



# 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, August 1, 2023

6:00 PM

City Hall Council Chambers

*Present: Robert Kinney, Stephen Diffley, Frasure Hunter, Boozer McClure, Brenda McCrae, Byron 'Tee' Anderson*

*Absent: Craig Smith*

*Staff: Rusty Roth, Director of Development Services; Shelby Little, Planning & Zoning Manager; Daniel White, City Attorney; Lisa Rajabnik, Planning & Zoning Coordinator.*

#### CALL TO ORDER & ROLL CALL:

*Chairman Kinney called the Tuesday, August 1st, 2023, Planning Commission meeting to order at 6:00PM.*

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

#### MINUTES:

##### 20230635 July 5, 2023 Planning Commission Meeting Minutes

Approval of the Wednesday, July 5, 2023, Planning Commission Work Session, and Regular Meeting Minutes.

*Mr. Diffley made a motion, seconded by Mr. Hunter, to approve the July 5th, 2023, Planning Commission Work Session, and Meeting Minutes. The motion carried 5-0-1. Ms. McCrae abstained.*

#### Approved and Finalized

**Absent:** 1  
**Vote For:** 5  
**Abstain:** 1

**REZONINGS:**

**20230228            Z2023-06 [REZONING] WESTPLAN INVESTORS (MARIETTA CROSSING, LLC)**

**Z2023-06 [REZONING] WESTPLAN INVESTORS (MARIETTA CROSSING, LLC)** are requesting the rezoning of 19.25 acres located in Land Lots 1239 & 1240, 1281, & 1282 District 16, Parcels 0270, 0060, and 1310 of the 2nd Section, Cobb County, Georgia, and being known as 50 Powers Ferry Road; 2301 & 2315 Wylie Drive from MXD (Mixed Use Development) to MXD (Mixed Use Development). Ward 7A.

*Ms. Little introduced case Z2023-06.*

*A public hearing was held in consideration.*

*Mr. Parks Huff (Sams, Larkin & Huff, LLC.), presented the request on behalf of the applicant Westplan Investors, LLC.*

*There was no opposition to or support for the request.*

*The Commission members asked about billboards located on the property. Mr. Huff stated the billboards were leased. Ms. Little explained that billboards located on any site planned for redevelopment are required to be compliant or removed. As the application made no reference to the billboards staff noted in the Staff Analysis that approved variances would be required if the owners planned to leave any billboard as is.*

*The members asked about demographics and cost of the proposed residences. Mr. Huff responded by saying the properties would be marketed to a diverse cross section and be offered at market rates.*

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

*Mr. Diffley made a motion, seconded by Mr. McClure, to recommend approval of the request with stipulation. The motion carried with a vote of 6-0-0.*

*Should Council approve the request the following variances would be incorporated as conditions of zoning:*

- 1) Variance to reduce one- and two-bedroom apartment parking requirement to 1.42 spaces per unit including guest parking (Section 716.07 Table J).*
- 2) Variance to reduce the number of required parking spaces for a theater/cinema from 1 space/4 seats to 1 space/4.68 seats (Section 716.07 Table J).*
- 3) Variance to allow existing parking at Movie Grill and to increase the number of planter islands from one every 12 parking spaces to one every 14 parking spaces. (Section 712.08 G.1.a).*

- 4) *Variance to reduce 10' planted strip along Wylie Drive adjacent to Retail 'A' due to existing pavement (Section 712.08 G.2.a).*
- 5) *Variance to allow the two (2) existing billboards in association with this project only but to continue their nonconforming status.*

**Recommended for Approval as Stipulated**

**Absent:** 1

**Vote For:** 6

20230507

**Z2023-16 [REZONING] H. LELAND WHITFIELD, III (1141 WHITLOCK AVENUE, LP.)**

**Z2023-16 [REZONING] H. LELAND WHITFIELD, III (1141 WHITLOCK AVENUE, LP.)** are requesting the rezoning of 1.64 acres located in Land Lots 324 & 325, District 20, Parcel 1450 of the 2nd Section, Cobb County, Georgia, and being known as 1141 Whitlock Avenue from OI (Office Institutional) to PRD-SF (Planned Residential Development - Single Family). Ward 3A

*Ms. Little introduced case Z2023-16.*

*A public hearing was held in consideration of the request.*

*Mr. Charlie Gonzalez, Hedge Commercial Real Estate, presented the request. He outlined the proposed project and explained the changes made since the original application considered by the Commission in July. The changes include the 4-sided brick, a revision to the road layout to a hammerhead configuration and the addition of 4 guest parking spaces.*

*There were several residents from the adjoining neighborhood who wished to offer opposing comment.*

*Mr. James Singleton (Manning Way resident) stated, although the requested zoning is one of the least restrictive for development, the proposal would still require a number of variances. This fact would suggest the lot is not appropriate for the plan. He continued that developing the lot in anyway would increase storm water drainage problems which are already of substantial concern for the residents.*

*Ms. Pamela Coan (Manning Way resident) purchased her home 23 years ago. She agreed with Mr. Singleton that water control is a huge challenge for the neighborhood and cannot see that removal of established trees and greenery would do anything to help the situation. She added that a property within 12 feet of her home would infringe on her right to privacy and enjoyment of her property.*

*Ms. Cindy Pashko (Manning Way resident) expressed concern over potential traffic issues, the lack of parking being provided, and water shed control issues. Ms. Pashko requested the Commission consider the wildlife and questioned -*

*why the property had not been purchased by the City to use a green space when development plans in the past have failed.*

*Mr. Mitch Tenney, spoke on behalf of his mother-in-law who owns 60 Hickory Walk. He said she would not agree to an easement of any kind if approached by the developer. Additionally, Mr. Tenney questioned if consideration was made for the high volume of pedestrian traffic using the sidewalk in front of the proposed development, particularly the students of Marietta High School.*

*With the allotted time for comments and rebuttal exhausted, the public hearing was closed.*

*Mr. McClure asked Mr. Gonzalez how the slope of the property would be addressed. Mr. Gonzalez responded by saying the grade would be incorporated into the design layout.*

*Mr. Kinney commented on the limited outdoor space for each of the properties. Mr. Gonzalez added, the outdoor space would consist of a patio area with landscaping installed for privacy. Mr. Kinney asked if sewer hookup was available without crossing private property. Mr. Gonzalez affirmed there was access at Whitlock Avenue without crossing private property.*

*Ms. McCrae stated her preference for the sidewalks to be situated on the same side as the homes and for a significant attempt to preserve the trees along Whitlock Avenue. She also asked how parked cars would be managed to ensure emergency service access. Mr. Gonzalez responded that options are limited for the placement of sidewalks due to the constraints of the lot. He said trees would be preserved to ensure privacy for the residents and signs would be installed to prohibit parking within the hammerhead.*

*There were no further comments or questions from the Commission.*

*Ms. McCrae made a motion, seconded by Mr. Diffley, to recommend denial. The motion carried with a vote of 4-2-0. Mr. Anderson and Mr. McClure opposed.*

*Should Council approve the request the following stipulations and variances would be incorporated as conditions of zoning:*

- 1. Letter of intent from H. Leland Whitfield, III to City of Marietta Department of Development Services dated May 21, 2023.*
- 2. Variance to reduce the minimum tract size from 3 ac. to 1.64 ac. [§708.09 (H)]*
- 3. Variance to waive the required guest parking (2 spaces) [§708.09 (B.1.e)]*

**Recommended for Denial**

**Absent: 1**

**Vote For: 4**

**Vote Against: 2**

20230593

**Z2023-17 [REZONING] AJ GLASS (PALIFOX MARIETTA, LLC.)**

**Z2023-17 [REZONING] AJ GLASS (PALIFOX MARIETTA, LLC.)** are requesting the rezoning of 3.9 acres located in Land Lot 7820, District 16, Parcel 0120, of the 2nd Section, Cobb County, Georgia, and being known as 1791 Williams Drive from CRC (Community Retail Commercial) to LI ( Light Industrial). Ward 5B.

*Ms. Little introduced case Z2023-17.*

*A public hearing was held in consideration.*

*Mr. Justin Story (AJ Glass) represented the request.*

*There was no opposition to the request.*

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

*Mr. Diffley made a motion, seconded by Mr. Anderson, to recommend approval. The motion carried with a vote of 6-0-0.*

**Recommended for Approval**

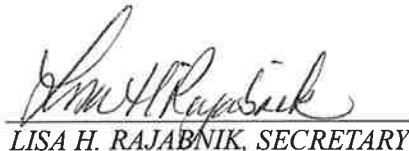
**Absent:** 1

**Vote For:** 6

**OTHER BUSINESS:****ADJOURNMENT:**

*The Tuesday, August 1st, 2023 Planning Commission meeting adjourned at 7:14PM*

  
ROBERT W. KINNEY, CHAIRMAN

  
LISA H. RAJABNIK, SECRETARY

