



# City of Marietta

205 Lawrence Street  
Post Office Box 609  
Marietta, Georgia 30061

## Meeting Minutes

### PLANNING COMMISSION

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

Tuesday, April 6, 2021

6:00 PM

City Hall Council Chambers

*Present:* Bob Kinney, Jay Davis, Brenda McCrae and Stephen Diffley

*Absent:* Frasure Hunter, Boozer McClure and Byron "Tee" Anderson,

*Staff:*

*Rusty Roth, Director, Development Services*

*Robin Osindele, Urban Planner*

*Douglas Haynie, City Attorney*

*Ines Emblar, Secretary to the Board*

### CALL TO ORDER & ROLL CALL:

*Chairman Kinney called the April 6, 2021 Planning Commission Meeting to order at 6:00PM.*

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

### MINUTES:

**20210254**

**March 2, 2021 Regular Planning Commission Meeting Minutes**

**Review and Approval of the March 2, 2021 Regular Planning Commission Meeting Minutes.**

*Mr. Diffley made a motion, seconded by Ms. McCrae, to recommend approval of the Planning Commission Work Session and Planning Commission Meeting Minutes as submitted. The motion carried 4-0-0. Mr. Hunter, Mr. McClure and Mr. Anderson were absent.*

**Approved and Finalized**

**Absent: 3**

**Vote For: 4**

**Vote Against: 0**

**REZONINGS:****20210211            Z2021-05 [REZONING/SPECIAL LAND USE PERMIT] LLOYD  
NAWROCKI**

**Z2021-05 [REZONING/SPECIAL LAND USE PERMIT] LLOYD  
NAWROCKI is requesting the rezoning and Special Land Use Permit for  
0.64 acres located in Land Lot 504, District 17, Parcel 0870, 2nd Section,  
Marietta, Cobb County, Georgia, and being known as 340 Lockheed Avenue  
from OI (Office Institutional) and CRC (Community Retail Commercial) to  
OI (Office Institutional) with a Special Land Use Permit for a halfway  
house. Ward 1A.**

*File number Z2021-05 was presented by Mr. Roth for a request to rezone property with a Special Land Use Permit known as 340 Lockheed Avenue from OI (Office Institutional) and CRC (Community Retail Commercial) to OI (Office Institutional) with a Special Land Use Permit for a halfway house.*

*A public hearing was held.*

*Deacon Eric Phillips is requesting to rezone property with a Special Land Use Permit known as 340 Lockheed Avenue from OI (Office Institutional) and CRC (Community Retail Commercial) to OI (Office Institutional) with a Special Land Use Permit for a halfway house.*

*There was no opposition to this request.*

*The Board Members asked questions pertaining to job requirements, transportation and number of residents in the home. Deacon Phillips said they offer job placement assistance; they use public transportation and after 60 days can have their own car and that there are 9 residents in the house with a capacity of 10.*

*The public hearing was closed.*

*Mr. Davis made a motion, seconded by Mr. Duffley to recommend approval as stipulated. The motion carried 4-0-0.*

*If Council approves the rezoning and Special Land Use Permit, the following stipulation would be incorporated as conditions of zoning:*

*The following stipulation is incorporated as conditions of zoning:*

- 1. The Special Land Use Permit for a halfway house/drug abuse treatment center (inpatient) shall have a 3-year time limit.*

**Recommended for Approval as Stipulated**

**Absent: 3  
Vote For: 4  
Vote Against: 0**

**20210212                    Z2021-06 [REZONING] PARIN CHHEDA**

**Z2021-06 [REZONING] PARIN CHHEDA is requesting the rezoning of 0.362 acres located in Land Lot 1073, District 16, Parcel 0180 of the 2nd Section, Cobb County, Georgia, and being known as 221 Chicopee Drive from R-3 (Single Family Residential - 3 units/acre) to R-3 (Single Family Residential - 3 units/acre) with a variance to increase density to 5.6 units/acre. Ward 4B.**

*File number Z2021-06 was presented by Mr. Roth for a request to rezone property known as 221 Chicopee Drive from R-3 (Single Family Residential - 3 units/acre) to R-3 (Single Family Residential - 3 units/acre) with a variance to increase density to 5.6 units/acre.*

*A public hearing was held.*

*Dr. Parin Chheda requested to withdraw his request.*

*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 Mr. Davis to accept the withdrawal request. The motion carried 4-0-0.*

**Withdrawn**

**Absent: 3  
Vote For: 4  
Vote Against: 0**

**20210188                    Z2021-07 [REZONING] PARIN CHHEDA (MARGARET ELIZABETH WOODY)**

**Z2021-07 [REZONING] PARIN CHHEDA (MARGARET ELIZABETH WOODY) are requesting the rezoning of 0.4 acres located in Land Lot 1074, District 16, Parcel 0170 of the 2nd Section, Cobb County, Georgia, and being known as 91 Margaret Avenue from OI (Office Institutional) to OI (Office Institutional) with an additional use as a motel. Ward 4B.**

*File number Z2021-07 was presented by Mr. Roth for a request to rezone property known as 91 Margaret Avenue from OI (Office Institutional) to OI (Office Institutional) with an additional use as a motel.*

*A public hearing was held.*

*Dr. Parin Chheda is requesting to rezone property known as 91 Margaret Avenue from OI (Office Institutional) to OI (Office Institutional) with an additional use as a motel.*

*There were two (2) in opposition to this request. Mr. Scot Brooks and Dr. Elizabeth Street opposed.*

Mr. Brooks stated that Wellstar is not affiliated with this parcel and that they are not in support. He would like the property to remain the current zoning. Chairman Kinney asked Mr. Brooks what his position is at Wellstar and if there are any Ronald McDonald Houses associated with Wellstar. Mr. Brooks said he is the AVP of Real Estate and that he was not aware of any association between Ronald McDonald Houses and Wellstar.

Dr. Street opposed stating that her office is directly across the street and she would prefer not to have this turned into short term rentals. She is concerned about how this would affect the neighborhood long term.

The Board Members asked about staffing, registration for use, maintenance and cleaning. Dr. Chheda said there would not be 24/7 staffing. This would be more like an Airbnb where people would book their stay via Airbnb or his website. Maintenance and cleaning would be handled by a third party hired by Dr. Chheda.

The Board Members asked if he would have an issue with a stipulation that the use would only be for hospital visitors only; if the tree next to the driveway would be removed; when would this be completed and what the rental rate would be. Dr. Chheda said he would have no way to guarantee that visitors booking a stay were there only for hospital visits; that the tree may be removed; that the estimated completion is 4 months from the start date and the rental rate would be \$150 to \$175 per night.

The public hearing was closed.

Mr. Diffley made a motion, seconded by Ms. McCrae to recommend approval as submitted. The motion carried 4-0-0.

If Council approves the rezoning, the following variance would be incorporated as condition of zoning:

1. Variance to allow a hotel/motel to be established within 300 feet of any property zoned for residential use. [§708.23 (B.13)]

#### **Recommended for Approval**

**Absent: 3**  
**Vote For: 4**  
**Vote Against: 0**

#### **ADJOURNMENT:**

The April 6, 2021 Planning Commission Meeting adjourned at 6:28PM.

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ROBERT W. KINNEY, CHAIRMAN

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INES EMBLER, SECRETARY