

Pre-Council Meeting - DRAFT
January 16, 2018
6:00 PM

Present: *Mayor A. Max Bacon* *Maryline Blackburn* *Susan Wilkinson*
 Derek Norton *Charles “Corkey” Welch* *Doug Stoner*
 Ron Fennel

Absent: Andrea Blustein

Also Present: Scott Cochran (City Attorney), Tammi Saddler–Jones (City Administrator), Scott Andrews (Assistant City Administrator), Terri Graham (City Clerk), Ken Suddreth (Community Development Director), Joey Staubes, (Planner II), Scott Stokes (Public Works Director), Roy Acree, (Fire Chief), Christy Ullman, (Executive Assistant to the Mayor and Council), Ashley Youmans (Community Liaison) and Lisa Moore (Assistant to City Clerk).

Mayor A. Max Bacon Called the Pre-Council Meeting to Order at 6:00 PM.

Fire Chief Roy Acree gave an update on the expected winter storm that should begin later in the evening. Snowfall was expected prior to the end of the Council meeting. Mr. Acree and Ms. Jones will discuss what the impact of the storm will be on the city opening the next day.

City Administrator Tammi Saddler Jones introduced two interns from Lyon, France, Maelle and Charlotte. They will be working with the city until March.

Assistant City Administrator Scott Andrews discussed work on the Smyrna Museum. Mr. Welch stated he gave Brockington two options, one is to do all that needs to be done all at once and the other is to break the projects over 24 months. The Mayor stated that Brockington was a local firm from Norcross, so when the City acquired the Gerald Cox Civil War Collection, the City used Brockington to catalog and display the items. It is a unique collection. Brockington was picked to do this project because they did a good job previously. Mr. Welch said there is a rough plan with seven different time periods, with a vision of having a visual timeline of Smyrna history.

The Mayor noted that Ms. Blustein was absent due to personal reasons.

Mayor Bacon reviewed the Agenda for the Mayor and Council meeting.

Item 4-A was the Williams Park project. Staff recommends approval, but Planning and Zoning denied rezoning on this property twice. This is the first time it has come to Mayor and Council. Ms. Blackburn asked if this this the first or second time it was turned down. Mr. Suddreth stated that the first time, it was denied by the Planning and Zoning Board, approved by Staff, but the applicant withdrew the request before it came to Council. This was in 2015 with a different owner, different attorney and a different plan. It was an application by a different owner to put five houses instead of 4 in a different configuration. There have been discussions that this is

against the City's ordinance. This has been done several times in other areas and it has been done across the street. Ms. Wilkinson asked about the utilities in the existing development in that neighborhood. The utilities are on the alleyway and some are on the public streets. The sewer is under the driveway and the HOA will be responsible for that. The same is true for this development. The garbage and recycling can be picked up on the private street. Ms. Wilkinson was concerned with stipulation #21, stating this says the road should be 26' width. Mr. Suddreth said the plan has 20' and it was agreed upon. The fire department said that 20' would be sufficient for their trucks.

The Mayor asked why it was denied by Planning and Zoning. Mr. Fennel said they were somewhat influenced by the number of people opposing the plan from Williams Park. Mr. Suddreth said that they agreed with the neighborhood that this is a stacking of homes on a deep lot and there are many other similar lots in the neighborhood. They feared that granting this would be used which would cause more density than anticipated. Mr. Suddreth's rebuttal of that was that 4.5 units are allowed on the future land use plan, and this is under 4 units. The existing zoning is R-15. The Mayor asked how many homes could be put on the two lots. Mr. Suddreth stated that there could be three houses built there under that zoning if a private drive was allowed. The land use is moderate (4.5 houses per acre). Mr. Cochran asked what the developer could do without Council's approval. Mr. Suddreth stated that they could build two houses. They'd have to ask for approval to subdivide the lots to build more than that. The Mayor stated that the Council should listen to the testimony and make a decision based on what they hear at the meeting. Ms. Wilkinson asked about the 50' easement, and wondered if that had been done before. It was done in 2004 and 2005 in a nearby redevelopment near Durham Park.

The Mayor asked what the neighborhood's objection was. Mr. Suddreth said was that it would set a negative precedent. There are many homes in the neighborhood that are on deep lots and this would cause overdevelopment in the neighborhood. Ms. Wilkinson asked how would utility and fire trucks would enter and leave the development. Mr. Suddreth said they could come in on the drive and there would be a turn-around between the second and third drive. This was a stipulation in the plan development.

Item 4-B will be tabled.

Item 4-C was a request to take the courtyard area out of the center of the buildings and move the planned buildings together and move at the Belmont development. This would reduce the a retaining wall on the road side from six to eight feet down to two to four feet. Mr. Suddreth felt this change was one that the Council should approve.

Item 4-D was a request from SunTrust Bank that License and Variance Board denied. The bank is not in the shopping center, so the ATM is not an accessory structure. Similar requests for this shopping center have been denied. Ms. Wilkinson said that there are concerns about the possibility of crime for a stand-alone ATM. Mr. Stoner stated that he would recuse himself from the discussion and the vote at the Council meeting because he is an adjacent property owner. Mr. Welch stated his concern is that it is in the middle of the parking lot and was unsure about the parking situation.

Item 4-E was the appeal of a decision by the License and Variance Board to allow Mr. Wagner to park his commercial truck on his property. Mr. Welch asked if the requestor had presented any comments from his neighbors about parking the truck. Mr. Suddreth had not. The Mayor asked how much over the limit the truck was. It is 1,000 pounds over the limit. In 2005, the limit was set at 10,000 from 6,000 pounds. The Mayor asked if this was a large issue. Mr. Stoner stated he had received many questions about parking commercial trucks in his ward. This truck is well over the limit and he felt this would set a negative precedent. Mr. Welch stated it is hard to distinguish a 10,000 pound truck and an 11,000 pound truck. People are complaining about the look of a commercial truck. The limit is set on the weight limit of the truck. Ms. Wilkinson stated she felt there would be a negative impact on Ward 5 as well. Mr. Suddreth said they enforce this ordinance often. This was the result of a Marshal observing the truck. Mr. Cochran asked what the impact is on the citizen if the request is denied.

Mr. Fennel asked about the weight being the determinate. It's not that it is harming the roads. Mr. Suddreth said that Council felt that they needed a measure to enforce the ordinance. Council decided to base on the weight of the truck. Mr. Welch stated that if the requestor took the same box and put it on a lighter truck, it would look the same. Mr. Stoner said that at some point the Council decided that they did not want commercial vehicles parked in their neighborhoods and that is the basis of the ordinance. Ms. Wilkinson opined that it affected property values. Mr. Stoner said if this is passed, the Council will have more and more of this type of request. There may be a need for the ordinance to be rewritten. The weight is based on the identified weight on the vehicle.

Ms. Jones asked if there was a verbal statement from staff that he could park his truck there. Mr. Wagner had said that he had gotten verbal approval, but there is nothing in writing.

City Clerk Terri Graham announced the passing of former Code Enforcement Officer Jerry Jacobs the previous week.

Mayor Bacon adjourned the Pre-Council Meeting at 6:59 PM.