



# City of Marietta

205 Lawrence Street  
Post Office Box 609  
Marietta, Georgia 30061

## Meeting Minutes

### PLANNING COMMISSION

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

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Tuesday, August 3, 2021

6:00 PM

City Hall Council Chambers

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*Present: Bob Kinney, Stephen Diffley, Frasure Hunter, Byron "Tee" Anderson and Brenda McCrae*

*Absent: Boozer McClure*

*Staff:*

*Shelby Little, Planning & Zoning Manager*

*Robin Osindele, Urban Planner*

*Daniel White, City Attorney*

*Ines Embler, Secretary to the Board*

### CALL TO ORDER & ROLL CALL:

*Chairman Kinney called the August 3, 2021 Planning Commission Meeting to order at 6:00PM.*

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

### MINUTES:

**20210634**

**July 6, 2021 Regular Planning Commission Meeting Minutes**

**Review and Approval of the July 6, 2021 Regular Planning Commission Meeting Minutes.**

*Mr. Diffley made a motion, seconded by Mr. Hunter, to recommend approval of the Planning Commission Work Session and Planning Commission Meeting Minutes as submitted. The motion carried 5-0-0. Mr. McClure was absent and Ward 1 is vacant.*

**A motion was made by Diffley, seconded by Hunter, that this matter be Approved and Finalized. The motion carried by the following vote:**

**Absent: 1  
Vote For: 5  
Vote Against: 0**

## REZONINGS:

### 20210571      Z2021-10 [REZONING] KAMRAN JALALI (JSB INVESTMENTS, LLC)

**Z2021-10 [REZONING] KAMRAN JALALI (JSB INVESTMENTS, LLC) are requesting the rezoning of 0.93 acres located in Land Lot 1162, District 16, Parcel 1060 of the 2nd Section, Cobb County, Georgia, and being known as 528 North Marietta Parkway from CRC (Community Retail Commercial) to RM-10 (Multi Family Residential - 10 units/acre). Ward 5A.**

*File number Z2021-10 was presented by Ms. Little for a request to rezone property as 528 North Marietta Parkway from CRC (Community Retail Commercial) to RM-10 (Multi Family Residential - 10 units/acre).*

*A public hearing was held.*

*Mr. Kamran Jalali is requesting to rezone property known as 528 North Marietta Parkway from CRC (Community Retail Commercial) to RM-10 (Multi Family Residential - 10 units/acre).*

*There was no opposition to this request.*

*Ms. McCrae expressed concern that the variance request to change the driveway length from 20 feet to 5 feet was too short and the reduction of parallel parking was too drastic and asked why. Mr. Jalali said the main reason was to have more common areas, but that he may be able to bring the parallel parking back to requirements.*

*The Board Members asked questions pertaining to runoff and the impervious surface, unit dimensions and price point and asked if they had any pictures of what the property would look like. Mr. Jalali said the detention pond is underground, the lots are 24x40 and 21x40 and the price point is mid \$500's. He did not have any pictures to show what the finished product would look like.*

*The public hearing was closed.*

*Ms. McCrae made a motion, seconded by Mr. Diffley to recommend denial. The motion carried 5-0-0.*

*If Council approves the rezoning, the following variances would be incorporated as conditions of zoning:*

*The following variances are incorporated as conditions of zoning:*

- 1. Variance to reduce the minimum tract size from 5 acres to 0.93 acres [§708.11 (H.)].*
- 2. Variance to reduce the required driveway length from 20 feet to 5 feet, as measured from back of curb [§708.11 (B.1.e)].*

A motion was made by McCrae, seconded by Diffley, that this matter be Recommended for Denial. The motion carried by the following vote:

Absent: 1  
Vote For: 5  
Vote Against: 0

20210617

**Z2021-11 [REZONING] 1680 SPRING, LLC**

**Z2021-11 [REZONING] 1680 SPRING, LLC is requesting the rezoning of 1.13 acres located in Land Lot 1147, District 16, Parcel 0470 of the 2nd Section, Cobb County, Georgia, and being known as 397 North Sessions Street from LI (Light Industrial) to LI (Light Industrial) with an additional use as a restaurant. Ward 4B.**

*File number Z2021-11 was presented by Ms. Little for a request to rezone property as 397 North Sessions Street from LI (Light Industrial) to LI (Light Industrial) with an additional use as a restaurant.*

*A public hearing was held.*

*Mr. & Mrs. Nick and Jenn Bimmerle are requesting to rezone property known as 397 North Sessions Street from LI (Light Industrial) to LI (Light Industrial) with an additional use as a restaurant.*

*There was no opposition to this request and two in support. Mrs. Katie Fister spoke in support.*

*Mrs. Fister and her husband are partners with Mr. and Mrs. Bimmerle in this project. They are looking for more elbow room and green space for their business, which is currently just a walk up and feel partnering with the Bimmerle's would be an asset to the community.*

*Mr. Diffley asked questions pertaining to the type of bakery and food for the restaurant they have and the Applicants replied satisfactorily.*

*Ms. McCrae asked what the timeline for completion is and Mrs. Bimmerle said as soon as possible, ideally by January 1st.*

*Mr. Diffley asked about paving and Mrs. Bimmerle said their goal is to not disturb more than is already paved. They will convert the current gravel area to green space and use parking paces only on the currently paved areas.*

*The public hearing was closed.*

*Mr. Diffley made a motion, seconded by Mr. Hunter to recommend approval as submitted. The motion carried 5-0-0.*

*If Council approves the rezoning, the following variances would be incorporated as conditions of zoning:*

*The following variances are incorporated as conditions of zoning:*

- 1. Variance to reduce the building setbacks to the as-built conditions identified on the exemption plat for Waterworks Neighbors, LLC. [§708.26 (H)]*
- 2. Variance to eliminate the 50 ft buffer adjacent to a residential district. [§708.26 (I)]*


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

Absent: 1  
Vote For: 5  
Vote Against: 0

**ADJOURNMENT:**

*The August 3, 2021 Planning Commission Meeting adjourned at 6:25PM.*

  
ROBERT W. MINNEY, CHAIRMAN

  
INES EMBLER, SECRETARY