



# 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, May 1, 2018

6:00 PM

City Hall Council Chambers

---

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

*Absent: Byron "Tee" Anderson*

*Staff:*

*Rusty Roth, Director, Development Services*

*Shelby Little, Planning & Zoning Manager*

*Robin Osindele, Urban Planner*

*Daniel White, City Attorney*

*Ines Emblar, Secretary to the Board*

### CALL TO ORDER & ROLL CALL:

*Chairman Kinney called the April 3, 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:

**20180457**

**April 3, 2018 Regular Planning Commission Meeting Minutes**

**Review and Approval of the April 3, 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 6-0-0. Mr. Anderson was absent.*

**Approved and Finalized**

**Absent: 1**  
**Vote For: 6**  
**Vote Against: 0**

**REZONINGS:****20180359      Z2018-16 [REZONING] GLOBAL US PROPERTIES INC**

**Z2018-16 [REZONING] GLOBAL US PROPERTIES INC is requesting the rezoning of 1.3 acres located in Land Lot 1170, District 16, Parcel 1130, 2nd Section, Marietta, Cobb County, Georgia, and being known as 1686 Roswell Road from CRC (Community Retail Commercial) to OI (Office Institutional). Ward 7A.**

*File number Z2018-16 was presented by Ms. Little for a request to rezone property known as 1686 Roswell Road from CRC (Community Retail Commercial) to OI (Office Institutional).*

*A public hearing was held.*

*Mr. Win Zell, for the Applicant is requesting to rezone property known as 1686 Roswell Road from CRC (Community Retail Commercial) to OI (Office Institutional). Mrs. Mandana Rezaei-Amiri was also present.*

*There were three (3) in opposition to this request. Mr. Timothy Simon, Mrs. Debbie DeVaney and Mr. Robin DeVaney opposed.*

*Mr. Simon expressed concern because he claims the applicant previously disturbed the land and it has caused damage to his landscape. He said he no longer has grass and the roots of his plants are showing. He would like to know exactly how much more of the property they plan to disturb. Mr. and Mrs. DeVaney also opposed and spoke in support of Mr. Simon's statements.*

*Mr. Zell stated in his rebuttal that he was not aware of any previous issues or concerns with any neighbor. Mrs. Mandana Rezaei-Amiri approached the podium and stated as well that she was not aware of any misunderstandings or friction with neighbors.*

*Chairman Kinney asked if they plan on doing any landscaping in the back. Mrs. Mandana Rezaei-Amiri said they will not be doing any extra digging. Mr. Zell said the conceptual plan shows a patio with pavers rather than landscaping. He said the pavers will allow water to drain through.*

*Chairman Kinney suggested they speak with Mr. Simon about his issue and find a resolution and Mr. Zell and Mrs. Mandana Rezaei-Amiri both said they would. Mr. Zell said that he believes Mr. Simon's property is a pretty good distance from the back of their property.*

*Mr. Davis asked about the patio with pavers and said that it appears that it is not near Mr. Simon's house. Mr. Zell affirmed and said it is literally on a part of the driveway parking for the back, towards the side of the building.*

*Mr. Diffley asked if food service would be handled onsite or offsite; how many meals per day and where the meals would be served. Mr. Zell said the food preparation would be onsite; three meals per day and served in the basement for now. They will eventually have a dining area in the same floor as the residents.*

*Mr. Diffley asked if any of the residents could be bed ridden. Mr. Zell said that the facility is only for independent care people.*

*Chairman Kinney and Mr. Diffley asked where the laundry would be handled and located. Mrs. Mandana Rezaei-Amiri said the laundry and all utility things would be in house and located in the basement.*

*Chairman Kinney expressed concern over the parking lot, stating it is in poor condition. Mr. Zell said the parking lot is in good condition. Mrs. Mandana Rezaei-Amiri said there is a small area that was damaged by the dumpster when it was delivered and that they will fix it.*

*Chairman Kinney asked about the fire protection that's currently in the building and if the walls between the units are fire walls. He expressed concern over the hedges limiting access to the Fire Department and suggested they do something with the hedges to allow for emergency access. Mr. Zell said they plan on adding fire sprinklers to the whole building and that the walls are drywall and have one (1) hour fire proof.*

*Ms. McCrae asked if all the units have bathrooms. Mr. Zell said all the units are equipped with bathrooms.*

*Ms. McCrae and Chairman Kinney asked if there is controlled access to the senior living floor. Mrs. Mandana Rezaei-Amiri said that it is separated by a glass partition and it will be monitored by the in-house caregiver. Mr. Zell said there will be some type of buzzer system and surveillance cameras to the second floor.*

*The public hearing was closed.*

*Mr. Diffley made a motion, seconded by Mr. Davis, to recommend approval as submitted. The motion carried 6-0-0.*

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

- *Variance to reduce the side and rear yard setback along the northeastern side of the existing building only. [§708.23 H.]*
- *Variance to reduce the thirty (30) foot buffer on the northeastern side to twenty-five (25) feet for the existing curb line. [§708.23 I.]*

#### **Recommended for Approval as Stipulated**

**Absent: 1**  
**Vote For: 6**  
**Vote Against: 0**

**ADJOURNMENT:**

*The May 1, 2018 Planning Commission Meeting adjourned at 6:30PM*

\_\_\_\_\_  
*ROBERT W. KINNEY, CHAIRMAN*

\_\_\_\_\_  
*INES EMBLER, SECRETARY*