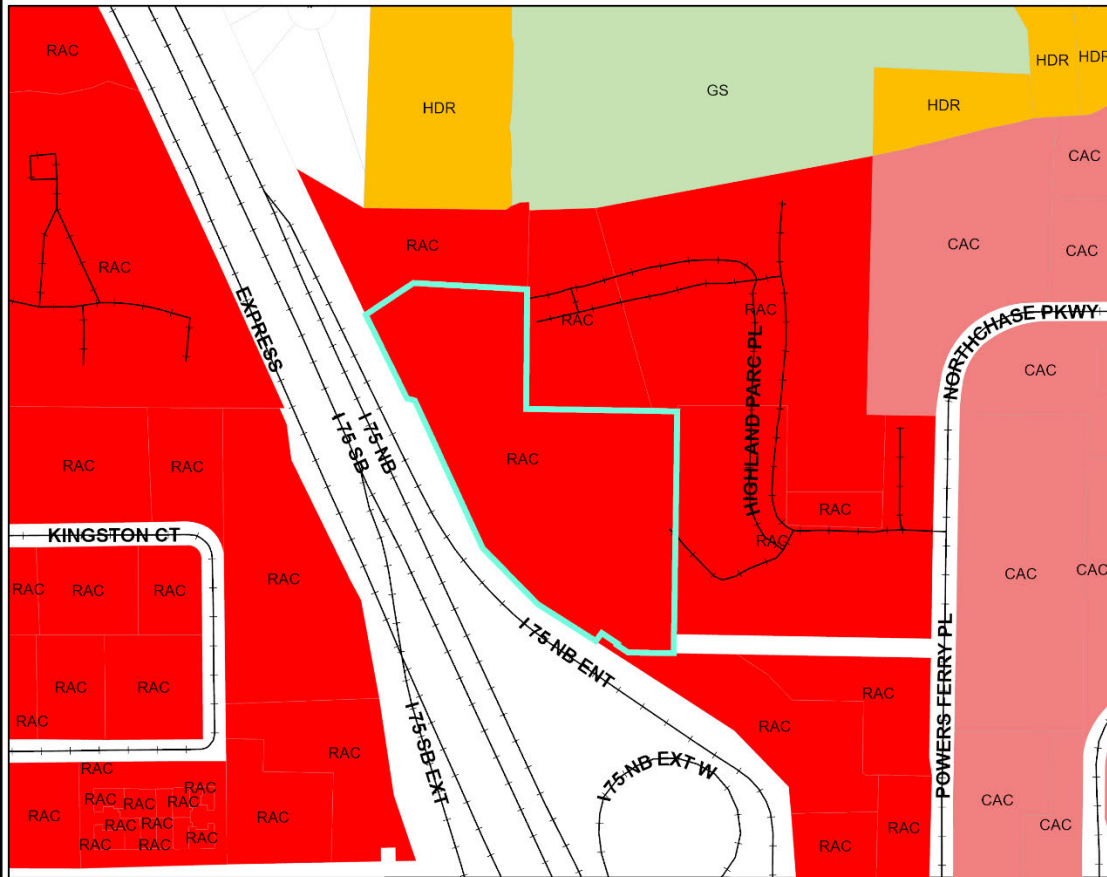
N



0480 160 Feet



City of Marietta Area FLU Map



Future Land Use		District	Land Lot	Parcel	Current FLU	Proposed FLU
LDR	Low Density Residential	17	07870	0110	RAC	n/a
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					

Comments:

1155 Powers Ferry Place

Date: **6/10/2026**

**Planning & Zoning
Division**



1:4,400



PICTURES OF PROPERTY



View of the entrance of the subject property



Internal views of the subject property



Aerial imagery of the subject property (billboards represented in red)



Views of the existing billboards on the subject property

STAFF ANALYSIS

Location Compatibility

██████████ represented by Parks Huff, is requesting the rezoning of 10.727 acres located at 1155 Powers Ferry Place from CRC (Community Retail Commercial) to CRC with an additional use to allow a ‘regional mission critical digital infrastructure’ (data infrastructure facility/data center) within an existing commercial self-storage facility. The site contains a one-story concrete building and multiple rows of exterior self-storage units.

Surrounding zoning includes PRD-MF (Planned Residential Development – Multi-Family) to the northeast developed with Elme Apartments, CRC to the south developed with the Rodeway Inn hotel, CRC to north consisting of a vacant lot, and Interstate 75 forming the western boundary.

Use Potential and Impacts

The applicant proposes converting a portion of the existing concrete building on the site into an 18 megawatt data center, with operations taking place inside the existing building. The exterior portion of the site would be significantly changed, as most of the existing self-storage rows are planned for demolition to make room for an exterior support area. Some portions of the storage structures would remain and be used for service-related functions.

Data centers rely on cooling and electrical systems that run continuously, which can create steady mechanical noise. Under Marietta’s Noise Ordinance (10-6), a noise disturbance is established when sound levels received by a property exceed specific limits. For residential properties, the limits are 65 dBA/84 dBC between 7 a.m. and 11 p.m. and 60 dBA/79 dBC between 11 p.m. and 7 a.m. Because the project includes a new exterior support area, the placement of equipment, noise control, lighting, and screening will be important considerations, especially with Elme Apartments to the northeast and the Rodeway Inn to the south. The applicant indicates that exterior mechanical and electrical equipment would be housed within purpose-built enclosures and screened areas designed to reduce noise and visibility and utilize a closed-loop air-cooled system. These systems reduce water usage but increase the need for high-velocity fans. However, no additional information or specifications were provided to verify how these systems would be designed or operated. Since Marietta’s zoning code does not include specific requirements for data center equipment, noise levels, or screening standards, more detailed information on these items would need to be provided to evaluate the potential impacts on surrounding properties.

How Other Jurisdictions are Responding to Data Centers

Some nearby jurisdictions have taken different approaches to regulating data centers as they have become more common, and a few have recently updated their zoning codes to address noise, water usage, equipment placement, and compatibility with nearby development. Cobb County, the City of Atlanta, Athens-Clarke County, and Clayton County have each adopted moratoriums or new zoning standards intended to address these issues.

Consideration for Marietta's Zoning Code

Marietta's zoning ordinance does not currently define data centers as a separate use, distinguish between large-scale and small-scale centers, or include standards specific to their equipment or operations. As a result, applications of this type are reviewed under existing commercial categories, which may not fully address the unique characteristics of data center development. This case also highlights a type of use that the City may want to evaluate further as part of future zoning code updates.

Comprehensive Plan

The City's Comprehensive Plan designates this parcel's Future Land Use (FLU) as Regional Activity Center (RAC), which is intended to support medium and high intensity office and commercial development serving regional markets and trade areas along major arterials and Interstate 75. Although the rezoning request is for CRC with an additional use, data centers are more commonly associated with industrial-type development due to their reliance on large-scale mechanical equipment, continuous electrical demand, and exterior support areas. These operational characteristics align more closely with industrial uses than with the commercial and office activities envisioned within the RAC designation. Therefore, this rezoning request does not align with the City's Comprehensive Plan.

Environmental Impacts

Approximately 2.5% of the property lies within the floodplain associated with Rottenwood Creek. The applicant's concept plan does not show any exterior improvements, grading, or development activity within the mapped floodplain.

The application states that closed-loop air-cooled system and energy management systems will be employed but no specific details have been provided, making it difficult to gauge how the project will impact nearby Rottenwood Creek.

Economic Functionality

The property is developed and operating as a commercial self-storage facility, which provides an established and economically viable use under the existing CRC zoning. The site functions as intended within this zoning district, and the current use continues to support a reasonable level of economic activity without indications of underutilization. The request to introduce a data center would change the nature of activity occurring within the building, shifting the property from a customer-oriented commercial use to a specialized operational use. While the proposed use would alter how the building functions, the property remains economically functional in its present condition.

Infrastructure

The proposed data center use is not expected to generate notable transportation impacts, as the facility would operate with limited on-site staff and minimal daily traffic. No changes to public roadways or access points are proposed. A public sewer line runs through the property, and any future development activity would be required to avoid placing permanent structures within the sewer easement area. No additional impacts to public infrastructure or services have been identified at this time.

The site contains 127 existing parking spaces, which is sufficient to support both the continued self-storage operations and the proposed data center use. Estimated parking needs for the combined uses—based on the self-storage formula of one space per 40 units and the data center classification under warehouse and distribution at one space per 2,000 square feet—are substantially lower than the existing supply. As a result, no parking issues are anticipated, and it does not appear that parking-related variances will be necessary. Any future modifications to the site will be required to comply with Section §716.07(J).

Existing fencing and controlled access points will also remain. The applicant is not proposing new perimeter fencing or gate installations as part of this request. Any future modifications to fencing or gates would be required to comply with Section §710.04 and applicable fire and safety standards, but no such changes are included in the current proposal.

Overhead Electrical/Utilities

There are no overhead utilities located on the site. Any new utility installations associated with the project would be required to be placed underground in accordance with current development standards.

History of Property

In 1985, an administrative variance was approved to allow grading within the 50-foot undisturbed landscape buffer (AV-8541). In 2000, an administrative variance permitted a 90-foot monopole tower on the property (AV2000-26). In 2001, five variances were approved to allow a billboard on the site (V2001-26). Most recently, a variance was granted to allow the existing billboard to be converted into a digital billboard within 500 feet of residential zoning (V2026-04).

Other Issues

Nonconforming status

The site contains several existing nonconformities, including encroachments into the sewer easement, building and paving encroachments into the required landscape buffer, and the presence of chain-link fencing where a solid buffer fence is required under Section §710.05. In accordance with Section §706.03, these nonconforming conditions may remain as long as they are not expanded or intensified. Staff does not recommend granting variances for these existing conditions as part of the rezoning request. Any additional site nonconformities

identified during permitting will be addressed at that stage and regulated under Section §706.03.

Billboards

Two (2) billboards are located on the property and, aside from the northernmost billboard being converted into a digital billboard (V2026-04), are unchanged. The billboards together are considered legally nonconforming under the existing CRC zoning category because they are less than the required 1,000 feet apart and not located on separate, independent parcels of property.

Assuming the applicant wishes to retain the billboards and City Council agrees, rather than granting numerous variances to legitimize the multitude of nonconformities, Staff suggest the stipulation listed below become a condition of rezoning. Such a stipulation will 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 two (2) existing billboards to remain and continue their nonconforming status in association with the existing buildings and additional site work for this project only, their status to be reevaluated in any future redevelopment.

ANALYSIS & CONCLUSION

██████████ represented by Parks Huff, is requesting a rezoning at 1155 Powers Ferry Place from CRC (Community Retail Commercial) to CRC with an additional use to allow a data center within an existing commercial self-storage facility. Surrounding zoning includes PRD-MF (Planned Residential Development – Multi-Family) to the northeast (Elme Apartments), CRC to the south (Rodeway Inn), CRC to north (vacant lot), and Interstate 75 forming the western boundary. The proposal involves converting a portion of the existing building into a data center and demolishing most of the exterior self-storage rows to create an infrastructure support area.

Data centers rely on continuously operating mechanical and electrical systems, which can generate steady noise. Because the project introduces a new exterior support area adjacent to residential and hotel uses, the placement and of equipment and site design will be important considerations. The applicant has indicated that mechanical equipment would be housed within purpose-built enclosures and utilize a closed-loop air-cooled system; however, no technical specifications or operational details were provided. Since Marietta's zoning code does not include standards specific to data centers, additional information would be needed to evaluate potential impacts on surrounding properties.

Some nearby jurisdictions have taken different approaches to regulating data centers as they have become more common, and a few have recently updated their zoning codes to address noise, water usage, equipment placement, and compatibility with nearby development. Cobb County, the City of Atlanta, Athens-Clarke County, and Clayton County have each adopted moratoriums or new zoning standards intended to address these issues.

The property contains several existing nonconformities, including buffer and sewer easement encroachments and chain-link fencing where a solid buffer fence is required. Two billboards on the site are also legally nonconforming due to spacing and parcel requirements. Under Section §706, these conditions may remain but should not be expanded or intensified. Staff does not recommend granting variances to legitimize them. If the applicant wishes to retain the billboards and City Council agrees, staff recommends a stipulation allowing them to continue their nonconforming status for this project only, with their status reevaluated upon any future redevelopment.

The City's Comprehensive Plan designates this parcel as Regional Activity Center (RAC), intended for medium- and high-intensity office and commercial development along major corridors. Although the request maintains CRC zoning with an additional use, data centers operate more like industrial facilities. These characteristics do not align with the commercial and office uses envisioned within RAC, and the request is therefore not consistent with the Comprehensive Plan.

A public hearing for this request was held on Wednesday, July 12th, 2026, but was tabled until the August 12th, 2026, City Council meeting.

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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
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?	12 inch
Capacity of the sewer line?	A.D.F Peak
Estimated waste generated by proposed development?	Not Provided
Treatment Plant Name?	R. L. Sutton W.R.F.
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?	2.5%
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?	Unknown
If so, is the use compatible with the possible presence of wetlands?	Unknown
Do stream buffers exist on the parcel?	If not piped, Yes. If piped, No.
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
• <i>Floodplain elevation certificate will be required.</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?	55
Distance to nearest station?	1.2 miles
Most likely station for 1 st response?	55
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].

Maintain fire department access road for building circulation. On site fire hydrants are required to be maintained. Remote power disconnect may be required upon building construction. Building fire protection sprinklers may require upgrade to protect new commodities and arrangement.

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?

Jacob Howell will be the contact for this job: jhowell@mariettaga.gov/7707945704

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 #: Z2026-12 Legistar #: 20260577 PZ #: 26-027
Planning Commission Hearing: July 1, 2026 City Council Hearing: July 8, 2026

Owner's Name: [REDACTED]

Documentation showing names of Principals authorized to sign application is **required for Corporations**.

EMAIL Address: [REDACTED]

Mailing Address: [REDACTED] Zip Code: [REDACTED] Telephone Number: [REDACTED]

COMPLETE ONLY IF APPLICANT IS NOT OWNER:

Applicant: _____

EMAIL Address: _____

Mailing Address: _____ Zip Code: _____

Telephone Number: _____ Add'l Email Address: _____

Address of property to be rezoned: 1155 Powers Ferry Place, Marietta, GA 30067

Land Lot (s) 787, 788, and 789 District 17 Parcel 17078700110 Acreage 10.7269 ac Ward 7A Future Land Use: RAC

Present Zoning Classification: CRC Proposed Zoning Classification: CRC

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*

1. INTRODUCTION

This Application for Rezoning seeks certain entitlements in order to adapt and reuse a portion of their existing commercial self-storage facility for a regional mission critical digital infrastructure use. Approximately 40% of the existing one-story concrete building area will be converted into a secure enterprise mission critical data infrastructure facility. The remaining 60% of the building will continue to operate as self-storage under the current use. This conversion will modernize underutilized commercial space while preserving the existing building shell, parking and circulation. No significant building expansion is proposed.

The Subject Property is zoned CRC in the City of Marietta and is located on the west side of Powers Ferry Place, and the east side of I-75, north of Delk Road, and is located within the RAC land use designation on the City of Marietta's Future Land Use Map ("FLUM"). The proposed use is not clearly defined in the Marietta code, so the request is to approve this mission critical data facility. The facility is located close to businesses and residents, so mission critical data processing is available with minimal latency which is important in critical needs such as traffic control automation and similar functions.

2. IMPACT ANALYSIS

The Subject Property is surrounded by a mix of other commercial and multi-family residential zonings and uses. The proposed mission critical data facility will occupy a small portion of the existing self-storage facility. Limited exterior support infrastructure associated with mission critical operations may be located within existing paved portions of the site adjacent to Interstate 75. Such improvements are intended to support resilient facility operations and will be screened and designed to minimize visual, acoustical, and operational impacts to adjacent properties. No material expansion of the building footprint is proposed.

To the extent exterior support infrastructure is implemented, improvements are anticipated to occur primarily within existing impervious paved areas and are intended to minimize land disturbance. No significant grading, expansion of impervious surface, or broad site disturbance is anticipated.

Facility infrastructure will be designed in accordance with applicable utility, environmental, and municipal requirements.

No increase in water consumption is anticipated, utilizing sustainability measures such as energy management systems and a closed-loop air-cooled system. No increase in electricity costs to other ratepayers is anticipated, with the applicant funding any required infrastructure improvements and paying the applicable utility rates.

The design incorporates measures intended to minimize acoustical impacts, including sound barriers and equipment enclosures. The proposed adaptive reuse is also expected to generate limited traffic impacts and less vehicular noise than many alternative commercial uses. The white space area (21,570 square feet) is contemplated as mission critical infrastructure use. Grey space (15,365 square feet) and office/administration (6,317 square feet) remain support functions and CRC compatible uses. As a result, only approximately 22% of the total existing building area is proposed for mission critical digital infrastructure use, with the balance of the facility remaining existing storage and CRC compatible operations. The proposed mission critical data processing facility will provide computing and data needs close to the end users, which is critical for situations where latency is an issue, such as traffic controls or medical facility operations.

The Subject Property is tucked between the rear of a multi-family residential development and I-75. The proposed use will be situated on the side of the property that is on the closer side to I-75.

The proposed Rezoning of the Subject Property is entirely appropriate from a land use planning perspective and particularly in light of the use and development of adjacent and nearby properties which consist of a mixture of commercial and residential uses. To the east, the property abuts PRD (MF), to the north is PRD (MF) and CRC, and to the west is I-75.

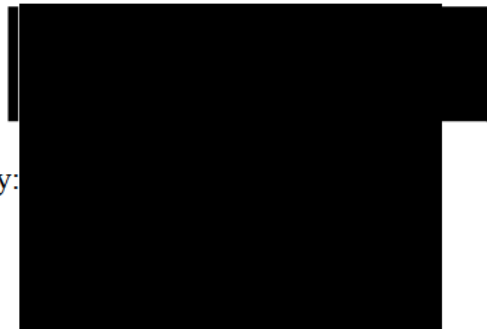
3. CONCLUSION

Based upon the foregoing, Prime Storage Powers Ferry Place Marietta, LLC respectfully requests that its Application for Rezoning be approved while soliciting any comments from the City's staff and/or City officials so that such recommendations or input may be incorporated as conditions of approval of this Application for Rezoning.

Respectfully submitted, this the 19th day of May 2026.

SAMS, LARKIN & HUFF, LLP

By:



376 Powder Springs Street, Suite 100
Marietta, GA 30064
(770) 422-7016

RECEIVED
05/19/2026

SITE AREA
467,265 SQ FT
10.7269 ACRES
PARCEL ID: 17078700110

RECORD NORTH
SCALE: 1" = 60'



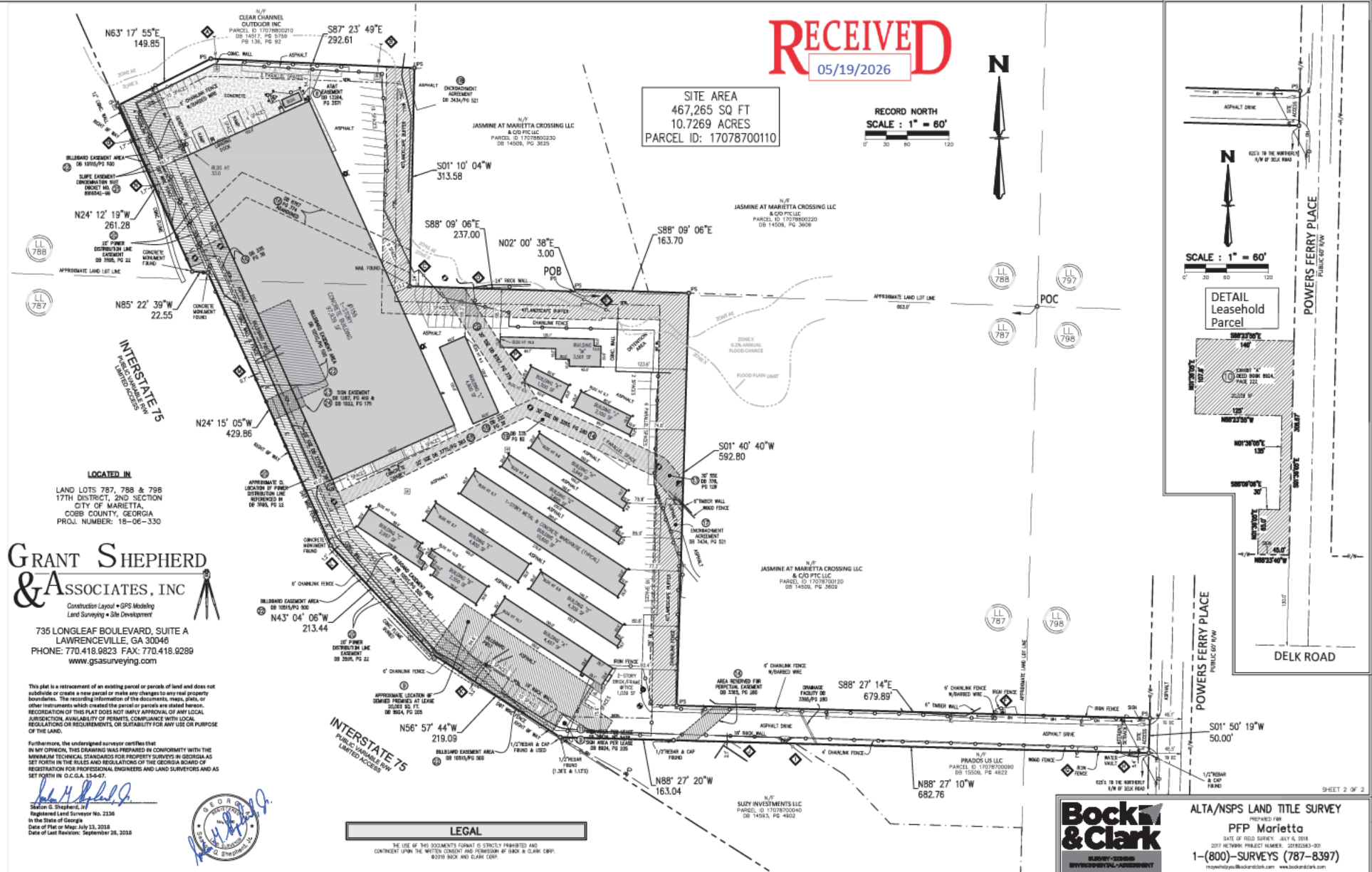
SCALE: 1" = 60'

DETAIL
Leasehold
Parcel

POWERS FERRY PLACE
PUBLIC 66' R/W

DELK ROAD

SHEET 2 OF 2



GRANT SHEPHERD & ASSOCIATES, INC.
Construction Layout • GPS Modeling
Land Surveying • Site Development
735 LONGLEAF BOULEVARD, SUITE A
LAWRENCEVILLE, GA 30046
PHONE: 770.418.9823 FAX: 770.418.9289
www.gsasurveying.com

This plot is a retracement of an existing parcel or parcels of land and does not subdivide or create a new parcel or make any changes to any real property boundaries. The recording information of the documents, maps, plats, or other instruments which created the parcel or parcels is stated herein. RECORDED INFORMATION OF THIS PLAT DOES NOT IMPLY APPROVAL OF ANY LOCAL JURISDICTION, AVAILABILITY OF PERMITS, COMPLIANCE WITH LOCAL REGULATIONS OR REQUIREMENTS, OR SUITABILITY FOR ANY USE OR PURPOSE OF THE LAND.

Furthermore, the undersigned surveyor certifies that in my opinion, this drawing was prepared in conformity with the minimum technical standards for professional surveys in Georgia as set forth in the rules and regulations of the Georgia Board of Registration for Professional Engineers and Land Surveyors and as set forth in O.C.G.A. 15-6-67.

Seaton G. Shepherd, Jr.
Seaton G. Shepherd, Jr.
Registered Land Surveyor No. 2336
in the State of Georgia
Date of Plot or Map: July 13, 2018
Date of Last Revision: September 26, 2018

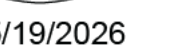


LEGAL
THE USE OF THIS DOCUMENT'S FORMAT IS STRICTLY PROHIBITED AND CONTINGENT UPON THE WRITTEN CONSENT AND PERMISSION OF BOCK & CLARK CORP. 8078 BOCK AND CLARK CORP.

Bock & Clark
ALTA/NSPS LAND TITLE SURVEY
PREPARED FOR
PFP Marietta
DATE OF FIELD SURVEY: JULY 6, 2018
2017 MEASURE PROJECT NUMBER: 20170503-001
1-(800)-SURVEYS (787-8397)
marietta@bockandclark.com www.bockandclark.com



1 DEMO TOP LEVELS OF PARKING DECK, REF STRUCTURAL

UZUN
+CASE[illegible]

male	As indicated
------	--------------

INTERSTATE 75
PUBLIC VARIABLE R/W
LIMITED ACCESS

INTERSTATE 75
PUBLIC VARIABLE RW
LIMITED ACCESS

1 ARCHITECTURAL SITE PLAN



RECEIVED
05/19/2026

CONSTRUCTION KEY NOTES	
1	6" BOLLARDS TO BE INSTALLED AT ENTRY POINTS
2	GUARD RAILS
3	ALL WALLS TO BE TYPE E1 UNLESS NOTED OTHERWISE
4	-
5	-
6	-
7	-
8	-
9	-
10	-



Prime Group Holdings, LLC
395 Broadway | Saratoga Springs, NY 12868
T: 518.280.2099



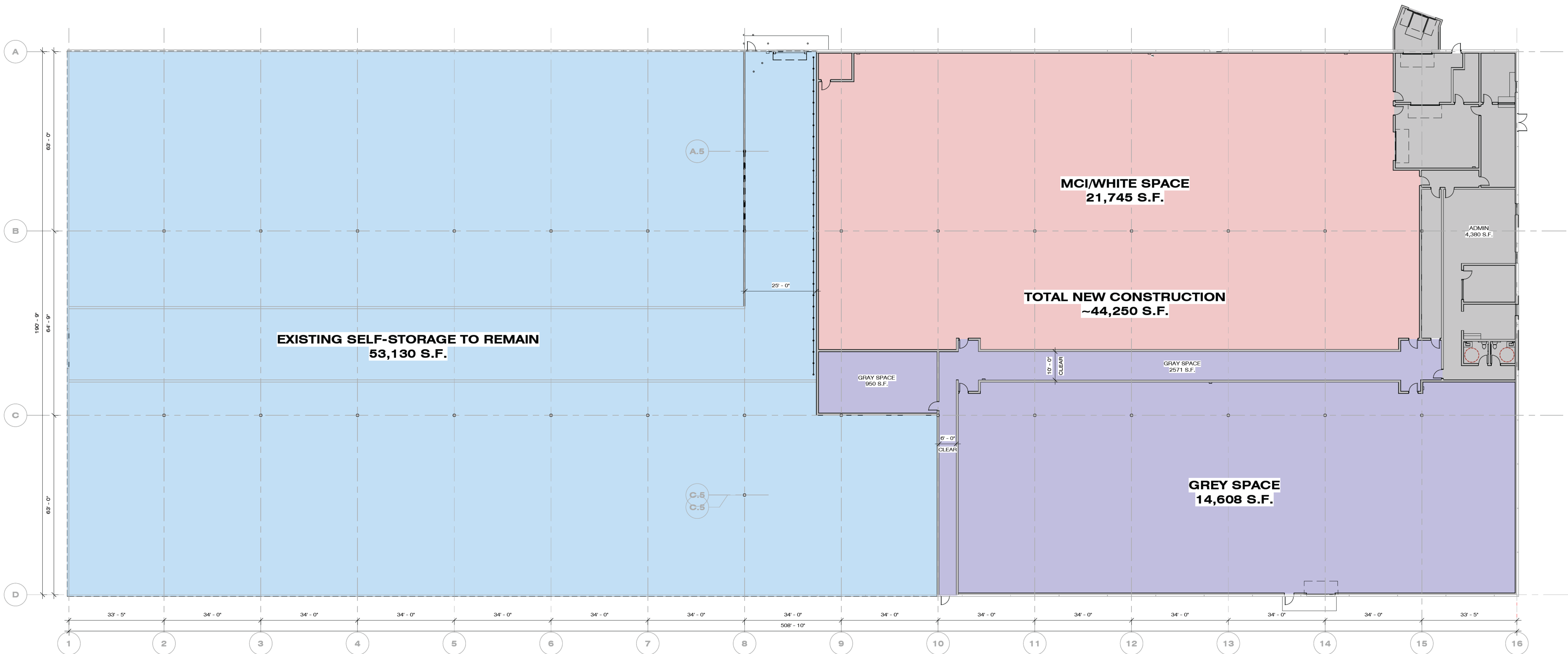
Architect
Redline Design Group
8501 Six Forks Road, Suite 130
Raleigh, NC 27615
919.878.1650
redlinedg.com



MEP & Civil Engineer
E3i
137 Lewis Wharf
Boston, MA 02110
617.530.1104
e3i-inc.com



Structural Engineer
Uzun + Case
421 Fayetteville Street, Suite 1306
Raleigh, NC 27601
919.813.0670
uzuncase.com



1 1ST FLOOR OVERALL PLAN
SCALE: 1/16" = 1'-0"



05/19/2026

REVISION SCHEDULE		
No.	Description	Date

1155 Powers Ferry Pl,
Marietta, GA 30067

GA-10 ALTERATIONS

1ST FLOOR OVERALL PLAN

Project number 28-080
Date
Drawn by

A1.0.1

Scale As indicated

TO THE MAYOR AND CITY COUNCIL
CITY OF MARIETTA

CONSTITUTIONAL CHALLENGE

COMES NOW, PRIME STORAGE POWERS FERRY PLACE MARIETTA, LLC, hereinafter referred to as the "Applicant", and asserts the following, to wit:

1.

By application to which this exhibit relates, the Applicant has applied for a rezoning of certain real property lying and being in the City of Marietta, Cobb County, Georgia, a more particular description and delineation of the subject property, hereinafter referred to as the "Property", being set forth in said Application.

2.

The Application for Rezoning of the property seeks a rezoning from the existing category of CRC to the category of CRC, as established by the governing authority of the City of Marietta, Georgia.

3.

The current CRC zoning classification of the property and all intervening classifications between same and the CRC rezoning as proposed within the City of Marietta are unconstitutional in that they deprive the Applicant under and pursuant to Article 1, Section I, Paragraphs 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. This deprivation of property without due process violates constitutional prohibitions against the taking of private property without just compensation.

4.

The zoning classification of CRC and all intervening classifications between same and the CRC as proposed and as they presently exist violate the Applicant's right to the unfettered use of the property in that the existing zoning classification does not bear a substantial relation to the public health, safety, morality or general welfare and is, therefore, confiscatory and void. Further, said classifications are unconstitutional in that they are arbitrary and unreasonable, resulting in relatively little gain or benefit to the public, while inflicting serious injury and loss upon the Applicant.

5.

The City of Marietta Zoning Ordinance is further unconstitutional in that the procedures contained therein pertaining to the public hearing held in connection with zoning applications also violates the aforementioned constitutional provisions in that said procedures contain the lack of procedural and evidentiary safeguards, do not restrict evidence received to the issues at hand and are controlled wholly and solely by political considerations rather than the facts and considerations required by law.

Respectfully submitted, this the 19th day of May 2026.

[REDACTED]

[REDACTED]



SELECTCOBB

July 7, 2026

Marietta Mayor and City Council
205 Lawrence Street
Marietta, GA 30060

Dear Mayor Steve "Thunder" Tumlin and Members of the Marietta City Council:

On behalf of the Cobb Chamber and the thousands of businesses we represent, we write to express strong support for responsible data center development in the City of Marietta. Data centers are an important opportunity to strengthen and future-proof our local economy and ensure businesses have the infrastructure to grow in our community.

Data centers deliver clear economic benefits to communities like ours. They generate high-quality jobs during construction and long-term operations, while producing substantial tax revenue that helps fund local services, infrastructure, and quality-of-life improvements. These facilities also attract complementary companies in technology, engineering, and support services, helping diversify our economy and enhance the competitiveness of the community and the region.

In simple terms, data centers serve as the essential infrastructure of our digital economy. They power everyday activities like online shopping, remote work, healthcare systems, education, and entertainment that families and businesses depend on daily. When developed thoughtfully, they can integrate well with existing neighborhoods and business centers while providing lasting fiscal and employment advantages with relatively modest demands on traditional public resources.

We believe data centers represent a strategic chance for Marietta to welcome responsible investment that supports job creation, economic resilience, and community advancement. The proposal submitted by Prime Storage Powers Ferry Place LLC (EDGE), now before City Council, reflects that kind of opportunity. We believe it is a strategic addition that complements the data center already located next door, and we are pleased to support it.

We appreciate your attention to this letter of support as you take up this proposal at your meeting on July 8, and other measures affecting the future of our community.

Sincerely,

A handwritten signature in blue ink, appearing to read "Sharon Mason".

Sharon Mason
President & CEO
Cobb Chamber

A handwritten signature in blue ink, appearing to read "Dana Johnson".

Dana Johnson
COO/Executive Director
Cobb Chamber/SelectCobb

A handwritten signature in blue ink, appearing to read "Amanda Seals".

Amanda D. Seals
EVP, Advocacy
Cobb Chamber



Little, Shelby

From: Guy, Stephanie
Sent: Wednesday, July 8, 2026 10:34 AM
To: Bruton, Bill
Cc: Little, Shelby; Cummings, Daniel
Subject: FW: Opposition to Proposed Data Center Zoning – July 8, 2026 Public Hearing

Please see the email below.

From: [REDACTED]
Sent: Tuesday, July 7, 2026 9:02 PM
To: Guy, Stephanie <SGuy@mariettaga.gov>
Subject: Opposition to Proposed Data Center Zoning – July 8, 2026 Public Hearing

Stephanie Guy
City Clerk,
Marietta City Hall

I am writing to formally register my opposition to the proposed zoning change and land-use amendment related to the data center project scheduled for public hearing on July 8, 2026.

Although I reside in East Cobb, my home is located within the Rottenwood Creek watershed and the broader infrastructure impact zone. Because of this, I am directly affected by decisions made along the Regional Activity Center corridor. I ask that this message be included in the official record for the July 8 meeting.

My concerns are as follows:

- **Environmental impact:** The proposed site sits near Rottenwood Creek, a sensitive watershed that already experiences erosion and runoff challenges. A high-infrastructure facility introduces additional strain on water management and long-term environmental stability.
- **Infrastructure load:** Data centers require significant electrical and cooling capacity. Any upgrades to substations, transmission lines, or water systems may affect surrounding communities well beyond the immediate parcel.
- **Land-use precedent:** Approving a high-intensity use within this RAC zone sets a precedent for future industrial-scale development near residential and mixed-use areas. This raises long-term concerns about compatibility and neighborhood character.
- **Transparency and community impact:** Residents in both Marietta and East Cobb deserve clear, comprehensive information about the project's footprint, utility requirements, and environmental safeguards before any zoning change is approved.

For these reasons, I respectfully request that the Council deny the proposed zoning change or table the item until a more thorough environmental and infrastructure review can be completed.

Please confirm that this email will be entered into the public record for the July 8, 2026 meeting.

Thank you for your attention and for ensuring community voices are heard.

Sincerely,

[REDACTED]

Marietta, GA

Little, Shelby

From: Guy, Stephanie
Sent: Monday, July 13, 2026 10:22 AM
To: Cummings, Daniel; Little, Shelby
Cc: Bruton, Bill
Subject: FW: OPPOSITION: Powers Ferry Place Data Center

FYI

From: [REDACTED]
Sent: Sunday, July 12, 2026 1:11 PM
To: Richardson, Cheryl <crichardson@mariettaga.gov>; Goldstein, Joseph <jgoldstein@mariettaga.gov>; Waters, Jason <jwaters@mariettaga.gov>; Gaddis, Daniel <dgaddis@mariettaga.gov>; banderson@mariettaga.gov; ckent@mariettaga.gov; Sims, Andre <asims@mariettaga.gov>; Guy, Stephanie <SGuy@mariettaga.gov>
Subject: OPPOSITION: Powers Ferry Place Data Center

Dear Marietta City Council,

My name is Laura Murdoch, and I am a homeowner and resident in the East Cobb/Powers Ferry area. I am writing to formally voice my strong opposition to the proposed data center at Powers Ferry Place ahead of the upcoming August 12 meeting.

As a resident who values the peace and safety of our neighborhood, I am deeply concerned about the severe negative impacts this facility would bring to our community. A data center is not a standard commercial business. It operates as a heavy industrial utility. These facilities run 24 hours a day, 7 days a week, and 365 days a year. The continuous low-frequency drone from the high-velocity cooling fans would create an unceasing noise disturbance that would completely destroy the quiet enjoyment of our residential properties.

Unlike standard commercial development that brings jobs and community spaces to the Powers Ferry Corridor, a data center is essentially a vacant "ghost building" that generates almost no local employment while placing the entire burden of noise and environmental pollution squarely on the shoulders of nearby residents.

Furthermore, I am incredibly concerned about the lack of concrete data provided by the developer regarding the facility's immense strain on our local power grid, massive water consumption, and the environmental impact on nearby streams like Rottenwood Creek.

I am also very concerned about the negative effects on our local wildlife. In addition to the threat to our waterways, the unceasing 24/7 noise pollution poses significant, unstudied risks to our local wildlife. Constant low-frequency industrial noise has been proven to disrupt the behaviors, communications, and nesting patterns of birds and other wildlife that call our green space home.

The city's own Department of Development Services explicitly recommended a total denial of this project because it directly contradicts Marietta's Comprehensive Plan for the area. Our current municipal codes are entirely unequipped to police or regulate a 24/7 industrial threat of this scale.

I am begging the Marietta City Council to please consider the devastating effects of a data center on our residential properties and our beloved wildlife. I have lived in my home for the last 11 years, and I am terrified of losing my peaceful sanctuary. The thought of a massive, 24/7 industrial utility shattering that peace is genuinely heartbreaking. Our local birds and animals rely on a quiet ecosystem to survive, and if the zoning is approved, that quiet sanctuary will be lost forever.

I ask that you please stand with the residents of Marietta, protect our homes and our local environment from permanent noise pollution, and uphold the planning staff's recommendation by voting to permanently deny this zoning request on August 12.

Thank you for your time and commitment to protecting our neighborhoods,

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[REDACTED]

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[REDACTED]

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[REDACTED]

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