

1. Agenda

Documents:

[110920AWS.PDF](#)

2. Summary

Documents:

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City of Marietta

205 Lawrence Street
Post Office Box 609
Marietta, Georgia 30061

Meeting Agenda

CITY COUNCIL AGENDA WORK SESSION

R. Steve Tumlin, Mayor
Cheryl Richardson, Ward 1
Grif Chalfant, Ward 2
Johnny Walker, Ward 3
G. A. (Andy) Morris, Ward 4
Reggie Copeland, Ward 5
Michelle Cooper Kelly, Ward 6
Joseph R. Goldstein, Ward 7

Monday, November 9, 2020

5:15 PM

Council Chamber

CALL TO ORDER:

MINUTES:

20200897 **Agenda Work Session - October 12, 2020**

Review and approval of the October 12, 2020 Agenda Work Session minutes.

BUSINESS:

20200923 **BLW Report**

Council Member Andy Morris gives the Board of Lights and Water (BLW) report for the meeting held on Monday, November 8, 2020.

20200872 Detailed Plan - The Dugout

Motion to approve the attached detailed plan for 45 townhomes at 1468 and 1540 Cobb Parkway North with the following stipulations.

1. The homes in the community shall be traditional in nature and consistent with the attached house elevations approved by the City of Marietta, dated 5/8/20. Design features, standards, and requirements incorporated in the homes shall be as follows:

Mixture of materials with material changes taking place on the interior corners or where roof massing accommodates the change of materials.

Window muntins appropriate to the style of the home on all four sides of the residence.

Shutters deemed appropriate by the architecture on front and side elevations (and on the rear elevations where they can be seen from the public streets) of the homes.

Mixture of the materials to continue, as appropriate onto the side and rear elevations.

There shall be a maximum of 20 feet horizontally and vertically between architectural fenestration elements (windows, false shutters, change of material, etc.) per heated floor space. This will eliminate large expanses of a single material without a break and add architectural interest to the elevations.

In the event of a disagreement as to being four-sided architecture, the City Manager of the City of Marietta, GA shall be the final arbiter of the plan meeting the criteria.

2. The townhouses shall be "for sale" only, and no more than five percent (5%) of all the houses townhouses within the residential development shall be allowed to be renter occupied at any time. A recital of this requirement shall be contained within the covenants to ensure enforcement. In addition, the homeowner's association or other governing body is hereby charged with the responsibility of enforcing this regulation on all homeowners and owners of lots and property in the development. The homeowner's association shall enforce this regulation to ensure compliance with city ordinances with both the initial owner of the property as well as all subsequent owners. Failure of the homeowner's association to require and achieve compliance may result in a civil penalty by the City of Marietta against the homeowner's association in the amount of \$500.00.

3. The active amenity for the townhomes will be located in Hamilton Grove per the attached email from J. Kevin Moore dated 10/27/2020.

4. Variance to reduce the open space area from 1.68 acres (25%) to 1.26 acres (14.9%). [§708.09 (H)]

5. Variance to waive the passive amenity feature. [§708.09 (2.i)]

20200873 Detailed Plan - Crescent Circle Townhomes

Request by Bercher Homes for approval of a detailed plan for five (5) townhomes at 224 & 226 Crescent Circle.

20200791 Code Amendment - Special Land Use Permit updates

Motion to authorize staff to advertise a proposed code amendment to update Special Land Use Permit requirements and add drug abuse treatment centers.

20200896 Open Containers Policies

Discussion on Open Containers of alcoholic beverages in the Downtown District.

Councilmember Goldstein discloses that he, members of his family and/or entities owned by him and/or members of his family own property in downtown Marietta. Further, he, members of his family and/or entities owned by him and/or members of his family have business relationships with some of the people/entities supporting the open container district and asking for consideration thereof.

Requested by Council Member Michelle Cooper Kelly & Cheryl Richardson

20200924 Draft City Council Agenda

Review and approval of the Wednesday, November 11, 2020, DRAFT City Council Agenda.

20200925 Executive Session

Executive Session to discuss legal, personnel, and/or real estate matters.

ADJOURNMENT:



City of Marietta

205 Lawrence Street
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Meeting Summary CITY COUNCIL AGENDA WORK SESSION

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Joseph R. Goldstein, Ward 7

Monday, November 9, 2020

5:15 PM

Council Chamber

20200897 Agenda Work Session - October 12, 2020

Review and approval of the October 12, 2020 Agenda Work Session minutes.

Approved and Finalized

20200923 BLW Report

Council Member Andy Morris gives the Board of Lights and Water (BLW) report for the meeting held on Monday, November 8, 2020.

Recommended for Approval - Consent Agenda

20200872 Detailed Plan - The Dugout

Motion to approve the attached detailed plan for 45 townhomes at 1468 and 1540 Cobb Parkway North with the following stipulations.

1. The homes in the community shall be traditional in nature and consistent with the attached house elevations approved by the City of Marietta, dated 5/8/20. Design features, standards, and requirements incorporated in the homes shall be as follows:

- a) Mixture of materials with material changes taking place on the interior corners or where roof massing accommodates the change of materials.
- b) Window muntins appropriate to the style of the home on all four sides of the residence.
- c) Shutters deemed appropriate by the architecture on front and side elevations (and on the rear elevations where they can be seen from the public streets) of the homes.
- d) Mixture of the materials to continue, as appropriate onto the side and rear elevations.

- e) There shall be a maximum of 20 feet horizontally and vertically between architectural fenestration elements (windows, false shutters, change of material, etc.) per heated floor space. This will eliminate large expanses of a single material without a break and add architectural interest to the elevations.
 - f) In the event of a disagreement as to being four-sided architecture, the City Manager of the City of Marietta, GA shall be the final arbiter of the plan meeting the criteria.
2. The townhouses shall be “for sale” only, and no more than five percent (5%) of all the houses townhouses within the residential development shall be allowed to be renter occupied at any time. A recital of this requirement shall be contained within the covenants to ensure enforcement. In addition, the homeowner’s association or other governing body is hereby charged with the responsibility of enforcing this regulation on all homeowners and owners of lots and property in the development. The homeowner’s association shall enforce this regulation to ensure compliance with city ordinances with both the initial owner of the property as well as all subsequent owners. Failure of the homeowner’s association to require and achieve compliance may result in a civil penalty by the City of Marietta against the homeowner’s association in the amount of \$500.00.
3. The active amenity for the townhomes will be located in Hamilton Grove per the attached email from J. Kevin Moore dated 10/27/2020. Details of the final agreement will be provided to City Council with the request to approve the final plat.
4. Variance to waive the passive amenity feature contingent on an executed agreement with Hamilton Grove on the use of the active amenity area. [§708.09 (2.i)]
5. Variance to waive new sidewalks along the Cobb Parkway North frontage. [§732.07]

Recommended for Council Agenda Non Consent

20200873

Detailed Plan - Crescent Circle Townhomes

Request by Bercher Homes for approval of a detailed plan for five (5) townhomes at 224 & 226 Crescent Circle.

Recommended for Council Agenda Non Consent

20200791 Code Amendment - Special Land Use Permit updates

Motion to authorize staff to advertise a proposed code amendment to update Special Land Use Permit requirements and add drug abuse treatment centers.

Recommended for Approval - Consent Agenda

20200896 Open Containers Policies

Motion to approve the Open Container Ordinance for alcoholic beverages in the Downtown District.

First Reading

Council Member Goldstein Abstaining

Recommended for Approval - Consent Agenda

20200924 Draft City Council Agenda

Review and approval of the Wednesday, November 11, 2020, DRAFT City Council Agenda.

-under Minutes: Agenda items 20200899 and 20200900 were added to the consent agenda.

*-under City Attorney: Agenda item 20200934 was added to the consent agenda.
-under Finance/Investment: Agenda item 20200837 should show Council member Goldstein abstaining.*

-under Judicial/Legislative: Agenda item 20200594 was added to the consent agenda.

-under Judicial/Legislative: Agenda item 20200839 was added to the consent agenda and amended to read, "Motion to table the -2021 proposed meeting dates for City Council & Committee Meetings to the next Judicial Legislative Committee Meeting."

-under Public Works: Agenda items 20200859, 20200860, 20200861, 20200862, 20200863, 20200864 and 20200874 were added to the consent agenda.

-under Other Business: Agenda item 20200901 was added to the consent agenda.

Discussed

20200925

Executive Session

Executive Session to discuss legal, personnel, and/or real estate matters.

Held

Following the executive session, the following motion was added to the agenda:

Motion to approve settlement with owner of 601 Powder Springs Street in the amount of \$58,000.00, subject to final approval of all documents by the City Attorney.