



City of Smyrna

2800 King Street
Smyrna, GA 30080
www.smyrnacity.com

Meeting Minutes - Final Planning and Zoning Commission

Monday, June 8, 2015

6:00 PM

Council Chambers

Roll Call

Present 9 - Chair Person Joel Powell, Board Member Dale Holmes, Board Member Steve Kemp, Board Member Ed Whittington, Board Member Denny Campo, Board Member Ron Roberts, Board Member Leslie Lightfoot, Board Member Michael Seagraves, and Board Member Earl Rice

Also Present 4 - Eric Randall, Russell Martin, Joey Staubes, and Heather Corn

1. Call To Order

Chairperson, Joel Powell called the meeting of the Planning and Zoning Board to order at 6:00PM.

2. Business:

A. Public Hearing - Zoning Request - Z15-003 - Rezoning of the subject property from R-15 to RAD-Conditional for the development of six (6) single-family homes - 1.31 Acres - Land Lot 592 - 1514 Hawthorne Avenue - Tuley & Tuley, Inc. - *This zoning request is to be tabled to the August 10, 2015 Planning and Zoning Board Meeting at the request of the applicant.*

Sponsors: Anulewicz and Kemp

A motion was made by Boardmember Ron Roberts to table until July 13, 2015 item 2015-125 a zoning request (Z15-003) for rezoning of the subject property from R-15 to RAD-Conditional for the development of six (6) single-family homes on 1.31 Acres of Land Lot 592 located at 1514 Hawthorne Avenue with Tuley & Tuley, Inc., as applicants; seconded by Boardmember Earl Rice. The motion carried by the following vote:

Aye: 7 - Board Member Kemp, Board Member Whittington, Board Member Campo, Board Member Roberts, Board Member Lightfoot, Board Member Seagraves and Board Member Rice

B. Public Hearing - Annexation & Zoning Request Z15-004 - Rezoning from R-20 (Cobb County) to RAD-Conditional (Smyrna) for the development of seventeen townhomes - 980 & 990 Pebblebrook Road - Jesse N. Maxwell, Jr. - *This zoning request is to be tabled to the August 10, 2015 Planning and Zoning Board meeting at the request of the applicant.*

Sponsors: Fennel

A motion was made by Boardmember Earl Rice to table until July 13, 2015 item 2015-169 an annexation & zoning request (Z15-004) for a rezoning from R-20 (Cobb County) to RAD-Conditional (Smyrna) for the development of seventeen townhomes located at 980 & 990 Pebblebrook Road with Jesse N. Maxwell, Jr. as applicant; seconded by Boardmember Ed Whittington. The motion carried by the following vote:

Aye: 7 - Board Member Kemp, Board Member Whittington, Board Member Campo, Board Member Roberts, Board Member Lightfoot, Board Member Seagraves and Board Member Rice

C. **Public Hearing** - Zoning Request Z15-011 - Rezoning from R-15 to RAD-Conditional for the construction of three new single-family homes - 0.668 Acres - Land Lot 560 - 1498 Walker Street - Georgian Fine Properties, LLC

Sponsors: Anulewicz

Rusty Martin presented staff recommendation. Mayor and Council hearing is scheduled for July 20. Subject property is in Ward 3, and has one single family home with accessory structure. Applicant proposes to demolish the existing structures and build three single family detached homes. Property is currently zoned R15 and the request is rezone to RAD Conditional.

The Future Land Use is Moderate Density Residential so no land use change is required as the development is below 4.5 units per acre. Homes are proposed to have front entry garages and reduced side setbacks to 7.5 feet. Applicant plans to use infiltration pits for storm water management in the rear yards. Proposed elevations are craftsman style. Community Development recommends approval with conditions.

Stan Jacobs, Georgian Fine Properties, has built in Cobb and Smyrna. Agrees to staff's proposed conditions. Lots are deeper than others in surrounding area and believes they will appeal to young family demographic.

Board Member Roberts inquired about the estimated listing prices. Mr. Jacobs hopes to list for high \$500,000, on a 3200 square foot home with basement.

Public Hearing:

Casey Clavin – Roswell Street – Not opposed to rezoning the property in general but has concerns about front entry garage; prefers shared drive. No side or rear elevations submitted, and has concerns about duplicating the same house plan on all three lots. Requested that the Board table the item so that different elevations may be reviewed by neighborhood. Suggests condition 18 be modified to stipulate 3 different front elevations be required. Suggests side elevation be treated the same as front elevation, to create 4 sided architecture.

Applicant has met with some members of Williams Park HOA and commented that the homes will meet minimum zoning conditions. Company is a custom home builder. Board Member Kemp commented that Williams Park HOA is not an architectural review board, but suggests applicant meet with neighborhood and supply staff with conceptual plans of all elevations prior to M&C Hearing. Chairman Powell reiterated the importance of meeting with Williams Park.

No others came forward to speak. Chairman Powell called for a motion.

A motion was made by Boardmember Steve Kemp to approve item 2015-186 for zoning request (Z15-011), a rezoning from R-15 to RAD-Conditional for the construction of three new single-family homes on 0.668 Acres on Land Lot 560 located at 1498 Walker Street for Georgian Fine Properties, LLC., applicant;

seconded by Boardmember Denny Campo. The motion carried by the following vote:

Aye: 7 - Board Member Kemp, Board Member Whittington, Board Member Campo, Board Member Roberts, Board Member Lightfoot, Board Member Seagraves and Board Member Rice

D. **Public Hearing** - Zoning Request Z15-012 - Annexation, Rezoning and Zoning Amendment for the construction of a 250 unit independent senior housing development - 4.8 Acre Tract - Land Lot 691 - 4840 & 4788 Hanson Drive - Creekside Village Development Group, Inc. -
This zoning request is to be tabled to the August 10, 2015 Planning and Zoning Board meeting at the request of the applicant.

Sponsors: Rice and Fennel

A motion was made by Boardmember Earl Rice to table until July 13, 2015 item 2015-194 for zoning request (Z15-012) an annexation, rezoning and zoning amendment for the construction of a 250 unit independent senior housing development on 4.8 Acre Tract and Lot 691 located at 4840 & 4788 Hanson Drive for the Creekside Village Development Group, Inc.; seconded by Boardmember Ron Roberts. This motion carried by the following vote:

Aye: 7 - Board Member Kemp, Board Member Whittington, Board Member Campo, Board Member Roberts, Board Member Lightfoot, Board Member Seagraves and Board Member Rice

E. **Public Hearing** - Zoning Request Z15-007 - Rezoning from R-20 to RAD-Conditional for the development of sixteen single-family homes - 6.15 Acres - Land Lot 338 - 3744 Plumcrest Road - Venture Homes, Inc.

Sponsors: Fennel and Rice

Request is to rezone from R-20 to RAD-C. Request was tabled from the May P&Z Board hearing to look into stormwater management more in depth. Site is 6 acres, in Ward 7. Two homes existing on the subject property. Applicant proposes 16 homes, 14 on new road, 2 on existing cul-de-sac. Gross Density is 2.6 units per acre. Future Land Use is Suburban Residential, so no change in land use is required. New road proposed off N Cooper Lake Rd, with cul-de-sac. Stormwater management facility will be tied into the City stormwater infrastructure. Staff recommends approval with conditions.

Board Member Roberts asked how the detention pond will be screened. Staff commented that typically it is achieved by vegetation and or fencing.

The applicant, Sean Randall – Venture Homes, commented that he has built in Cobb for 30 years. Has active townhome development in Smyrna. Hopes to begin vertical construction in late Fall. Believes development will be consistent with surrounding neighborhoods, and is below maximum density. Commented that average lot size is above 10,000 square feet and that the development will have significant open space. Presented new site plan to staff today. Approximately 1 acre of open space not including detention facility. Final site plan will have larger lot sizes. Proposing traditional single family homes. Min lot width is 65'. Max building envelope is 55'. Caldwell-Klein is architect and has five conceptual elevations. Will be at townhall

meeting June 17th, coordinated by Councilman Fennel. Product will between 3000 to 4000 square foot heated floor area and priced from the low to high \$400,000. Agrees to proposed conditions. Will have open air pavilion amenity and sidewalks interior to development. Presented hydrology study prior to rezoning request to City Engineer which achieves a minimum 10 percent reduction in run off from site post development.

Eric Randall, City Engineer, commented that a preliminary hydrology study shows a reduction of stormwater runoff by 75%. Currently site has 16 cfs, and post development study shows 3 cfs.

Board Member Rice asked if the site could be developed in R-20 zoning. Mr. Sean Randall answered no, it does not allow the flexibility that is necessary to meet stormwater requirements or the density to cover capital costs related to stormwater infrastructure.

Chairman Powell asked the applicant if he has discussed project with staff and all members of the P&Z Board. Mr. Randall commented that a meeting is being coordinated that will most likely occur a Brawner Hall and that he is willing to meet with concerned groups about project.

Public Hearing:

Alex Dunn commented about concerns with over crowding schools. Will connection to storm water infrastructure be required prior to construction? Eric Randall commented yes, it is part of final plat process. Alex Dunn commented that major storm floods N Cooper Lake at location of subject property. Eric Randall commented that he has considered those impacts, and required applicant to connect to city infrastructure at different location. Further study will be required but ordinance requirements will be complied with in order to receive approval from City.

David Mayo – Rebecca Lane – Colonial Heights – has concerns about area around stream on Rebecca Lane. Flood issues around Plumcrest. Will curb be installed on Plumcrest? Eric Randall commented that it depends on the level of disturbance.

Rusty Martin commented that P&Z Board considers land use & zoning as an advisory Board to Council and look at site plan from a conceptual stand point. If applicant went forward without support from Council, denial would tie up property for 12 months.

Harry Rowland, Plumcrest – has runoff concerns. What year storm is management designed for. Eric Randall commented that it is designed for 100 year storm. Hydrology Study is attached to P&Z agenda and available to public.

Allegra Goodman – Bennett Woods – Plumcrest and Highview, new infrastructure proposed in FY2016. Has concerns about stormwater.

Howard Betts – Richland Cir, inquired what current zoning of property is? Rusty Martin answered that it is zoned R-20. Mr. Betts asked what contiguous properties are zoned. Rusty Martin replied East of N Cooper Lake is RAD, everything on same side of N Cooper Lake is R-20

Laura Lamb – commented that the sign that was posted has R-15 as the zoning for the subject property. Rusty Martin commented that it was an error by staff. Ms. Lamb commented that density is inconsistent with original R-20 properties. Has concerns about storm water, some on site, some in ROW, some off site.

Mr. Wencil – Hydrology Engineer, suggests application be tabled. Signage says R-15 to RAD instead of R-20. How will developer be held accountable to completing construction, or protect property if project doesn't happen. Staff responded that bonds are in place by the developer that allow for site stabilization should either event

occur. Commented that Austin Lakes HOA passed a resolution opposed to density proposed on project.

Kay Clapper, has concerns about fire with 10 feet separation between homes, as well as density, and lot size.

Chairman Powell asked staff to comment on the distance between structures. Rusty Martin commented that a minimum of 10 feet separation is required between homes, otherwise homes need to be sprinklered. Fire Marshall is satisfied with cul de sac design, and less than 10' separation would require sprinkler system.

Robby Hewitt – suggests the two lots fronting the existing cul-de-sac should remain R-20. Has concerns about setbacks, and separation between homes making a wall of brick to adjoining properties.

Dustin Reed – Plumcrest, commented that current infrastructure has issues. Thinks conceptual issues should be solidified before proceeding.

Has concerns about runoff, tree protection, and water pressure; Is opposed to proposed development.

Robert Malone – Bennett Woods, has run off and detention maintenance concerns.

Matt Calloway – Austin Lake, considers Austin Lake to be more consistent with R-15 than a typical RAD development. Concerns about density and believes new site plan should be reviewed prior to vote by board. Has concerns that board does not take citizen input into consideration.

Chairman Powell stated that staff recommendation is based on developments in the area. Board is comprised of citizen volunteers that care about the City's future. Clarified comment that the board's decision is a recommendation, did not mean that they do not take citizen input into consideration.

Mr. Mayo has concerns that developer has contacted board, but citizens have not.

Kathy Herrington Johnson – lives adjacent to N Cooper Lake Place. Spent considerable funds to mitigate issues from NCLP. Has discussed runoff with City Engineer extensively. Significant flooding issues in area, outside of development. Suggests more studies be done. Thinks context of development next to Bennett Woods subdivision should be considered more in depth. Appreciates staff working her. Questioned if property has economic value as currently zoned? Questions about RAD zoning. Rusty Martin commented that RAD is a conditional zoning, ties rezoning to the specific site plan with detached houses. Will remain tied to site plan unless an amendment is made. If no development took place within 2 years, it would revert back to R-20 but still would go through public process. If infrastructure is in, that would be substantial construction that would make down zoning unfeasible. If project went bankrupt, the new developer would have to go through zoning amendment process. If site plan changed from current developer, zoning amendment would be necessary, and all require a public hearing before Mayor and Council, and possibly Planning and Zoning Board.

Sean Randall commented that he is willing to take community concerns into consideration. The new site plan shows new pipe, pavilion and mail kiosk but does not have significant changes. Stressed that any approval is binding and staff recommendation has 26 conditions which are part of checks and balances if proposal is approved.

Chairman Powell noted that the project has significant opposition and asked applicant if they would prefer to table request, or move forward with the P&Z recommendation and proceeding to M&C. Also noted that if M&C denied request, the property cannot be taken through rezoning process for 12 months.

Sean Randall commented that he believes they can address concerns between today and council, or table the M&C hearing and opted to proceed.

Board Member Seagraves commented that Forest Hills has concerns about the 2 homes that are more oriented in Bennett Woods. Believes developer can enlarge those two lots to achieve a look that is more consistent with existing homes, or modify the site plan to remove those lots.

A motion was made by Boardmember Earl Rice to deny item 2015-168, a zoning request (Z15-007) for the rezoning from R-20 to RAD-Conditional for the development of sixteen single-family homes on 6.15 Acres, Land Lot 338 located at 3744 Plumcrest Road by Venture Homes, Inc.; seconded by Boardmember Michael Seagraves. The motion carried by the following vote:

Aye: 4 - Board Member Kemp, Board Member Lightfoot, Board Member Seagraves and Board Member Rice

Nay: 3 - Board Member Whittington, Board Member Campo and Board Member Roberts

3. Approval of Minutes:

A. Approval of the Planning and Zoning Board Meeting Minutes for May 11, 2015

A motion was made by Boardmember Ron Roberts to approve the Planning and Zoning Board Meeting Minutes for May 11, 2015; seconded by Boardmember Ed Whittington. The motion carried by the following vote:

Aye: 7 - Board Member Kemp, Board Member Whittington, Board Member Campo, Board Member Roberts, Board Member Lightfoot, Board Member Seagraves and Board Member Rice

4. Adjournment

8:23PM

The June 8, 2015 meeting of the Planning and Zoning Board was adjourned by Chairperson Joel Powell at 8:23pm.