



City of Marietta

205 Lawrence Street
Post Office Box 609
Marietta, Georgia 30061

Meeting Agenda CITY COUNCIL

R. Steve Tumlin, Mayor
Cheryl Richardson, Ward 1
Grif Chalfant, Ward 2
Johnny Walker, Ward 3
Andy Morris, Ward 4
M. Carlyle Kent, Ward 5
Andre L. Sims, Ward 6
Joseph R. Goldstein, Ward 7

Thursday, July 13, 2023

7:00 PM

Council Chamber

CALL TO ORDER:

INVOCATION:

Council Member Andre' Sims, Ward 6

PLEDGE OF ALLEGIANCE:

PRESENTATIONS:

20230609 **Marietta Police Officers**

Recognition of the newest officers to the Marietta Police Department:

- Officer Crystal Hall
- Officer Hosly Rivera

PROCLAMATIONS:

20230610 **Parks and Recreation Month**

Recognition of a Proclamation declaring July 2023 as "Parks and Recreation Month" in the City of Marietta and encouraging all citizens to enjoy what their community has to offer by taking part in their favorite sports, visiting the outdoors and spending time with friends and family.

Presented by Council Member Johnny Walker

ANNOUNCEMENTS OF GENERAL COMMUNITY INFORMATION BY THE MAYOR, COUNCIL AND/OR CITY MANAGER:

SCHEDULED APPEARANCES:

**Each speaker is allotted five (5) minutes,
for a combined total of 20 minutes.**

20230616 Scheduled Appearance

Scheduled Appearance - Donald Barth.

CONSENT AGENDA:

Consent agenda items are marked by an asterisk (*). Consent items are approved by majority of council. A public hearing will be held only for those items marked by an asterisk that require a public hearing (also noted on agenda).

MINUTES:

*** 20230606 Regular Meeting - June 14, 2023**

Review and approval of the June 14, 2023 regular meeting minutes.

MAYOR’S APPOINTMENTS: (for informational purposes only)

CITY COUNCIL APPOINTMENTS:

*** 20230554 Board of Lights and Water Appointment**

Reappointment of Alice Summerour to the Board of Lights and Water (Non-Resident Member), for a 4-year term expiring July 13, 2027.

ORDINANCES:

20230356 Z2023-13 [REZONING] 5TH STREET CAPITAL PARTNERS, LLC (YK DELK ROAD, LLC.)

Z2023-13 [REZONING] 5TH STREET CAPITAL PARTNERS, LLC (YK DELK ROAD, LLC.) are requesting the rezoning of 4.76 acres located in Land Lots 786 & 799, District 17, Parcel 0120 of the 2nd Section, Cobb County, Georgia, and being known as 2360 Delk Road from CRC (Community Retail Commercial) to RHR (Residential High Rise). Ward 7A.

Planning Commission recommends Approval as Stipulated

A motion was made by Diffley, seconded by Anderson that this matter be Recommended for Approval as Stipulated. The motion carried 5-1-0.

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

- 1. Letter (email) to the attention of Mr. Roth; Director of Development Services dated July 5, 2023, from Ms. Julie L. Sellers of Dillard Sellers, Attorneys at Law - Itemized stipulations 1 through 6.*

Planning Commission further recommends an additional stipulation requiring the applicant to provide an aid and assistance program for current residents who will be displaced.

Public Hearing (all parties sworn in)**20230451 Z2023-15 [REZONING] FORTUS INVESTMENT, LLC.**

Z2023-15 [REZONING] FORTUS INVESTMENT, LLC. is requesting the rezoning of 0.375 acres located in Land Lot 726, District 17, Parcel 0040 of the 2nd Section, Cobb County, Georgia, and being known as 1045 Franklin Gateway from LI (Light Industrial) to CRC (Community Retail Commercial). Ward 7A.

Planning Commission recommends Approval

A motion was made by Diffley, seconded by Smith, that this matter be Recommended for Approval. The motion carried 6-0-0.

Public Hearing (all parties sworn in)

20230481 CA2023-03 [CODE AMENDMENT] Division 712, Tree Protection and Landscaping.

CA2023-03 [CODE AMENDMENT] Division 712, Tree Protection and Landscaping.
Proposal to amend the Comprehensive Development Code of the City of Marietta, Division 712, Supplementary Use Regulations, Section 712.08, Tree Protection and Landscaping, Paragraph N, Interior Landscaping of Vehicle Use Areas.

Planning Commission recommends Approval

A motion was made by Diffley, seconded by Anderson, that this matter be Recommended for Approval. The motion carried 6-0-0.

Public Hearing (all parties sworn in)**CITY ATTORNEY'S REPORT:***** 20230594 Denial of Claim**

Denial of Claim for Tabatha Gomez.

CITY MANAGER'S REPORT:**MAYOR'S REPORT:****COMMITTEE REPORTS:**

- 1. Economic/Community Development: Andre L. Sims, Chairperson**
- 2. Finance/Investment: Joseph R. Goldstein, Chairperson**
- 3. Judicial/Legislative: G. A. (Andy) Morris, Chairperson**
- 4. Parks, Recreation and Tourism: Johnny Walker, Chairperson**
- 5. Personnel/Insurance: Cheryl Richardson, Chairperson**
- 6. Public Safety Committee: M. Carlyle Kent, Chairperson**

* **20230555 Public Safety and Community Violence Reduction Grant**

Motion to approve an award to the Marietta Police Department under the Public Safety and Community Violence Reduction Grant Program.

7. Public Works Committee: Grif Chalfant, Chairperson

* **20230575 2011 SPLOST Project Budget Reallocation**

Motion to reallocate 2011 SPLOST Project Funds as stated in the 2011 SPLOST Project Budget Reallocation Table.

* **20230576 2016 SPLOST Project Budget Reallocation**

Motion to reallocate 2016 SPLOST Project Funds as stated in the 2016 SPLOST Project Budget Reallocation Table.

* **20230577 2022 SPLOST Project Budget Reallocation**

Motion to reallocate 2022 SPLOST Project Funds as stated in the 2022 SPLOST Project Budget Reallocation Table.

20230483 Bouldercrest Drive & Walnut Drive Traffic Calming Proposal

Motion authorizing Public Works to install 3-way stops at Walnut Drive and Hemlock Drive, Bouldercrest Drive and Walnut Drive, and Bouldercrest Drive and Longstreet Drive, and one (1) speed table between Wisteria Drive and Longstreet Drive with the estimated cost at \$5,750. Ward 2B

Public Hearing Required

* **20230578 Banberry Road Speed Study**

Motion authorizing Public Works to conduct the speed study of Banberry Road from Frey's Gin Road to Blanche Drive to determine if traffic calming devices are needed and to set the speed limit at 25 MPH. Ward 7A

* **20230579 Goldie Drive Speed Study**

Motion authorizing Public Works to conduct the speed study of Goldie Drive from Powers Ferry Road to Blanche Court to determine if traffic calming devices are needed and lowering the speed limit to 25 MPH. Ward 7A

* **20230580 Northcutt Street Speed Study**

Motion authorizing Public Works to conduct the speed study of Northcutt Street from Whitlock Avenue to Reynolds Street to determine if traffic calming devices are needed. Ward 3A

* **20230581 Reynolds Street Speed Study**

Motion authorizing Public Works to conduct the speed study of Reynolds Street from Wright Street to Rambo Place to determine if traffic calming devices are needed. Wards 3A & 5A.

20230582 Washington Avenue and Alexander Street Stop Sign Request

Motion authorizing Public Works to convert the intersection of Washington Avenue and Alexander Street to a 4-way stop condition with a pedestrian crosswalk with a total estimated cost of \$9,000.00. Ward 5A

Public Hearing Required

* **20230592 South Avenue On-Street Parking**

Motion authorizing a no parking zone to be installed along both sides of the street of South Avenue from Frasier Street to Haley Street and from Grogan Street to South Marietta Parkway with an estimated cost of \$750.00. Ward 1A

OTHER BUSINESS:

* **20230608 Smyrna Police Department Jail (MOU) Agreement**

Motion to approve the Intergovernmental Agreement between the City of Marietta and the City of Smyrna for a 3-year (or 36 months) term beginning July 17, 2023.

20230568 DP2023-16 [VARIANCE/DETAILED PLAN] BEAZER HOMES, LLC

DP2023-16 [VARIANCE/DETAILED PLAN] BEAZER HOMES, LLC is requesting detailed plan and variance approvals for 175 acres of property zoned PRD-SF (Planned Residential Development - Single Family), Land Lot 655, Parcels 0040 & 0050; Land Lot 713, Parcel 0360; Land Lot 714, Parcels 0010 & 0030; Land Lot 715, Parcels 0010, 0020, 0050; Land Lot 725, Parcel 0010; Land Lot 726, Parcel 0010; Land Lot 727, Parcel 0010; Land Lot 787, Parcel 0010; Land Lot 788, Parcel 0010; and Land Lot 786, Parcel 0030, District 16, of the 2nd Section, Cobb County, Georgia, and being known as property on Bells Ferry Road, 2247 Bells Ferry Road, property on Laura Lake Road, 150, 151, & 154 Laura Lake Road, and 1775 Bells Ferry Road. Ward 5B.

Variance to allow cul-de-sacs to exceed 700 ft. in length.

Variance to waive the minimum lot size for townhome units.

Variance to allow a gated community.

Variance to allow only one full access point for single family developments containing more than 51 units.

Variance to allow parking spaces on public roads and to allow those spaces to be counted toward required spaces.

Variance to waive the required condition that every intersection should be a 3 or 4 way stop.

Variance to waive the required condition for a 30-foot buffer adjacent to Barrington Hills subdivision.

Public Hearing (all parties sworn in)

20230428 V2023-15 [VARIANCE] VC PROPERTIES I, LLC

V2023-15 [VARIANCE] VC PROPERTIES I, LLC is requesting a variance for property zoned CRC (Community Retail Commercial), located in Land Lot 1215, District 16, Parcel 0540, 2nd Section, Marietta, Cobb County, Georgia, and being known as 31 Rock Street.

Variance to continue using the property for outdoor storage, including inventory associated with automobile sales.

Ward 5A.

Public Hearing (all parties sworn in)

UNSCHEDULED APPEARANCES:

**Each speaker is allotted five (5) minutes,
for a combined total of 30 minutes.**

ADJOURNMENT: