City of Marietta

205 Lawrence Street
Post Office Box 609
Marietta, Georgia 30061

Meeting Minutes - Revised

PLANNING COMMISSION

Bob Kinney - Chairman
Kent Rosenbury, Ward 1
Byron "Tee" Anderson, Ward 2
Hicks Poor, Ward 3
Roy Vanderslice, Ward 4
Brenda McCrae, Ward 5
Stephen Diffley, Ward 7

Tuesday, January 6, 2015 | **6:00 PM** | **City Hall Council Chambers**

Present: Bob Kinney, Stephen Diffley, Roy Vanderslice, Hicks Poor, Brenda McCrae, Kent Rosenbury and Byron "T" Anderson

Staff:

Brian Binzer, Development Services Director
Rusty Roth, Planning & Zoning Manager
Ines Embler, Secretary to the Board
Shelby Little, Planning Administrator
Daniel White, City Attorney

CALL TO ORDER & ROLL CALL:

Chairman Kinney called the January 2, 2015 Planning Commission Meeting to order at 6:00PM.

MINUTES:

20141345 **December 2, 2014 Regular Planning Commission Meeting Minutes**

Review and Approval of the December 2, 2014 Regular Planning Commission Meeting Minutes.

Mr. Poor made a motion, seconded by Mr. Diffley to recommend that the minutes be tabled and revised as discussed.

A motion was made by Poor, seconded by Diffley, that this discussion item be Tabled . The motion CARRIED by the following vote.

Absent: 0

Vote For: 7
Vote Against: 0

REZONINGS:

20141324 **Z2015-03 [REZONING] MAI T. CAO/CBS OUTDOOR, LLC**

Z2015-03 [REZONING] MAI T. CAO/CBS OUTDOOR, LLC requests rezoning for property located in Land Lot 12100, District 16, Parcels 0160 & 0170, 2nd Section, Marietta, Cobb County, Georgia and being known as 130 & 140 Chert Road from OI [Office Institutional] to CRC [Community Retail Commercial]. Ward 7.

File number 20141324 was presented by Mr. Roth for a request to rezone property located at 130 & 140 Chert Road from OI [Office Institutional] to CRC [Community Retail Commercial].

A public hearing was held.

Mr. Scott Peters, Attorney for CBS Outdoor, which has since changed its' name to Outfront Media, and for the property owner, Mr. Cao, is requesting to rezone the property that consists of two small remnant parcels along Chert Road to CRC (Commercial Retail Commercial) because it is being affected by the I-75 Managed Lanes Project.

There was no one in support or opposition to this request.

Mr. Rosenbury asked a question about residential structures on that side of Chert and Mr. Peters answered that there were none remaining.

Mr. Kinney asked a question about filing an exemption plat and Mr. Peters responded that one would be filed.

The public hearing was closed.

Mr. Diffley made a motion, seconded by Mr. Vanderslice, to recommend approval as submitted.

A motion was made by Diffley, seconded by Vanderslice,that this Ordinance be Recommended for Approval . The motion CARRIED by the following vote.

Absent: 0
Vote For: 7
Vote Against: 0

REZONINGS/ANNEXATIONS/FUTURE LAND USE:

20141322 **Z2015-01 [REZONING] AJAX LAND & CATTLE COMPANY**

Z2015-01 [REZONING] AJAX LAND & CATTLE COMPANY request rezoning for property located in Land Lot 06430, District 17, Parcel 0110, 2nd Section, Marietta, Cobb County, Georgia and being known as 1721 Spinks Drive from R-20 [Single Family Residential - County] to LI [Light Industrial - City]. Ward 1.

File number 20141322 was presented by Mr. Roth for a request to rezone property located at 1721 Spinks Drive from R 20 [Single Family Residential County] to LI [Light Industrial City].

A public hearing was held.

Mr. Justin Lane from Marietta Georgia and Mr. Billy Shultz purchased the property at 1721 Spinks Drive and own the adjacent property to the west at 1145 Rottenwood Drive, which has an office warehouse on the property. They would like to rezone and annex into the city and propose to demolish the current house and build a small 7000 foot office warehouse on the property.

There was no one in support or opposition to this request.

Mr. Rosenbury asked if they have made contact with any of the surrounding neighbors about the change and Mr. Lane responded that they had not.

Mr. Kinney asked if they plan to file an exemption plat if all of this goes through and Mr. Lane explained his concerns that it might impact detention requirements on the other property, as well as the ability to sell the property.

Mr. Rosenbury asked how the proposed property compare to the one they currently own and what type of tenants would rent such building and Mr. Lane responded that the subject property and building was much smaller.

Mr. Rosenbury asked about the type of trucks entering and exiting the facility and Mr. Lane responded that delivery trucks, but not semi-trailers, would access the site.

Mr. Kinney asked if the original building was in Cobb County back in 1987 and Mr. Schultz explained that they annexed in 1986. Mr. Kinney also asked about the street apparently having two names, but Mr. Lane was unsure of the correct name.

Mr. Diffley asked about the driveway size reduction request and about fire hydrant connections, but Mr. Lane replied that they had already met with the Fire Department about site conditions.

The public hearing was closed.

Mr. Rosenbury made a motion, seconded by Mr. Anderson, to recommend approval as submitted.

A motion was made by Rosenbury, seconded by Anderson,that this Ordinance be Recommended for Approval . The motion CARRIED by the following vote.

Absent: 0
Vote For: 7
Vote Against: 0

20141334 **A2015-01 [ANNEXATION] AJAX LAND & CATTLE COMPANY**

A2015-01 AJAX LAND & CATTLE COMPANY requests annexation for property located in Land Lot 06430, District 17, Parcel 0110 (1721 Spinks Drive) and all required right-of-way, of the 2nd Section, Cobb County, Georgia consisting of 0.68 acres. Ward 1.

File number 20141334 was presented by Mr. Roth for a request to annex property located at 1721 Spinks Drive from R 20 [Single Family Residential County] to LI [Light Industrial City].

A public hearing was held.

Mr. Kinney asked Mr. Lane if he is incorporating his previous remarks to this request and he affirmed.

There was no one in support or opposition to this request.

The public hearing was closed.

Mr. Hicks made a motion, seconded by Mr. Vanderslice to recommend approval as submitted.

A motion was made by Poor, seconded by Vanderslice, that this Ordinance be Recommended for Approval. The motion CARRIED by the following vote.

Absent: 0
Vote For: 7
Vote Against: 0

20141335 **CA2015-01 [CODE AMENDMENT]**

CA2015-01 [CODE AMENDMENT] In conjunction with the requested annexation of property in Land Lot 06430, District 17, Parcel 0110, 2nd Section, Marietta, Cobb County, Georgia, and being known as 1721 Spinks Drive, the City of Marietta proposes to designate the Future Land Use of said property as IW (Industrial Warehousing). Ward 1.

File number 20141335 was presented by Mr. Roth for a Code Amendment in conjunction with the requested annexation of property located at 1721 Spinks Drive, the City of Marietta proposes to designate the Future Land Use of said property as IW (Industrial Warehousing).

A public hearing was held.

Mr. Kinney asked Mr. Lane if he is supports this recommendation from the City and he affirmed.

There was one person in support and no opposition to this request.

The public hearing was closed.

Mr. Vanderslice made a motion, seconded by Mr. Diffley, to recommend approval as submitted.

A motion was made by Vanderslice, seconded by Diffley,that this Ordinance be Recommended for Approval . The motion CARRIED by the following vote.

Absent: 0
Vote For: 7
Vote Against: 0

20141323 **Z2015-02 [SPECIAL LAND USE PERMIT] ZION BAPTIST CHURCH OF MARIETTA, INC.**

Z2015-02 [SPECIAL LAND USE PERMIT] ZION BAPTIST CHURCH OF MARIETTA, INC. requests a Special Land Use Permit for a community garden and private park for property located in Land Lot 11600, District 16, Parcels 0570 & 0590, 2nd Section, Marietta, Cobb County, Georgia and being known as 263 & 271 Lemon Street, currently zoned R-4 [Single Family Residential]. Ward 3.

File number 20141323 was presented by Mr. Roth for a special land use request for property located at 263 & 271 Lemon Street, currently zoned R-4 [Single Family Residential]

A public hearing was held.

Mr. Wayne McGary, with the Executive Director of Reconnecting Families, Debbie Ponder is asking for a Special Land Use Permit for two vacant parcels off of Lemon Street that are owned by Zion Baptist Church of Marietta for the use of a community garden and a public park.

There was no one in support or opposition to this request.

Mr. Rosenbury asked questions about the maintenance of the park and Mr. McGary responded that Reconnecting Families would be responsible.

Ms. McCrae asked about composting and Mr. McGary responded that there would be some bins for composting.

Mr. Rosenbury asked questions about the planned uses for the property and Ms. Ponder responded that other than a ribbon breaking, it would only be for a garden/park.

Mr. Kinney asked a question about the oak tree in the center, and Mr. McGary responded that the tree in question and another tree would have to be removed.

Mr. Kinney asked Mr. Roth if a variance is needed for trees in the front of the property and Mr. Roth explained that street trees were required, but there were options.

Mr. Rosenbury asked if they will require electric power and Mr. McGary said no.

Ms. McCrae asked about concerns over homeless people using the site and Mr. McGary replied that it may be an issue.

The public hearing was closed.

Mr. Rosenbury made a motion, seconded by Mr. Diffley to recommend approval of the Special Land Use Permit as submitted.

A motion was made by Rosenbury, seconded by Diffley,that this Ordinance be Recommended for Approval . The motion CARRIED by the following vote.

Absent: 0

Vote For: 7
Vote Against: 0

ADJOURNMENT:

The January 6, 2015 Planning Commission Meeting adjourned at 6:37PM.

ROBERT W. KINNEY, CHAIRMAN

INES EMBLER, SECRETARY