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City of Marietta

205 Lawrence Street
Post Office Box 609
Marietta, Georgia 30061

Meeting Agenda

JUDICIAL LEGISLATIVE COMMITTEE

Andy Morris, Chairman
Cheryl Richardson, Vice Chair
Joseph R. Goldstein

Tuesday, June 25, 2019

Council Chamber

Immediately Following Parks, Recreation and Tourism Committee

CALL TO ORDER:

MINUTES:

20190556 **Regular Meeting - May 28, 2019**

Review and approval of the May 28, 2019 meeting minutes.

BUSINESS:

20190435 Z2019-19 [REZONING] Traton Homes, LLC (Hartwood investments llc)

Z2019-19 [REZONING] Traton Homes, LLC (Hartwood investments llc) is requesting the rezoning of 9.58 acres located in Land Lot 505, District 17, Parcel 0170 and Land Lot 1282, District 16, Parcels 0720, 0710, 0700, & 0690 of the 2nd Section, Cobb County, Georgia, and being known as 315 Frey's Gin Road; 1222, 1230, 1238, & 1246 Banberry Road from LI (Light Industrial) and R-4 (Single Family Residential - 4 units/acre) to PRD-SF (Planned Residential Development Single Family). Ward 7A.

This rezoning was heard at the June 4th, 2019 Planning Commission meeting. The Commission made the following recommendation:

Mr. Diffley made a motion, seconded by Chairman Kinney, to recommend denial. The motion carried 5-1-0. Mr. Hunter opposed.

If Council approves the rezoning, the following variances would be incorporated as conditions of zoning:

- *Variance to reduce the required driveway length from 20' to 18' for all lots except for lot 11. [§708.09 (B.2.e)]*
- *Variance to reduce the recreation area from 2.56 acres to 0.35 acres. [§708.09 (B.2.i)]*
- *Variance to reduce the minimum open space from 25% to 3.6%. [§708.09 (H)]*
- *Variance to reduce the minimum lot size requirement from 4,000 sq. ft. to footprint of the smallest unit. [§708.09 (H)]*
- *Variance to increase the maximum impervious surface from 60% to 61%. [§708.09 (H)]*
- *Variance to establish a gated community per Sect. 726.03, Private Development [§726.03]*
- *Variance to reduce the minimum easement width for private street from fifty (50) feet to thirty (30) for the streets running north-south only. [§726.03 (A).]*
- *Variance to allow a single-family development of more than 51 dwelling units to provide only one access point to a collector street. [§730.01 (A)]*
- *Variance to waive an acceleration lane when constructing a new subdivision that intersects with a collector street. [§730.01 (I) (4.b)]*
- *Variance to reduce the turning radii from 35 ft. to 28 ft. in front of lots 115 & 128. [§710.06]*
- *Variance to waive the following for cul-de-sac requirements:*
 - *Streets designed to have one end permanently closed shall provide a turnaround having a minimum roadway diameter of 80 feet, right-of-way diameter of 100 feet and a maximum length of 700 feet. [§730.01 (E.)]*

- 20180736** **Amendment of 9-4-40 to Change Time Period for Payment or Contesting of Parking Violations and to Clarify Procedures for Contesting of Violation and Court Processes.**
- Modification of the time period allowed for payment or contesting of parking violations from 5 (five) days to 10 (ten) days to allow ample time for receipt by mail before escalated fine assessment imposed. And, to include provisions for contesting parking violation by filing written notice with the Clerk of Court and requirement of appearance in court for contested hearing. Proposed amendment clarifies various court processes.
- 20190284** **Mobile Retail Food Establishment Ordinance**
- Discussion of Mobile Retail Food Establishment Ordinance
- 20190493** **800 MHz Phase 2 Radio Contract**
- Review and discussion of the proposed 800 MHz phase 2 radio contract with Cobb County.
- 20190610** **1101 Powder Springs Street**
- Motion to approve the award of a bid to Wilson Development Group, LLC.
- 20190587** **Revised Detailed Plan - Marvelle Townhome Elevation**
- Request by Heatherland Homes for approval of elevations for townhomes on lots 75 - 99 in Marvelle.
- 20190588** **Preliminary Plat - 803 Chestnut Hill Road**
- Request by Duckett Management for approval of the preliminary plat for a four (4) parcel subdivision at 803 Chestnut Hill Road, zoned R-3.
- 20190589** **Revised Detailed Plan - Manget Ph. 3 & 4**
- Request by Traton Homes for approval of revised detached house elevations for the remaining, unbuilt lots in Manget Phases 3 and 4. Traton is also requesting approval of various issues, such as reducing easements, eliminating on-street parking spaces, and constructing retaining walls in Kirby Park.

20190544 Revisions to Section 7-4-2-110, Sanitary Conditions and Procedures

Consideration of proposed changes to Section 7-4-2-110 regarding enforcement of overgrown yards.

Requested by Council member Morris

20190199 New Ethics Code

Review and consideration of new Ethics Code for the City of Marietta.

20190200 Repeal of Current Marietta City Ethics Codes

Motion to repeal Marietta City Code Section 1-14-2-010, et seq. and Marietta City Code Section 1-14-2-200, et seq.

ADJOURNMENT:



City of Marietta

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Joseph R. Goldstein

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Approved and Finalized

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[§708.09 (H)]
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 - o Streets designed to have one end permanently closed shall provide a turnaround having a minimum roadway diameter of 80 feet, right-of-way diameter of 100 feet and a maximum length of 700 feet. [§730.01 (E.)]

This matter already appears on the July 10, 2019 City Council agenda.

Discussed

20180736 Amendment of 9-4-40 to Change Time Period for Payment or Contesting of Parking Violations and to Clarify Procedures for Contesting of Violation and Court Processes.

Modification of the time period allowed for payment or contesting of parking violations from 5 (five) days to 10 (ten) days to allow ample time for receipt by mail before escalated fine assessment imposed. And, to include provisions for contesting parking violation by filing written notice with the Clerk of Court and requirement of appearance in court for contested hearing. Proposed amendment clarifies various court processes.

Recommended for Approval - Non Consent Agenda

20190284 Mobile Retail Food Establishment Ordinance

Discussion of Mobile Retail Food Establishment Ordinance

Recommended for Approval - Non Consent Agenda

20190493 800 MHz Phase 2 Radio Contract

Review and discussion of the proposed 800 MHz phase 2 radio contract with Cobb County.

Referred to the Agenda Work Session

20190610 1101 Powder Springs Street

Motion to approve the award of a bid to Wilson Development Group, LLC.

Referred to the Agenda Work Session**20190587****Townhome Elevations - Marvelle**

Motion to approve the elevations for townhomes on lots 75 - 99 in Marvelle.

Recommended for Approval - Non Consent Agenda**20190588****Preliminary Plat - 803 Chestnut Hill Road**

Motion to approve the request by Duckett Management for approval of the preliminary plat for a four (4) parcel subdivision at 803 Chestnut Hill Road, zoned R-3.

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Request by Traton Homes for approval of revised detached house elevations for the remaining, unbuilt lots in Manget Phases 3 and 4. Traton is also requesting approval of various issues, such as reducing easements, eliminating on-street parking spaces, and constructing retaining walls in Kirby Park.

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Referred to the Agenda Work Session**20190199****New Ethics Code**

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Tabled**20190200****Repeal of Current Marietta City Ethics Codes**

Motion to repeal Marietta City Code Section 1-14-2-010, et seq. and Marietta City Code Section 1-14-2-200, et seq.

Tabled