



City of Marietta
Meeting Minutes
PLANNING COMMISSION

205 Lawrence Street
Post Office Box 609
Marietta, Georgia 30061

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

Tuesday, January 6, 2009

6:00 PM

City Hall Council Chambers

Present: (Col. Ret.) Kenneth Dollar, R. W. "Bob" Kinney, Carol Sonnenfeld and Kenneth Carter

Absent: Donald Gillis and Ann Watkins

Staff:

Brian Binzer, Development Services Director

Rusty Roth, Development Services Manager

Patsy Bryan, Secretary to the Board

Shelby Little, Urban Planner

Kyetha Kirk, Urban Planner

Daniel White, City Attorney

CALL TO ORDER & ROLL CALL:

Chairman Dollar called the January 6, 2009 Planning Commission Meeting to order at 6:00 p.m.

QUORUM:

For the record, Chairman Dollar stated that we do have a quorum even with two members absent and one vacant seat.

MINUTES:

20081543 December 2, 2008 Regular Planning Commission Meeting Minutes

Review and Approval of December 2, 2008 Planning Commission Meeting Minutes

Mr. Kinney made a motion to accept the December 2, 2008 Planning Commission Meeting Minutes, as submitted and with the minor correction noted in the work session, seconded by Mr. Carter. Motion carried 4 - 0 - 0.

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

Vote: 4 - 0 - 0

Approved

OLD BUSINESS:

20081302 Z2008-15 RG Investments, LLC, 611 Tower Road

Ord 7281 Z2008-15 [REZONING] RG INVESTMENTS, LLC request rezoning for property located in Land Lot 10760, 16th District, Parcel 1230, 2nd Section,

Marietta, Cobb County, Georgia and being known as 611 Tower Road from R-3 (Single Family Residential 3 units/acre) to OI (Office Institutional). Ward 4.

File #20081302 (Z2008-15) was presented by Mr. Roth for property located in Land Lot 10760, 16th District, Parcel 1230, and being known as 611 Tower Road.

The applicant and owner, RG Investments, LLC, is being represented by Kevin Moore. RG Investments is a Limited Liability Company, the principal of which is Dr. Richard Gardner. The request is to rezone property from R-3 (Single Family Residential 3 units/acre) to OI (Office Institutional) in order to construct a two-story, 15,000 square foot professional office building.

As Mr. Moore explained, this item was tabled from the December meeting after presentation and lengthy discussion.

Mr. Moore met with the James Street residents, as well as residents of the Oaks.

The issue regarding traffic control is the major concern but not within the jurisdiction of this request or the authority of the Planning Commission.

Mr. Moore identified several key points as it relates to this rezoning application and asked for the Planning Commission to make a recommendation for approval to City Council.

The following individuals spoke in opposition:

Kathy Kilgore, a resident of 656 Oakledge Drive in the Oaks Subdivision, expressed concern about the exact number of tenants in building, resale of property, traffic, shared driveway being used by Dr. Gardner and Back to the Bible Church, and deed restriction lifted on this property.

Juanita Carmichael, a resident of 1008 James Street, is not opposed to the medical building but expressed concern about traffic.

Mr. Moore's rebuttal pointed out that comments from the opposition don't have anything to do with the rezoning.

Chairman Dollar asked if the reduction in the greenbelt landscape buffer from 30' to 15' is necessary, Mr. Moore explained that it is adjacent to the property still owned by Back to Bible Church and required when OI property is adjacent to residentially zoned property.

Mr. Kinney moved to recommend to City Council approval of this plan, as submitted, including the December 1, 2008 Letter of Stipulation, seconded by Mrs. Sonnenfeld. Motion carried 4 - 0.

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

Vote: 4 - 0 - 0

Recommended for Approval as Stipulated

ADJOURNMENT:

The January 6, 2009 Planning Commission Meeting adjourned at 6:52 p.m.

KEN DOLLAR, CHAIRMAN

PATSY BRYAN, SECRETARY