



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
Brent Bennett, Ward 4
Brenda McCrae, Ward 5
Stephen Diffley, Ward 7

Tuesday, November 1, 2016

6:00 PM

City Hall Council Chambers

Present: Bob Kinney, Jay Davis, Frasure Hunter, Brent Bennett, Brenda McCrae and Stephen Diffley

Absent: Hicks Poor

Staff:

Rusty Roth, Planning & Zoning Manager

Jasmine Chatman, Urban Planner

Daniel White, City Attorney

Ines Embler, Secretary to the Board

CALL TO ORDER & ROLL CALL:

Chairman Kinney called the November 1, 2016 Planning Commission Meeting to order at 6:00PM.

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

MINUTES:

20161066

October 4, 2016 Regular Planning Commission Meeting Minutes

Review and Approval of the October 4, 2016 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. Poor was absent.

Approved and Finalized

Absent: 1
 Vote For: 6
 Vote Against: 0

REZONINGS, SPECIAL LAND USE PERMITS AND CODE AMENDMENTS:

20160987 Z2016-30 [SPECIAL LAND USE PERMIT] TURNER HILL COMMUNITY DEVELOPMENT CORPORATION

Z2016-30 [SPECIAL LAND USE PERMIT] TURNER HILL COMMUNITY DEVELOPMENT CORPORATION is requesting a Special Land Use Permit for 0.299 acres located in Land Lot 1143, District 16, Parcel 0520, 2nd Section, Marietta, Cobb County, Georgia, and being known as 460/462 Birney Street from R-4 (Single Family Residential - 4 units/acre) to R-4 (Single Family Residential - 4 units/acre) with a special land use permit for an additional use as a halfway house. Ward 5A.

File number Z2016-30 was presented by Mr. Roth for a request to rezone property known as 460/462 Birney Street from R-4 (Single Family Residential – 4 units/acre) to R-4 (Single Family Residential – 4 units/acre) with a special land use permit for an additional use as a halfway house.

A public hearing was held.

Mr. Harden Perry, is requesting to rezone property known as 460/462 Birney Street from R-4 (Single Family Residential – 4 units/acre) to R-4 (Single Family Residential – 4 units/acre) with a special land use permit for an additional use as a halfway house.

There was no opposition to this request.

Mr. Diffley and Chairman Kinney asked what the relationship between the church and the halfway house was and whether they resolved the stipulations given to them by the Fire Department. Mr. Perry explained that the Harmony House Program is under the umbrella of the Turner Hill CDC and that they are not part of the church organization, but that they do have volunteers in the program who are members of the church. He said they have made all of the adequate adjustments to comply with the Fire Department stipulations.

Ms. McCrae and Mr. Bennett asked if the residents have vehicles, how many occupants currently reside there and how they are supervised. Mr. Perry said that some have vehicles, but not too often as these are guys who have just been released from prison. They currently have two residents and are supervised by a full time resident manager that lives on the property and on the weekends they have a resident assistant. They are never unsupervised.

The public hearing was closed.

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

Recommended for Approval

Absent: 1
 Vote For: 6
 Vote Against: 0

20160988

Z2016-31 [SPECIAL LAND USE PERMIT] SAINT JOSEPH'S CATHOLIC CHURCH

Z2016-31 [SPECIAL LAND USE PERMIT] SAINT JOSEPH'S CATHOLIC CHURCH is requesting a Special Land Use Permit (SLUP) for 0.565 acres located in Land Lot 1086, District 16, Parcel 0560, 2nd Section, Marietta, Cobb County, Georgia, and being known as 557 Campbell Hill Street from R-3 (Single Family Residential - 3 units/acre) to R-3 (Single Family Residential - 3 units/acre) with a special land use permit for assembly. Ward 4B.

File number Z2016-31 was presented by Mr. Roth for a Special Land Use Permit for property known as 557 Campbell Hill Street from R-3 (Single Family Residential – 3 units/acre) to R-3 (Single Family Residential – 3 units/acre) with a special land use permit for assembly.

A public hearing was held.

Mr. Andrew Halloran, is requesting a Special Land Use Permit for property known as 557 Campbell Hill Street from R-3 (Single Family Residential – 3 units/acre) to R-3 (Single Family Residential – 3 units/acre) with a special land use permit for assembly.

There were eight (8) in opposition to this request, two (2) spoke. Mr. Robert Gravedoni and Mr. Danny Waggomer opposed.

Mr. Gravedoni lives right next door and is concerned about the property being used as a meeting space, not knowing specifically what type of meetings would be held there, like alcohol and substance abuse issues. He said his living room, dining room and back porch and patio are only nine (9) feet from the property line, leaving the house less than twenty-five feet from the property line. He said that house also sits about ten (10) or fifteen (15) higher on a grade than his house, so any noise projects down to them. They have noticed that with some of the trees that they have removed, now the light is coming down into his yard. He is concerned that although they may have good intentions now, it would slowly possibly evolve into a commercial property and that would affect his property values.

The board members asked for clarification about his concerns over the property eventually becoming more commercial and if a stipulation limiting the size of the meeting be amenable to him. Mr. Gravedoni clarified and stated that he could hear conversations from the previous owners when they had their windows open so he feels a stipulation limiting meeting size would not resolve his concerns.

Mr. Waggomer lives at the corner of Campbell Hill and Hill Side. When he moved to the area he wanted a house in a neighborhood with a residential feel and he would like to keep it a neighborhood with a residential feel.

Mr. Halloran rebuttaled saying that the church is trying to work with the neighbors and trying to find a good solution. He said the nature of the church is to be in residential areas because it's serving the community. They do want the opportunity to continue to talk with the neighbors and try to find ways to prepare some stipulations to present to Council next week. Their effort is to keep the house residential in nature.

Ms. McCrae and Mr. Diffley asked questions pertaining to the walkway and topography and for clarification as to exactly what type of meetings would be held there. Mr. Halloran explained that there would be steps to get from the church to the house but have not determined how it will be constructed. He said they have not determined exactly what type of meetings would be held there at this time.

Chairman Kinney asked for clarification on the trees that were removed. Mr. Halloran said that they removed some fairly large trees to clean up the area but that they still meet the density code requirements.

Chairman Kinney asked about the other property nearby on Sugar Hill Street that has a chain link fence around it without even a gate for the driveway and Mr. Halloran explained that that was part of a stipulation set by the Council for that particular property in a previous special land use request. They just recently did it because they were notified by Staff that it had to be complied with. He acknowledged that it does create some separation, but that is not their intent with this new property, they only did this at the Sugar Hill Street property to comply with the stipulation

Chairman Kinney expressed concern over the traffic at dismissal. Mr. Halloran said he was not prepared to discuss traffic issues at this time.

Chairman Kinney asked Staff about the possibility of exemption plats and Staff explained satisfactorily.

Mr. Davis suggested to Chairman Kinney that perhaps they would benefit from tabling this request so they can meet with the neighbors and address their concerns.

Chairman Kinney asked Mr. Halloran if he would be willing to table this request until the December 6th Planning Commission meeting in order to have more discussions with neighborhood. Mr. Halloran agreed, stating that they are willing to collaborate with the neighbors to find a solution.

The public hearing was closed.

Mr. Diffley made a motion, seconded by Mr. Davis, to table this request until the December 6, 2016 Planning Commission Meeting to allow more communication between the church and the neighborhood. The motion carried 6-0-0.

Tabled

Absent: 1
Vote For: 6
Vote Against: 0

20160989

Z2016-32 [REZONING] INLINE COMMUNITIES, LLC

Z2016-32 [REZONING] INLINE COMMUNITIES, LLC is requesting the rezoning of approximately 9.05 acres located in Land Lot 217, District 17, Parcels 0290, 0020, 0280, 0030, 0270, 0040, 0260, 0050, 0250, 0060, 0240, 0070, 0230, 0080, 0220, 0090, 0210, 0100, 0110, 0300, 0310, 0320, 0330, 0340, 0350, 0360, 0370, 0380; and Land Lot 218, District 17, Parcels 0010, 0020, 0030; 2nd Section, Marietta, Cobb County, Georgia, and being known

as 16, 19, 22, 29, 32, 37, 42, 47, 52, 57, 62, 69, 72, 77, 82, 91, 92, 101, & 111 Hedges Street; 41, 43, 44, 52, 53, 58, 63, 73, 83, 93, 101, & 107 West Dixie Avenue from OIT (Office Institution Transition) and R-4 (Single Family Residential - 4 units/acre) to PRD-SF (Planned Residential Development - Single Family). Ward 1A.

File number Z2016-31 was presented by Mr. Roth for a request to rezone property known as 16, 19, 22, 29, 32, 37, 42, 47, 52, 57, 62, 69, 72, 77, 82, 91, 92, 101, & 111 Hedges Street; 41, 43, 44, 52, 53, 58, 63, 73, 83, 93, 101, & 107 West Dixie Avenue from OIT (Office Institution Transition) and R-4 (Single Family Residential - 4 units/acre) to PRD-SF (Planned Residential Development - Single Family).

A public hearing was held.

Mr. Kevin Moore, Esq. for the applicant, is requesting to rezone property known as 16, 19, 22, 29, 32, 37, 42, 47, 52, 57, 62, 69, 72, 77, 82, 91, 92, 101, & 111 Hedges Street; 41, 43, 44, 52, 53, 58, 63, 73, 83, 93, 101, & 107 West Dixie Avenue from OIT (Office Institution Transition) and R-4 (Single Family Residential - 4 units/acre) to PRD-SF (Planned Residential Development - Single Family).

There was no opposition to this request.

Mr. Diffley asked if there would be any restrictions on public streets during construction and whether the public space will be open to the neighborhood or closed off. Mr. Moore said there will be no restrictions on the public streets and that the public space will be open to all. They plan to improve it and dedicate it to the City.

Mr. Diffley asked if trash collection would be at a central location. Mr. Moore stated that trash collection would be curbside from the street. They will roll their trash cans to the street. He said that for the area that is adjacent to Cemetery Street toward Atlanta Street, there is a location there for a trash corral because that's not accessible from a trash collection standpoint.

Mr. Davis asked what the price points would be and Mr. Moore said they would be in the \$300's.

Chairman Kinney noted that the houses are fairly close together and asked if they will be fully sprinklered. Mr. Moore said that they will meet the City's Fire Code.

Chairman Kinney asked questions about the lawn maintenance and Mr. Moore said they will determine this as they go along but that currently the plan is for each homeowner to be responsible for mowing their own lawns.

Chairman Kinney asked if the houses along Cemetery Street are rear or front facing. Mr. Moore said that front doors face the cemetery and vehicle access will be from the private street.

Mr. Diffley asked about the location of trees and Mr. Moore explained where the trees are located on Cemetery Street.

Chairman Kinney asked about a concrete structure inside a chain link fence that he noticed from the Atlanta Street end. Mr. Moore said that was property owned by Marietta Board of Lights and Water; and that it was a former transformer that has not been in use for over forty (40) years. It will be removed during the development of the property.

Mr. Bennett asked if there would be parking on Dixie and Hedges in front of those houses or if they would be restricted. Mr. Moore said that those are public streets and will have sufficient right of way. He said they've provided for designated parallel parking along the streets.

The public hearing was closed.

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

Recommended for Approval

Absent: 1
Vote For: 6
Vote Against: 0

20160960

CA2016-08 [CODE AMENDMENT]

CA2016-08 [CODE AMENDMENT] Proposal to amend the Comprehensive Development Code of the City of Marietta, Division 710, Supplementary District Regulations, paragraph 710.04, Fences and Walls.

File number CA2016-08 was presented by Mr. Roth for a Code Amendment Proposal to amend the Comprehensive Development Code of the City of Marietta, Division 710, Supplementary District Regulations, paragraph 710.04, Fences and Walls. A public hearing was held.

Mr. Roth, City Staff, presented a Code Amendment Proposal to amend the Comprehensive Development Code of the City of Marietta, Division 710, Supplementary District Regulations, paragraph 710.04, Fences and Walls.

There was no opposition to this request.

Mr. Diffley asked for some clarification on the allowable height and Mr. Roth explained satisfactorily.

The public hearing was closed.

Mr. Hunter made a motion, seconded by Mr. Davis to recommend approval as submitted. The motion carried 5-1-0. Mr. Bennett opposed.

Recommended for Approval

Absent: 1
Vote For: 5
Vote Against: 1

OTHER BUSINESS:

20161058

2017 Planning Commission Calendar of Meeting Dates

Review and Approval of the 2017 Planning Commission Calendar

A public hearing was held.

Mr. Roth, City Staff, presented the 2017 Planning Commission Calendar of Meeting Dates to be approved.

There was no opposition to this request.

There were no questions from the Board Members.

The public hearing was closed.

Mr. Diffley made a motion, seconded by Ms. McCrae that the 2017 Planning Commission Calendar of Meeting Dates be approved. The Motion carried 6-0-0.

Approved and Finalized

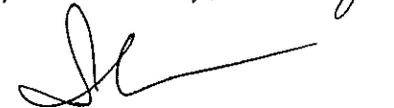
Absent: 1
Vote For: 6
Vote Against: 0

ADJOURNMENT:

The November 1, 2016 Planning Commission Meeting adjourned at 7:01PM.



ROBERT W. KINNEY, CHAIRMAN



INES EMBLER, SECRETARY