



City of Marietta
Meeting Minutes
PLANNING COMMISSION

205 Lawrence Street
Post Office Box 609
Marietta, Georgia 30061

(Col. Ret.) **Kenneth Dollar, Ward 2 - CHAIRMAN**
William Florence, Ward 1 **Carol Ann Sonnenfeld, Ward 3**
Donald Gillis, Ward 4 **Kenneth Carter, Ward 5**
Bob Kinney, Ward 6 **Benjamin Parker, Ward 7**

Tuesday, May 1, 2007

6:00 PM

City Hall Council Chambers

Present: William Florence, R. W. "Bob" Kinney, Benjamin Parker, Carol Sonnenfeld, Kenneth Carter and Donald Gillis
Absent: (Col. Ret.) Kenneth Dollar

Staff:

Brian Binzer, Development Services Director
Patsy Bryan, Secretary to the Board
Julie McQueen, Urban Planner
Nathan Lawrence, Urban Planner
Daniel White, City Attorney

CALL TO ORDER & ROLL CALL:

Vice Chairman Carol Sonnenfeld called the May 1, 2007 Planning Commission Meeting to order at 6:00 p.m. and welcomed new Planning Commission Member Donald Gillis.

MINUTES:

20070403 April 3, 2007 Regular Planning Commission Meeting Minutes

Review and Approval of April 3, 2007 Planning Commission Meeting Minutes

File #20070403 - Mr. Kinney made a motion to approve the April 3, 2007 Regular Planning Commission Meeting Minutes as modified in the work session, seconded by Mr. Florence. Motion carried 4 - 0 - 0. Chairman Dollar was absent. Mr. Carter was not at the April meeting. Mr. Gillis was not at the April meeting as his term started May 1, 2007.

A motion was made by Commissioner Kinney, seconded by Commissioner Florence, that this matter be Approved. The motion carried by the following vote:

Vote: 4 - 0 - 2 Approved
Abstain: 2 - Kenneth Carter and
Donald Gillis

REZONINGS:

20070344 Z2007-07 BRE/MDH Partners Marietta, LLC 1165 & 1177 Hayes Industrial Drive

Ord 7044 Z2007-07 BRE/MDH PARTNERS MARIETTA, LLC requests rezoning for property located in Land Lot 945, 16th District, Parcels 0200 and 0014 and being known as 1165 and 1177 Hayes Industrial Drive from LI (Light Industrial) to HI

(Heavy Industrial). Ward 5.

File #20070344 (Z2007-07) was presented by Ms. McQueen for property located in Land Lot 945, 16th District, Parcels 0200 and 0014 and being known as 1165 and 1177 Hayes Industrial Drive.

On behalf of the applicant BRE/MDH Partners Marietta, LLC, Michael Pelt, is requesting to rezone 4.296 acres on 2 parcels on Hayes Industrial Drive from LI (Light Industrial) to HI (Heavy Industrial) in order to sell the two buildings to ETI. ETI manufactures metal products for air filters and, therefore, requires a heavy industrial zoning classification. There is no planned land disturbance with this proposal.

Mr. Pelt mentioned that this move would bring 50 + employees and once they expand it will increase to 100 employees.

Additional parking concerns were discussed between Mr. Kinney and Mr. Pelt and there is sufficient parking. Jean-Luc Liverato, president of ETI, explained that there are 3 shifts, 30 to 40 parking spaces per shift, therefore, creating enough parking.

Mr. Carter made a motion to approve this presentation because it is only a continuation of the same firm in the same area and that would be sufficient because parking will be limited, seconded Mr. Florence. Motion carried 6 - 0.

A motion was made by Commissioner Carter, seconded by Commissioner Florence, that this matter be Recommended for Approval. The motion carried by the following vote:

Vote: 6 - 0 - 0

Recommended for Approval

20070345 Z2007-08 H. Louis Tooker / Trine LLC 1145 Barnes Mill Road

Ord 7045 Z2007-08 H. LOUIS TOOKER / TRINE LLC request rezoning for property located in Land Lot 10940, 16th District, Parcel 0790 and being known as 1145 Barnes Mill Road from R-3 (Single Family Residential 3 units/acre) to R-4 (Single Family Residential 4 units/acre). Ward 6.

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File #20070345 (Z2007-08) was presented by Ms. McQueen for property located in Land Lot 10940, 16th District, Parcel 0790 and being known as 1145 Barnes Mill Road from R-3 (Single Family Residential 3 units/acre) to R-4 (Single Family Residential 4 units/acre).

Louis Tooker, the applicant and the sole proprietor of Trine, LLC, a small residential development company, owns the small 1.146-acre tract of property on Barnes Mill Road and is requesting rezoning in order to subdivide property into four separate lots for construction of four single-family cottage style homes.

Mr. Tooker clarified that he owns property along Barnes Mill. In 2003, Mr. Tooker planned to build three 2-story homes. Since then, Mr. Tooker has reconsidered his plan and feels that 2-story homes up against Barnes Mill are not acceptable to the neighbors, therefore, 4 small cottage style homes are being planned which is more consistent with the neighborhood.

Working to save as many trees as possible, Mr. Tooker is saving 25 out of 31 mature trees. All setbacks for original R-3 zoning will be met, no variances required, Fire Marshall and City Engineer are satisfied with size of private road and cul-de-sac. Garbage will be picked up at street, mail delivered to each home. Radius of street entrance will be enlarged to 28.3 feet on either side at street to comply with request from Fire Marshall. Private road, cul-de-sac storm water detention and utilities will all be collected in joint access utility easement coming thru center of property. Home Owner's Association will be created to ensure that drive will be maintained. Part of the plan, according to Mr. Tooker, is to save the existing large 36" oak tree by putting brick pavers and a cul-de-sac around oak tree so storm water will percolate and feed the roots of the tree. All four houses will back up to private drive and will enter street going forward allowing a much safer entrance onto Barnes Mill Road.

Mr. Tooker, owner of 1180 Barnes Mill Road, has remodeled said home and had the following neighbors speak in favor of this rezoning:

Mrs. India Ann Williams, resident of 1187 Barnes Mill Road, spoke in favor of this project, as it will improve the community.

Mrs. Orene Morrow, a resident of 1175 Barnes Mill Road, stated that she is pleased with the house at 1180 Barnes Mill that Mr. Tooker remodeled and feels like this rezoning will be an improvement to the neighborhood.

Mr. W. J. (Bud) Leuth, a resident of 1070 Barnes Mill, is opposed to 2-story homes and suggested that Mr. Tooker change to current proposal. Mr. Leuth is eager to see property improved since it has been vacant for several years and that this project will be an improvement for the neighborhood.

Mr. Kinney confirmed to Mr. Leuth that the 4 smaller houses would fit in neighborhood better than three 2-story houses and Mr. Leuth explained that originally he was opposed to 2-story homes facing Barnes Mill Road.

Mr. Kinney confirmed his understanding that the Fire Department and Public Works Department are okay with way cul-de-sac is laid out and Mr. Tooker stated that there was one comment regarding accel/decel lane and the City Engineer does not think it is necessary since vehicles will be pulling out rather than backing onto Barnes Mill Road. Mr. Kinney feels that accel/decele lanes would detract from appearance of this particular section of Barnes Mill Road. Speed limit does not warrant such stated Mr. Kinney.

Also, Mr. Kinney reiterated that trash would be picked up at street level on Barnes Mill Road with mailboxes located on cul-de-sac in front of each house. Price range is expected to begin at \$200, 000.

Mr. Kinney made a motion to accept this proposal as submitted and added a recommendation to Public Works to eliminate accel/decel lane. Mr. Kinney feels that an accel/decel lane would actually detract and is convinced that the proposal for 4 smaller houses fits better in neighborhood than 3 larger houses originally planned and actually has approval to build, seconded by Mr. Carter. Motion carried 5 - 1 - 0 with Mr. Gillis opposed.

A motion was made by Commissioner Kinney, seconded by Commissioner Carter, that this matter be Recommended for Approval as Stipulated. The motion carried by the following vote:

Vote: 5 - 1 - 0

Recommended for Approval as Stipulated

Vote Against: 1 - Donald Gillis

ADJOURNMENT:

The May 1, 2007 Planning Commission Meeting adjourned at 6:20 p.m.

CAROL SONNENFELD, VICE-CHAIRMAN

PATSY BRYAN, SECRETARY