



City of Marietta

205 Lawrence Street
Post Office Box 609
Marietta, Georgia 30061

Meeting Minutes PLANNING COMMISSION

Bob Kinney - Chairman
Jay Davis, Ward 1
Frasure Hunter, Ward 2
Hicks Poor, Ward 3
Byron "Tee" Anderson, Ward 4
Brenda McCrae, Ward 5
Stephen Diffley, Ward 7

Tuesday, March 6, 2018

6:00 PM

City Hall Council Chambers

*Present: Bob Kinney, Jay Davis, Frasure Hunter, Hicks Poor, Byron "Tee" Anderson,
Brenda McCrae and Stephen Diffley*

Staff:

Rusty Roth, Director, Development Services
Shelby Little, Planning & Zoning Manager
Jasmine Chatman, Planning & Zoning Administrator
Daniel White, City Attorney
Ines Embler, Secretary to the Board

CALL TO ORDER & ROLL CALL:

Chairman Kinney called the March 6, 2018 Planning Commission Meeting to order at 6:00PM.

Daniel White, City Attorney, explained the rules and procedures used in conducting the public hearings.

MINUTES:

20180227

February 6, 2018 Regular Planning Commission Meeting Minutes

Review and Approval of the February 6, 2018 Regular Planning Commission Meeting Minutes.

Mr. Diffley made a motion, seconded by Mr. Davis, to recommend approval of the Planning Commission Work Session and Planning Commission Meeting Minutes as submitted. The motion carried 7-0-0.

Approved and Finalized

Absent: 0
Vote For: 7
Vote Against: 0

REZONINGS/ANNEXATIONS/CODE AMENDMENTS:

20180028 Z2018-05 [REZONING] BLACK BUILDERS LLC (TRATON HOMES LLC)

Z2018-05 [REZONING] BLACK BUILDERS LLC (TRATON HOMES LLC) is requesting the rezoning of 9.55 acres located in Land Lots 922 & 923, District 16, Parcels 0030, 0080, 0100, 0140, 0160 & 0300, 2nd Section, Marietta, Cobb County, Georgia, and being known as **1214, 1244, 1250 Allgood Road; 1052 & 1062 Lawanna Drive; and 1355 Lincoya Drive** from R-2 (Single Family Residential - 2 units/acre), R-4 (Single Family Residential - 4 units/acre), and R-20 (Single Family Residential - County) to PRD-SF (Planned Residential Development - Single Family) in the City. Ward 6B.

File number Z2018-05 was presented by Ms. Little for a request to rezone property known as 1214, 1244, 1250 Allgood Road; 1052 & 1062 Lawanna Drive; and 1355 Lincoya Drive from R-2 (Single Family Residential - 2 units/acre), R-4 (Single Family Residential - 4 units/acre), and R-20 (Single Family Residential - County) to PRD-SF (Planned Residential Development - Single Family) in the City.

A public hearing was held.

Mr. Kevin Moore, Esq., for the applicant, is requesting to rezone property known as 1214, 1244, 1250 Allgood Road; 1052 & 1062 Lawanna Drive; and 1355 Lincoya Drive from R-2 (Single Family Residential - 2 units/acre), R-4 (Single Family Residential - 4 units/acre), and R-20 (Single Family Residential - County) to PRD-SF (Planned Residential Development - Single Family) in the City.

There was one (1) in opposition to this request. Mr. Glen Drake Opposed.

Mr. Glen Drake opposed stating that he resides at 1268 Allgood Road, the corner house by Lawanna Dr. and Allgood Rd. He said that he is a reasonable person and doesn't know why nobody spoke with him about this case and he is concerned that this development will adversely affect his property values.

Mr. Moore stated in his rebuttal that in actuality, the type of development being planned will actually improve property values in the area. He said he will get Mr. Drake's number and arrange a meeting promptly.

Mr. Diffley asked what he plans to do about the fence opening at the end of Lawanna Drive that is being used as a driveway. Mr. Moore said that if it is on public right of way, the owner of the fence opening has a right to access it and that if it is on City property, they will follow the City's right of way codes.

Mr. Anderson asked for clarification that the new stipulation letter states that the number of units is now sixty (60) and Mr. Moore affirmed, stating there was a reduction on a net basis.

Ms. McCrae asked why the first house on the right has two front doors. Mr. Moore explained that the house is being used as a model/sales home and that once the project is completed they will convert it back to a garage.

Chairman Kinney asked how they plan to address the creek and wetlands in the area; who will maintain the strip that belongs to Cobb County and if there will be any fencing along Allgood Road. Mr. Moore said they have met with City Officials in Engineering and Storm Water Engineering and have resolved any concerns pertaining to the creek and wetlands. He said the strip will end up being part of the open space maintained by the Home Owner's Association; it is just a line on a map and not actually separated. He said they have not made the marketing decision whether or not to have fencing along Allgood Rd at this time.

Chairman Kinney asked why they've chosen to have private streets instead of allowing the City to maintain them. Mr. Moore explained that the City's requirements as it relates to ultimate widths of the right of way would chew up that entire side of the property.

Chairman Kinney stated that after speaking with his Council Person, Ms. Cooper Kelly, the general sense is that sixty (60) units is too many and asked if he can reduce the number of units to possibly fifty (50). Mr. Moore said they can look at further reductions, but they cannot reduce it to fifty (50), the project will not work.

Ms. McCrae asked how much the units will be selling for and how many parking spaces are allocated. Mr. Moore stated that they will start in the mid \$300's and go up from there. He said his understanding is that the City's standard is 12-13 parking spaces and they are proposing 16 spaces.

Chairman Kinney asked about parking along Lawanna Drive. Mr. Moore said that it is a public street so to the extent you would be allowed by Fire and Public Works; somebody could certainly use it to parallel park like you do throughout the city.

Mr. Diffley asked which houses at the end of Lawanna Drive will remain in Cobb County. Mr. Moore said there are four (4) lots coming down Lawanna Drive and two (2) will remain in Cobb County.

The public hearing was closed.

Mr. Anderson made a motion, seconded by Mr. Hunter, to recommend approval as stipulated. The motion carried 6-1-0. Mr. Diffley opposed.

The following stipulations are incorporated as conditions of zoning:

- Letter of stipulations from Moore, Ingram, Johnson & Steele, to Shelby Little, Planning & Zoning Manager, for the City of Marietta, dated March 5, 2018.*

Recommended for Approval as Stipulated

Absent: 0
Vote For: 6
Vote Against: 1

20180220

A2018-02 [ANNEXATION] BLACK BUILDERS LLC (TRATON HOMES LLC)

A2018-02 [ANNEXATION] BLACK BUILDERS LLC (TRATON HOMES LLC) is requesting the annexation of property located in Land Lot 923, District 16, Parcels 0140 & 0160 (also known as **1052 & 1062 Lawanna Drive**) and all required right of way, of the 2nd Section, Cobb County, Georgia consisting of 1.19 acres. Ward 6B.

File number A2018-02 was presented by Ms. Little for a request to annex property known as 1052 & 1062 Lawanna Drive and all required right of way from R-20 (Single Family Residential - County) to PRD-SF (Planned Residential Development - Single Family) in the City of Marietta.

A public hearing was held.

Mr. Kevin Moore, Esq., for the applicant is requesting to annex property known as 1052 & 1062 Lawanna Drive from R-20 (Single Family Residential - County) to PRD-SF (Planned Residential Development - Single Family) in the City of Marietta.

There was no opposition to this request.

Chairman Kinney asked Mr. Moore if he is incorporating his previous remarks to this request and he affirmed.

There were no questions from the board members.

The public hearing was closed.

Mr. Poor made a motion, seconded by Mr. Anderson to recommend approval as submitted. The motion carried 7-0-0.

Recommended for Approval

Absent: 0
Vote For: 7
Vote Against: 0

20180221

CA2018-02 [CODE AMENDMENT]

CA2018-02 [CODE AMENDMENT] In conjunction with the requested annexation of property in Land Lot 923, District 16, Parcels 0140 & 0160, 2nd Section, Marietta, Cobb County, Georgia, and being known as **1052 & 1062 Lawanna Drive**, the City of Marietta proposes to designate the Future Land Use of said property as MDR (Medium Density Residential). Ward 6B.

File number CA2018-02 was presented by Ms. Little for a Code Amendment in conjunction with the requested annexation of property located in Land Lot 923, District 16, Parcels 0140 & 0160, 2nd Section, Marietta, Cobb County, Georgia, and being known as 1052 & 1062 Lawanna Drive, the City of Marietta proposes to designate the Future Land Use of said property as MDR (Medium Density Residential).

A public hearing was held.

There was no opposition to this request.

Chairman Kinney asked Mr. Moore if he is incorporating his previous remarks to this request and he affirmed.

There were no questions from the board members.

The public hearing was closed.

Mr. Poor made a motion, seconded by Mr. Hunter to recommend approval as submitted. The motion carried 7-0-0.

Recommended for Approval

Absent: 0

Vote For: 7

Vote Against: 0

20180045

Z2018-11 [REZONING] COMPASS RESIDENTIAL LLC

Z2018-11 [REZONING] COMPASS RESIDENTIAL LLC is requesting the rezoning of 0.22 acres located in Land Lot 1144, District 16, Parcel 1440, 2nd Section, Marietta, Cobb County, Georgia, and being known as **390 Wellons Street** from NRC (Neighborhood Retail Commercial) to R-4 (Single Family Residential - 4 units/acre). Ward 5A.

File number Z2018-11 was presented by Ms. Little for a request to rezone property known as 390 Wellons Street from NRC (Neighborhood Retail Commercial) to R-4 (Single Family Residential - 4 units/acre).

A public hearing was held.

Mr. Bruno Cluzel is requesting to rezone property as 390 Wellons Street from NRC (Neighborhood Retail Commercial) to R-4 (Single Family Residential - 4 units/acre).

There was no opposition to this request.

Mr. Diffley asked if the accessory structure is a garage. Mr. Cluzel said it was a two car garage.

Chairman Kinney asked if he plans on removing the sycamore tree in the front of the house and Mr. Cluzel said he has no plans to remove the tree.

Chairman Kinney asked if he has a buyer and what the square footage of the house is. Mr. Cluzel said he has possible buyer, but he won't purchase under the current zoning and that the house is about 900 square feet.

The public hearing was closed.

Mr. Diffley made a motion, seconded by Mr. Davis, to recommend approval as submitted. The motion carried 7-0-0.

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

1. Variance to reduce the major side yard setback from 25 feet to 19 feet. [§708.04 (H)]
2. Variance to allow the accessory structure to be located closer to the right-of-way than the principal structure. [§708.04 (F.1)]

Recommended for Approval

Absent: 0
Vote For: 7
Vote Against: 0

20180117

Z2018-12 [REZONING] SESSIONS STREET PARTNERS LLC (EDJ HOMES, LLC)

Z2018-12 [REZONING] SESSIONS STREET PARTNERS LLC (EDJ HOMES, LLC) is requesting the rezoning of 0.34 acres located in Land Lot 1147, District 16, Parcel 0400, 2nd Section, Marietta, Cobb County, Georgia, and being known as **367 Campbell Hill Street** from NRC (Neighborhood Retail Commercial) to R-4 (Single Family Residential - 4 units/acre). Ward 4B.

File number Z2018-12 was presented by Ms. Little for a request to rezone property known as 367 Campbell Hill Street from NRC (Neighborhood Retail Commercial) to R-4 (Single Family Residential - 4 units/acre). A public hearing was held.

Mr. Charlie Tills, for the Applicant, is requesting to rezone property as 367 Campbell Hill Street from NRC (Neighborhood Retail Commercial) to R-4 (Single Family Residential - 4 units/acre).

There was no opposition to this request.

Chairman Kinney asked how long will it take to complete the renovations once they get started and if they have any buyers? Mr. Tills said it will take approximately 6-8 weeks and

that there is a lot of activity and interest in the property.

Mr. Diffley asked what the square footage will be once completed. Mr. Tills said it will be approximately 2100 square feet.

The public hearing was closed.

Mr. Diffley made a motion, seconded by Mr. Hunter, to recommend approval as submitted. The motion carried 7-0-0.

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

- 1. Variance to reduce the side yard setback along the northern side of the existing structure from 10' to 0.9.' [§708.04 (H)]*
- 2. Variance to reduce the minimum lot width from 75' to 56.' [§708.04 (H)]*

Recommended for Approval

Absent: 0
Vote For: 7
Vote Against: 0

ADJOURNMENT:

The March 6, 2018 Planning Commission Meeting adjourned at 6:56PM

ROBERT W. KINNEY, CHAIRMAN

INES EMBLER, SECRETARY