



City of Marietta

205 Lawrence Street
Post Office Box 609
Marietta, Georgia 30061

Meeting Agenda

CITY COUNCIL

R. Steve Tumlin, Mayor
Cheryl Richardson, Ward 1
Jason Waters, Ward 2
Daniel Gaddis, Ward 3
Byron "Tee" Anderson, Ward 4
M. Carlyle Kent, Ward 5
Andre L. Sims, Ward 6
Joseph R. Goldstein, Ward 7

Wednesday, April 15, 2026

7:00 PM

Council Chamber

CALL TO ORDER:

INVOCATION:

Council Member Byron "Tee" Anderson, Ward 4

PLEDGE OF ALLEGIANCE:

PRESENTATIONS:

PROCLAMATIONS:

ANNOUNCEMENTS OF GENERAL COMMUNITY INFORMATION BY THE MAYOR, COUNCIL AND/OR CITY MANAGER:

SCHEDULED APPEARANCES:

**Each speaker is allotted five (5) minutes,
for a combined total of 20 minutes.**

20260314 Scheduled Appearance

Scheduled Appearance - Donald Barth.

CONSENT AGENDA:

Consent agenda items are marked by an asterisk (*). Consent items are approved by majority of council. A public hearing will be held only for those items marked by an asterisk that require a public hearing (also noted on agenda).

MINUTES:

- * **20260281** Regular Meeting - March 11, 2026

 Review and approval of the March 11, 2026 meeting minutes.

- * **20260332** Special Meeting - March 19, 2026

 Review and approval of the March 19, 2026 special meeting minutes.

MAYOR'S APPOINTMENTS: (for informational purposes only)**CITY COUNCIL APPOINTMENTS:**

- * **20260368** Planning Commission Appointment (Ward 6)

 Appointment of William (Bill) Kelly (Ward 6) to the Planning Commission for three (3) year term expiring April 11, 2029.

ORDINANCES:

20260241 Z2026-05 [REZONING] PDC LAND ACQUISITIONS, LLC. (JOHN MATLOCK & LILY GRACE HUDSON)

Z2026-05 [REZONING] PDC LAND ACQUISITIONS, LLC. (JOHN MATLOCK & LILY GRACE HUDSON) are requesting the rezoning of 2.18 acres located in Land Lot 1016, 16th District, Parcel 0060 of the 2nd Section, Cobb County, Georgia, and being known as 890 Canton Road from HI (Heavy Industrial) to RHR (Residential High Rise). Ward 5B.

Planning Commission recommends Approval

A motion was made by Mr. Smith, seconded by Mr. Sheehan, to recommend approval with stipulations. The motion was carried with a vote of 5-0-0.

Should Council vote to approve rezoning the following variances would be incorporated as conditions of zoning:

- 1.Variance to reduce the front yard setback from 50' to 35'. [§708.13 (H)]
- 2.Variance to reduce the parking minimum from 136 to 85 spaces. [§708.13 (H)]
- 3.Variance to reduce the minimum building height from 5-stories to 4-stories. [§708.13 (H)]

Public Hearing (all parties sworn in)

20260359 Z2026-06 [REZONING] CITY OF MARIETTA GEORGIA

Z2026-06 [REZONING] CITY OF MARIETTA GEORGIA is requesting the rezoning of 34.15 acres located in Land Lot 716, 17th District, Parcel 0050 of the 2nd Section, Cobb County, Georgia, and being known as 1033 (aka 1019) Franklin Gateway from PCD (Planned Commercial Development) to PCD (Planned Commercial Development). Ward 7A.

Public Hearing (all parties sworn in)

20250816 Z2025-23 [REZONING] PRE POWDER SPRINGS ROAD, LLC (LAURA WILSON HARDING)

Z2025-23 [REZONING] PRE POWDER SPRINGS ROAD, LLC. (LAURA WILSON HARDING) are requesting the rezoning of 10.9 acres located in in Land Lots 260, 261, & 332, District 19, Parcel 0020 of the 2nd Section, Cobb County, Georgia, and being known as property on Powder Springs Road SW from R-20 (Single Family Residential) in unincorporated Cobb County to PRD-SF (Planned Residential Development - Single Family) in the city. Ward 2B.

Planning Commission recommends Denial

A motion was made by Mr. Diffley, seconded by Mr. Smith, to recommend denying the request. The motion was carried with a vote of 5-2-0. Mr. Sheehan and Mr. McClure opposed.

Should Council vote to approve the request, the following variances would be incorporated as a condition of PRD-SF zoning.

1. Variance to reduce the proportion of homes within 300 feet of an active recreation facility from 75% to 50% [§708.09 (B.h.)]

Public Hearing (all parties sworn in)

20250817 A2025-03 [ANNEXATION] PRE POWDER SPRINGS ROAD, LLC. (LAURA WILSON HARDING)

A2025-03 [ANNEXATION] PRE POWDER SPRINGS ROAD, LLC. (LAURA WILSON HARDING) are requesting the annexation of property located in Land Lots 260, 261, & 332, District 19, Parcel 0020 of the 2nd Section, Cobb County, Georgia, and being known as property on Powder Springs Road SW, consisting of approximately 10.9 acres. Ward 2B.

Planning Commission recommends Denial

A motion was made by Mr. Diffley, seconded by Mr. Smith, to recommend denying the request. The motion was carried with a vote of 5-2-0. Mr. Sheehan and Mr. McClure opposed.

Public Hearing (all parties sworn in)

20250818

CA2025-07 [CODE AMENDMENT]

CA2025-07 [CODE AMENDMENT] In conjunction with the requested annexation of property located in Land Lots 260, 261, & 332, District 19, Parcel 0020 of the 2nd Section, Cobb County, Georgia, and being known as property on Powder Springs Road SW, the City of Marietta proposes to designate the Future Land Use of said property as MDR (Medium Density Residential). Ward 2B.

Planning Commission recommends Denial

A motion was made by Mr. Diffley, seconded by Mr. Smith, to recommend denying the request. The motion was carried with a vote of 5-2-0. Mr. Sheehan and Mr. McClure opposed.

Public Hearing (all parties sworn in)

20260177 Z2026-04 [REZONING] WALCO INVESTMENTS L.P. & MALONES
AUTOMOTIVE, INC.

Z2026-04 [REZONING] WALCO INVESTMENTS L.P. & MALONES
AUTOMOTIVE, INC. are requesting the rezoning of 1.08 acres located in in Land
Lot 1206, 16th District, Parcels 0080 & 0330 of the 2nd Section, Cobb County,
Georgia, and being known as 1912 & 1920 Lower Roswell Road from GC (General
Commercial) in Cobb County and CRC (Community Retail Commercial) in the City
to CRC (Community Retail Commercial) in the City. Ward 7A.

Planning Commission recommends Approval

A motion was made by Mr. McClure, seconded by Mr. Sheehan, to recommend
approval. The motion was carried with a vote of 6-1-0. Ms. McCrae opposed.

Should Council approve the request the following variances are incorporated.

The following variances are incorporated as conditions of zoning:

- 1) Variance to permit an auto repair business to be within 200 feet of residential
property [§708.16 (B.10.c.)]
- 2) Variance to reduce the required landscape buffer from 40 feet to 5 feet along the
rear property line shared with residential property [§710.05 (I.)]
- 3) Variance to increase the allowable impervious surface coverage from 80% to
80.5% [§708.16 (H.)]
- 4) Variance to reduce the required landscape area from 15% to 6% [§708.16 (H.)]
- 5) Variance to disturb existing vegetation within required buffer area [§710.05 A.]

Public Hearing (all parties sworn in)

20260178 A2026-02 [ANNEXATION] WALCO INVESTMENTS, L.P.

A2026-02 [ANNEXATION] WALCO INVESTMENTS, L.P. is requesting the annexation of property located in Land Lot 1206, District 16, Parcel 0330 of the 2nd Section, Cobb County, Georgia, and being known as 1920 Lower Roswell Road, consisting of approximately 0.27 acres, plus any associated right-of-way. Ward 7A.

Planning Commission recommends Approval

A motion was made by Mr. Diffley, seconded by Mr. Hunter, to recommend approval. The motion was carried with a vote of 6-1-0. Ms. McCrae opposed.

Public Hearing (all parties sworn in)

20260179 CA2026-02 [CODE AMENDMENT]

CA2026-02 [CODE AMENDMENT] In conjunction with the requested annexation of property located in Land Lot 1206, 16th District, Parcel 0330 of the 2nd Section, Cobb County, Georgia, and being known as property at 1920 Lower Roswell Road, the City of Marietta proposes to designate the Future Land Use of said property as CAC (Community Activity Center). Ward 7A.

Planning Commission recommends Approval

A motion was made by Mr. Diffley, seconded by Mr. Hunter, to recommend approval. The motion was carried with a vote of 6-1-0. Ms. McCrae opposed.

Public Hearing (all parties sworn in)

RESOLUTIONS:**CITY ATTORNEY'S REPORT:***** 20260231** Denial of Claim

Denial of Claim for Jessica Lea Jones.

Council Member Goldstein discloses that a member of his family leases space to Jessica Lea Jones

*** 20260301** Denial of Claim

Denial of Claim for Charnetta Todle.

- * **20260317** Denial of Claim

Denial of Claim for Tevin Dyshawn Coates.
- * **20260363** Denial of Claim

Denial of Claim for Theodore S. Hadden.

CITY MANAGER'S REPORT:**MAYOR'S REPORT:****COMMITTEE REPORTS:****1. Economic/Community Development: Andre Sims, Chairperson****2. Finance/Investment: M. Carlyle Kent, Chairperson**

- * **20260319** RAD Kids Budget Amendment for Fiscal Year 2026

Motion to approve the Budget Amendment for RAD Kids fiscal year 2026.
- * **20260311** Training and Professional Development Resolution

Motion to amend Training and Professional Development Resolution as follows - Add 4a): Mayor may sponsor or share in sponsorship of joint gatherings with Marietta Charter Boards or fellow governing bodies (Cobb Delegation or Commissioners, for example) to share common purpose of service to Marietta as a whole as a compliant budget expenditure for the sponsoring Mayor pursuant to this Resolution. All gatherings are to be held within the City.

3. Judicial/Legislative: Joseph R. Goldstein, Chairperson

- * **20260302** Final Plat - Greenhouse Ph. 3A

Motion to approve the final plat for Phase 3A of Greenhouse, containing 198 townhome units on 29 acres.
- * **20260303** Revised Detailed Plan - Marietta Reserve

Motion to refer the revised Detailed Plan for the Marietta Reserve to the Department of Development Services to post and advertise for a public hearing.

* **20260304** Final Plat - Marietta Reserve

Motion to consolidate the Final Plat for the Marietta Reserve with Item 20260303 (Detailed Plan) and refer to the Department of Development Services to post and advertise for a public hearing.

* **20260305** Final Plat - Marietta Crossing Townhomes

Motion to approve the final plat for the 39-townhome phase of the Marietta Crossing development, zoned MXD (Mixed Use Development). Ward 7A.

* **20260318** Code Amendment - Section 712.04 Home Occupations

Motion to authorize the advertisement of changes to Section 712.04, Home Occupations, of the Zoning Ordinance to prohibit alcohol manufacturing as a home occupation.

4. Parks, Recreation and Tourism: Jason Waters, Chairperson

* **20260310** Street Closure Requests for World Cup and July 3 Concert

Motion to authorize street closures for the World Cup “Watch Party” and July 3 concert as presented.

Council Member Goldstein discloses that members of his family and/or entities owned by himself and/or family members own properties in the downtown area.

* **20260312** Glover Park Concert Series Amended Alcohol Sales Request

Motion to amend approved alcohol sales for the Glover Park Concert Series from the April 2026 concert to the May 2026 concert.

Council Member Goldstein discloses that members of his family and/or entities owned by himself and/or family members own properties in the downtown area.

Council Member Goldstein discloses that his Aunt Paula Shea, serves on the Downtown Marietta Development Authority.

5. Personnel/Insurance: Cheryl Richardson, Chairperson

- * **20260287** Property & Casualty Insurance Coverage

Motion to approve the City of Marietta/BLW Property & Casualty insurance coverage and premium for the policy period of May 1, 2026, to April 30, 2027.

6. Public Safety Committee: Byron "Tee" Anderson, Chairperson

7. Public Works Committee: Daniel Gaddis, Chairperson

- * **20260297** Chestnut Hill Road Rapid Rectangular Flashing Beacon

Motion authorizing Public Works to install two (2) Rapid Rectangular Flashing Beacons (RRFB) devices and a mid-block crossing on Chestnut Hill Road, between Chestnut Hill Drive and Heathersett Drive, with a total estimated cost of \$135,000.00. Ward 3A

- * **20260298** Westland Drive Speed Study

Motion authorizing Public Works to conduct the speed study of Westland Drive from Wilson Circle to Westland Way to determine if traffic calming measures are needed. Ward 3A

- * **20260299** Oakledge Drive Speed Study

Motion authorizing Public Works to conduct the speed study of Oakledge Drive from cul-de-sac to cul-de-sac to determine if traffic calming measures are needed. Ward 4A

- 20260300** Stewart Circle Stop Sign Request

Motion authorizing Public Works to convert the intersection of Stewart Circle and Pauline Drive to a 3-way stop condition with pedestrian crosswalks and sidewalk access points modifications, with a total estimated cost of \$1,500.00. Wards 3A & 4A

Public Hearing Required

OTHER BUSINESS:

* **20260389** 2026 FIFA World Cup Grant

Motion to approve and accept the 2026 FIFA World Cup Grant in the amount of \$963,701.00 to the Marietta Police Department.

20260394 Light Post Banners

Motion to approve the installation of banners “Celebrating America’s 250th in Marietta” on light posts around the Square of Marietta and in other locations in the city from April 20, 2026 through July 31, 2026.

20260422 Budget Amendment - Year End Settlement

Motion to approve an amendment to the Fiscal Year 2026 budget to appropriate funds for the CY2025 year-end settlement of under-recovered costs associated with the power sales contract through MEAG. A total of \$722,745.19 will be incorporated into the monthly prepaid withdrawal amount, with the full balance to be satisfied within the FY2026 fiscal year.

* **20260417** Acquisition of easements at 970 Burnt Hickory Road

Motion authorizing acquisition of a portion of the property and easements at 970 Burnt Hickory Rd NW from the City of Marietta for the purpose of constructing the Burnt Hickory Road at Polk Street Intersection Project in exchange for \$12,692.37. Ward 3A

* **20260418** Acquisition of easements at 191 Whitlock Drive

Motion authorizing acquisition of an easement at 191 Whitlock Dr from Ronald M Skeeane & Sarah B Skeeane for the purpose of constructing the Whitlock Drive Intersection Improvement Project in exchange for \$4,460.00. Ward 4A

* **20260419** Acquisition of easements at 1035 Franklin Gateway

Motion to authorize the acquisition of property owned by Nighthawk Ten25 Holdings, LLC, Ten35 Lee Holdings, LLC, & Nighthawk Ten35 Crestwood, LLC on behalf of the City of Marietta by means of eminent domain. A description of the interest to be acquired is attached hereto and incorporated herein by reference, including the legal description of the property and a survey of such property. The city attorney is hereby authorized and directed to take any and all action necessary to acquire such property by virtue of eminent domain, including the right to file any appeals in such case. The Order Authorizing Condemnation attached is incorporated herein by reference. City staff and the City Attorney are authorized to conduct a voluntary purchase if that becomes feasible. Ward 7A

* **20260420** Acquisition of easements at 1038 Franklin Gateway

Motion to authorize the acquisition of property owned by Mismoj Properties, LLC, on behalf of the City of Marietta by means of eminent domain. A description of the interest to be acquired is attached hereto and incorporated herein by reference, including the legal description of the property and a survey of such property. The city attorney is hereby authorized and directed to take any and all action necessary to acquire such property by virtue of eminent domain, including the right to file any appeals in such case. The Order Authorizing Condemnation attached is incorporated herein by reference. City staff and the City Attorney are authorized to conduct a voluntary purchase if that becomes feasible. Ward 1A

* **20260421** Acquisition of easements at 637 Cobb Parkway South

Motion to authorize the acquisition of property owned by Jairam, Inc. on behalf of the City of Marietta by means of eminent domain. A description of the interest to be acquired is attached hereto and incorporated herein by reference, including the legal description of the property and a survey of such property. The city attorney is hereby authorized and directed to take any and all action necessary to acquire such property by virtue of eminent domain, including the right to file any appeals in such case. The Order Authorizing Condemnation attached is incorporated herein by reference. City staff and the City Attorney are authorized to conduct a voluntary purchase if that becomes feasible. Ward 1A

20260396 City of Marietta and AWPFC Soccer Purchase and Sale Agreements

Motion to approve the following Contracts related to women's soccer on Franklin Gateway, related to Legistar No. 20260396:

- a) Purchase and Sale Agreement between the City of Marietta, as seller, and AWPFC, as purchaser, for approximately 33 acres of land on Franklin Gateway Road;
- b) Purchase and Sale Agreement between FG Partners West, LLC, as seller, and the City of Marietta, as purchaser, for approximately 10 acres on Franklin Gateway Road.

This motion approves the execution of the above documents as well as any and all definitive documents consistent with the above Purchase and Sale Agreements and also grants authority for the Mayor, City Manager, and City Attorney to execute all documents, consistent with the above.

*** 20260282** BLW Actions of April 6, 2026

Review and approval of the April 6, 2026 actions and minutes of Marietta Board of Lights and Water.

UNSCHEDULED APPEARANCES:

**Each speaker is allotted five (5) minutes,
for a combined total of 30 minutes.**

ADJOURNMENT: