



Meeting Minutes - Final
City Council

Monday, July 17, 2017

7:00 PM

Council Chambers

Roll Call

Present: 7 - Mayor Max Bacon, Councilmember Derek Norton, Councilmember Andrea Blustein, Councilmember Teri Anulewicz, Councilmember Susan Wilkinson, Councilmember Doug Stoner and Councilmember Ron Fennel

Absent: 1 - Councilmember Charles Welch

Also Present: 9 - Tammi Saddler Jones, Scott Cochran, Terri Graham, Ken Suddreth, Russell Martin, Heather Corn, Dat Luu, Maxwell Ruppensburg and Ashley Youmans

Call to Order

Mayor Max Bacon called the Meeting of the Mayor and Council to order at 7:00 PM

1. Invocation and Pledge:

Mayor Max Bacon called on Deacon Tim Gibson from the int'l Gospel Outreach Church located at 1101 Windy Hill Road to offer the invocation. Deacon Tim Gibson also led all in the Pledge of Allegiance

2. Agenda Changes:

There were no agenda changes.

3. Mayoral Report:

There was no Mayoral report.

4. Land Issues/Zonings/Annexations:

- A. [2017-251](#) Approval of the transmittal of the Smyrna 2040 Comprehensive Plan by Resolution 2017-13 to the Atlanta Regional Commission and the Georgia Department of Community Affairs.

Sponsors: Stoner

City Administrator Tammi Saddler-Jones read the following background for this item: The Community Development Department is seeking approval of the transmittal of the Smyrna 2040 Comprehensive Plan to the Atlanta Regional Commission and the Georgia Department of Community Affairs.

The Comprehensive Plan for Smyrna, Georgia is mandated by the Georgia Planning Act 634 (Georgia Law 1989, pp. 1317-1391). This act requires that each jurisdiction in the state prepare and implement a Comprehensive Plan, which is reviewed by the regional development commission. For the City of Smyrna, the regional development

commission is the Atlanta Regional Commission (ARC). The rules and regulations of the Act "are intended to provide a framework to facilitate and encourage coordinated, comprehensive planning and development at the local, regional, and state government level". Chapter 110-12-1- .02 - .08 of the act sets minimum standards for each jurisdiction.

The standards are intended to provide a framework for preparation of local comprehensive plans that will; "involve all segments of the community in developing a vision for the community's future; generate local pride and enthusiasm about the future of the community; engage the interest of citizens in implementing the plan; and provide a guide to everyday decision-making for use by local government officials and other community leaders." These standards help the community address critical issues and opportunities while moving toward realization of its vision for the future.

Community Development recommends approval of the transmittal of the Smyrna 2040 Comprehensive Plan to the Atlanta Regional Commission and the Georgia Department of Community Affairs.

Community Development Director Ken Suddreth introduced Mr. Jim Summerbell who presented the Guide Smyrna Mayor and Council Briefing.

-Overview of draft 10-Year Update of the City's Comprehensive Plan

-Pre-Transmittal Hearing: Following Council approval, the draft plan will be transmitted to ARC for regional and state review. The plan cannot be adopted by Council until ARC and DCA find that it is in compliance with state guidelines.

-Review period open until October. This is still a draft document and changes can be made up until adoption

Guide Smyrna: The basics:

-10-Year Update of the City's Comprehensive Plan

-Update required by DCA to maintain eligibility for selected state funding and permitting programs

-Key aspects of planning process include:

Plan elements:

-Focus on future land use but also address transportation, housing, and economic development

-Build upon the overall vision set by the 2014 Smyrna Strategic Vision Plan as well as land use policy established in Comprehensive Plan 2030

Incorporate other related efforts: Spring Road LCI, South Cobb Drive Study, Cobb County Comprehensive Transportation, .

Public meetings & events:

Stakeholder interviews

Held two public workshops

Conducted community survey

Jonquil Festival Booth, April 29-30th

Open House, June 8th

Upcoming public hearings

Pre-transmittal Hearing with Mayor and City Council – Monday, July 17th

Adoption Hearing with Mayor and City Council – Monday, October 2nd

Priority Needs and Opportunities:

Land Use:

LU1. Target public investment and encourage private investment in key nodes and corridors

LU2. Increase adaptability of development regulations

LU3. Ensure infill development is compatible with its context

LU4. Maintain high design standards

Transportation:

T1. Enhance and expand transit service

T2. Reduce congestion on major roads

T3. Expand the bike/pedestrian network

Housing:

H1. Continue to encourage the creation of diverse housing choices

H2. Encourage home ownership and neighborhood stability

H3. Continue to enhance quality of life in neighborhoods

H4. Facilitate context appropriate housing densities

Economic Development:

ED1. Reduce commercial vacancies

ED2. Expand retail in activity centers and priority redevelopment areas

ED3. Leverage Braves stadium for restaurant and hospitality industries, as well as professional services.

ED4. Support and/or accelerate entrepreneurship

ED5. Retain Existing businesses

Public Services and Quality of Life:

Q1. Support school quality excellence

Q2. Provide additional parks and greenspace

Q3. Cultivate public art and culture

Q4. Develop strategic approach to annexations

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Vision Statement:

Smyrna will emerge as a regional destination known for its sense of community, ease of access and connectivity, signature spaces and art, entrepreneurial spirit embodied in unique local businesses, and its diversity of distinct and welcoming neighborhoods.

Updating the Future Land Use Map: the Process:

Started with adopted 2030 Future Development Map

Created Policy map based on future vision and development trends

Analyzed how the current FLU map reflects the vision

Crafted new 2040 FLU Map and policies based on input from the Steering Committee

New Definitions and Features:

Five categories of residential instead of four

New Regional Activity Center around SunTrust Park

New Industrial Mixed Use to encourage conversion of underutilized industrial areas

Private Recreation and Conservation shown separate from Public Parks

Transportation/Communication/Utilities 100-year Floodplain shown as a feature

Separate feature of the Policy Map to be used in conjunction with the Future Land Use

Map includes showing potential annexation areas

Consistency Changes:

New map is parcel based which allowed us to more accurately reflect new developments, such as Belmont, and align more closely with existing zoning

Reflected existing allowed residential densities

Industrial and commercially zoned properties are now more accurately reflected

Many public and institutional uses were updated, including schools, city hall, and some large private institutions

Community Work Program:

Includes policies and action items to address the identified Priority Needs and Opportunities

Action items incorporate ongoing efforts to implement the Strategic Vision Plan and other studies such the Spring Road LCI, and South Cobb Drive Study

Key recommendations include:

Updating the City's Zoning Ordinance

Conduct a Study of Infill Development Guidelines

Identify declining neighborhoods through planning studies and target these areas for revitalization efforts

Conduct Annexation Study to refine the City's Annexation Policy

Undertake City Transit Study

Implement and Update Parks and Recreation Master Plan

Councilmember Doug Stoner thanked everyone involved in this process. He reminded Council that this is a transmittal of the document.

A motion was made by Councilmember Doug Stoner to approve 2017-251 authorizing the transmittal of the Smyrna 2040 Comprehensive Plan by Resolution 2017-13 to the Atlanta Regional Commission and the Georgia Department of Community Affairs, there was a second made by Councilmember Ron Fennel. The motion carried by the following vote:

Aye: 5 - Councilmember Norton, Councilmember Blustein, Councilmember Anulewicz, Councilmember Wilkinson, Councilmember Stoner and Councilmember Fennel

Absent: 1 - Councilmember Welch

B. [2017-172](#)

Public Hearing Only: There will be No Vote for this hearing - Zoning Request Z17-009 - Rezoning from R-20 to RAD-Conditional for the development of 15 homes at 3.64 units per acre - approximately 4.1 Acres - Land Lots 332 and 333 - Southwest corner of East/West Connector and Fontaine Road - Weekley Homes, LLC

Sponsors: Fennel

Tammi Saddler-Jones, City Administrator, read the following background for this item:

Public Hearing Only: There will be No Vote for this hearing - Zoning Request Z17-009 - Rezoning from R-20 to RAD-Conditional for the development of 15 homes at 3.64 units per acre - approximately 4.1 Acres - Land Lots 332 and 333 - Southwest corner of East/West Connector and Fontaine Road - Weekley Homes, LLC

Weekley Homes, LLC is requesting the annexation and rezoning of the subject property from R-20 to RAD-Conditional for the development of a 15 home subdivision at a density of 3.64 units per acre. The proposed subdivision will be accessed from Fontaine Road with a public road that encircles a community space in the center of the property. The proposed lots will range between 5,478 sq. ft. and 15,267 sq. ft. with an average lot size of 7,991 sq. ft.. The proposed lots will maintain a front setback of 25' (with the exception of lots # 3, #4 and # 15, which will have a 20' front setback), a side setback of 5' (with a minimum of 10' be buildings) and a rear setback of 20'. The homes will employ a variety of traditional architectural features. The building facades will include, but not be limited to brick, stone, cement-fiber siding, wood or cement-fiber shingles, and other materials per the attached renderings. The applicant has provided elevations and floor plans for review with the zoning application.

The zoning request was tabled at the May 8, 2017 Planning and Zoning Board meeting to allow the applicant an opportunity to address the County's original letter of opposition to the annexation and rezoning request. On May 10, 2017, Cobb County issued a revised letter with respect to it's opposition to the annexation and zoning request. The County does not object to the requested annexation and zoning. The zoning request was heard by the Planning and Zoning Board at the June 12, 2017 meeting and was recommended for approval by a vote of 5-0 with staff recommendation.

Community Development recommends approval of the requested rezoning from R-20 to RAD-Conditional for the development of 14 single-family homes with the following conditions:

Standard Conditions

(Requirement #8 & #9 from Section 1201 of the Zoning Code is 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. The developer shall provide an undisturbed buffer with a minimum width of 20 feet parallel to any right-of-way external to the development (except along East/West Connector & Fontaine Road where the detention facility is located along the right-of-way and behind lots #14 & #15 as shown on the submitted site plan).

3. There shall be protective covenants on all lots. These protective covenants shall be supplied to the city prior to the issuance of a building permit.

4. 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.

5. 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.

6. All utilities within the development shall be underground.

7. The developer shall be responsible for any traffic improvements (including additional right-of-way dedications) deemed necessary by the City during construction plan review. Sidewalks shall be provided by the developer inside the subdivision and outside the subdivision adjacent to 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.

8. The development of any streets (including private) shall conform to the city's standards for public right-of-ways.

9. No debris may be buried on any lot or common area.

10. 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".

11. 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.

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

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

14. Each individual lot shall have three four-inch caliper trees replanted per lot. 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.

15. A Level 1 Archeological Study shall be provided for the development. The developer shall verify to the city that any historical or archeological features (including civil war trench lines or evidence of encampments) identified in the study will be protected from development prior to the issuance of a permit for any land disturbance activities.

Special Conditions

16. The development shall maintain the following minimum setbacks:

Front - 25' & 20' for lots #3, #4 & #15

Side - 5' (with a minimum 10' between buildings)

Rear - 20'

17. Driveway - 22' minimum length from building face to back of sidewalk.

18. The developer shall provide a 5' sidewalk with a 2' grass buffer along Fontaine

Road for the length of the development and a 5' sidewalk with a 2' grass buffer within the subdivision.

19. The developer shall provide either a minimum 20' undisturbed buffer or a 20' landscape buffer in accordance with Section 503 of the Zoning Ordinance along the shared property line with the adjoining single-family homes.

20. No stormwater management facility or portion thereof shall be located on any portion of the proposed lots. The stormwater management facilities shall be solely located on the HOA's property.

21. Any portion of the detention facility wall visible from the public right-of-way shall be clad with a decorative brick or stone façade.

22. All trees within the limits of disturbance and not located within a tree protection area must be removed during the land clearing and grading phase of the development.

23. Approval of the subject property for the RAD zoning district shall be conditioned upon the development of the property in substantial compliance with the site plan submitted 5/2/2017 created by North Point Land Surveying with only 14 lots and the all zoning stipulations above.

24. The applicant shall build the homes in substantial compliance to the building elevations submitted and dated 7/17/2017. Approval of any change to the elevations must be obtained from the Director of Community Development.

Mayor Bacon called the Public Hearing and no one came forward to speak in opposition to or to make comment regarding this item.

Ken Suddreth noted this item is coming from the Planning Commission with an approval. He reiterated the background for this item and noted the two requests not supported that have been adjusted with this new request for 14 lots.

The Zoning Map was shown as was the Future Land Development Map. The original Proposed Site Plan was reviewed and the requested variances explained and reviewed as well. The proposed Home elevations were shown to the Mayor and Council and pictures of adjacent properties were also shown.

Attorney Ellen Smith, representing the applicant spoke about the items supported by staff and the new site plan was submitted and the applicant is in agreement to the conditions listed. There was one change requested to Condition # 16 regarding front setback changing lot 15 to lot 14.

The public hearing was held for this re-zoning request. No one came forward to speak for or against this re-zoning. This item is only for a public hearing so there is no vote taken.

C. [2017-271](#)

Approval of Ordinance 2017-07 for a Annexation request (100% of owners requesting annexation) - All tract or parcel of land lying and being in Land Lot 332 and 333, 17th District, 2nd Section, Cobb County, Georgia for approximately 4.1 acre tract. This parcel 17033201330 is located at the East West Connector and Fontaine Road, Smyrna Georgia. It will reside in Ward 7 and become effective August 1, 2017

Sponsors: Fennel

Councilmember Ron Fennel noted the neighboring subdivision was in agreement and had no opposition to this development or to the annexation.

A motion was made by Councilmember Ron Fennel to approve 2017-271 for Ordinance 2017-07 for an Annexation request (100% of owners requesting annexation) - All tract or parcel of land lying and being in Land Lot 332 and 333, 17th District, 2nd Section, Cobb County, Georgia for approximately 4.1 acre tract. This parcel 17033201330 is located at the East West Connector and Fontaine Road, Smyrna Georgia. It will reside in Ward 7 and become effective August 1, 2017; there was a second made by Councilmember Doug Stoner.

The motion carried by the following vote:

Aye: 5 - Councilmember Norton, Councilmember Blustein, Councilmember Anulewicz, Councilmember Wilkinson, Councilmember Stoner and Councilmember Fennel

Absent: 1 - Councilmember Welch

D. [2017-272](#)

Final Vote: Zoning Request Z17-009 - Rezoning from R-20 to RAD-Conditional for the development of 15 homes at 3.64 units per acre - approximately 4.1 Acres - Land Lots 332 and 333 - Southwest corner of East/West Connector and Fontaine Road - Weekley Homes, LLC

Sponsors: Fennel

The public hearing for the zoning request was heard and the annexation request was granted for this property on the East/West Connector and Fontaine Road. Councilmember Ron Fennel made a motion and amended the number of houses from 15 to 14 as requested and agreed to by the applicant as a condition; then to approve 2017-272 for the final vote for the zoning request Z17-009 - Rezoning from R-20 to RAD-Conditional for the development of 14 homes at 3.64 units per acre - approximately 4.1 Acres - Land Lots 332 and 333 - Southwest corner of East/West Connector and Fontaine Road - Weekley Homes, LLC., there was a second made by Councilmember Doug Stoner.

The motion carried by the following vote:

Aye: 5 - Councilmember Norton, Councilmember Blustein, Councilmember Anulewicz, Councilmember Wilkinson, Councilmember Stoner and Councilmember Fennel

Absent: 1 - Councilmember Welch

E. [2017-174](#)

Public Hearing - Zoning Request Z17-008 - Rezoning from R-15 to RAD-Conditional for the development of three single-family homes at a density of 3.57 units per acre - 0.699 Acres - Land Lot 335 - 4149 North Cooper Lake Road - Craftmark Development, LLC

Sponsors: Welch

City Administrator Tammi Saddler-Jones read the following background for this item: This is a zoning request (Z17-008) for the rezoning from R-15 to RAD-Conditional for the development of three single-family homes at a density of 3.57 units per acre on 0.699 Acres, Land Lot 335 located at 4149 North Cooper Lake Road by the applicant Craftmark Development, LLC

Craftmark Development, LLC has requested the rezoning of 4149 North Cooper Lake Road from R-15 to RAD-Conditional for the development of 3 residences at a density of 2.75 units per acre. The applicant is proposing to incorporate the three new homes as Phase II of the Park Place Subdivision. The Park Place Subdivision was originally rezoned in 2014 (Zoning Case Z14-003) and was approved for 12 single-family homes at a density of 2.74 units per acre. The Park Place Subdivision was developed with only 11 single-family homes and was completed in the Fall of 2016. The applicant was the developer of the Park Place Subdivision and still retains control of the HOA and the openspace. The applicant would like to transfer the twelfth lot from the Park Place Subdivision to Phase II to hold the density in-line with the original zoning. Upon completion of the zoning process and the development, the applicant will turn over control of the openspace and the HOA over to the residents. The applicant has worked with the existing residents of the Park Place Subdivision to address their concerns and

create a design that integrates with their neighborhood. The applicant has made the statement that the Park Place residents are supportive of the incorporation of the homes as Phase II of the subdivision, as well as the reduction of the openspace for the community. Staff has requested a letter acknowledging this support, but at the writing of this report, staff has yet to receive this letter.

This zoning request was tabled from the May 8, 2017 Planning and Zoning Board Meeting to the June 12, 2017 meeting. The zoning request was recommended for approval by the Planning and Zoning Board by a vote of 5-0 at their June 12, 2017 meeting.

City Attorney Scott Cochran swore in one person to speak as Mayor Bacon called the public hearing for this item.

Senior Planner Russell Martin reviewed this item and noted it was approved by the Planning and Zoning Commission. He reviewed the Zoning Map, the Future Land Use Development Map, and Proposed Site Plan as shown as well. The requested variances were discussed and the Elevations, Adjacent Property Pics and Staff Recommendations were shown and reviewed.

Community Development recommends approval the rezoning from R-15 to RAD-Conditional for the three single-family homes at a density of 2.75 units per acre with the following conditions carried over from Z14-003 (changes noted with **):

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 adjacent to 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. The grass buffer may be waived if it is deemed unnecessary by the City Engineer.

7. 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.

8. The development of any streets (including private) shall conform to the City's standards for public right-of-ways.

9. No debris may be buried on any lot or common area.

10. 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".

11. *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.*
12. *All landscape plans must be prepared, stamped, and signed by a Georgia Registered Landscape Architect for any common areas or entrances.*
13. *All yards and common areas are to be sodded, and landscaped. Irrigate as appropriate.*
14. *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
15. *The development shall maintain the following setbacks:*
Front - 20'
Side - 5'
Street Side - 10'
Rear - 20'
16. *The development shall be developed with a minimum lot size of **10,000 square feet.*
17. *The proposed homes shall have a minimum floor area of 2,000 sq. ft.*
18. *** Removed - All new homes shall be accessed from the new proposed public roads for the subdivision.*
19. *Driveway - 22' minimum length from building face to back edge of sidewalk. Each unit shall have a two-car garage.*
20. *** Removed - The developer shall provide access from the 50' cul-de-sac to the existing 5' sidewalk along Plant Road to provide pedestrian access to the City park.*
21. *The developer shall be responsible for the installation of all water and sewer lines. **In accordance with the requirements of the Public Works Director.*
22. *No stormwater management facility or portion thereof shall be located on any portion of the proposed lots. The stormwater management facilities shall be solely located on the HOA's property.*
23. *The proposed stormwater management facility shall be tied into the existing city stormwater system on Plant Road.*
24. *** Removed - The developer shall be responsible for the provision and dedication of a sanitary sewer easement for the connection to the city sanitary sewer system at time of final platting. The City Public Works Director and Parks Director shall review and approval all easements.*
25. *** Amended - The trees removed along the north side of Spy Glass Court shall be recompensed and replanted on-site on an inch per inch basis.*
26. *** Added - There shall be a minimum of 50' between the street edge on North Cooper Lake Drive to the nearest edge of the driveway apron on lot #1.*
27. *All trees within the limits of disturbance and not located within a tree protection area must be removed during the land clearing and grading phase of the development.*
28. *** Added - Approval of the subject property for the Residential Attached Detached (RAD) zoning district shall be conditioned upon the development of the property in substantial compliance with the submitted site plan dated 6/8/2017 created by Ridge Planning and Engineering.*
29. *** Added - The applicant shall be bound to the elevations submitted and dated 4/7/2017. Approval of any change to the elevations must be obtained from the Director of Community Development.*
30. *** Added - The additional stipulations agreed upon by the applicant in the letters by Garvis Sams submitted and dated on June 1, 2017, June 8, 2017 and July 10, 2017. If there should be a discrepancy between the stipulations in the June 1, 2017, June 8,*

2017 and July 10, 2017 letters and the stipulations stated above, the stipulations stated above shall apply.

Garvis Sams is the attorney for the applicant and remarked that Mr. Martin had reviewed in great detail the specifics of this development. Has Mr. Brent Benson of Craftmark present to answer questions.

He spoke about the town hall meeting facilitated by Councilmember Welch and he remarked about the presence of the Moon's and he noted an agreement reached with the Moon's that layed their concerns regarding the easement to rest. This will be an upscale development for the area. The neighboring PArk Place is very satisfied with the development and the changes made to accomodate the neighbors.

Mike Lady, HOA president of Cooper Lake Place. Across the street from the two new homes. He has some concerns regarding the traffic and specifically the light that notifies residents of oncoming traffic as they exit onto Concord Road.

Mayor Bacon asked Eric Randall to look into this issue with the blinking light.

A motion was made by Councilmember Doug Stoner to approve item 2017-174 after holding a public hearing for Zoning Request Z17-008 - Rezoning from R-15 to RAD-Conditional for the development of three single-family homes at a density of 3.57 units per acre - 0.699 Acres - Land Lot 335 - 4149 North Cooper Lake Road - Craftmark Development, LLC., there was a second by councilmember Ron Fennel. The motion carried by the following vote:

Aye: 5 - Councilmember Norton, Councilmember Blustein, Councilmember Anulewicz, Councilmember Wilkinson, Councilmember Stoner and Councilmember Fennel

Absent: 1 - Councilmember Welch

F. [2017-216](#)

Public Hearing - Zoning Request Z17-010 - Rezoning from R-15 to RAD-Conditional for the development of 2 homes at a density of 5.99 units per acre - 0.334 Acres - Land Lot 487 - 2925 Mann Street - J. Carpenter Homes

Sponsors: Anulewicz

City Administrator Tammi Saddler-Jones read the following background for this item: This is a zoning request Z17-010 for the rezoning from R-15 to RAD-Conditional for the development of 2 homes at a density of 5.99 units per acre on 0.334 Acres, Land Lot 487 located at 2925 Mann Street by the applicant J. Carpenter Homes.

J. Carpenter Homes is requesting rezoning from R-15 to RAD-Conditional for the demolition of the existing home and the construction of two new single-family residences at a density of 5.99 units per acre. Both homes are proposed to front on Stephens Street. One home will be accessed from Stephens Street via a front-entry garage and the other home will be accessed from Mann Street via a side entry garage. The applicant has submitted building elevations and floor plans for both residences in the rezoning application. The submitted elevations reflect a more traditional style home with a mixture of exterior façade materials and architectural elements. The design of both homes will enhance the architectural standards of the general neighborhood. The zoning request was heard at the June 12, 2017 Planning and Zoning Board Meeting and was recommended for approval by a vote of 5-0 with staff recommendations.

The public Hearing was called and no one came forward to speak in opposition to or in favor of this item.

Senior Planner Russell Martin reviewed the background and all corresponding maps, including the Zoning Map and the Future Land Use Map. The proposed site plan was also reviewed. Elevations were shown and staff recommendations reviewed.

Community Development recommends approval of the request rezoning from R-15 to RAD-Conditional for the construction of two new single-family residences at a density of 5.99 units per acre with the following conditions:

Standard Conditions

(Requirement #2, 3, 4, 8, 9, 10 and 17 from Section 1201 of the Zoning Code is 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. The stormwater management facility 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.*
 - 3. All utilities within the development shall be underground.*
 - 4. 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 adjacent to 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.*
 - 5. No debris may be buried on any lot or common area.*
 - 6. 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.*
 - 7. All landscape plans must be prepared, stamped, and signed by a Georgia Registered Landscape Architect for any common areas or entrances.*
 - 8. All yards and common areas are to be sodded, and landscaped. Irrigate as appropriate.*
 - 9. 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. 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*
- 10. The development shall maintain the following setbacks:
Front - 25' (from existing ROW)
Interior Side - 7.5'
Street Side - 25' (from existing ROW)
Rear - 30'*
 - 11. Driveway - 22' minimum length from building face to back of sidewalk.*
 - 12. The right-of-ways along both Stephens Street and Mann Street shall be increased to 50 feet. Therefore, a dedication of approximately 10' feet is required along both Stephens Street and Mann Street.*
 - 13. All new water and sewer taps shall be bored.*
 - 14. There shall be a minimum of 50' between the street edge on Stephens Street to the nearest edge of the driveway apron on Mann Street. If the minimum distance of 50' cannot be provided, a driveway turnaround shall be provided.*
 - 15. Approval of the subject property for the Residential Attached Detached (RAD) zoning district shall be conditioned upon the development of the property in substantial compliance with the submitted site plan dated 5/12/2017 created by Paul Lee Consulting Engineering Associates, Inc.*
 - 16. The applicant shall be bound to the elevations submitted and dated 5/12/2017. Approval of any change to the elevations must be obtained from the Director of*

Community Development.

17. The additional stipulations agreed upon by the applicant in the letter by Garvis Sams submitted and dated on June 5, 2017. If there should be a discrepancy between the stipulations in the June 5, 2017 letter and the stipulations stated above, the stipulations stated above shall apply.

A motion was made by Mayor pro tem/Councilmember Teri Anulewicz to approve 2017-216 after the public hearing for zoning request Z17-010 - Rezoning from R-15 to RAD-Conditional for the development of 2 homes at a density of 5.99 units per acre - 0.334 Acres - Land Lot 487 - 2925 Mann Street - J. Carpenter Homes, there was a second made by Councilmember Doug Stoner. The motion carried by the following vote:

Aye: 5 - Councilmember Norton, Councilmember Blustein, Councilmember Anulewicz, Councilmember Wilkinson, Councilmember Stoner and Councilmember Fennel

Absent: 1 - Councilmember Welch

G. [2017-250](#)

Public Hearing: Approval of subdivision plat for 13 residential lots in the R-20 zoning district - 7.01 acres - Land Lot 556 - 3360 and 3380 Pinetree Drive - Paramount Realty Group, LLC

Sponsors: Stoner

Councilmember Doug Stoner recused himself and left the chambers.

City Administrator Tammi Saddler-Jones read the following background:

This item is for the approval of subdivision plat for 13 residential lots in the R-20 zoning district on 7.01 acres, Land Lot 556 located at 3360 and 3380 Pinetree Drive by the applicant Paramount Realty Group, LLC.

The applicant is proposing 13 lots for the development of single family detached homes and retain the existing R-20 zoning at 3360 and 3380 Pinetree Drive. The applicant requests a variance for lot width reduction for lots 6 and 8 which are adjacent to the proposed cul-de-sac. The minimum lot width for R-20 is 100 feet. The applicant requests a reduction for Lot 6 to 77 feet and Lot 8 to 65 feet. The variance is requested due to the geometry of the lots as they are triangular in shape due to their proximity to the cul-de-sac. The subdivision is proposed for the development of 13 detached single family homes. A new road is proposed, with houses on either side that terminates to a cul-de-sac. This configuration provides the best opportunity for tree retention within the rear setbacks of the new homes that will provide a buffer to the existing homes.

Community Development has reviewed the proposed subdivision against the requirements of the R-20 zoning district. Staff believes the proposed subdivision meets the intent of the requirements of the R-20 zoning district with the exception of the lot width. Community Development has analyzed the lot width reduction and found it to be in conformance with the existing neighborhood character. The zoning request was heard by the Planning and Zoning Board at the July 10, 2017 meeting and was recommended for approval by a vote of 5-0 with staff recommendations.

Community Development recommends approval of the requested subdivision and lot width reduction with the following conditions:

1. Approval shall be conditioned upon substantial compliance with the site plan submitted for plat approval on 4/21/17.

Clerk's Note: Councilmember Doug Stoner announced that he was going to recuse himself from the vote on this subdivision plat due to the property being contiguous to his parents property. Councilmember Stoner explained that this property is in his ward and he had asked Councilmember Ron Fennel to make the motion in his absence, he

stepped away from the dais and left the chambers.

A motion was made by Councilmember Ron Fennel to approve 2017-250 after holding the public hearing for the approval of a subdivision plat for 13 residential lots in the R-20 zoning district - 7.01 acres - Land Lot 556 - 3360 and 3380 Pinetree Drive - Paramount Realty Group, LLC., there was a second made by Councilmember Derek Norton. The motion carried by the following vote:

Aye: 4 - Councilmember Norton, Councilmember Blustein, Councilmember Anulewicz, Councilmember Wilkinson and Councilmember Fennel

Absent: 1 - Councilmember Welch

Recuse: 1 - Councilmember Stoner

H. [2017-215](#)

Public Hearing - Zoning Request Z17-011 - Zoning Amendment to modify the currently approved site plan and building elevations - 3.3 Acres - Land Lot 490 - Northwest corner of the intersection of Atlanta Road and Belmont Boulevard - David Weekley Homes.

Sponsors: Anulewicz

Tammi Saddler-Jones, City Administrator, read the following background for this item: This is a zoning request Z17-011 for the zoning amendment to modify the currently approved site plan and building elevations on 3.3 Acres, Land Lot 490 located on the northwest corner of the intersection of Atlanta Road and Belmont Boulevard by the applicant David Weekley Homes.

The applicant (David Weekly Homes) has contracted with Halpern Enterprises, Inc. to purchase 3.3 acres of land known as POD B of the Belmont Redevelopment Project. David Weekly Homes intends to develop the property into a community of 59 single-family detached homes at a density of 17.97 units per acre. The homes to be constructed in the community will be zero lot line homes with approximately three feet (3') of building separation.

The proposed zoning amendment will result in the redesign of POD B at the Belmont Redevelopment Project. The original zoning of the property zoned POD B to a specific site plan, which reflected 11,000 sq. ft. of commercial/retail in two buildings along Atlanta Road and a four-story mixed use building with 164 units of independent senior housing and 5,000 sq. ft. of commercial/retail space wrapped around a parking garage. David Weekley Homes is proposing the elimination of the four-story mixed use building with the 164 units of independent housing and the 5,000 sq. ft. of commercial/retail space and replacing it with 59 detached townhomes. The 11,000 sq. ft. of commercial/retail space along Atlanta Road is proposed to remain and not part of this application.

The City of Smyrna originally rezoned the Belmont Hills project on January 20, 2009 from GC & R-15 to Mixed Use - Conditional (Zoning Case Z08-006). The approved project was a mixed use development providing a variety of uses, including; retail shops, restaurants, office space, independent living senior housing, luxury apartments, condominiums, townhomes and single-family detached housing. The approved development was planned to have a maximum of 127,088 square feet of commercial space and a maximum of 902 residential units. As part of the initial rezoning, the applicant provided a zoning plan, building elevations and street cross-sections. The rezoning was approved based on the specific zoning plan, elevations and street cross sections, along with several zoning conditions. If any of these items were to significantly change the applicant would have to come back to Mayor and Council for approval of the changes.

The overall project has been amended several times to deal with changes in the

location of the multi-family use, the street designs, and the single-family detached development. The Mayor and Council approved the first amendment to the plan on October 15, 2012 to relocate the multi-family development from Pod C to Pod F and redesign the street cross-sections within the development (Zoning Case Z12-005). The second amendment to the plan occurred on April 15, 2013 to address the development schedule of the access roads between the development pods (Zoning Case Z13-005). The next amendment to the plan occurred on February 17, 2014 to allow the combination of Pods C & D for the development of a single-family subdivision (Zoning Case Z14-006). The final amendment to the plan occurred on August 15, 2016 to modify Phase II of Pod A to allow for a 30,000 sq. ft. medical office building in place of 18,000 sq. ft. of commercial/retail space (Zoning Case Z16-013).

The Belmont redevelopment project is moving towards completion and Pod B is the remaining portion of the project yet to be developed. The Halpern Enterprises has completed the commercial/retail space on Phase I of Pod A. Wood Partners has completed the multi-family development on Pod F. David Weekley Homes has constructed over half the homes in the single-family subdivision on Pods C & D. Halpern Enterprises has started construction on the medical office building on Phase II of Pod A.

This zoning request was tabled from the June 12, 2017 Planning and Zoning Board meeting to the July 10, 2017 meeting at the request of the applicant. The zoning request was heard by the Planning and Zoning Board at the July 10, 2017 meeting and was recommended for approval by a vote of 5-0 with staff recommendations. Community Development recommends that this request be approved with the following conditions carried over the previous Zoning Cases. changes are in { }.

1. The rezoning is subject to the stipulations agreed upon by the applicant in the letter submitted and dated January 20, 2009 by Kevin Moore with Moore, Ingram, Johnson and Steele, LLP.
2. The approval of the zoning amendment shall be in substantial conformity to the zoning plan submitted on August 10, 2012, titled Belmont Zoning Plan and created by Halpern Enterprises, Inc. (Replace stipulation #2 in the letter above.)
3. The approval of the zoning amendment shall be in substantial conformity to the road cross sections submitted on August 10, 2012, titled Belmont Road Sections and created by Halpern Enterprises, Inc. (Replace stipulation #A (4) in the letter above.)
4. The approval of the zoning amendment and the development of Pods "C" and "D" shall be in substantial conformity to the site plan submitted on January 17, 2014, titled "Belmont Hills Pods C and D" and created by Ridge Planning and Engineering.
5. The approval of the zoning amendment and building elevations for the homes in Pods "C" and "D" shall be in substantial conformity to the building elevations submitted on January 17, 2014, titled "David Weekly Homes at Belmont Hills" and created by Caldwell & Cline Architects and Designers.
6. The minimum floor area for the homes in Pods {"B"}, "C" and "D" shall be 1,500 square feet.
7. {The approval of the zoning amendment and the development of Pod "B" shall be in substantial conformity to the site plan submitted on June 29, 2017, titled "Zoning Plan for David Weekley Homes" and created by Northpoint Land Surveying.}
8. {The approval of the zoning amendment and building elevations for the homes in Pod "B" shall be in substantial conformity to the building elevations submitted on May 3, 2017, titled "David Weekly Homes at Belmont - POD B". }
9. {The developer shall be responsible for any traffic improvements (including additional right-of-way dedications) deemed necessary by the City Engineer during construction plan review.}
10. {The developer shall be responsible for any water and sanitary sewer improvements deemed necessary by the Public Works Director during construction plan review.}
11. {The developer shall be responsible for any fire access improvements deemed

necessary by the Fire Marshal during construction plan review.}

12.{The developer will be required to relocate the water main along the northern access road to 4' behind curb of the access road to prevent any private improvements (i.e. patios, porches, accessory structures, fences...) being located within 10' of the water main. No improvements shall be located within 10' of the water main.}

13.{The northern access road shall be a public road and dedicated to the City. The development of any streets (including private) shall conform to the city's standards for public right-of-ways.}

14.{The developer shall provide parallel parking along the northern access road for the length of the development.}

15.{The Fire Marshal's office shall review all plans for the gated entrances prior to the issuance of a Land Disturbance Permit (LDP).}

16.{The rear yards of lots #41 to #59 of POD B shall be prohibited from being fenced or enclosed. Screening walls shall be permitted on either end of the home per the zoning exhibit submitted by the applicant on 7/13/2017. The screening walls shall be limited to a maximum height of 6' and shall not extend further than 8' from the home. These screening walls shall not be connected in any way to enclose the backyards of the homes.}

A motion was made by Councilmember Teri Anulewicz to approve 2017-215 after the public hearing for zoning request Z17-011 - Zoning Amendment to modify the currently approved site plan and building elevations - 3.3 Acres - Land Lot 490 - Northwest corner of the intersection of Atlanta Road and Belmont Boulevard - David Weekley Homes; there was a second made by Councilmember Ron Fennel. The motion carried by the following vote:

Aye: 3 - Councilmember Norton, Councilmember Anulewicz, Councilmember Stoner and Councilmember Fennel

Nay: 2 - Councilmember Blustein and Councilmember Wilkinson

Absent: 1 - Councilmember Welch

5. Privilege Licenses:

There were no Privilege Licenses

6. Formal Business:

- A. [ORD2017-09](#) Approval of an Amendment to the City of Smyrna's Code of Ordinances, Chapter 98, Article I, In General, providing for the repeal of Section 98-2 (a) - (i) Penalties and Procedures and replacing with, Section 98-2. Parking (a) - (e)

Sponsors: Norton

City Administrator Tammy Saddler-Jones read the following background:

This item is for the approval of an Amendment to the City of Smyrna's Code of Ordinances, Chapter 98, Article I, In General, providing for the repeal of Section 98-2 (a) - (i) Penalties and Procedures and replacing with, Section 98-2. Parking (a) - (e) This section of the code of ordinances will address, how vehicles are to be parked; citizen requests for a no parking zone; removal of No Parking Zones and Signs and Exceptions

Historically, no standards concerning no parking have existed.

Staff recommends approval

A motion was made by Councilmember Derek Norton to approve ORD2017-09 for an Amendment to the City of Smyrna's Code of Ordinances, Chapter 98, Article I, In General, providing for the repeal of Section 98-2 (a) - (i) Penalties and Procedures and replacing with, Section 98-2. Parking (a) - (e); there was a second made by Councilmember Doug Stoner. The motion carried by the following vote:

Aye: 5 - Councilmember Norton, Councilmember Blustein, Councilmember Anulewicz, Councilmember Wilkinson, Councilmember Stoner and Councilmember Fennel

Absent: 1 - Councilmember Welch

7. Commercial Building Permits:

There were no Commercial Building Permits

8. Consent Agenda:

City Administrator Tammi Saddler-Jones read aloud the Consent Agenda for Council approval.

A motion was made by Councilmember Doug Stoner to approve the Consent Agenda as read aloud by City Administrator, Tammi Saddler Jones; there was a second made by Mayor pro tem/Councilmember Teri Anulewicz. The motion carried by the following vote:

Aye: 5 - Councilmember Norton, Councilmember Blustein, Councilmember Anulewicz, Councilmember Wilkinson, Councilmember Stoner and Councilmember Fennel

Absent: 1 - Councilmember Welch

- A. [2017-233](#) Approval of the Mayor and Council meeting minutes for July 5, 2017
Sponsors: City Council
- B. [2017-273](#) Approval of the June 29th, 2017 Committee of the Whole Meeting Minutes
- C. [2017-267](#) Appointment of Sharon Jones, Human Resources Manager, as the Civil Service Board Clerk
Sponsors: Blustein

9. Committee Reports:

*Derek Norton - Ward 1 had no committee report.
Andrea Blustein - Ward 2 - had no committee report.
Teri Anulewicz - Ward 3 - had no committee report.
Charles Welch - Ward 4 - was absent.
Susan Wilkinson - Ward 5 - made a library event announcement.
Doug Stoner - Ward 6 - made an announcement regarding the Atlanta Road Development town hall meeting on August 2 at Brawner Hall at 7:00pm.
Ron Fennel - Ward 7 - Wendy's being rebuilt on South Cobb Drive. The Smyrna Blue baseball finished second in the state. This Friday, the Smyrna Sharks make an appearance in the finals.*

There were no other committee reports.

10. Show Cause Hearings:

There were no Show Cause Hearings

11. Citizen Input:

Alex Backry remarked about the MDJ article regarding the Reed House.

12. Adjournment:

Mayor Max Bacon adjourned the meeting of the Mayor and Council at 9:01 PM.