



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
Boozer McClure, Ward 3
Byron "Tee" Anderson, Ward 4
Brenda McCrae, Ward 5
Stephen Diffley, Ward 7

Tuesday, October 1, 2019

6:00 PM

City Hall Council Chambers

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

Staff:

Rusty Roth, Director, Development Services
Shelby Little, Planning & Zoning Manager
Robin Osindele, Urban Planner
Daniel White, City Attorney
Ines Embler, Secretary to the Board

CALL TO ORDER & ROLL CALL:

Chairman Kinney called the October 1, 2019 Planning Commission Meeting to order at 6:00PM.

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

MINUTES:

20190845

September 3, 2019 Regular Planning Commission Meeting Minutes

Review and Approval of the September 3, 2019 Regular Planning Commission Meeting Minutes.

Mr. Diffley made a motion, seconded by Mr. McClure, 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:

20190786

Z2019-31 [REZONING] MPC REAL ESTATE HOLDINGS, LLC (ANNE G. CHAVANNE)

Z2019-31 [REZONING] MPC REAL ESTATE HOLDINGS, LLC (ANNE G. CHAVANNE) is requesting the rezoning of 0.32 acres located in Land Lot 1215, District 16, Parcel 0970 of the 2nd Section, Cobb County, Georgia, and being known as 586 Fort Street from CRC (Community Retail Commercial) to OI (Office Institutional). Ward 5A.

A public hearing was held.

Mr. Jeff Nagee, for the Applicant, is requesting to rezone property known as 586 Fort Street from CRC (Community Retail Commercial) to OI (Office Institutional).

There was no opposition to this request.

Chairman Kinney asked if they understood the difference in regulations between a six-bed facility and a twelve-bed facility. He asked if the building is currently sprinklered and if not, are they aware of the costs involved to put in sprinklers. Mr. Nagee said they are aware of all the regulations; the building is not currently sprinklered and they are aware of the cost.

Mr. McClure asked what there renovating budget was. Mr. Nagee said it's currently \$150,000.

Mr. Diffley said a reduction in lot size to 13,000 is pretty hefty and asked if they are aware of that. Mr. Nagee said he understood and that they are aware. He added that they are also aware of parking requirements.

The public hearing was closed.

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

If Council approves the rezoning, the following stipulations and variance would be incorporated as conditions of zoning:

Stipulation:

- 1. Correction made to Variance #2 lot size is 13,000 sq. ft., not 18,000 sq. ft.*
- 2. Applicant is aware that sprinklers will be required.*

Variances:

- 1. Variance to increase the maximum allowable beds from six (6) to twelve (12) for a personal care home. [§708.23 (B.19.b)]*
- 2. Variance to reduce the minimum lot size from 20,000 sq. ft. to approximately 13,000 sq. ft. [§708.23 H]*
- 3. Variance to allow the encroachment of the existing structure into the front and side yard setbacks. [§708.23 H]*
- 4. Variance to waive the requirements for the Commercial Corridor Design Overlay – Tier B. [§712.09 (G)]*

Recommended for Approval as Stipulated

Absent: 0
Vote For: 7
Vote Against: 0

20190789

Z2019-32 [REZONING] WHITE CASTLE CONSULTING, LLC

Z2019-32 [REZONING] WHITE CASTLE CONSULTING, LLC is requesting the rezoning of 1.975 acres located in Land Lot 8, District 17, Parcel 0040 of the 2nd Section, Cobb County, Georgia, and being known as 1435 Cunningham Road from RA-8 (Single Family Residential - Attached) to RA-8 (Single Family Residential - Attached). Ward 2B.

Mr. Adam Rozen, Esq., for the Applicant requested to table this request to the November meetings.

Mr. Diffley made a motion, seconded by Mr. Hunter, to table this request to the November meetings. The motion carried 7-0-0.

Tabled

**Absent: 0
Vote For: 7
Vote Against: 0**

OTHER BUSINESS:

20190846

2020 Planning Commission Calendar of Meeting Dates

Review and Approval of the 2020 Planning Commission Calendar.

Mr. Anderson made a motion, seconded by Mr. McClure, to recommend approval of the 2020 Planning Commission Calendar with the change to the November 3rd meeting date to November 4th. The motion carried 7-0-0.

Approved and Finalized

**Absent: 0
Vote For: 7
Vote Against: 0**

ADJOURNMENT:

The October 1, 2019 Planning Commission Meeting adjourned at 6:14PM.

ROBERT W. KINNEY, CHAIRMAN

INES EMBLER, SECRETARY