



Meeting Minutes - Final  
Planning and Zoning Commission

Monday, March 11, 2019

6:00 PM

Council Chambers

1. Roll Call

**Present:** 8 - Joel Powell, Tom Bartlett, Leslie Lightfoot, Monty Bye, Earl Rice, Cheri Harrington, David Monroe and Michael Seagraves

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

2. Call to Order

Chairman Joel Powell called the March 11, 2019 Planning and Zoning Commission Meeting to order at 6:01 PM.

3. Business

A. 2019-90

**Public Hearing** - Zoning Request Z19-003 - Rezoning from GC to RM-12-Conditional for 108 townhome units at a density of 8.64 units per acre - 12.495 Acres - Land Lots 845 and 846 - 3110 Sports Avenue - Lennar Homes - ***This zoning request will be tabled to the May 13, 2019 Planning and Zoning Board Meeting at the request of the applicant.***

**Sponsors:** Norton and Bartlett

Boardmember Tom Bartlett made a motion to table Zoning Request Z19-003 - Rezoning from GC to RM-12-Conditional for 108 townhome units at a density of 8.64 units per acre - 12.495 Acres - Land Lots 845 and 846 - 3110 Sports Avenue - Lennar Homes - to the April 8, 2019 Planning and Zoning Board Meeting at the request of the applicant. Boardmember David Monroe seconded the motion to table.

The motion to table was carried by the following vote:

**Aye:** 7 - Tom Bartlett, Leslie Lightfoot, Monty Bye, Earl Rice, Cheri Harrington, David Monroe and Michael Seagraves

B. 2019-95

**Public Hearing** - Zoning Request Z19-006 - Rezoning from OI to OI- PD to Add a Medical Office Building and New Parking for Emory Hospital - 12.69 Acres - Land Lot 552 - 3903, 3949 and 3969 South Cobb Drive - The Emory Clinic

**Sponsors:** Gould and Seagraves

*Ken Suddreth, Community Development Director, presented staff recommendation for rezoning request Z19-006. The request is to be heard by Mayor and Council on April 15, 2019. The applicant is requesting to rezone the property from OI to OI-PD for a new four-story medical office building, new parking deck, and two new surface parking*

areas for the Emory Hospital campus. No land use map change is needed. Mr. Suddreth said he suggested a Planned Development due to the phases involved in the project.

The applicant is requesting several variances:

1. Allow an LDP to be issued prior to GDOT approval due to the limited scope of work within GDOT ROW and the construction schedule of the project;
2. Allow the existing encroachments into the stream buffers to be maintained;
3. Allow stream buffer averaging where new encroachment into the City stream buffer may be proposed. Additional buffer area would be provided to offset the encroachment, and final buffer locations would be determined during the LDP process;
4. Reduce the front setback from 120' to 25';
5. Reduce the rear setback from 50' to 40';
6. Building Spacing (Separation) – 15' instead of 30';
7. Building Height – 125' instead of 55';
8. Roof Pitch (slope) – Proposal is for flat roofs instead of sloped roofs;
9. To allow the entrances of commercial or institutional buildings to be in a location that is not visible for public ROW;
10. To allow the entrances of institutional buildings to face any direction;
11. To allow parking aisles to be oriented parallel to building entrances;
12. Parking Lot - Zero percent instead of 10% of gross parking area;
13. Medians – Required now but do not want to build them as this area will ultimately be replaced with structured parking;
14. Trees – Tree island required every 50'. Requesting that they not be required in this phase as this area will ultimately have structured parking;
15. Building – 5% of area directly adjacent to building shall be landscaped. Requesting that this requirement be completely waived; and
16. To allow a wall mounted sign on the new MOB to be increased from the allowed 325 sq.ft. to 550 sq. ft. given that the new MOB will function as the centerpiece and front door of the new redeveloped campus.  
Staff are supportive of all the variances except the first variance to allow the land disturbance permit to be issued prior to GDOT approval.

Staff recommends approval with the following conditions:

Standard Conditions

(Requirements #1, 2, 3, 4, 5, 8, 9, 10, 12, 16 and 17 from Section 1201 of the Zoning Code are not applicable)

1. *All utilities within the development shall be underground.*
2. *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.*
3. *No debris may be buried on any lot or common area.*
4. *The developer will comply with the City's current tree ordinance. All required tree protection measures shall be adhered to by the developer during construction.*
5. *All landscape plans must be prepared, stamped, and signed by a Georgia Registered Landscape Architect for any common areas or entrances.*
6. *All yards and common areas are to be sodded, and landscaped. Irrigate as appropriate.*

*Special Conditions*

7. *The development shall maintain the following setbacks:*
  - a. *Front – 25'*
  - b. *Side – 10'*
  - c. *Rear – 40'*
  - d. *Building Separation – 15'*
8. *The developer shall meet all fire access requirements deemed necessary by the Fire Marshal during construction plan review.*
9. *The developer shall be responsible for any water and sewer improvements deemed necessary by the Public Works Director during construction plan review.*
10. *The developer shall be responsible for any stormwater improvements deemed necessary by the City Engineer.*
11. *Issuance of the final Land Disturbance Permit (LDP) will not occur until GDOT approval is obtained. However, preliminary grading/demolition work, once approved by the City Engineer, will be allowed to begin prior to such GDOT approval being finalized.*
12. *Three months after the issuance of a final c/o for the MOB, the applicant will study traffic conditions and provide signal modifications or installations as warranted. This timeframe can be adjusted by the City Engineer as needed. Any improvements necessary as a result of said study/studies will be the responsibility of the applicant.*
13. *Utilization of low intensity, environmental type lighting shall be allowed within the development. The illumination of which shall be confined within the perimeter of the subject property through the use of "full cut-off lighting".*
14. *Approval of the subject property for the OI-PD zoning district shall be conditioned upon the development of the property in substantial compliance with the site plan submitted 3/5/2019, dated 2/08/2019 and created by Kimley Horn and Associates, Inc.*

and all zoning stipulations above.

15. The applicant shall be bound to the elevations submitted on 2/8/2019 for the 120,000 sq.ft. MOB and drawn by May Architecture. Approval of any change to the elevations must be obtained from the Director of Community Development.

16. The applicant shall be bound to the parking deck elevations labelled "New Northwest Parking Deck at Emory University Hospital Smyrna" submitted 2/08/2018, dated 12-28-2018 and done by Kimley Horn and Associates, Inc.

Board member Bartlett asked to confirm elevations.

Chairman Powell asked the representative for the applicant, to provide an overview of the request.

Mr. Mike Mason came up to speak and said he could answer any questions.

Chairman Powell opened the floor for Public Hearing and no one came forward to speak.

Boardmember Michael Seagraves made a motion to approve Zoning Request Z19-006 - Rezoning from OI to OI- PD to Add a Medical Office Building and New Parking for Emory Hospital - 12.69 Acres - Land Lot 552 - 3903, 3949 and 3969 South Cobb Drive - The Emory Clinic with a second by Boardmember Tom Bartlett.

The motion to approve was carried by the following vote:

**Aye:** 7 - Tom Bartlett, Leslie Lightfoot, Monty Bye, Earl Rice, Cheri Harrington, David Monroe and Michael Seagraves

**C. [2019-89](#)**

**Public Hearing** - Zoning Request Z19-004 - Rezoning from RM-10 to RDA-Conditional for the construction of two single-family homes at a density of 5.71 units per acre - 0.35 Acres - Land Lot 593 - 1601 Walker Street - M. Junger Homes, LLC

**Sponsors:** Blackburn and Bye

Caitlin Crowe, Planner I, presented staff recommendation for rezoning request Z19-004. The request is to be heard by Mayor and Council on April 15, 2019. The applicant is requesting to rezone the property from RM-10 to RDA-Conditional for 2 single-family detached homes. No land use map change is needed. No variances are needed for the request. Staff recommends approval with the following conditions:

**Standard Conditions**

(Requirements 2, 3, 4, 5, 8, 9, 10, 12 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. All utilities within the development shall be underground.
3. 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 two feet shall be provided between the back of curb and sidewalk.*

4. *No debris may be buried on any lot or common area.*
5. *The developer will comply with the City's current tree ordinance. All required tree protection measures shall be adhered to by the developer during construction.*
6. *All landscape plans must be prepared, stamped, and signed by a Georgia Registered Landscape Architect for any common areas or entrances.*
7. *All yards and common areas are to be sodded, and landscaped. Irrigate as appropriate.*
8. *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*

9. *The development shall maintain the following setbacks:*
  - a. *Front – 25'*
  - b. *Side – 7.5'*
  - c. *Rear – 30'*
10. *Driveway – 22' minimum length from building face to back of sidewalk.*
11. *The right-of-way along Walker Street shall be increased to 50 feet. Therefore, a dedication of approximately 10' feet is required along Walker Street.*
12. *The developer shall provide a 5' sidewalk with a 2' grass buffer along Green Ridge Street for the length of the development.*
13. *All structures will be built to a maximum height of 35' as measured from the sidewalk along the front elevation.*
14. *The developer shall meet all fire access requirements deemed necessary by the Fire Marshal during construction plan review.*
15. *The developer shall be responsible for any water and sewer improvements deemed necessary by the Public Works Director during construction plan review.*
16. *The developer shall be responsible for any stormwater improvements deemed necessary by the City Engineer.*

*Chairman Powell asked the applicant to provide an overview of the request. Mr. Matt Junger came up to the podium and explained that this was the 8th duplex he would be taking down and converting into two single-family homes.*

*Board member Bye asked about the square footage. Mr. Junger said it would be about*

3200 square feet.

Chairman Powell opened the floor for Public Hearing and no one came forward.

Boardmember Monty Bye made a motion to approve Zoning Request Z19-004 - Rezoning from RM-10 to RDA-Conditional for the construction of two single-family homes at a density of 5.71 units per acre - 0.35 Acres - Land Lot 593 - 1601 Walker Street - M. Junger Homes, LLC with a second by Boardmember Leslie Lightfoot.

The motion to approve was carried by the following vote:

**Aye:** 7 - Tom Bartlett, Leslie Lightfoot, Monty Bye, Earl Rice, Cheri Harrington, David Monroe and Michael Seagraves

**D.**     [2019-94](#)

**Public Hearing** - Zoning Request Z19-005 - Rezoning from R-15 to R-10 Conditional for four single family homes at a density of 3.72 units per acre - 1.17 acres - Land Lot 561 - 1420 and 1430 Roswell Street - M. Junger Homes LLC

**Sponsors:**       Blackburn and Bye

*Joey Staubes, Planner II, presented staff recommendation for rezoning request Z19-005. The request is to be heard by Mayor and Council on April 15, 2019. The applicant is requesting to rezone the property from R-15 to R-10-Conditional for four new single-family detached homes. No land use map change is needed. The applicant is seeking one variance- to reduce the front setback from 25' to 20'- of which staff are supportive. Staff recommends approval with the following conditions:*

*Standard Conditions*

*(Requirements 2, 3, 4, 8, 9, 10 and 12 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. The retention 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 ten percent reduction in a 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 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 two feet 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. 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:*
  - a. *Front – 20'*
  - b. *Exterior Side – 10'*
  - c. *Interior Side – 7.5' (with a minimum of 10' between buildings)*
  - d. *Rear – 15'*
11. *Driveway – 22' minimum length from building face to back of sidewalk.*
12. *The development shall be developed with a minimum lot size of 10,000 square feet.*
13. *The lots shall be developed with a minimum lot width at the setback line of 50'.*
14. *The homes shall have a minimum floor area of 1,500 sq. ft.*
15. *The developer shall provide a 5' sidewalk with a 2' grass buffer along Roswell Street for the length of the development.*
16. *The developer shall provide a 15' stormwater easement.*
17. *The developer shall provide a 5' Right-of-Way dedication as needed along Roswell Street.*
18. *All structures will be built to a maximum height of 35' as measured from the sidewalk along the front elevation.*
19. *The maximum allowable lot coverage for the property shall be limited to 35%.*
20. *The developer shall be responsible for the installation of all water and sewer lines in accordance with the requirements of the Public Works Director.*
21. *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.*
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 R-10 Conditional (R-10 Conditional) zoning district shall be conditioned upon the development of the property in substantial*

compliance with the submitted site plan dated 3/6/2019 created by Crescent View Engineering LLC.

24. The applicant shall build the homes in substantial compliance with the building elevations submitted and dated 2/8/2019. Approval of any change to the elevations must be obtained from the Director of Community Development.

Board member Bye asked about the wall that lines the property.

Chairman Powell asked the applicant to provide an overview of the request.

Mr. Matt Junger came up again and addressed the wall issue. He said he would be willing to either keep the wall or tear it down.

Board member Bye asked about the square footage. Mr. Junger said it would be about 3400 square feet.

Chairman Powell opened the floor for Public Hearing.

Keith Bentley- Williams Park- Mr. Bentley said that the wall was built in 1938 and that the neighborhood wants to preserve it.

Chip Parker- Whitfield St- Mr. Parker brought photos with him and protested about flooding in his backyard. He does not want the zoning approved until the flooding issue is resolved.

Casey Claven- Williams Park- Mrs. Claven spoke about the wall.

Applicant Matt Junger came up again to reiterate the wall issue and addressed the flooding issue with the neighbor.

City Engineer, Kevin Moore, came up to talk about the flooding issue and the piping on the property. Chairman Powell clarified that the water runoff should be less, and Kevin agreed.

Board member Bartlett asked where precisely the water floods. Mr. Parker clarified where and Mr. Moore responded.

Board member Monroe asked about the City's traffic calming device.

Board member Bye asked that we put in a conditional approval to which Director Suddreth agreed that the Board could do it if they wanted.

Mr. Suddreth asked Mr. Moore to come back up to confirm which conditions would need to be altered.

Discussion ensued about how to deal with the wall.

Boardmember Monty Bye made a motion to approve Zoning Request Z19-005 - Rezoning from R-15 to R-10 Conditional for four single family homes at a density of 3.72 units per acre - 1.17 acres - Land Lot 561 - 1420 and 1430 Roswell Street - M. Junger Homes LLC with the stipulation that conditions 15 and 17 are removed with a strong encouragement by P & Z that parties involved reach a mutually agreeable solution prior to the item going before Council on April 15, 2019. Boardmember David Monroe seconded the motion.



The motion to approve was carried by the following vote:

**Aye:** 7 - Tom Bartlett, Leslie Lightfoot, Monty Bye, Earl Rice, Cheri Harrington, David Monroe and Michael Seagraves

E. [2019-98](#)

**Public Hearing** - Request for a change to the 2040 Future Land Use Plan in the Williams Park Neighborhood - City of Smyrna Community Development Department

**Sponsors:** Blackburn and Bye

*Ken Suddreth, Community Development Director, presented staff recommendation for the Williams Park land use change. The request is to be heard by Mayor and Council on April 15, 2019. Community Development is proposing to change a portion of Williams Park (roughly 11.9 acres) from Mixed Use to Moderate Density Residential due to citizen feedback. Mr. Suddreth clarified that this will be a future land use change and not a zoning change. Staff recommends approval based on a recent open house about the topic.*

*Chairman Powell clarified that it will only affect the 2040 Future Land Use Map.*

*Board member Monroe clarified what areas are being changed.*

*Chairman Powell opened the Public Hearing.*

*Lem Ward- Spring St- Mr. Ward said there is a fear of mixed-use increasing density and that the small streets won't allow for more traffic. Mr. Ward emphasized that he wants to preserve the quality of life in Williams Park.*

*Keith Bentley- Williams Park- Mr. Bentley wanted to reiterate his support of the land use change. Mr. Bentley understood that although it is not a zoning change, it opens the door to it.*

*Casey Claven- Williams Park- Mrs. Claven wanted to clarify the year of the land use plan.*

*Ron Davis- Davis St- Mr. Davis wants to continue to hold the density down to 4.5 acres.*

*Mr. Suddreth clarified that the land use plan is updated every 10 years.*

*Chairman Powell said that he leases a property in the area that is Light Industrial.*

Boardmember Monty Bye made a motion to approve the request for a change to the 2040 Future Land Use Plan in the Williams Park Neighborhood - City of Smyrna Community Development Department with a second by Boardmember Leslie Lightfoot.

The motion to approve was carried by the following vote:

**Aye:** 7 - Tom Bartlett, Leslie Lightfoot, Monty Bye, Earl Rice, Cheri Harrington, David Monroe and Michael Seagraves

4. **Approval of Minutes:**

A. [2019-93](#) Approval of the February 11, 2019 Planning and Zoning Commission Meeting Minutes.

Boardmember Cheri Harrington made a motion to approve the February 11, 2019 Planning and Zoning Commission Meeting Minutes with a second by Leslie Lightfoot.

The motion to approve was carried by the following vote:

**Aye:** 7 - Tom Bartlett, Leslie Lightfoot, Monty Bye, Earl Rice, Cheri Harrington, David Monroe and Michael Seagraves

5. **Adjournment**

*Community Development Director Ken Suddreth congratulated Senior Planner Russell Martin on the birth of his second child a baby girl.*

Mr. Powell adjourned the March 11, 2019 Planning and Zoning Commission Meeting at 7:27 PM.