



Downtown Development Overlay Application Form

Applicant Information

Name NGI Powder Springs, LLC	Phone 404-961-1234
Mailing Address 1545 Peachtree Street, Suite 260, Atlanta, GA 30309	Email ddill@novaregroup.com

Downtown Development Overlay Request Property Information



Address See Exhibit A	Parcel ID / Lot# See Exhibit A Acreage 6.74
Present Zoning CBD & R20	Proposed Zoning Downtown Redevelopment Overlay
Source of Water Supply Cobb County	Source of Sewage Disposal Cobb County
Proposed Use Peak Hour Trips Generated TBD	Source TBD

Additional Information, If Applicable

Elementary School and School's Capacity	Middle School and School's Capacity
High School and School's Capacity	

Notary Attestation

Executed in Atlanta (City), Georgia (State).

 Signature of Applicant	<u>James R. Borders</u> Printed Name	<u>8-11-21</u> Date
Subscribed and sworn before me this <u>11</u> day of <u>Aug</u> , 20 <u>21</u>		
 Signature of Notary Public	<u>Polly T. Butler</u> Name of Notary Public	<u>June 20, 2023</u> My Commission Expires

POLLY T BUTLER
 Notary Public
 Fayette County
 State of Georgia
 My Comm. Expires June 20, 2023

For Official Use Only

PZ #	Downtown Development Authority Meeting
Planning Commission Meeting	City Council Meeting
Withdrawal Date	Reason for Withdrawal



Downtown Development Overlay Notice of Intent

Applicant Information

Name	NGI Powder Springs, LLC	Phone	404-961-1234	
Mailing Address	1545 Peachtree Street, Suite 260, Atlanta, GA 30309		Email	ddill@novaregroup.com

Notice of Intent

PART I. Please indicate the purpose of this application :
See Exhibit B


PART II. Please list all requested variances:
See Exhibit B

Part III. Existing use of subject property:
See Exhibit B

Part IV. Proposed use of subject property:
See Exhibit B

Part V. Other Pertinent Information (List or attach additional information if needed):
See Exhibit B

Applicant Signature

	NGI Powder Springs, LLC	7/30/21
Signature of Applicant	Printed Name	Date



Downtown Development Overlay Campaign Contribution Disclosure

Applicant and Attorney Information

Applicant's Name NGI Powder Springs, LLC	Applicant's Address 1545 Peachtree Street, Suite 260, Atlanta, GA 30309
Applicant's Attorney Kevin Moore of Moore Ingram Johnson & Steele, LLP	Attorney's Address 326 Roswell Street, Suite 100 Marietta, Georgia 30060

Campaign Contribution Disclosure

The following information is provided in accordance with the Georgia Conflict of Interest in Zoning Actions Act, O.C.G.A. 36-67A-1 et seq.

The property that is the subject of the attached application is owned by:

- Individual(s)
 Corporation
 Partnership
 Limited Partnership
 Joint Venture

All persons, corporations, partners, limited partners, or joint ventures party to ownership of the property that is the subject of the attached application are listed below:

APPLICANT: Within the two years preceding the date of the attached application, the applicant has made campaign contributions or gifts aggregating \$250 or more to the Mayor, to members of the Powder Springs City Council, or to members of the Planning Commission, as follows:

Name of Official	Amount of Contribution or Gift	Date of Contribution or Gift
N/A	N/A	N/A

ATTORNEY: Within the two years preceding the date of the attached application, the attorney representing the applicant has made campaign contributions or gifts aggregating \$250 or more to the Mayor, to members of the Powder Springs City Council, or to members of the Planning Commission, as follows:

Name of Official	Amount of Contribution or Gift	Date of Contribution or Gift
N/A	N/A	N/A



Downtown Development Overlay Owner's Authorization Form

Owner's Authorization

Applicant Name <u>NGI Powder Springs, LLC</u>	Applicant's Address <u>4484 Marietta Street, Powder Springs, GA 30127</u>
Property Address <u>See Exhibit A</u> <small>Powder Springs, GA</small>	Property PIN <u>See Exhibit A</u>

This is to certify that I am or We are or I am the Authorized Representative of a Corporation that is the owner of a majority interest in the subject property of the attached application. By execution of this form, this is to authorize the person names as "applicant" below, acting on behalf of the owner, to file for and pursue a request for approval of the following:

Check all that apply:

Rezoning <input type="checkbox"/>	Overlay <input checked="" type="checkbox"/>	Special Use <input type="checkbox"/>	Hardship Variance <input type="checkbox"/>
Special Exception <input type="checkbox"/>	Flood Protection Variance <input type="checkbox"/>	Appeal of Administrative Decision <input type="checkbox"/>	

Signature of Property Owner(s)

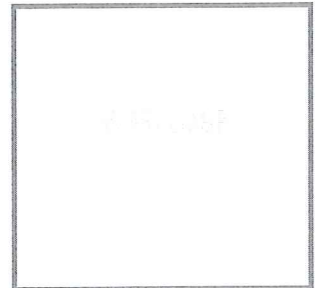
	Powder Springs Downtown Development Authority	7/30/21
Signature of Owner	Printed Name	Date

State of _____, County of _____.

This instrument was acknowledged before me this _____ day of _____ month.

20____, by _____ name of signer. Identification Presented: _____.

Signature of Notary Public	Name of Notary Public	My Commission Expires



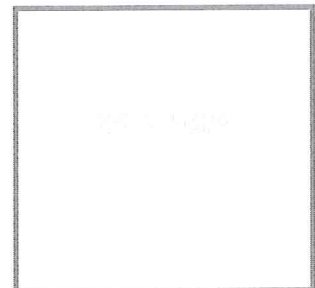
	Powder Springs Downtown Development Authority	
Signature of Owner	Printed Name	Date

State of _____, County of _____.

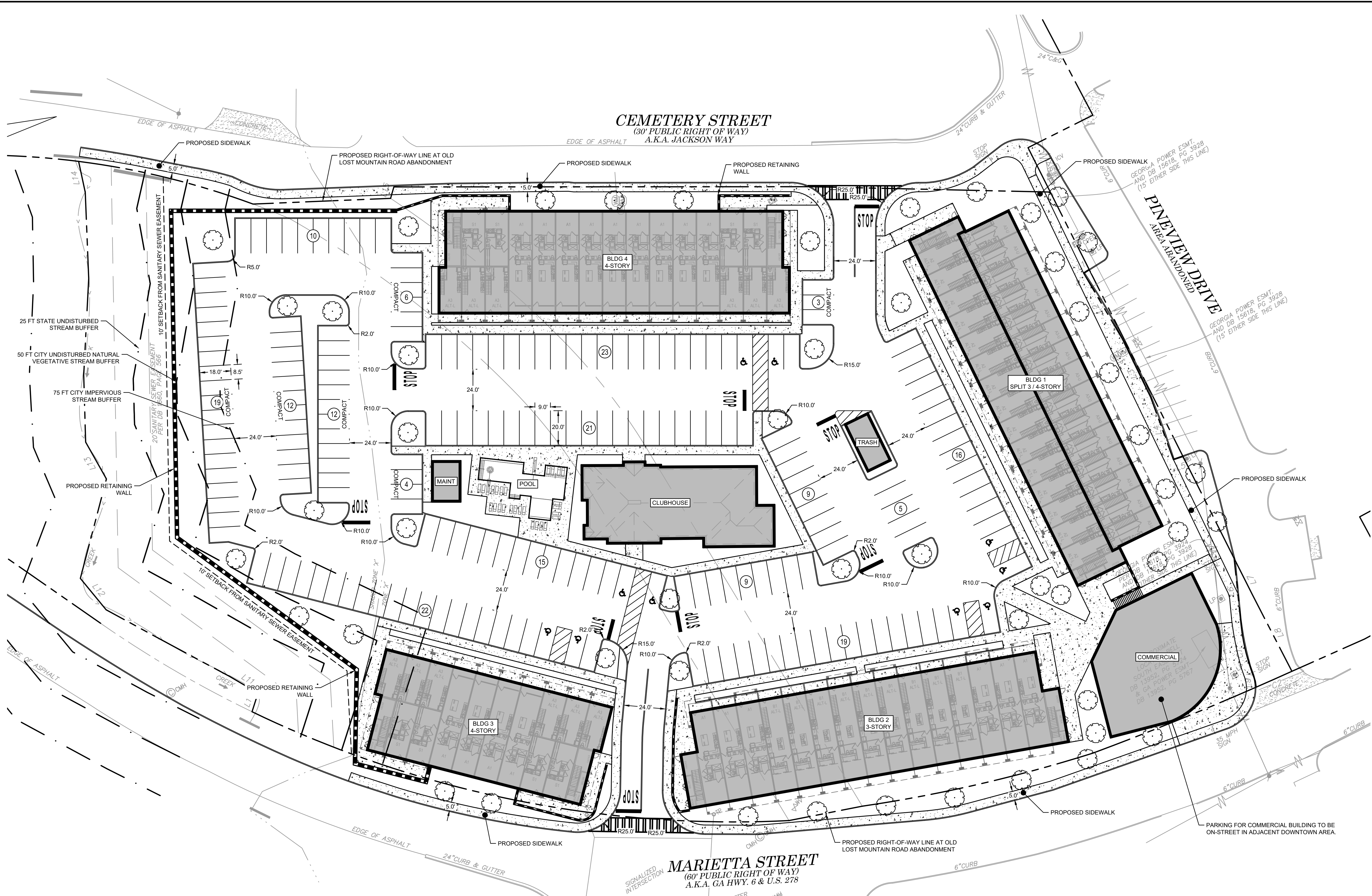
This instrument was acknowledged before me this _____ day of _____ month.

20____, by _____ name of signer. Identification Presented: _____.

Signature of Notary Public	Name of Notary Public	My Commission Expires



Drawing name: C:\Users\zac.randolph\Desktop\Temporary AutoCAD saves\AcPublish_205098\CD-10 - REZONING SITE PLAN - LARGE.dwg C2-00 SITE PLAN Aug 10, 2021 5:54pm by: zac.randolph



REZONING NOTES:

SITE SUMMARY:

LAND LOT 19, DISTRICT 875 AND 876

CURRENT ZONING: R20 & CBD
 PROPOSED ZONING: DOWNTOWN REDEVELOPMENT OVERLAY

SITE AREA: 4.38 AC (190,673 SF)
 ROW ABANDONMENT: 0.43 AC (18,887 SF)
 ADJUSTED SITE AREA: 4.81 AC (209,560 SF)

PROPOSED BUILDING SETBACK:
 FRONT: 0 FT
 SIDE: 0 FT
 REAR: 0 FT

PROPOSED LANDSCAPE SETBACK:
 FRONT: 0 FT
 SIDE: 0 FT
 REAR: 0 FT

PROPOSED LAND USES & DENSITIES:

MULTIFAMILY RESIDENTIAL	
BLDG 1	30 1-BR UNITS
BLDG 2	15 2-BR UNITS
BLDG 3	18 1-BR UNITS
BLDG 3	18 2-BR UNITS
BLDG 3	18 1-BR UNITS
BLDG 4	14 2-BR UNITS
BLDG 4	23 1-BR UNITS
BLDG 4	24 2-BR UNITS
TOTAL	89 1-BR UNITS
	71 2-BR UNITS

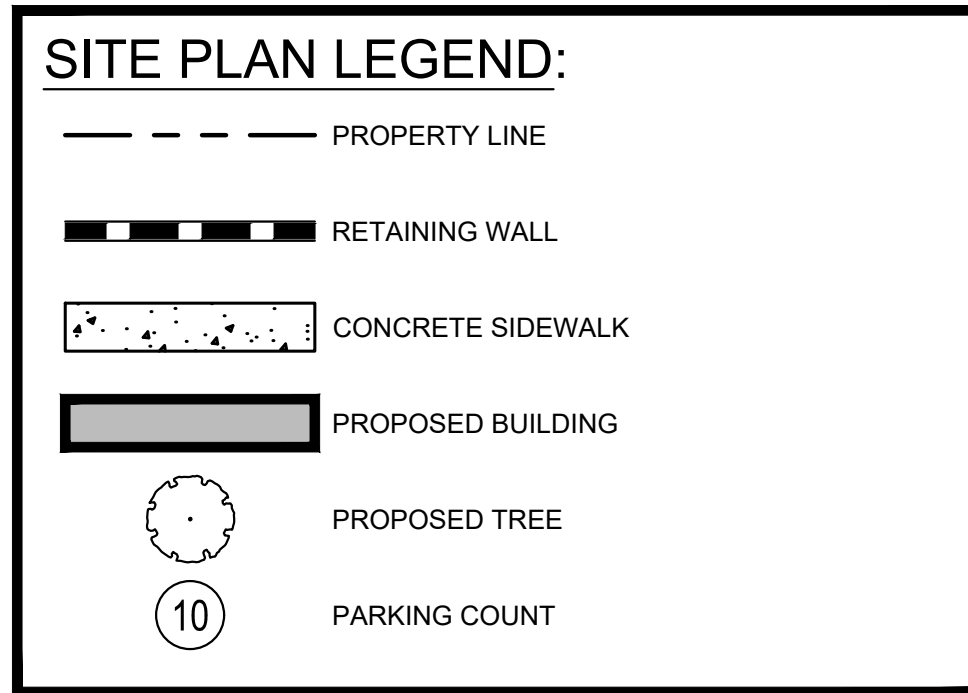
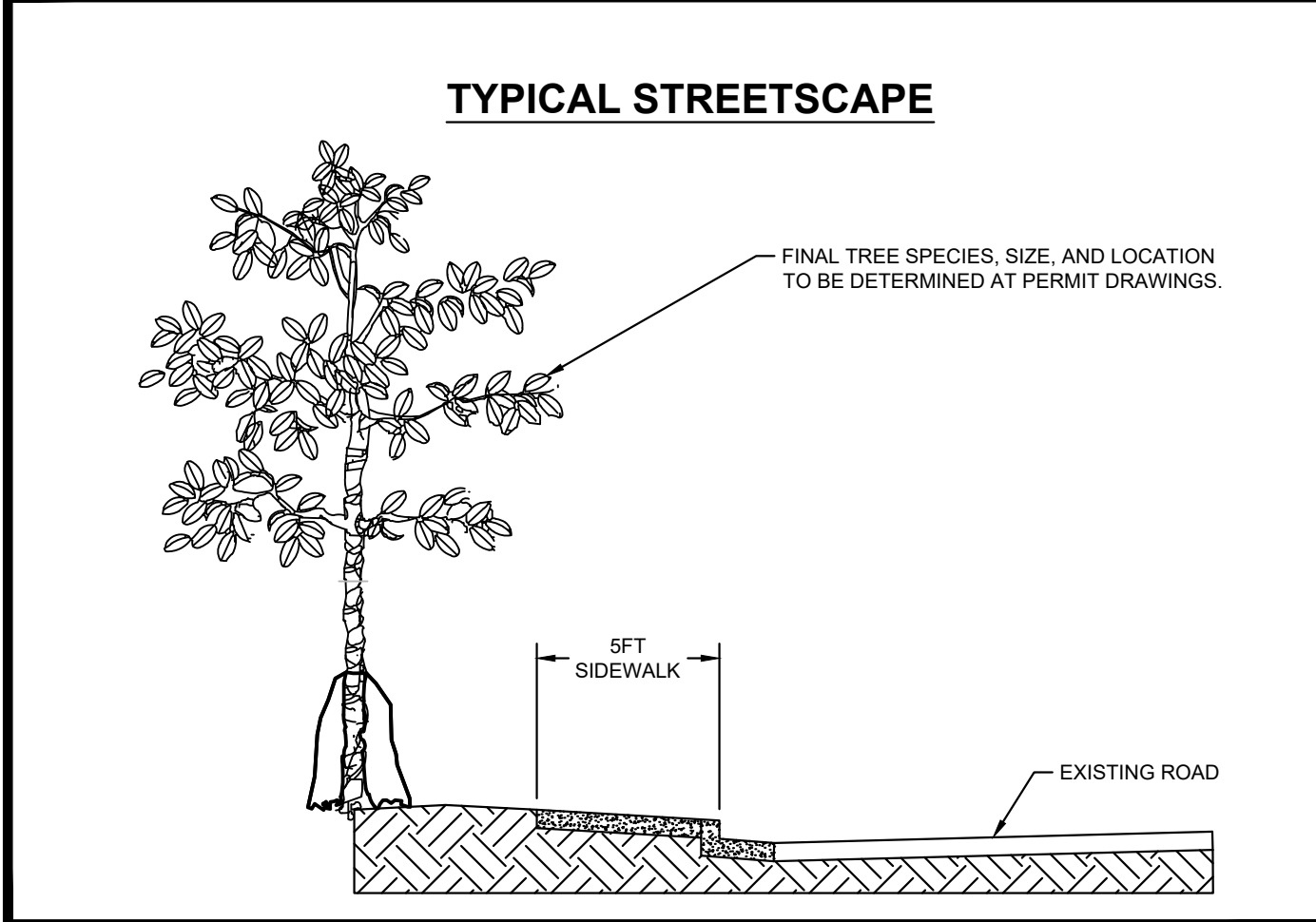
PARKING SUMMARY:

MINIMUM REQUIRED PARKING: 205 SPACES (TOTAL)
 1-BR UNITS (89 UNITS) 142 SPACES (1.6/UNIT)
 2-BR UNITS (71 UNITS) 114 SPACES (1.6/UNIT)
 *PROPOSED 20% REDUCTION APPLIED TO MINIMUM REQUIRED PARKING

MAXIMUM ALLOWED PARKING: 334 SPACES (TOTAL)
 1-BR UNITS (89 UNITS) 196 SPACES (2.2/UNIT)
 2-BR UNITS (71 UNITS) 138 SPACES (1.95/UNIT)

PROPOSED PARKING: 205 SPACES (TOTAL)
 COMPACT 56 SPACES
 STANDARD 139 SPACES
 HANDICAP 10 SPACES

- THIS PROJECT DOES NOT LIE WITHIN A 100 YEAR FLOOD HAZARD ZONE AS DEFINED BY F.E.M.A. "FLOOD HAZARD BOUNDARY MAP" COMMUNITY PANEL NUMBER 13067C0181H, DATED 03/04/2013.
- THE SITE DOES CONTAIN A STREAM WITH STREAM BUFFERS.
- THIS SITE DOES NOT CONTAIN A CEMETERY.
- THE PROPOSED BUILDING INFORMATION SHOWN HEREON IS APPROXIMATE AND SUBJECT TO CHANGE AS DESIGN DEVELOPS.
- ALL PARKING COUNTS ARE APPROXIMATE AND SUBJECT TO CHANGE AS DESIGN DEVELOPS. PARKING COUNTS WILL EXCEED TOTALS SHOWN ABOVE.
- IT IS UNDERSTOOD THAT THE SITE MUST COMPLY WITH ALL APPLICABLE ADA STANDARDS, INCLUDING PARKING AND CONNECTIVITY, AND WILL BE DESIGNED AND DETAILED AS SUCH.
- PROPOSED STORMWATER SOLUTION FOR THIS SITE WILL BE UNDERGROUND DETENTION.
- PROPOSED TREE LOCATIONS AND HARDSCAPE AREAS SHOWN ARE PRELIMINARY. FINAL HARDSCAPE AND LANDSCAPE DESIGN TO BE SHOWN IN PERMIT DRAWING.
- EXISTING POWER AND COMMUNICATION LINES WILL REMAIN OVERHEAD.



VARIANCE REQUEST SUMMARY:

- SEC. 2-31(h): VARIANCE TO ALLOW EXISTING OVERHEAD UTILITIES TO REMAIN AS PART OF UTILITY RELOCATION EFFORTS.
- SEC. 6-52: VARIANCE TO ALLOW PARKING AREAS WITHIN 5FT OF RIGHT-OF-WAY.
- SEC. 6-77: VARIANCE TO ALLOW UP TO 28% OF PROPOSED PARKING SPACES TO BE COMPACT SPACES.
- SEC. 6-81(b): VARIANCE TO ALLOW A 20% REDUCTION IN THE MINIMUM PARKING REQUIREMENT.
- SEC. 8-23(a): VARIANCE TO REDUCE CITY OF POWDER SPRINGS' UNDISTURBED NATURAL VEGETATIVE BUFFER TO 25FT BEYOND CORRESPONDING STREAM BANKS.
- SEC. 8-23(b): VARIANCE TO REDUCE CITY OF POWDER SPRINGS' IMPERVIOUS SURFACE SETBACK TO 40FT BEYOND CORRESPONDING STREAM BANKS. A RETAINING WALL WILL BE CONSTRUCTED IN THIS SETBACK AS PART OF THE PROJECT.
- SEC. 10-13: VARIANCE TO DEVELOP WITHIN OR ADJACENT TO FUTURE-CONDITIONS FLOOD HAZARD AREA.



Kimley-Horn
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 817 W. PEACHTREE STREET, NW
 THE BENTLEY SUITE 601
 ATLANTA, GEORGIA 30308
 PHONE: 404.815.1234
 WWW.KIMLEY-HORN.COM

NGI POWDER SPRINGS LLC
 1545 PEACHTREE STREET, SUITE 260
 ATLANTA, GA 30309
 PHONE: 404.815.1234

NO.	ISSUANCE AND REVISION DESCRIPTIONS	DATE	BY
01	ISSUANCE	08/10/2021	ZLR
02	REVISION	07/30/2021	ZLR

POWDER SPRINGS MIXED-USE
 POWDER SPRINGS DALLAS ROAD
 POWDER SPRINGS, GA 30127
 LAND LOT 19, 875TH AND 876TH DISTRICT

GEORGIA REGISTERED PROFESSIONAL SURVEYOR
 No. PE043951
 08/10/21

GSWCC NO. (LEVEL II) 0000076496
 DRAWN BY JRN
 DESIGNED BY ZLR
 REVIEWED BY KRT
 DATE 07/30/2021
 PROJECT NO. 019308039
 TITLE **REZONING SITE PLAN**
 SHEET NUMBER **C0-10**

This document, together with the concepts and designs presented herein, as an instrument of service, is intended only for the specific purpose and client for which it was prepared. Reuse of and improper reliance on this document without written authorization and adaptation by Kimley-Horn and Associates, Inc. shall be without liability to Kimley-Horn and Associates, Inc.

Exhibit A

Subject Property

1. Pineview Drive Parcels

Overall Tracts 1, 2 and 3

All that tract or parcel of land being in the City of Powder Springs, Georgia, in Land Lot 875 and 876 of the 19TH District, 2nd Section of Cobb County and being more particularly described as follows.

Beginning at a 5/8-inch rebar set at the intersection of the eastern right of way line of Old Lost Mountain Road (aka Jackson Way) and the northern right of way line of Marietta Street and thence run along said eastern right of way North 01 degrees 03 minutes 59 seconds West, a distance of 241.42 feet to a 5/8-inch rebar set; thence continue along a curve to the left, said curve having an arc length of 79.64 feet with a radius of 337.73 feet, being subtended by a chord bearing of North 07 degrees 49 minutes 19 seconds West, a distance of 79.46 feet to a 5/8 inch rebar set; thence along a curve to the left, said curve having an arc length of 129.44 feet with a radius of 629.70 feet, being subtended by a chord bearing of North 20 degrees 27 minutes 59 seconds West, a distance of 129.21 feet to a pk nail set; thence North 46 degrees 07 minutes 45 seconds East, a distance of 6.88 feet to a pk nail set on the southern right of way of Cemetery Street (aka Jackson Way); thence run along said right of way South 60 degrees 01 minutes 53 seconds East, a distance of 241.39 feet to a pk nail set; thence South 58 degrees 42 minutes 51 seconds East, a distance of 138.48 feet to a 5/8-inch rebar set on the west side of the abandoned Pineview Drive right of way; thence South 03 degrees 21 minutes 11 seconds West, a distance of 50.08 feet to a pk nail set; thence South 03 degrees 21 minutes 14 seconds West, a distance of 121.18 feet to a pk nail set; thence South 03 degrees 21 minutes 11 seconds West, a distance of 65.90 feet to a pk nail set; thence South 03 degrees 21 minutes 11 seconds West, a distance of 23.43 feet to a pk nail set; thence South 02 degrees 42 minutes 22 seconds West, a distance of 50.02 feet to a pk nail set on said northern right of way; thence run along said northern right of way along a curve to the right, said curve having an arc length of 22.61 feet with a radius of 1831.00 feet, being subtended by a chord bearing of North 83 degrees 56 minutes 52 seconds West, a distance of 22.61 feet to a 5/8 inch rebar set; thence along a curve to the right, said curve having an arc length of 102.01 feet with a radius of 1831.00 feet, being subtended by a chord bearing of North 81 degrees 59 minutes 53 seconds West, a distance of 102.00 feet to a 5/8 inch rebar set; thence along a curve to the right, said curve having an arc length of 136.98 feet with a radius of 863.56 feet, being subtended by a chord bearing of North 72 degrees 57 minutes 34 seconds West, a distance of 136.84 feet to a 5/8 inch rebar set and the Point of Beginning.

Said tract or parcel contains 2.365 Acres.

Tract 4

All that tract or parcel of land being in the City of Powder Springs, Georgia, in Land Lot 875 and 876 of the 19TH District, 2nd Section of Cobb County and being more particularly described as follows.

Beginning at a pk nail set at the intersection of the western right of way line of Old Lost Mountain Road (aka Jackson Way) and the northern right of way line of Marietta Street and thence run along said northern right of way along a curve to the right, said curve having an arc length of 320.32 feet with a radius of 641.64 feet, being subtended by a chord bearing of North 48 degrees 32 minutes 21 seconds West, a distance of 317.01 feet to a 5/8 inch rebar set; Thence leaving said right of way and run along the centerline of a creek the following eleven (11) courses, North 47 degrees 47 minutes 53 seconds East, a distance of 11.35 feet to a point; thence North 29 degrees 38 minutes 49 seconds West, a distance of 19.14 feet to a point; thence North 31 degrees 48 minutes 24 seconds West, a distance of 38.51 feet to a point; thence North 31 degrees 29 minutes 40 seconds West, a distance of 42.61 feet to a point; thence North 09 degrees 21 minutes 38 seconds West, a distance of 23.51 feet to a point; thence North 44 degrees 41 minutes 52 seconds East, a distance of 59.48 feet to a point; thence North 00 degrees 35 minutes 49 seconds East, a distance of 24.49 feet to a point; thence North 28 degrees 20 minutes 03 seconds East, a distance of 38.70 feet to a point; thence North 32 degrees 58 minutes 02 seconds East, a distance of 56.05 feet to a point; thence North 27 degrees 42 minutes 20 seconds East, a distance of 49.89 feet to a point; thence North 17 degrees 55 minutes 16 seconds East, a distance of 18.36 feet to a point on the southern right of way of Old Lost Mountain Road (aka Jackson Way); Thence run along said right of way along a curve to the right, said curve having an arc length of 126.82 feet with a radius of 457.44 feet, being subtended by a chord bearing of South 44 degrees 49 minutes 43 seconds East, a distance of 126.41 feet to a 5/8 inch rebar set; thence along a curve to the right, said curve having an arc length of 162.85 feet with a radius of 589.70 feet, being subtended by a chord bearing of South 22 degrees 31 minutes 09 seconds East, a distance of 162.33 feet to a 5/8 inch rebar set; thence along a curve to the right, said curve having an arc length of 70.21 feet with a radius of 297.73 feet, being subtended by a chord bearing of South 07 degrees 51 minutes 08 seconds East, a distance of 70.05 feet to a 5/8 inch rebar set; thence South 01 degrees 05 minutes 48 seconds East, a distance of 226.96 feet to a pk nail set and the Point of Beginning.

Said tract or parcel contains 2.012 Acres.

2. **Hotel Avenue SW / Murray Avenue SW Parcels**

All that tract or parcel of land being in the City of Powder Springs, Georgia, in Land Lot 902 of the 19TH District, 2nd Section of Cobb County and being more particularly described as follows.

Beginning at a 5/8-inch rebar set at the north side of the mitered intersection of the eastern right of way of Murray Avenue and the northern right of way of Atlanta street and thence run along said eastern right of way along the arc of a curve to the right, said curve having an arc length of 89.53 feet with a radius of 979.64 feet, being subtended by a chord bearing of North 00 degrees 55 minutes 55 seconds East, a distance of 89.50 feet to an axel found; thence continue North 02 degrees 38 minutes 27 seconds East, a distance of 150.89 feet to a concrete monument found on the south side of a miter; thence run along said miter North 44 degrees 24 minutes 50 seconds East, a distance of 29.75 feet to a concrete monument found on the southern right of way line of Hotel Avenue; thence run along said southern right of way South 86 degrees 38 minutes 22 seconds East, a distance of 119.98 feet to a nail found; thence South 86 degrees 26 minutes 55 seconds East, a distance of 38.85 feet to a concrete monument found; thence continue South 87

degrees 06 minutes 22 seconds East, a distance of 79.79 feet to a 5/8-inch rebar found; thence along a curve to the right, said curve having an arc length of 27.68 feet with a radius of 26.01 feet, being subtended by a chord bearing of South 37 degrees 35 minutes 28 seconds East, a distance of 26.39 feet to a concrete monument found; thence along a curve to the right, said curve having an arc length of 12.15 feet with a radius of 40.09 feet, being subtended by a chord bearing of South 06 degrees 39 minutes 06 seconds West, a distance of 12.10 feet to a concrete monument found on the western right of way of Lewis Road; thence run along said right of way along a curve to the right, said curve having an arc length of 61.75 feet with a radius of 490.31 feet, being subtended by a chord bearing of South 22 degrees 51 minutes 30 seconds West, a distance of 61.71 feet to a 5/8 inch rebar found; thence South 23 degrees 59 minutes 36 seconds West, a distance of 35.61 feet to a 5/8 inch rebar found; thence South 19 degrees 57 minutes 01 seconds West, a distance of 20.42 feet to a 5/8 inch rebar found; thence along a curve to the left, said curve having an arc length of 22.11 feet with a radius of 1796.10 feet, being subtended by a chord bearing of South 30 degrees 38 minutes 55 seconds West, a distance of 22.11 feet to a 5/8 inch rebar found; thence along a curve to the left, said curve having an arc length of 22.12 feet with a radius of 200.92 feet, being subtended by a chord bearing of South 27 degrees 50 minutes 50 seconds West, a distance of 22.11 feet to a concrete monument found; thence along a curve to the right, said curve having an arc length of 27.08 feet with a radius of 282.14 feet, being subtended by a chord bearing of South 27 degrees 26 minutes 33 seconds West, a distance of 27.07 feet to a concrete monument found; thence along a curve to the right, said curve having an arc length of 12.02 feet with a radius of 75.30 feet, being subtended by a chord bearing of South 37 degrees 16 minutes 20 seconds West, a distance of 12.01 feet to a 5/8 inch rebar set; thence along a curve to the right, said curve having an arc length of 39.61 feet with a radius of 172.53 feet, being subtended by a chord bearing of South 48 degrees 25 minutes 19 seconds West, a distance of 39.52 feet to a concrete monument found on the northern right of way of Atlanta Street; thence along said right of way a curve to the right, said curve having an arc length of 91.58 feet with a radius of 282.74 feet, being subtended by a chord bearing of South 72 degrees 35 minutes 18 seconds West, a distance of 91.18 feet to a concrete monument found; thence South 89 degrees 27 minutes 04 seconds West, a distance of 40.40 feet to a concrete monument found on the south end of a miter; thence run along said miter North 63 degrees 01 minutes 10 seconds West, a distance of 43.13 feet to a 5/8 inch rebar set and the Point of Beginning.

Said tract or parcel contains 1.419 Acres.

In addition to land area described above, the following parcels are also included, 19090200110 and 19090200120 (Applicable legal descriptions will be provided after properties are surveyed).

Exhibit B

Notice of Intent

1. **PART I Please indicate the purpose of this application:**

This Application for Site Design Review seeks to obtain certain approvals in order to allow the construction of a mixed-use development consisting of 226 Class "A", highly-amenitized luxury apartments and a commercial building totaling approximately 4,800 square feet ("Subject Property"). The Subject Property contains three (3) noncontiguous land areas totaling 6.74 acres, which are described in greater detail within Exhibit A.

2. **PART II Please indicate all requested variances:**

Pineview Drive Parcels

Article 2

- Sec. 2-31(h) – All on-site utilities shall be installed underground. Large transformers shall be placed on the ground within pad mounts, enclosures or vaults. The developer shall provide adequate landscaping to screen all above-ground facilities.
 - Variation to allow existing overhead utilities to remain where scope of proposed development does not require its relocation.

Article 6

- Sec. 6-52 – Off-street parking areas shall be set back from front, side, and rear property lines by at least five feet, except that the community development director may authorize a reduction in the parking lot improvement setback to no less than three feet where a front landscape strip as required by Article 5 of this development code is authorized to have a variable width.
 - Variation to allow parking areas within five feet of property lines. Variation required to meet minimum parking count.
- Sec. 6-77 - Compact parking spaces may be used in parking areas when more than twenty parking spaces are required, provided that the areas for compact parking are clearly marked and not more than twenty percent of the number of parking spaces provided in the entire parking area is designated compact auto parking.
 - Variance to allow up to 28% of proposed parking spaces to be compact spaces.
- Sec. 6-81 (b) – The community development director may allow parking at a rate of up to 10 percent above the maximum permitted number of spaces, or at a rate of no more than 20 percent below the minimum required, on a case-by-case basis, based upon the scale and impacts of the request, for good cause shown. The applicant shall make said request in writing which may be required to include documentation from an acceptable industry publication (e.g., Institute of Transportation Engineers, Urban Land Institute, American

Planning Association, etc.) or a study prepared by a qualified professional that documents parking requirements.

- Variation to allow a 20 percent reduction from the minimum required parking.

Article 8

- Sec. 8-23(a) – Buffer. An undisturbed natural vegetative buffer shall be maintained for 50 feet, measured horizontally, on both banks (as applicable) of all streams, as measured from the top of the stream bank.
 - Request to reduce undisturbed natural vegetative buffer to 25 feet. Reduction is required to construct improvements shown on rezoning plan.
- Sec. 8-23(b) – Impervious surface setback. An additional setback shall be maintained for 25 feet, measured horizontally, beyond the undisturbed natural vegetative buffer, in which all impervious cover shall be prohibited. Grading, filling, and earthmoving shall be minimized within the setback.
 - Request to reduce impervious surface setback to 40 feet beyond banks of creek. The Proposed retaining wall will be constructed within this buffer as part of this project. Reduction is required to provide improvements shown on rezoning plan.

Article 10

- Sec. 10-13. Development Within or Adjacent to Future-conditions Flood Hazard Area. No development shall be allowed within or adjacent to any area of future-conditions flood hazard, except for activities authorized by variance in accordance with the requirements of this article, unless specifically exempted by this article.
 - Request to develop within or adjacent to Future-conditions Flood Hazard Areas.

Hotel Avenue SW / Murray Avenue SW Parcels

Article 2

- Sec. 2-31(h) – All on-site utilities shall be installed underground. Large transformers shall be placed on the ground within pad mounts, enclosures or vaults. The developer shall provide adequate landscaping to screen all above-ground facilities.
 - Variation to allow existing overhead power to remain where scope of proposed development does not require its relocation.

Article 6

- Sec. 6-29 Table 6-2 – Minimum driveway radius for a Commercial or Multi-Family Residential Development to be 15 feet.
 - Variation to reduce minimum driveway radius to 10 feet. Reduction is required for driveway to Tract 2 parking area to work with existing roadway geometry.
- Sec. 6-52 – Off-street parking areas shall be set back from front, side, and rear property lines by at least five feet, except that the community development director may authorize a reduction in the parking lot improvement setback to no less than three feet where a front landscape strip as required by Article 5 of this development code is authorized to have a variable width.

- Variation to allow parking areas within five feet of property lines. Variation required to meet minimum parking count.
- Sec. 6-53 (b) – No off-street parking to space shall be permitted directly from an access driveway within the first 30 feet of the driveway back from the street right-of-way line.
 - Variation to reduce this requirement to 15 feet from right-of-way line. Reduction required to meet minimum parking count.
- Sec. 6-81 (b) – The community development director may allow parking at a rate of up to 10 percent above the maximum permitted number of spaces, or at a rate of no more than 20 percent below the minimum required, on a case-by-case basis, based upon the scale and impacts of the request, for good cause shown. The applicant shall make said request in writing which may be required to include documentation from an acceptable industry publication (e.g., Institute of Transportation Engineers, Urban Land Institute, American Planning Association, etc.) or a study prepared by a qualified professional that documents parking requirements.
 - Variation to allow a 20 percent reduction from the minimum required parking.

3. **PART III Existing use of subject property:**

The Subject Property contains land parcels that reside within the Downtown Redevelopment Overlay and that have underlying zoning classifications of CBD & R20. The Subject Property contains a combination of vacant land, municipal buildings, Old Lost Mountain Road (AKA Jackson Way) right-of-way and one (1) single-family residence.

4. **PART IV Proposed use of subject property:**

Novare Group is planning a transformative mixed-use development in the heart of Powder Spring's town center with optimal walkability to the new Thurman Springs Park, Marietta Street and area amenities such as the Silver Comet Trail. The proposed project will transform the site from its current condition into a mixed-use development that includes 226 Class-A apartments with state-of-the-art amenities and approximately 4,800 square feet of retail space, both of which will activate and densify the downtown area. Novare envisions retail tenants that are accretive to the Town Center area such as a restaurant/brewery, coffee shop, café, and/or market that will help to bolster activity along Marietta Street and around Thurman Springs Park. The residential units will feature modern and top of market finishes. The proposed development will vastly improve the current state of the existing properties, bring new jobs to the Powder Springs town center and significantly increase the tax base at the City and County levels over the long term. The development will have a halo effect and spur other redevelopment on surrounding properties as the town center densifies and is further activated. The economic impact of this project for Powder Springs and the surrounding area will be tremendous and will be catalytic for future growth. We believe our proposed project will have an enormous impact on the immediate area and contribute to the revitalization already underway within the Powder Springs area.

5. **PART V Other pertinent information**

The Applicant of the Subject Property is NGI Powder Springs, LLC, a Novare Group (“Novare”) solely controlled special purpose entity. Novare is a leading developer of innovative mixed-use communities in Sunbelt core markets. The company has overseen over \$3.5 billion of real estate development and investment since its founding by Jim Borders in 1992, having developed 17,000+ residential units in over 50 projects in Alexandria, VA; Athens, GA; Atlanta, GA; Augusta, GA; Austin, TX; Birmingham, AL; Charlotte, NC; Chattanooga, TN; Dallas, TX; Denver, CO; Frisco, TX; Houston, TX; Huntsville, AL; Lawrenceville, GA; Nashville, TN; Newnan, GA; Orlando, FL; Raleigh, NC; Savannah, GA; Tallahassee, FL and Tampa, FL. Previous and current Novare development projects include adaptive reuse, high-rise mixed-use condominiums, high-rise mixed-use apartments, garden-style and mid-rise apartments and mixed-use office.

Based upon the foregoing reasons, the Applicant respectfully requests that the Application for Site Design Review be approved.