



Meeting Minutes - Final
Planning and Zoning Commission

Monday, June 11, 2018

6:00 PM

Council Chambers

1. Roll Call

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

Also Present: 8 - Ken Suddreth, Russell Martin, Terri Graham, Joey Staubes, Caitlyn Walsh, Eric Randall, Brad Johnson and Tim Grubaugh

2. Call to Order

Chairman Joel Powell called the meeting of the Planning and Zoning Commission to order at 6:00 PM.

A. [2017-357](#)

Public Hearing - Zoning Request Z17-021 - Rezoning from GC to MU-Conditional for the development of a mixed use project - 10.4 Acres - Land Lots 845 & 846 - 3110 Sports Avenue - JLB Realty, LLC

Sponsors: Norton and Bartlett

Ken Suddreth, Community Development Director, presented staff recommendation for rezoning request Z17-021. The request will be heard by Mayor and Council on July 16, 2018. The applicant requested to rezone the property from GC to MU-Conditional for the development of a 325 unit multi-family development with 3,040 sq. ft. of accessory retail space and 6,960 sq. ft. of live/work commercial floor area. The adjoining property to the east is zoned R-15 and is occupied by utility uses such as an electrical substation and gas easements. The adjoining property to the south is zoned RM-8 in Cobb County and is occupied by an apartment complex. The adjoining property to the west is zoned RM-12 and is occupied by an apartment complex called Alder Park. The adjoining properties to the north are zoned General Commercial (GC) & Tourist Services (TS) and are occupied by a Burger King and an Extended Stay Hotel. The property is approximately 12.5 acres. No land use map change is needed.

The proposed development will consist of 325 for rent multi-family units spread across six three-story buildings. The proposed development will be accessed from Sports Avenue and a new proposed public right-of-way that will run east to west from the adjoining property to the east to the Alder Park apartment complex to the west along the shared property line with the Extended Stay Hotel. The applicant is proposing two gated entrances off the proposed public road for entrance into the site. The proposed site plan shows a pool and pool house as the main amenity feature for the multi-family development. There are several site constraints that affect the development of the property. First, there is a 100' power easement that runs through the northern corner of the property over the existing detention facility behind the Burger King. Second, there is an existing stream buffer in the same general location of the power easement. Finally, there is a 20' sanitary sewer easement that runs along the northern property line behind the Extended Stay Hotel and along the share property line with the Alder Park apartment complex.

The applicant requested several variances:

1. Reduction of the front setback for multi-family building from 20' to 0' for building 600;
2. Increase in the maximum allowable density from 25 units per acre to 26 units per acre in the MU zoning classification;
3. Increase in the maximum allowable rental units from 15% to 97%;
4. Removal of requirement for rental units to be connected and integrated with non-residential uses;
5. Reduction of the required landscape easement from 15' to 5';
6. Parking aisles shall be orientated perpendicular to building entrances;
7. Reduction of the minimum gross area of parking area landscaped from 10% to 5%;
8. Reduction of the minimum rear setback from 100' to 40'; and
9. Allow perpendicular or angled parking in a public right-of-way.

Staff supports two (2) of the variances: increasing density and reducing front setback.

Staff recommended denial due to the following reasons:

1. Does not mix housing or ownership types;
2. Staff only supports 2 of the 9 variances;
3. Only 3% of the sq footage is the "mixed" portion of the property;
4. Not similar to previously approved uses from Mayor & Council for various reasons (small amount of retail; no variety in housing);
5. Mayor & council wants apartments complexes to be either previously torn down complexes or in a larger mixed use group; and
6. Would break past policies and would not go along with the Spring Road plan.

Staff also has concerns with traffic and fire prevention access.

Board member Bye asked about the traffic plans that were submitted with the plans and its implications and if the developer or city had plans to address such plans. Mr. Suddreth answered that the ARC has funding that would help and then asked Eric Randall, the City Engineer, to come up to answer. Mr. Randall emphasized that we are currently at capacity and that we would need some new roads to compensate. Mr. Randall reiterated that there is no room to look at network improvements, but rather the only help would be to add new roads. Mr. Randall also mentioned that Cobb County has installed adaptive signals and that we would need to retime the network periodically.

Kevin Moore, attorney representing the applicant, was asked by Chairman Powell to give an overview of the request. Mr. Moore contended that the surrounding uses of Burger King, the Indian restaurant, and the extended-use hotel provide limitations on what you can and should do to the property. Mr. Moore maintained that the request conforms to the LCI study by creating more density and serves the professional people coming to the area by creating connectivity and providing mixed-use. Mr. Moore said that the project would not unduly burden the traffic currently in the area according to City staff and is also supported by their traffic study. Mr. Moore also stressed the Mayor and Council have no stated policy and has a history of making individualized decisions. Mr. Moore finished by saying that the applicant is going to provide a first-class development and is going to enhance the area from the character and development perspective.

Board Member Bartlett asked the applicant to speak about their previous experience with mixed-use. The applicant, Matt Hallman from JLB Realty, said that he has built

several multi-use complexes around metro Atlanta and that he will typically bring in a retail partner if needed. Mr. Bartlett mentioned that there is limited road frontage for the property. Mr. Hallman responded that they would need to make the property look really nice to draw in residents and shoppers.

Chairman Powell opened the floor for Public Hearing.

Public Hearing

Cynthia Laurens- Overlook Cove- spoke regarding her concerns for the proposed development. Ms. Laurens had concerns with the amount of parking, that it would not be enough for the units proposed and that Smyrna will lose its small town community feel. Ms. Laurens suggested to put in a sports area or something similar instead.

Don McWethy- Oakley Trace- strongly opposes the proposed development, citing concerns with the traffic and with having a stand-alone apartment complex.

Alan Scott- Pastor of Cumberland Community Church- is in favor of the proposed development and feels that it will benefit his congregation at their new location on South Cobb.

Marie Smith- Bank St- opposes the proposed development.

Kyle Wilckens- Wynridge Dr- spoke in support of the development since he feels like it is the most realistic proposal to the area.

Avril Bloom- opposes the property with concerns over traffic.

Scott McDearman- Wedmore Way- opposes the proposed project with several concerns. Mr. McDearman is concerned with traffic, restricted access due to single-access road, and that Argyle Elementary will exceed capacity. Mr. McDearman also mentioned that new apartment complexes have empty apartments and that there should be a redevelopment effort for existing apartment complexes.

Carolyn Jacobs- Bell Dr- spoke in opposition of the proposed development.

Will Dempsey- Campbell Rd- spoke in opposition of the proposed development.

Hunter Carl- Spring Dr- spoke in favor of the proposed development.

Nina Medina- Rolling View Dr- spoke in opposition of the proposed development, citing that Argyle Elementary mostly has apartments nearby.

Scott Reakins- opposes the proposed development.

Dan Brown- Bank St- spoke in support of the proposed project. Mr. Brown stressed that it is realistic for the surrounding area and that the LCI is not realistic. Mr. Brown also mentioned that the project is unfairly being compared to Belmont, Jonquil and Riverview since those are all anchored to main roadways and by not approving this project, it could open the door to less desirable propositions.

Janice Lowe- Woodland Terrace- spoke regarding her concerns over the traffic and lack of transportation in the vicinity.

Laura Lamb- Pineview Dr- spoke in opposition to the proposed development.

Cameron Creech- Shawnee Trl- spoke in support of the proposed development, mentioning the ability to walk to many places is what is great about the area. Mr. Creech said he is a member of the congregation.

Nancy Sapp- Lexington Place- spoke in support of the proposed development.

Jane Canniff- Roswell St- spoke in support of the proposed project.

Robert Pannell- Whitmore Ct- spoke of concerns with the proposed development due to the traffic it would add. Mr. Pannell also added that it is not mixed-use nor common sense.

Caitlin Walker- Lee St- spoke in support of the proposed project since it would add more young professionals to the area.

Lisa Ruff- Harmont Walk Pl- spoke in full support of the proposed project.

Bryant Malone- Leafmore Dr- spoke in support of the proposed project and feels like the apartments would be fine for the community.

Abner Breban- Union Walk Circle- spoke in support of the proposed project stating that we need more density.

Chuck Dunlop- Ridgehurst Dr- spoke in support of the proposed project and says that the plan is realistically the best plan. Mr. Dunlop said he is a member of the church.

Alice Waldrop- Hidden Falls Ln- spoke in support of the proposed project.

Chairman Powell offered Mr. Moore a chance for rebuttal. Mr. Moore stressed that apartments are not a detriment to society. Mr. Moore added that Argyle Elementary is currently under capacity and the Cobb County Board of Education has said that there will be no impact. Mr. Moore also repeated that the traffic study was found to not have a negative impact.

A motion was made by Boardmember Tom Bartlett to deny zoning request Z17-021 - Rezoning from GC to MU-Conditional for the development of a mixed use project - 10.4 Acres - Land Lots 845 & 846 - 3110 Sports Avenue - JLB Realty, LLC., seconded by Boardmember Cheri Harrington.

The motion to deny carried by the following vote:

Aye: 7 - Tom Bartlett, Leslie Lightfoot, Monty Bye, Earl Rice, Cheri Harrington, Denny Campo and David Monroe

B. [2018-225](#)

Public Hearing - Zoning Request Z18-009 - Rezoning from GC to OD-Conditional for the development of a 113,895 sq. ft. climate controlled self storage building - 2.71 Acres - Land Lot 810 - 2520 Spring Road - 2520 Spring Road, LLC

Sponsors: Bartlett and Norton

Rusty Martin presented staff's recommendation to the Planning Commission. The request is to be heard by Mayor and Council on June 18, 2018. The applicant is requesting to rezone property from GC to OD-Conditional for use as a climate-controlled storage facility. The subject property is south of RaceTrac, east of Argyle Elementary. The property is approximately 2.71 acres. No land use change is needed. Applicant plans to demolish the existing retail center and construct a new

113,895 sq. ft. three-story climate controlled self-storage facility.

The proposed three-story building will provide 109,635 sq. ft. of storage space and 4,260 sq. ft. of commercial/office space (includes the leasing office). The building will be setback from Spring Road and tucked behind the RaceTrac on Spring Road. The parking for the facility will be located at the front of the site and in front of the building. The applicant is providing 30 parking spaces and 3 loading spaces for the facility. The proposed three-story building will have a modern architecture design with the use of brick, stucco, and metal paneling for exterior facade material. The front of the building will provide store/office fronts on the first floor.

The applicant is requesting several variances:

1. Allow a freestanding sign within 15' of the right-of-way (CDD-2);
2. A reduction in required parking from 88 spaces to 30 spaces;
3. Allow parking to be parallel to the building entrance (CDD-2);
4. Allow building to exceed 75% of the minimum frontage of the lot (CDD-2);
5. A reduction in the required setback from residential property from 50' to 35';
6. A reduction of the required side setback from 35' to 30'; and
7. A reduction of the required rear setback from 100' to 90' (CDD-2).

Staff are supportive of all of the variances. The applicant provided a traffic study to allow the reduction of parking spaces.

Staff recommends approval with the following conditions:

Standard Conditions

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

1. The retention or 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 ten percent reduction in a 100-year storm event. The city engineer shall approve all plans.
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 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 two inches 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 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".
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. There shall be a landscaped front entrance, with monument, indicating the name of the development.
8. All yards and common areas are to be sodded, and landscaped. Irrigate as appropriate.

Special Conditions

9. *The development shall maintain the following setbacks:*

- a. Front- 50'*
- b. Side- 20'*
- c. Rear- 90'*

10. *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".*

11. *Any proposed dumpsters shall be surrounded by a three-sided brick enclosure with an opaque gate in the front. The brick shall match the color and material used for the commercial buildings.*

12. *All dumpsters shall contain rubber lids so as to minimize sounds.*

13. *There shall be a 10', heavily-landscaped and maintained evergreen buffer adjacent to the property line that adjoins residential property. The developer shall plan trees in accordance with Section 503 of the Zoning Ordinance.*

14. *The developer shall install all HVAC units on the roof and screen from the public right-of-way and the adjoining residential properties.*

15. *There shall be no neon signs allowed on the property except for "open/closed" signs.*

16. *The use of metal paneling siding shall be prohibited for use on any building elevation.*

17. *The proposed building shall have a fire sprinkler system approved by the City's Fire Marshal.*

18. *The rental of U-Haul trucks or trailers or similar moving trucks shall be prohibited on this site.*

19. *There shall be no outside storage of any type permitted on site, including but not limited to vehicles, semi-trucks, boats, RV's, trailers and buses.*

20. *The developer shall be responsible for any water and sanitary sewer improvements deemed necessary by the Public Works Director during construction plan review.*

21. *The developer shall be responsible for any fire access improvements deemed necessary by the Fire Marshal during construction plan review.*

22. *Trees shall be planted the entire length of Spring Road at an average spacing of no more than 40'.*

23. *The developer shall dedicate a 25' right-of-way along the rear property line for a future public road. The dedication shall be completed prior to the issuance of the Certificate of Occupancy for the building.*

24. *Approval of the subject property for the OD-Conditional zoning district shall be conditioned upon the development of the property in substantial compliance with the site plan submitted 6/7/2018 created by Travis Pruitt and Associates, Inc. and all zoning stipulations above.*

25. *The applicant shall be bound to the elevations submitted and dated 6/4/2018. The use of metal paneling shall be prohibited for any building elevation. Approval of any change to the elevations must be obtained from the Director of Community Development.*

26. *The additional stipulations agreed upon by the applicant in the rezoning application submitted and dated on April 11, 2018. If there should be a discrepancy between the stipulations in the April 11, 2017 zoning application and the stipulations stated above, the stipulations stated above shall apply.*

Board member Harrington asked to clarify the address of the nearby car wash since they seem to reflect the same address as the proposed project. Mr. Martin said he would need to confirm by GIS.

Chairman Powell asked the applicant, G. Douglas Dillard, to provide an overview of the request. Mr. Dillard highlighted that they do innovative and quality development. The proposed project would consist of 109,000 sq. ft. of storage with retail and office space. They would have low traffic use in the area. Mr. Dillard also proposed several modifications to staff conditions:

- 14. All HVAC units shall be screened from view from any public right-of-way (Spring Road) and the adjoining residential properties
- 23. The developer shall dedicate a 25' right-of-way along the rear property line for a future public road. The dedication shall be completed simultaneously with the issuance of a Certificate of Occupancy for the building.
- 25. The applicant shall be bound to the elevations submitted and dated June 4, 2018. Approval of any changes to the elevations must be obtained from the Director of Community Development.

Board member Bartlett asked the applicant if Rusty had asked that the metal paneling be taken out. Mr. Dillard responded that he did not know. Mr. Dillard asked his associate Jason Liskan to come up to the podium to respond. Mr. Liskan reiterated that it will most likely be a brick, masonry, or stucco material.

Chairman Powell opened the floor for Public Hearing.

Public Hearing

Don McWethy- Oakley Trace- asked what type of retail would be on site.

Mr. Liskan responded that the site has challenging retail but they would opt for destination office with quasi-service offices.

Ken Suddreth, Community Development Director, stated that the letter given to staff about the modifications to the conditions would be acceptable and it would substitute for what was already written. Board member Bartlett asked for clarification on the HVAC screening. Mr. Suddreth clarified that the applicant would not need to screen them from a future right-of-way.

A motion was made by Boardmember Tom Bartlett to approve zoning Request Z18-009 - Rezoning from GC to OD-Conditional for the development of a 113,895 sq. ft. climate controlled self storage building - 2.71 Acres - Land Lot 810 - 2520 Spring Road - 2520 Spring Road, LLC to include the three (3) revised conditions as worded in a letter handed out to each boardmember, special condition 14, 23 and 25; seconded by Boardmember Leslie Lightfoot.

The motion to approve with conditions carried by the following vote:

Aye: 6 - Tom Bartlett, Leslie Lightfoot, Earl Rice, Cheri Harrington, Denny Campo and David Monroe

Nay: 1 - Monty Bye

C. [2018-257](#)

Public Hearing - Zoning Request Z18-010 - Rezoning from R-20 & NS to RM-12-Conditional for the development of eighty-one townhomes at a density of 9.38 units per acre - 8.64 Acres - Land Lots 634 and 663 - 1755 & 1837 Roswell Street - Quintus Development, L.P.

Sponsors: Blustein and Lightfoot

Rusty Martin presented staff's recommendation to the Board. The request will be

presented to Mayor and Council July 16, 2018. The property currently lies in Cobb County on the north side of Roswell Street, thus the applicant is requesting to annex and rezone the property. The applicant is requesting to rezone from R-20 to RM-12-Conditional for the development of an 81 unit townhome subdivision at a density of 9.38 units per acre. There will be a change from medium density residential to medium-high density residential. Cobb County has been notified and has sent a letter of non-objection.

The applicant is requesting several variances:

1. A reduction in the minimum front setback from 50' to 15';
2. A reduction in the minimum side setback from 35' to 25';
3. A reduction in the minimum rear setback from 40' to 25';
4. An increase in the maximum building height from 35' to 40';
5. An increase in the maximum allowable impervious surface area coverage from 35% to 61%;
6. A reduction in the building separation from 30' to 20';
7. A reduction in the minimum floor are of the unit from 1,800 sq. ft. to 1,700 sq. ft.;
and
8. Allow a 495 sq. ft. encroachment into the 75' impervious surface area setback from a stream.

Staff are supportive of all but one variance: a reduction of the minimum floor area.

Staff recommends approval with the following conditions:

Standard Conditions

(Requirements 2 and 16 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 (i.e. Roswell Street) shall not be permitted to utilize hardy plank for any elevation facing these roads.
2. 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.
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.
7. The developer shall install a deceleration lane at the entrance for the subdivision. The deceleration lane shall have a minimum length of 150 feet with a 50-foot taper.
8. A strip of brick pavers or stamped concrete shall be installed on the street at the subdivision entrance for a minimum distance of 20 feet.

9. *The development of any streets (including private) shall conform to the city's standards for public right-of-ways.*
10. *No debris may be buried on any lot or common area.*
11. *The developer will install decorative streetlights within the development, subject to approval by the city engineer. Utilization of low intensity, environmental type lighting, the illumination of which shall be confined within the perimeter of the subject property through the use of "full-cutoff lighting".*
12. *The developer will comply with the City's current tree ordinance (unless noted elsewhere). All required tree protection measures shall be adhered to by the developer during construction.*
13. *All landscape plans must be prepared, stamped, and signed by a Georgia Registered Landscape Architect for any common areas or entrances.*
14. *All yards and common areas are to be sodded, and landscaped. Irrigate as appropriate.*
15. *A Level I 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 setbacks:*
 - a. *Front – 15' & 10' for front porches, porticos, balconies & stoops*
 - b. *Side – 25'*
 - c. *Rear – 25'*
17. *The buildings within the development shall maintain the following building separations:*
 - a. *Front to Front – 50'*
 - b. *Rear to Rear– 45'*
 - c. *Side to Side – 20'*
18. *Each townhome building shall be limited to no more than six units per building.*
19. *The proposed homes shall have a minimum floor area of 1,800 sq. ft. (this is not what was requested by the applicant).*
20. *Driveway – 22' minimum length from building face to back of sidewalk or back of curb if no sidewalk is present.*
21. *Each home shall have a fire sprinkler system approved by the City's Fire Marshal.*
22. *The rear of the townhome units shall have architectural features that delineate the individual townhome units.*
23. *The developer shall provide a 5' sidewalk with a 2' grass buffer along Roswell Street for the length of the development and a 5' sidewalk within the development along the private street.*
24. *The developer shall provide a 20' landscape buffer per Section 503 of the Zoning Ordinance along the western property line that adjoins the single-family homes.*
25. *The developer shall be responsible for any water and sanitary sewer improvements deemed necessary by the Public Works Director during construction plan review.*
26. *The developer shall be responsible for any fire access improvements deemed necessary by the Fire Marshal during construction plan review.*
27. *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.*
28. *Trees shall be planted the entire length of Roswell Street at an average spacing of no more than 40'.*
29. *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.*

30. Mitigation of the ±495 square foot encroachment into the 75' impervious surface area stream buffer setback must be provided at a rate of 1:1 elsewhere on site along the same stream. A separate mitigation site plan must be submitted for approval prior to issuance of a land disturbance permit.

31. Approval of the subject property for the RM-12 zoning district shall be conditioned upon the development of the property in substantial compliance with the site plan submitted 6/5/2018 created by Gaskins Engineering and all zoning stipulations above.

32. The applicant shall be bound to the elevations submitted and dated 6/5/2018. Building fronts shall have a staggered appearance. Approval of any change to the elevations must be obtained from the Director of Community Development.

33. The additional stipulations agreed upon by the applicant in the letter submitted and dated on June 5, 2018. 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.

Garvis Sams, attorney for applicant, was asked by the Chairman to give an overview of the request. The applicant stated that Quintus Development will be the developer for the proposed project and David Weekley Homes will be the home builder. Mr. Sams reiterated that the proposed site is 8.9 acres and will consist of two types of lots: lots 1-15 will be 28 ft. in width and lots 16-81 will be 24 ft. in width. The applicant mentioned they have been discussing deceleration options for the area. Mr. Sams confirmed that the applicant was agreeable to the 1800 sq. ft. increase in minimum square footage. Mr. Sams highlighted that the homes will sell for between \$365,000 and \$435,000 and will have a 3rd party management company for the premises.

Board Member Monroe inquired if there were any stipulations for rentals or Airbnb. Mr. Garvis responded that only 10% of the units will be allowed to be rentals and they do not want any Airbnbs in the neighborhood.

Board Member Lightfoot asked about the traffic in the area. Mr. Garvis replied that the traffic study would be completed by June 15 but that there will be traffic calming measures done if needed.

Chairman Powell opened the floor for Public Hearing.

Public Hearing

Keith Bentley- Williams Park- stated that he was overall ok with the development but was concerned about traffic and wants a traffic calming stipulation.

Ken Suddreth, Community Development Director asked Eric Randall, City Engineer, to speak about the traffic. Mr. Randall said that there could be a traffic calming solution stipulation added that would be addressed at land development consistent with the traffic calming policy. Board Member Lightfoot had him repeat the stipulation several times while she wrote it down.

A motion was made by Boardmember Leslie Lightfoot to approve zoning request Z18-010 - Rezoning from R-20 & NS to RM-12-Conditional for the development of eighty-one townhomes at a density of 9.38 units per acre - 8.64 Acres - Land Lots 634 and 663 - 1755 & 1837 Roswell Street - Quintus Development, L.P., with the stipulation of a traffic calming solution, evaluated by staff, before the City Council meeting and being consistent with the existing Traffic Calming Policy; seconded by Boardmember Monty Bye.

The motion to approve carried by the following vote:

Aye: 7 - Tom Bartlett, Leslie Lightfoot, Monty Bye, Earl Rice, Cheri Harrington, Denny Campo and David Monroe

D. [2018-163](#)

Public Hearing - Zoning Request Z18-007 - Rezoning from R-15 to RAD-Conditional for two single-family homes at a density of 5.2 units per acre - 0.38 Acres - Land Lot 559 - 1478 Spring Street - PM Builders, LLC

Sponsors: Bye and Blackburn

Rusty Martin presented staff's recommendation. The request is to be heard by Mayor and Council on July 16, 2018. No land use change is required. PM Builders, LLC is seeking rezoning from R-15 to RAD-Conditional for the development of 2 new single-family homes at density of 5.2 units per acre. The first home will front on Spring Street with a side-entry garage on Foster Street. The second home will have a front-entry garage and will face Foster Street. The applicant has provided a site plan with the rezoning application for reference. The applicant has submitted building elevations and floor plans in the rezoning application. The submitted elevations reflect a more traditional style home with a mixture of exterior facade materials and architectural elements. The proposed lot sizes for the rezoning will be 6,800 sq. ft. for the lot on Foster Street and 9,956 sq. ft. for the lot on Spring Street.

The applicant is requesting several variances:

1. A reduction in the minimum front setback from 50' to 15';
2. A reduction in the minimum lot size from 15,000 sq. ft. to 6,800 sq. ft.;
3. A reduction in the minimum lot width from 100' to 70';
4. A reduction in the minimum front setback from 35' to 20';
5. A reduction in the minimum side setback from 10' to 5'; and
6. A reduction in the minimum rear setback from 30' to 5' and 10'.

Staff are supportive of all but two variances: the side setback reduction and rear setback reduction. There is not enough justification or proof of hardship to grant those two variances.

Staff recommends approval with the following conditions:

Standard Conditions

(Requirement #2, 8, 16 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 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.*
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. The grass buffer may be waived if it is deemed unnecessary by the City Engineer.*
- 5. No debris may be buried on any lot or common area.*
 - 6. 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".*
 - 7. 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.*
 - 8. All landscape plans must be prepared, stamped, and signed by a Georgia Registered Landscape Architect for any common areas or entrances.*
 - 9. All yards and common areas are to be sodded, and landscaped. Irrigate as appropriate.*
 - 10. 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.*
 - 11. The development shall maintain the following setbacks:*
 - a. Front – 20' (from existing right-of-way)*
 - b. Side – 10' (not as requested by the applicant)*
 - c. Rear – 20' (not as requested by the applicant)*
 - 12. The development shall be developed with a minimum lot size of 6,800 square feet.*
 - 13. The proposed homes shall have a minimum floor area of 1,800 sq. ft.*
 - 14. The driveways shall have a minimum length of 22' from building face to edge of Private Street. Each unit shall have a two-car garage.*
 - 15. The final plat for the development shall include a right-of-way dedication of 5' along both Springs Street and Foster Street.*
 - 16. A new 5' sidewalk with 2' grass buffer shall be constructed along both Foster Street.*
 - 17. The developer shall be responsible for any water and sanitary sewer improvements deemed necessary by the Public Works Director during construction plan review.*
 - 18. The developer shall replace and upgrade the drainage pipe along the eastern property line and provide associated easements per the City Public Works Director.*
 - 19. The developer shall provide new curb and gutter along Foster Street for the length of the development.*
 - 20. The developer shall improve the curb radius at the intersection of Spring Street and Foster Street per the City Public Works Director.*
 - 21. 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.*
 - 22. The home adjacent to Spring Street shall have the front of the home on Spring Street.*
 - 23. 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 site plan submitted 5/9/2018 created by J.A. Evans & Associates. The Community Development Director shall review and approve all minor changes and revision to the site plan during the plan review process.*
 - 24. The applicant shall be bound to the elevations submitted and dated 3/9/2018. Approval of any change to the elevations must be obtained from the Director of Community Development.*

Board Member Bye commented that the project is not suitable or similar to the surrounding areas. Mr. Martin replied that a single-family home is fine being next to another one.

Board Member Monroe asked about the front yard setbacks. Mr. Martin clarified that both lots will be 20 feet.

Chairman Powell asked the applicant to provide an overview of the request. Brad Thompson came up as the applicant. Mr. Thompson explained that he went to the Smyrna vision meetings and that Smyrna is evolving to warrant higher density. Mr. Thompson continued to say that the proposal makes sense with the surrounding area and that it makes more sense in mixed-use.

Board Member Bye commented to the applicant that they had met several times and that he was fine with putting a 2500 sq. ft. minimum. Mr. Bye also asked the applicant if he owned the property next door. Mr. Thompson confirmed. Mr. Bye followed up to confirm that Mr. Thompson would not develop the property with more than two homes. Mr. Thompson confirmed.

Chairman Powell opened the floor for Public Hearing.

Public Hearing:

Len Ward - spoke in great opposition for the proposed project, citing that there is no reason to change from one lot to two. Mr. Ward felt that the lot split would be set a bad precedent.

Casey Clavin - Roswell St. - gave a handout to the Planning & Zoning Board. Ms. Clavin spoke in great opposition to the proposed project.

Ron Davis - Roswell St. - spoke in opposition to the proposed project.

Board Member Bye commented that he had received 3 phone calls from Williams Park residents who were in favor of the rezoning.

Chairman Powell asked if the applicant would like to come back up to defend his project proposal. Mr. Thompson stressed that Smyrna has an affordability crisis and that he is trying to build a more affordable home than what he could on one lot.

A motion was made by Boardmember Monty Bye to deny zoning request Z18-007 - Rezoning from R-15 to RAD-Conditional for two single-family homes at a density of 5.2 units per acre - 0.38 Acres - Land Lot 559 - 1478 Spring Street - PM Builders, LLC., seconded by Boardmember Tom Bartlett.

The motion to deny carried by the following vote:

Aye: 6 - Tom Bartlett, Leslie Lightfoot, Monty Bye, Earl Rice, Denny Campo and David Monroe

Nay: 1 - Cheri Harrington

E. [2018-256](#)

Public Hearing - Approval of a code amendment to Section 602 of the Zoning Ordinance and the adoption of the city's updated Zoning Map - City of Smyrna

Sponsors: Monroe and Fennel

Rusty Martin contended that Community Development needed to update the zoning map to revise the map in order to reflect previous rezoning cases approved by mayor and council.

A motion was made by Boardmember Denny Campo to approve the code amendment to Section 602 of the Zoning Ordinance and the adoption of the city's updated Zoning Map - City of Smyrna; seconded by Boardmember Cheri Harrington.

The motion to approve carried by the following vote:

Aye: 7 - Tom Bartlett, Leslie Lightfoot, Monty Bye, Earl Rice, Cheri Harrington, Denny Campo and David Monroe

4. Approval of Minutes:

A. [2018-259](#) Approval of the May 14, 2018 Planning and Zoning Commission Meeting Minutes

Sponsors: City Council

A motion was made by Boardmember Earl Rice to approve the May 14, 2018 Planning and Zoning Commission Meeting Minutes: seconded by Boardmember Tom Bartlett.

The motion to approve carried by the following vote:

Aye: 7 - Tom Bartlett, Leslie Lightfoot, Monty Bye, Earl Rice, Cheri Harrington, Denny Campo and David Monroe

5. Adjournment

9:14 PM

The meeting of the Planning and Zoning Commission was adjourned by Chairman Joel Powell at 9:14 PM.