



# City of Smyrna

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

## Meeting Minutes - Final Planning and Zoning Commission

Monday, November 12, 2018

6:00 PM

Council Chambers

### Rollcall

**Present:** 7 - Joel Powell, Leslie Lightfoot, Monty Bye, Earl Rice, Cheri Harrington, Denny Campo and David Monroe

**Absent:** 1 - Tom Bartlett

**Also Present:** 5 - Russell Martin, Ken Suddreth, Joey Staubes, Caitlin Crowe and Tina Monaghan

### 2. Call to Order

Chairman Joel Powell called the meeting to order at 6:00pm.

### 3. Business

#### A. [2018-34](#)

**Public Hearing** - Zoning Request Z18-015 - Rezoning from GC to RM-12-Conditional for the development of 35 townhome units at a density of 11.47 units per acre - 3.05 Acres - Land Lots 347 and 348 - 2249 South Cobb Drive and 2265 Ventura Road - Loyd Development Services, LLC - ***This zoning request will be tabled to the January 14, 2019 Planning and Zoning Board Meeting at the request of the applicant.***

**Sponsors:** Harrington and Wilkinson

*The applicant asked that the agenda item be tabled.*

Boardmember Earl Rice made a motion to table Zoning Request Z18-015 - Rezoning from GC to RM-12-Conditional for the development of 35 townhome units at a density of 11.47 units per acre - 3.05 Acres - Land Lots 347 and 348 - 2249 South Cobb Drive and 2265 Ventura Road - Loyd Development Services, LLC - until the December 10, 2018 Planning and Zoning Board Meeting at the request of the applicant. Boardmember Cheri Harrington seconded the motion.

The motion to table was carried by the following vote:

**Aye:** 6 - Leslie Lightfoot, Monty Bye, Earl Rice, Cheri Harrington, Denny Campo and David Monroe

**Absent:** 1 - Tom Bartlett

#### B. [2018-420](#)

**Public Hearing** - Zoning Request Z18-016 - Rezoning from R-20 to R-12-Conditional for development of 19 single-family homes at a density of 2.47 units per acre - 7.68 Acres - Land Lot 331 - 10 Rebel Trail -

**O'Dwyer Properties, LLC**

**Sponsors:** Monroe and Fennel

*Rusty Martin, Senior Planner, presented staff recommendation for rezoning request Z18-016. The request is to be heard by Mayor and Council on December 17, 2018. The applicant is requesting to rezone the property from R-20 (currently in Cobb County) to R-12 Conditional. The requested acreage would be added to a previous rezoning from 2006 for a total development of 19 single family homes. No land use map change is needed.*

*The applicant is requesting several variances:*

- 1. Reduction of minimum lot size from 12,000 sq. ft. to 6,000 sq. ft;*
- 2. Reduction of minimum lot width from 85' to 65';*
- 3. Reduction of minimum front setback from 35' to 13';*
- 4. Reduction of minimum interior side setback from 10' to 5'; and*
- 5. Reduction of minimum rear setback from 30' to 20'.*

*Staff are supportive of all of the variances.*

*Staff recommends approval with the following conditions:*

**Standard Conditions**

*(Requirements 2, 8, and 17 from Section 1201 of the Zoning Code are not applicable)*

- 1. The composition of the homes in a residential subdivision shall include a mixture of elements including; but not limited to: brick, stone, shake, hardy plank and stucco. No elevation shall be comprised of 100% hardy plank siding. The residences whose lots abut external roadways shall not be permitted to utilize hardy plank for any elevation facing these roads.*
- 2. There shall be protective covenants with a mandatory homeowners association on all lots. These protective covenants shall be supplied to the City prior to the issuance of a building permit.*
- 3. The developer shall provide at least 200 square feet of common space per lot. This common space shall be developed with improvements for the residential subdivision such as: gazebos, fountains, recreational/playground equipment or walking trails. The common space shall be controlled and maintained by the Homeowners Association*
- 4. The detention pond shall be placed and screened appropriately to be unobtrusive to homes inside and outside the development. The storm water detention plan shall be designed to create at least a 10% reduction in a 2-year to 100-year storm event. The City Engineer shall approve all plans.*
- 5. All utilities within the development shall be underground.*
- 6. The developer shall be responsible for any traffic improvements (including additional right-of-way dedications) deemed necessary by either the City or the County during construction plan review. Sidewalks shall be provided by the developer inside the subdivision and outside the subdivision within any public right-of-way consistent with City's requirements for the extent of the development. A grass buffer with a minimum width of 2' shall be provided between the back of curb and sidewalk.*
- 7. The developer shall install a deceleration lane at the main entrance for the subdivision. The deceleration lane shall have a minimum length of 150' with a 50' taper.*
- 8. A strip of brick pavers or stamped concrete shall be installed on the street at the subdivision entrance for a minimum distance of 20 feet.*
- 9. The development of any streets (including private) shall conform to the City's standards for public right-of-ways.*
- 10. No debris may be buried on any lot or common area.*
- 11. The developer will install decorative streetlights within the development, subject to*

approval by the City Engineer. Utilization of low intensity, environmental type lighting, the illumination of which shall be confined within the perimeter of the subject property through the use of "full-cutoff lighting".

12. The developer will comply with the City's current tree ordinance (unless noted elsewhere). All required tree protection measures shall be adhered to by the developer during construction.

13. All landscape plans must be prepared, stamped, and signed by a Georgia Registered Landscape Architect for any common areas or entrances.

14. All yards and common areas are to be sodded, and landscaped. Irrigate as appropriate.

15. All single-family and/or duplex residential lots shall provide the following at the time of certificate of occupancy: either four 3" caliper trees or three 4" caliper trees, unless otherwise approved by the City's Arborist. The following species of trees may be used: Nuttall Oak, Swamp Chestnut Oak, Allee Elm, and Village Green Zelkova. Other species may be used if approved by the City.

#### Special Conditions

16. The development shall maintain the following setbacks:

a. Front – 22' from back of curb

b. Side – 5' (Minimum 10' Between Houses)

c. Rear – 20'

d. Driveway – 19' minimum length from building face to the back of sidewalk

17. The development shall be developed with a minimum lot size of 6,000 square feet.

18. The lots shall be developed with a minimum lot width at the setback line of 65'.

19. The homes shall have a minimum floor area of 2,200 sq. ft.

20. The maximum allowable lot coverage for the property shall be limited to 35%.

21. The developer shall be responsible for the installation of all water and sewer lines in accordance with the requirements of the Cobb County Water System.

22. All trees within the limits of disturbance that are scheduled to be preserve shall be protected according to the City's Tree Ordinance. All other trees within the limits of disturbance shall be removed.

23. No stormwater management facility or portion thereof shall be located on any portion of the proposed lots. The stormwater management facility shall be solely located on the HOA's property and shall be maintained by the HOA.

24. Approval of the subject property for the R-12 zoning district shall be conditioned upon the development of the property in substantial compliance with the site plan submitted 9/14/2018 created by Gaskins.

25. The applicant shall be bound to the elevations submitted and dated 9/14/2018. Approval of any change to the elevations must be obtained from the Director of Community Development.

Board member Monroe asked about erosion from Nickajack Creek onto the back lots. Mr. Martin said the applicant would need to submit a hydrology study prior to permitting.

Board member Monroe asked about moving the entrance closer to the existing Woodbridge subdivision. Mr. Martin said the City Engineer has looked at it and it's currently fine.

Chairman Powell asked the applicant, Jordan Tench of O'Dwyer Properties, to provide an overview of the request. Mr. Tench brought his own PowerPoint presentation and presented it to the board. Mr. Tench highlighted that they are a semi-custom home builder and that they have worked in Smyrna many times. The proposed rezoning

would combine a previously rezoned section for their single-family homes. Mr. Tench also proposed an additional variance to increase the impervious lot coverage from 35% to 45% to keep their preferred floor area.

Board member Campo asked the applicant to clarify how many lots would be involved in the requested variance. Mr. Tench responded that 6 lots would be involved.

Board member Monroe asked when they realized they needed this variance. Mr. Tench responded that they didn't realize until Friday (November 9) and didn't inform Senior Planner Martin until this morning (November 12).

Board member Campo directed his question to Community Development and asked if staff were supportive of the new proposed variance. Community Development Director Ken Suddreth responded that they would need to ask more questions of the applicant to be able to give a recommendation. Mr. Tench clarified that lots 6, 7, 8, 15, 16, and 17 would specifically be involved in needing the variance.

Board member Bye asked the price point of the homes. Mr. Tench said that they would be between \$500,000 and \$700,000.

Chairman Powell opened the floor for Public Hearing.

No one came forward to speak at the Public Hearing.

Boardmember David Monroe made a motion to approve Zoning Request Z18-016 - Rezoning from R-20 to R-12-Conditional for development of 19 single-family homes at a density of 2.47 units per acre - 7.68 Acres - Land Lot 331 - 10 Rebel Trail - O'Dwyer Properties, LLC. This motion was seconded by Boardmember Denny Campo.

The motion to approve was carried by the following vote:

**Aye:** 5 - Leslie Lightfoot, Monty Bye, Earl Rice, Denny Campo and David Monroe

**Nay:** 1 - Cheri Harrington

**Absent:** 1 - Tom Bartlett

**4. Approval of Minutes:**

**A. [2018-429](#)** Approval of the October 08, 2018 Planning and Zoning Meeting Minutes.

Boardmember Monty Bye made a motion to approve the October 8, 2018 Planning and Zoning Meeting Minutes with a second by Boardmember David Monroe.

The motion to approve was carried by the following vote:

**Aye:** 6 - Leslie Lightfoot, Monty Bye, Earl Rice, Cheri Harrington, Denny Campo and David Monroe

**Absent:** 1 - Tom Bartlett

**5. Adjournment**

Chairman Powell adjourned the meeting at 6:33pm.