



# City of Smyrna

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

## Meeting Minutes - Final Planning and Zoning Commission

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Monday, May 11, 2015

6:00 PM

Council Chambers

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### Rollcall

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

**Absent** 1 - Board Member Leslie Lightfoot

**Also Present** 3 - 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 6:03PM

### 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 July 13, 2015 Planning and Zoning Board Meeting at the request of the applicant.

**Sponsors:** Anulewicz and Kemp

**Attachments:** [Z15-003\\_Memo](#)

[Proposed Site Plan\\_Z15-003](#)

[Proposed Tree Plan\\_Z15-003](#)

[Zoning Vicinity Map\\_Z15-003](#)

[Land Use Vicinity Map\\_Z15-003](#)

[Rezoning Application\\_Z15-003](#)

[HomeElevations\\_Z15-003](#)

[Floor Plans\\_Z15-003](#)

[Legal Description\\_Z15-003](#)

A motion was made by Boardmember Ron Roberts to table item 2015-125, a Zoning Request - Z15-003 for the rezoning of the subject property from R-15 to RAD-Conditional for the development of six (6) single-family homes on 1.31 Acres, Land Lot 592 located at 1514 Hawthorne Avenue, applicant Tuley & Tuley, Inc. until the June 8, 2015 Planning and Zoning Board Meeting; seconded by Boardmember

Steve Kemp. The motion carried by the following vote:

**Aye:** 6 - Board Member Kemp, Board Member Whittington, Board Member Campo, Board Member Roberts, Board Member Rice and Board Member Seagraves

**Absent:** 1 - Board Member Lightfoot

**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 July 13, 2015 Planning and Zoning Board meeting at the request of the applicant.

**Sponsors:** Fennel

A motion was made by Boardmember Earl Rice to table item 2015-169, an 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. applicant until the June 8, 2015 Planning and Zoning Board Meeting; seconded by Boardmember Steve Kemp. The motion carried by the following vote:

**Aye:** 6 - Board Member Kemp, Board Member Whittington, Board Member Campo, Board Member Roberts, Board Member Rice and Board Member Seagraves

**Absent:** 1 - Board Member Lightfoot

**C.** 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

**Attachments:** [Z15-007\\_Staff Memo](#)

[Zoning Vicinity Map\\_Z15-007](#)

[Land Use Vicinity Map\\_Z15-007](#)

[Rezoning Application\\_Z15-007](#)

[Proposed Site Plan\\_V.2\\_Z15-007](#)

[Proposed Tree Plan\\_V.2\\_Z15-007](#)

[Building Elevations\\_Z15-007](#)

[Preliminary Hydrology Report\\_Z15-007](#)

[Legal Descriptions N. Cooper Lake Road Full Set with Site Tax ID's  
08 10 15](#)

[Warranty Deed\\_Z15-007](#)

[Water & Sewer Letter\\_Z15-007](#)

[County & City Taxes\\_Z15-007](#)

[Correspondence\\_Z15-007](#)

A motion was made by Boardmember Ed Whittington to table item 2015-168, a zoning request, Z15-007 - Rezoning from R-15 to RAD-Conditional for the development of fourteen single-family homes on 6.01 Acres, Land Lot 338 located at 3744 Plumcrest Road, Venture Homes, Inc., the applicant until the June 8, 2015 Planning and Zoning Meeting; seconded by Boardmember Ron Roberts. The motion carried by the following vote:

**Aye:** 6 - Board Member Kemp, Board Member Whittington, Board Member Campo, Board Member Roberts, Board Member Rice and Board Member Seagraves

**Absent:** 1 - Board Member Lightfoot

**D.** Public Hearing - Zoning Request Z15-008 - Rezoning from R-15 to RAD-Conditional for the development of five single-family homes - 1.27 Acres - Land Lot 488 - 1091, 1107 & 1121 Bank Street - Pritchard Brothers, Inc.

**Sponsors:** Anulewicz and Kemp

**Attachments:** [Staff Memo\\_Z15-008](#)

[Zoning Vicinity Map\\_Z15-008](#)

[Land Use Vicinity Map\\_Z15-008](#)

[Rezoning Application\\_Z15-008](#)

[Proposed Site Plan\\_V.2\\_Z15-008](#)

[Proposed Tree Plan\\_v.2\\_Z15-008](#)

[Building Elevations & Floor Plans\\_Z15-008](#)

[Meeting Minutes for Rezoning Case Z06-012](#)

[Meeting Minutes for Rezoning Case Z07-013](#)

Rusty Martin presented the staff analysis and recommendation. The subject properties are zoned R-15, and the Future Land Use designation is Moderate Density Residential which allows up to 4.5 units/acre. The applicant proposes to develop the 3 properties into 5 lots, with a density of 3.94 units/acre. Front set back of 30 ft. Exterior side setback of 10 feet and interior set back of 0 feet, with 10 feet of separation between the homes. The rear setback is 30 feet. Storm water management is proposed on each individual lot. Proposed home elevations provided and shown. The subject property was rezoned and approved for five lots in 2006, but the applicant requested the property be reverted back to R-15 zoning due to financial concerns. Community Development recommends approval to RAD Conditional. Conditions listed. Conditions read aloud.

Boardmember Kemp asked staff how the home will fit one each lot. Mr. Martin responded that the site plan will face more scrutiny during the plan review.

Chairman Powell asked the applicant to discuss his proposal.

Mr. Frank Pritchard came forward and discussed the history of the subject properties. The properties were rezoned in 2006 to RAD and a zoning amendment was made to add an additional property to the site. Due to economic hardships Mr. Pritchard requested that the rezoning be reverted back to R-15. The current proposal is very similar to what was previously approved in 2006. Mr. Pritchard acknowledged that stormwater requirements have changed since the original proposal and those changes will be complied with.

The builder will be Ronnie Raines, and they propose to begin construction on two of the vacant lots. The two existing residences will be occupied by renters until the builder is ready to begin in those locations. Mr. Pritchard anticipates the price point of

the homes to be close to \$500,000, due to the costs of the land and other development costs.

Boardmember Campo questioned the feasibility of reducing the plan to 4 lots. The applicant stated that due to the costs paid for the land, building less than 5 homes is not feasible.

Chairman Powell opened the floor for the Public Hearing:

Janet Bland, lives close to subject property and has density concerns. Also concerned about each home having a driveway on Bank Street and associated traffic issues.

Joe Bland spoke and also has density concerns. Asked for more detail about stormwater management being used. Mr. Martin briefly described that each lot will have flow wells in the rear yard, and run off along the front of the homes will flow to the street. Mr. Bland commented that he does not believe the market can support sale prices at \$500,000 and questioned whether there would be a fence installed. Judd Walford, lives on Bank Street and expressed concerns about achieving price point and 0 foot lot lines.

Chairman Powell stated that he also lives on Bank Street and believes the request is an aggressive zoning. Also has a concern about allowing 5 driveways on a portion of Bank Street with a hill, and the type of stormwater management proposed. However, it was noted that Mr. Pritchard's concern for the community and previous development has been successful.

Mr. Pritchard commented that there is a home east of him built in 2005 that used the flow well system. This will be engineered extensively, and will consider other types of less intrusive stormwater management. Also, explained that the purpose of the zero lot line will allow the house plan to move on within the building envelope on each lot, to suit the natural topography within the context of each lot. The average lot size is approximately 11,000 square feet, with large rear yards. The homes in Parkview Village averaged around 6,000 to 7,000 square feet. There is no intention to put up a fence along the front of the homes at this time.

Board Member Kemp stated that he received concerns from other residents regarding the driveways directly accessing Bank Street, and concerns with cars backing out into Bank Street. Inquired whether other site plans have been analyzed that would allow a turnaround on each driveway.

The applicant believes that changes can be made to allow for a turn around on each lot so that backing out on to Bank Street would not be necessary.

There were no further comments. Chairman Powell requested a motion.

A motion was made by Boardmember Steve Kemp to approve item 2015-166 for a zoning request Z15-008, a Rezoning from R-15 to RAD-Conditional for the development of five single-family homes - 1.27 Acres - Land Lot 488 - 1091, 1107 & 1121 Bank Street - Pritchard Brothers, Inc; seconded by Boardmember Ron Roberts. The motion failed by the following vote:

**Aye:** 2 - Board Member Kemp and Board Member Roberts

**Nay:** 4 - Board Member Whittington, Board Member Campo, Board Member Rice and Board Member Seagraves

**Absent:** 1 - Board Member Lightfoot

**E.**

Public Hearing - Zoning Request Z15-009 - Rezoning from R-15 to RAD-Conditional for the development of two single-family homes - 0.35 Acres - Land Lot 489 - 2680 Grady Street - Pritchard Builders, Inc.

**Sponsors:** Anulewicz

**Attachments:**

- [Z15-009\\_Memo](#)
- [Zoning Vicinity Map\\_Z15-009](#)
- [Land Use Vicinity Map\\_Z15-009](#)
- [Rezoning Application\\_Z15-009](#)
- [Proposed Site Plan\\_V.2\\_Z15-009](#)
- [Proposed Tree Plan\\_Z15-009](#)
- [Building Elevations & Floor Plans\\_Z15-009](#)

Rusty Martin presented the staff analysis and recommendation. The applicant proposes to split one lot into two lots and rezone the property from R-15 to RAD. A land use change is required as the current Future Land Use is exceeded by the proposed development with a density of 5.71 units per acre. The surrounding properties also have Moderate Density land use, which has a density maximum of 4.6 units per acre. The applicant is requesting five variances to go along with zoning request related to lot size, lot width, and setback reductions. Community Development recommends denial due to the density, variances needed to accomplish the site plan, and believes it will set a negative density precedent in the area.

Board Member Kemp inquired about the lot width for the two lots, which was determined to be 42 feet, with homes across the street being approximately 50 feet wide.

The applicant, Mr. Frank Pritchard, and Steve Pritchard commented that there are similarly sized lots in the area. Believes the development is appropriately scaled being adjacent to a quad-plex. The applicant referenced 1201 Viewpoint Drive, as the same style of house as the one proposed. With the lots being narrow and deep, the applicant proposes one house to be further back and still have large rear yard, which will add variety to the streetscape.

Board Member Campo asked about the structure on the subject property. The applicant explained that a home was destroyed by a tree and all that exists now is a shed with a power meter.

Board Member Kemp asked if there is viability of building a single family home on the property. The applicant stated that it would not be feasible.

Board Member Roberts asked if there was any time spent with staff before submitting the application. The applicant stated the plan was briefly discussed and knew that density concerns would be a challenge.

Chairman Powell inquired about the maintenance of the flow well systems used for stormwater management. The applicant commented that some maintenance is required, such as clearing out leaves and debris as well as maintaining gutter system and downspouts.

Board Member Seagraves has some experience with the flow well systems. Mr. Pritchard said he can give directions to the home buyers so that they are aware of the issues and maintenance. The final plat and inspection and maintenance agreement are also recorded documents that inform potential buyers of the location of the wells on the property. Price point is going to be about \$450,000.

Chairman Powell opened the floor for Public Hearing. No one came forward to speak, and a motion was requested.

A motion was made by Boardmember Steve Kemp to deny item 2015-165, A zoning request Z15-009 for a rezoning from R-15 to RAD-Conditional for the development of two single-family homes on 0.35 Acres, Land Lot 489, located at 2680 Grady Street by Pritchard Builders, Inc., applicant; seconded by Boardmember Ron Roberts. The motion carried by the following vote:

**Aye:** 6 - Board Member Kemp, Board Member Whittington, Board Member Campo, Board Member Roberts, Board Member Rice and Board Member Seagraves

**Absent:** 1 - Board Member Lightfoot

**F.** Public Hearing - Zoning Request Z15-010 - Rezoning from R-15 to RAD-Conditional for the development of two single-family homes - 0.53 Acres - Land Lot 488 - 1068 Bank Street - Frank L. Pritchard

**Sponsors:** Anulewicz and Kemp

**Attachments:** [Staff Memo V.2 Z15-010](#)

[Zoning Vicinity Map Z15-010](#)

[Land Use Vicinity Map Z15-010](#)

[Rezoning Application Z15-010](#)

[Proposed Site Plan V.2 Z15-010](#)

[Proposed Tree Plan V.2 Z15-010](#)

[Building Elevations Z15-010](#)

Rusty Martin presented Community Developments recommendation of approval. The subject property, 1068 Bank Street is proposed to be split into two lots approximately 11,000 square feet in area. There is a stream buffer at rear of property. The proposed density is 3.77 units per acre which is consistent with Moderate Density Residential land use. The proposed site plan has a shared driveway with detached garage in rear. The city has requested a 5' Right of Way dedication. The applicant is requesting reduction in lot width and side setbacks.

The applicant, Mr. Frank Pritchard commented that they are considering an attached garage. They will not use the same elevation on both homes. He anticipates listing the homes around \$500,000.

Chairman Powell inquired whether the applicant communicated with the Cottages at Parkview Village and if the two developments could be connected. The applicant stated he had not, and would need 100% approval from the HOA to connect the two developments, which would be unlikely.

Chairman Powell opened the floor for Public Hearing:

Jules Wright lives across from the proposed development and has density concerns and does not believe the price point is feasible.

Dustin Sloan stated that he has density and streetscape concerns.

There was no further discussion. Chairman Powell asked for a motion.

A motion was made by Boardmember Steve Kemp to approve item 2015-167, a zoning request Z15-010 for a rezoning from R-15 to RAD-Conditional for the development of two single-family homes on 0.53 Acres on Land Lot 488 located at 1068 Bank Street, by the applicant Frank L. Pritchard; seconded by Boardmember Denny Campo. The motion carried by the following vote:

**Aye:** 4 - Board Member Kemp, Board Member Campo, Board Member Roberts and Board Member Seagraves

**Nay:** 2 - Board Member Whittington and Board Member Rice

**Absent:** 1 - Board Member Lightfoot

### **3. Approval of Minutes:**

**A.** Approval of the April 13, 2015 Planning and Zoning Board Meeting Minutes

**Attachments:** [04-13-215 April 13, 2015 P&Z Final Minutes](#)

A motion was made by Boardmember Ron Roberts to approve item 2015-174 for the approval of the April 13, 2015 Planning and Zoning Board Meeting Minutes; seconded by Boardmember Earl Rice. The motion carried by the following vote:

**Aye:** 6 - Board Member Kemp, Board Member Whittington, Board Member Campo, Board Member Roberts, Board Member Rice and Board Member Seagraves

**Absent:** 1 - Board Member Lightfoot

**4. Adjournment**

The May 11, 2015 meeting of the Planning and Zoning Committee was adjourned by Chairperson Joel Powell at 7:40 PM.