



City of Marietta

205 Lawrence Street
Post Office Box 609
Marietta, Georgia 30061

Meeting Minutes JUDICIAL LEGISLATIVE COMMITTEE

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

Tuesday, June 25, 2019

Council Chamber

Presiding: Andy Morris

Present: Cheryl Richardson and Joseph R. Goldstein

Also Present:

R. Steve Tumlin, Mayor

Grif Chalfant, Council - Ward 2

Johnny Walker, Council - Ward 3

Reggie Copeland, Council - Ward 5

Michelle Cooper Kelly, Council - Ward 6

Bill Bruton, City Manager

Doug Haynie, City Attorney

Stephanie Guy, City Clerk

CALL TO ORDER:

Chairman Morris called the meeting to order at 6:00 p.m.

MINUTES:

20190556 Regular Meeting - May 28, 2019

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

A motion was made by Council member Richardson, seconded by Council member Goldstein, that this matter be Approved. The motion carried by the following vote:

Vote: 3 – 0 – 0

Approved

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. Difley 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.)]*

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.

The motion was made by Council member Richardson, seconded by Council member Morris, that this matter be Recommended for Approval - Non Consent Agenda. The motion carried by the following vote:

Vote: 3 – 0 – 0 Recommended for Approval - Non Consent Agenda

20190284

Mobile Retail Food Establishment Ordinance

Discussion of Mobile Retail Food Establishment Ordinance.

Motion to authorize staff to advertise changes to Division 708, District Standards and Permitted Uses, and Division 724.02, Division of Terms, regarding Mobile Retail Food Establishments.

The motion was made by Council member Richardson, seconded by Council member Morris, that this matter be Recommended for Approval - Non Consent Agenda. The motion carried by the following vote:

Vote: 2 – 1 – 0 Recommended for Approval - Non Consent Agenda
Voting Against: Joseph R. Goldstein

20190493

800 MHz Phase 2 Radio Contract

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

Motion to approve the proposed 800 MHz phase 2 radio contract with Cobb County.

The motion was made by Council member Richardson, seconded by Council member Goldstein, that this matter be Referred to the Agenda Work Session. The motion carried by the following vote:

Vote: 3 – 0 – 0 Referred to the Agenda Work Session

20190610

1101 Powder Springs Street

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

The motion was made by Council member Richardson, seconded by Council member Goldstein, that this matter be Referred to the Agenda Work Session. The motion carried by the following vote:

Vote: 3 – 0 – 0 Referred to the Agenda Work Session

20190587 Revised Detailed Plan - Marvelle Townhome Elevation

Request by Heatherland Homes for approval of elevations for townhomes on lots 75 - 99 in Marvelle.

Motion to approve the elevations for townhomes on units 75 through 99 in Marvelle.

The motion was made by Council member Richardson, seconded by Council member Goldstein, that this matter be Recommended for Approval - Non Consent Agenda. The motion carried by the following vote:

Vote: 3 – 0 – 0 Recommended for Approval - Non Consent Agenda

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.

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.

The motion was made by Council member Richardson, seconded by Council member Goldstein, that this matter be Recommended for Approval - Non Consent Agenda. The motion carried by the following vote:

Vote: 3 – 0 – 0 Recommended for Approval - Non Consent Agenda

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.

The motion was made by Council member Richardson, seconded by Council member Goldstein, that this matter be Recommended for Approval - Non Consent Agenda. The motion carried by the following vote:

Vote: 3 – 0 – 0 Recommended for Approval - Non Consent Agenda

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.

