



City of Marietta

205 Lawrence Street
Post Office Box 609
Marietta, Georgia 30061

Meeting Summary CITY COUNCIL

R. Steve Tumlin, Mayor
Stuart Fleming, Ward 1
Grif Chalfant, Ward 2
Johnny Walker, Ward 3
G. A. (Andy) Morris, Ward 4
Anthony Coleman, Ward 5
Michelle Cooper Kelly, Ward 6
Philip M. Goldstein, Ward 7

Wednesday, July 9, 2014

7:00 PM

Council Chamber

- * **20140737** **Regular Meeting - June 11, 2014**

Review and approval of the June 11, 2014 regular meeting minutes.

Approved and Finalized

- * **20140733** **Planning Commission Appointment**

Appointment of Kent Rosenbury to the Planning Commission (Ward 1) for a term of two years, expiring July 10, 2016.

Approved and Finalized

- * **20140551** **Ethics Committee Council Appointment**

Appointment of Susan Connor to the Ethics Committee for a two (2) year term expiring July 10, 2016.

Approved and Finalized

- * **20140461** **Z2014-08 Rosa Lee Collins 443 Roosevelt Circle**

Z2014-08 [REZONING] ROSA LEE COLLINS request rezoning for property located in Land Lot 11620, District 16, Parcel 0080, 2nd Section, Marietta, Cobb County, Georgia and being known as 443 Roosevelt Circle from R-4 (Single Family Residential-4 units/acre) to R-4 (Single Family Residential 4 units/acre) with additional use as a duplex. Ward 5B.

Approved and Finalized

- * **20140732** **Denial of Claim**

Denial of the claim of Dorothy Fortson Steeple.

Approved to Deny Claim

- * **20140780** **Denial of Claim**

Denial of the claim of Robert Pike.

Approved to Deny Claim

* **20140719 Request for Proposal for 994 and 1010 Roswell Street**

Motion to authorize staff to issue a Request for Proposal to obtain bids for the sale of the City-owned property located at 994 and 1010 Roswell Street.

Approved and Finalized

* **20140746 GDOT Northwest Corridor-Sound Barriers**

Motion for Mayor and City Council to vote to request that NO sound barrier be installed along City-owned property bordering I-75 (Section #21) of the NW Corridor Managed Lane Project by GDOT.

Approved and Finalized

* **20140700 Revision to the Detailed Plan for Manget Phase I: L-7 Guest House**

Motion to approve the request by homeowner, Roger Goodstein, to convert the area above the detached garage into a dwelling unit for his mother-in-law.

Approved and Finalized

* **20140731 Rezoning for Custer Park Recreation Center Expansion**

Motion to authorize advertising required to rezone the property located at 500 North Fairground Street, 545 Kenneth E. Marcus Way and 586 Kenneth E. Marcus Way from PRD-MF [Planned Residential Development (Multi-Family)] to OI (Office Institutional) to allow for the expansion of the Custer Park Recreation Center.

Approved for Advertisement

20140714 Detailed Plan for 425 North Sessions Street

Motion to approve the detailed plan for 425 North Sessions Street, including the attached site plan, landscape plan and architectural renderings prepared by Summit Engineering Consultants, Inc. for Sessions Street Townhomes; signed by the applicant, Rebbly Dougherty, and dated July 9, 2014. All stipulations and conditions approved at the time of rezoning on September 8, 2004 (Z2003-29), including the letter of stipulations from Richard Calhoun of Brock, Clay, Calhoun & Wilson, P.C. to Mayor Bill Dunaway, dated September 7, 2004, will remain in effect, except that item #7 will be revised to read as follows:
7. Elevations will be substantially the same as the elevation drawing presented to the City at the July 7, 2004, mediation of the above case.

Further, the applicant acknowledges that the four (4) parking spaces within the public right of way along Sessions Street are public parking spaces and are

non-exclusive in regards to the proposed development.

In addition, the applicant agrees to indemnify the City by separate indemnity agreement which shall also include a maintenance agreement for the parking spaces. Such agreement shall be recorded on the deed records of Cobb County, Georgia, and shall be binding on the applicant, the homeowners association and all future purchasers. This document and requirement shall be placed in the association bylaws and recorded on the plat.

Approved and Finalized

* **20140206**

335 Allgood Road

Motion to Table this matter until the August 13, 2014 City Council meeting. The purpose of this motion is to give both parties additional time to conduct further negotiations in order for the city to acquire the property through negotiations with the owner through their attorneys.

Approved and Finalized

* **20140734**

Revision to the Personnel Rules and Regulations

Motion approving the addition of new language to the Personnel Rules and Regulations addressing employees and firearms on City of Marietta/BLW property.

Approved and Finalized

* **20140703**

ATT Overhead Utilities

Motion approving variance from the underground utility ordinance, 5-4-160, for utility work shown on the following permit requests:

1. ATT project 4FW48296N for overlash of existing fiber optic cable along Haynes Industrial Drive and Industrial Park Drive.

This motion does not grant a perpetual variance. ATT must relocate underground at their expense if other utilities at the location are moved underground.

Approved and Finalized

* **20140705**

Cobb Parkway at White Circle Intersection Improvement Project

Motion to approve concept for White Circle Intersection Improvement Project to include turn lanes from Cobb Parkway north bound to White Circle and from White Circle to Cobb Parkway.

Approved and Finalized

* **20140735**

Lakewood Drive Right of Way

Public Hearing for the closure and abandonment of a portion of Lakewood Drive right of way.

Public Hearing for the closure, abandonment and assignment of PRD (Planned Residential Development) of a portion of Lakewood Drive right of way.

Approved as Amended

* **20140744 Request for Speed Limit Signs**

Motion to approve request by Council Member Walker for a speed limit change to 25mph on the following streets --Kirkpatrick Dr, Hazel St and Pomeroy. Further, approval to install a 25mph speed limit sign on Henderson Street

Motion to approve request by Council Member Walker for a speed limit change to 25mph on the following streets -- Hazel St and Pomeroy. Further, approval to install a 25mph speed limit sign on Henderson Street.

Approved as Amended

20140745 2016 SPLOST Project List

Motion to approve 2016 SPLOST update/revision to city project list, as amended.

Approved as Amended

20140775 MOU between the City of Marietta and Marietta Redevelopment Corporation

This memorandum of understanding dated July 9, 2014 is between the City of Marietta (City) and the Marietta Redevelopment Corporation (MRC) to provide "in-kind" support for the MRC by the City for the period of July 1, 2014 to December 31, 2017 as described in the attached MOU.

This item is being placed on the agenda at the request of Mayor Tumlin.

Approved as Amended

* **20140788 Three (3) Year Plan for Square Makeover/Improvements**

Motion for 3 Year Plan incorporating feasibility examination (costs, source of funds, infrastructure design) for Square Makeover/Improvements including, but not limited to:

- Parking Meters
 - Parking Management
 - Dedication of Parking Meter Fees (net of annual capital improvements, maintenance, and operation costs) for a restrictive use for Downtown Business District through current term of council (12/31/17).
 - Invest in high tech parking meters
- Dumpsters off Street
 - A better, cleaner, esthetically pleasing, efficient way of servicing trash
 - Expense and capital outlay
 - Funding

- Extension of Sidewalk on North Park, West Park, and East Park Square
 - Leaving 3 lanes of traffic on North, West and East Park Square (note all “feeders” into the square are at most 3 lanes with all on North and South being 2 Lanes and only 2 3 lanes on East side, in other words, do we need 4 lanes for 1 block?)
 - Retaining parking on each, just further out
 - Would allow for more square flexibility for functions without closing of the street (i.e., Chalk Fest)
- Purchase of square parcel for purpose of:
 - Create tourism center/promotion on square
 - Public Rest Rooms included in new building for functions and park thus eliminating portables and overall lack thereof
 - 2nd floor for governmental/community purpose
- Improve on existing Square eye sore/distraction

This item was added at the request of Mayor Tumlin and Council Member

Motion to table this item and refer it to the July 30th Public Works and Parks Committee Meetings

Referred to the Public Works Committee

* **20140789** **Downtown Marietta Development Authority / First Baptist Church of Marietta Parking Intergovernmental Agreement**

Motion to approve assignment of “Agreement as to Parking Facilities” dated July 11, 1979 from the Downtown Marietta Development Authority to the City of Marietta. The owner of the property which is the subject matter of release is the First Baptist Church of Marietta.

This item was added at the request of Mayor Tumlin.

Referred to the Public Works Committee

* **20140796** **HB489 Intergovernmental Agreement**

Discussion and Motion to approve Intergovernmental Agreement between the City of Marietta and Cobb County, Georgia regarding millage rate within the City of Marietta pursuant to O.C.G.A. § 36-70-20.

This item was added at the request of Mayor Tumlin.

Approved and Finalized

* **20140803** **680 Franklin Road, 600 Franklin Road (F/K/A 610 Franklin Rd) and 650 Franklin Road**

Motion authorizing acquisition of a portion of property and easements at 680 Franklin Road, 600 Franklin Road (F/K/A 610 Franklin Rd) and 650 Franklin Road from Summerour Farm, LLLP, Bentley Farm Properties, LLLP and James William Bentley Jr. Estate for the purpose of constructing the Franklin Road Improvements Project - From Twin Brooks to Las Colinas Apartments

in exchange for \$330,510.00.

Stipulation on 600 Franklin Road (F/K/A 610 Franklin Road):

1. City agrees to replace unused driveway to a location chosen by the owners.

Approved and Finalized

* **20140804**

875 Franklin Road

Motion authorizing acquisition of a temporary driveway easement at 875 Franklin Road from Wood Glen Apartment Associates, LLC for the purpose of constructing the Franklin Road Improvements Project - From Twin Brooks to Las Colinas Apartments.

Approved and Finalized

20140802

V2014-08 AMENDED GPS Hospitality D/B/A Burger King

V2014-08 [AMENDED VARIANCE] GPS HOSPITALITY D/B/A BURGER KING request variances for property located in Land Lot 03610, District 17, Parcel 0320, 2nd Section, Marietta, Cobb County, Georgia and being known as 650 S. Marietta Parkway, currently zoned CRC (Community Retail Commercial). Ward 1A.

- (1) Variance from Section 712.08, Tree Protection and Landscaping to maintain the site as currently landscaped;
- (2) Variance from Section 712.09, Commercial Corridor Design Overlay District;
- (3) Variance from Section 714.06 (C.6), Nonconforming Signs to keep the current sign. These variances are approved for the current developed property only as shown on the attached site plan by Gaskins Engineering & Surveying for Burger King Renovation, dated January 28, 2014, and should be discontinued upon the redevelopment of the site, according to Section 706.03, Continuance of a nonconforming building or structure.

The following application is incorporated as a condition of granting the requested variances:

- (1) The applicant shall replace the square on top of the pylon sign containing the Burger King logo with a 10 ft. wide circle containing said logo;
- (2) The applicant shall install a 3 ft. tall brick foundation to the current pylon sign.

Approved and Finalized

* **20140738**

BLW Actions of the July 7, 2014

Review and approval of the July 7, 2014 actions and minutes of the Marietta Board of Lights and Water.

Approved and Finalized

* **20140811** **1018 Wallace Road**

Motion authorizing acquisition of temporary easements at 1018 Wallace Road from Bentley Farm Properties, LLLP for the purpose of constructing the Wallace Road at North Marietta Parkway Project in exchange for \$25,000.00.

Approved and Finalized

* **20140812** **750 Franklin Road**

Motion authorizing acquisition of a portion of property and easements at 750 Franklin Road from 58 Notting Hills, LLC for the purpose of constructing the Franklin Road Improvements Project - From Twin Brooks to Las Colinas Apartments in exchange for \$65,000.00.

Approved and Finalized