



City of Marietta

205 Lawrence Street
Post Office Box 609
Marietta, Georgia 30061

Meeting Minutes PLANNING COMMISSION

Bob Kinney - Chairman
Stephen Diffley - Vice Chairman
Craig Smith, Ward 1
Frasure Hunter, Ward 2
Boozer McClure, Ward 3
Byron "Tee" Anderson, Ward 4
Brenda McCrae, Ward 5

Tuesday, July 5, 2022

6:00 PM

City Hall Council Chambers

Present: Chairman Kinney, Vice Chair Diffley, Craig Smith, Frasure Hunter, Boozer McClure, Byron 'Tee' Anderson, Brenda McCrae

*Staff: Rusty Roth, Director of Development Services;
Shelby Little, Planning & Zoning Manager;
Doug Haynie, City Attorney;
Sarah Ciccone, Planning and Zoning Administrator;
Lisa Rajabnik, Planning and Zoning Coordinator*

CALL TO ORDER & ROLL CALL:

Chairman Kinney called the July 5, 2022, Planning Commission Meeting to order at 6:00PM.

Doug Haynie, City Attorney, explained the rules and procedures used in conducting public hearings.

MINUTES:

20220607

PLANNING COMMISSION MEETING MINUTES.

Approval of the May 31, 2022 Planning Commission Work Session and Regular Meeting Minutes.

Mr. Diffley made a motion, seconded by Mr. Hunter, to approve the Planning

Commission Work Session and Regular Meeting Minutes as written. The motion carried 7-0-0.

Approved and Finalized

Absent: 0

Vote For: 7

REZONINGS:

20220386 Z2022-14 [REZONING] SILVIO S. GOMES

Z2022-14 [REZONING] SILVIO S. GOMES is requesting the rezoning of 0.25 acres located in Land Lot 1242, District 16, Parcel 0870 of the 2nd Section, Cobb County, Georgia, and being known as 126 Hamby Road from CRC (Community Retail Commercial) to R-4 (Single Family Residential - 4 units/acre). Ward 7A.

File number V2022-14 was presented by Ms. Little.

A public hearing was held.

Mr. Gomes (owner/applicant) presented the request.

There was no opposition or support for the request.

The Board asked questions as to the placement of the garage and driveway access.

Mr. Gomes explained that the topography of the lot, in his opinion, would accommodate a drive under garage with access from Hamby Road.

The Board asked about the overall height of the intended structure with the drive under garage and Mr. Gomes indicated a 3-story structure but within City height restrictions.

The public hearing was closed.

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

Recommended for Approval.

Absent: 0

Vote For: 7

20220543 Z2022-16 [REZONING] ANDREW & LISA BUTLER

Z2022-16 [REZONING] ANDREW & LISA BUTLER are requesting the rezoning of 0.449 acres located in Land Lot 1157, District 16, Parcel 0620 of the 2nd Section, Cobb County, Georgia, and being known as 194 Polk Street from R-4 (Single Family Residential - 4 units/acre) to R-4 (Single Family Residential - 4 units/acre) with a variance to increase the density to 4.5 units/acre. Ward 3A.

File number Z2022-16 was presented by Ms. Little.

A public hearing was held.

Mr. Andrew Butler (owner/applicant) presented the request.

There was no opposition to the request.

The Board members questioned Mr. Butler on various details of the proposed project. Mr. Butlers answers were satisfactory to the Board.

The public hearing was closed.

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

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

For the existing property at 194 Polk Street (built in 1940, to bring it up to code):

- Variance to decrease major side yard setback from 25 ft. to 23 ft. [§708.04 (H)]*
- Variance to decrease minimum lot width from 75 ft. to 70 ft. [§708.04 (H)]*

For the new (yet unaddressed lot):

- Variance to decrease minimum lot width from 75 ft. to 70 ft. [§708.04 (H)]*

Recommended for Approval as Stipulated

Absent: 0

Vote For: 7

20220553

Z2022-17 [REZONING] HENNESSY AUTOMOBILE COMPANIES, INC.

Z2022-17 [REZONING] HENNESSY AUTOMOBILE COMPANIES, INC., is requesting the rezoning of 13.25 acres located in Land Lots 804 & 852, District 17, Parcels 0180 & 0140 of the 2nd Section, Cobb County, Georgia, and being known as 2000 South Park Place and 2501 Windy Hill Road from OMR

(Office Mid-Rise) in Cobb County and OI (Office Institutional) in the City to CRC (Community Retail Commercial) in the City of Marietta. Ward 7A.

File Number Z2022-17 was presented by Ms. Little.

A public hearing was held.

Mr. Garvis Sams represented the request to the Board and asked that all comments be considered applicable to the Annexation and FLU requests as well.

There was no opposition to the request.

The Board Members asked questions pertaining to Wellstar and their position on the proposed project. Mr. Sams explained that Wellstar was in support of the proposal. The Board asked about plans for retaining established landscaping. Mr. Sams responded that the landscaping and aesthetic of the development would comply with City requirements.

Mr. Sams also responded to comments by the Board regarding the materials proposed for the exterior of the building stating that architectural details would be addressed to comply with City requirements.

The public hearing was closed.

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

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

- 1) Letter from Garvis L. Sams, Jr. of Sams, Larkin & Huff, LLP to Russell J. Roth, Director of Development Services for the City of Marietta, dated June 24th, 2022.*
- 2) Letter from Garvis L. Sams, Jr. of Sams, Larkin & Huff, LLP to Russell J. Roth, Director of Development Services for the City of Marietta, dated June 29th, 2022.*

Recommended for Approval as Stipulated.

Absent: 0

Vote For: 7

20220554

A2022-03 [ANNEXATION] HENNESSY AUTOMOBILE COMPANIES, INC.

A2022-03 [ANNEXATION] HENNESSY AUTOMOBILE COMPANIES, INC., is requesting the annexation of property located in Land Lots 804 & 852, District 17, Parcel 0180 of the 2nd Section, Cobb County, Georgia and being known as 2000 South Park Place, consisting of approximately 10.4 acres, and all applicable right-of-way. Ward 7A.

File Number A2022-03 was presented by Ms. Little.

A public hearing was held.

Mr. Sams requested that all previous comments be considered for the application.

There was no opposition to the request.

With no further comments or questions from the Board, the public hearing was closed.

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

Recommended for Approval

Absent: 0

Vote For: 7

20220555

CA2022-08 [CODE AMMENDMENT] HENNESSY AUTOMOBILE COMPANIES, INC.

CA2022-08 [CODE AMMENDMENT] HENNESSY AUTOMOBILE COMPANIES, INC. In conjunction with the requested annexation of property located in located in Land Lots 804 & 852, District 17, Parcel 0180 of the 2nd Section, Cobb County, Georgia and being known as 2000 South Park Place, the City of Marietta proposes to designate the Future Land Use of said property as CAC (Community Activity Center). Ward 7A.

File Number CA2022-08 was presented by Ms. Little.

A public hearing was held.

Mr. Sams requested that all previous comments be considered for the application.

There was no opposition to the request.

With no further comments or questions from the Board, 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.

Recommended for Approval

Absent: 0

Vote For: 7

20220561 Z2022-18 [REZONING] ANTHONY K. CECIL II & JAMES C. CAMPBELL

Z2022-18 [REZONING] ANTHONY K. CECIL II & JAMES C. CAMPBELL are requesting the rezoning of 0.29 acres located in Land Lot 1159, District 16, Parcel 0270 of the 2nd Section, Cobb County, Georgia, and being known as 192 Church Street from R-4(Single Family Residential - 4 units/acre) to CBD (Central Business District). Ward 3A.

File Number Z2022-18 was presented by Ms. Little.

A public hearing was held.

Mr. Chris Campbell (applicant) presented the request.

There was no opposition.

The Board Members and Mr. Butler discussed the proposed plans.

The public hearing was closed.

Mr. McClure 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

20220312 CA2022-05 [CODE AMENDMENT] PROPOSAL TO AMEND THE COMPREHENSIVE DEVELOPMENT CODE

CA2022-05 [CODE AMENDMENT] Proposal to amend the Comprehensive Development Code of the City of Marietta, Division 712.09 Commercial Corridor Design Overlay District.

File Number CA2022-05 was presented by Ms. Little.

A public hearing was held.

There was no opposition.

Ms. Little explained the staff-initiated code amendment request to address errors, inconsistencies, and prohibit auto oriented business within Tier A.

The public hearing was closed.

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

Recommended for Approval

Absent: 0

Vote For: 7

20220313 CA2022-06 [CODE AMENDMENT] PROPOSAL TO AMEND COMPREHENSIVE DEVELOPMENT CODE.

CA2022-06 [CODE AMENDMENT] Proposal to amend the Comprehensive Development Code of the City of Marietta, Division 708.15, Neighborhood Retail Commercial; Division 708.16, Community Retail Commercial; Division 708.17, Regional Retail Commercial; and Division 708.18, Central Business District regarding automobile sales, repairs, and other permitted uses.

File Number CA2022-06 was presented by Ms. Little.

A public hearing was held.

There was no opposition.

Ms. Little explained the staff-initiated code amendment request, in conjunction with request CA2022-05, to prohibit auto oriented business within Tier A and to increase the acreage requirement for such business from 1 acre to 2 acres within the city.

The public hearing was closed.

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

Recommended for Approval

20220557 CA2022-07 [CODE AMENDMENT] 2022 COMPREHENSIVE PLAN

UPDATE**CA2022-07 [CODE AMENDMENT] 2022 COMPREHENSIVE PLAN UPDATE**

Proposal to amend and update the Comprehensive Plan of the City of Marietta for 2022.

File Number CA2022-07 was introduced by Ms. Little.

Mr. Cummings presented and outlined the proposed amendment and update to the Comprehensive Plan for 2022 for the review and consideration of the Board.

The Board and Mr. Cummings discussed the details of the proposed amendment.

Reviewed**OTHER BUSINESS:****20220592****Planning Commission - Election of Chairman**

Election of Chairman to serve for one year from August 2022 to July 2023.

Doug Haynie, City Attorney, opened the floor for nominations for the position of Chairman for the term of one year to July 2023.

Mr. Diffley nominated Mr. Kinney for election as Chairman. Hearing no other nominations, the nominations were closed.

Mr. Diffley made a motion to elect Mr. Kinney, seconded by Mr. Smith. The motion carried 6-0-1. Mr. Kinney abstained.

Approved and Finalized

Absent: 0

Vote For: 6

Abstain: 1

20220593**Planning Commission - Election of Vice Chairman**

Election of Vice Chairman to serve for one year from August 2022 to July 2023.

Doug Haynie, City Attorney, opened the floor for nominations for the position of Vice Chairman for the term of one year to July 2023.

Mr. Kinney nominated Mr. Diffley for election as Vice Chairman. Hearing no other nominations, the nominations were closed.

Mr. Kinney made a motion to elect Mr. Diffley, seconded by Mr. Hunter. The motion carried 6-0-1. Mr. Diffley abstained.

Approved and Finalized

Absent: 0

Vote For: 6

Abstain: 1

ADJOURNMENT:

The July 5, 2022, Planning Commission Meeting adjourned at 7:06PM.

ROBERT W. KINNEY, CHAIRMAN

LISA RAJABNIK, SECRETARY