



City of Smyrna

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

Meeting Minutes - Final Planning and Zoning Commission

Monday, August 13, 2018

6:00 PM

Council Chambers

1. Roll Call

Present: 7 - Joel Powell, Tom Bartlett, Leslie Lightfoot, Earl Rice, Cheri Harrington, Denny Campo and David Monroe

Absent: 1 - Monty Bye

Also Present: 7 - Ken Suddreth, Russell Martin, Joey Staubes, Caitlin Walsh, Terri Graham, Tom Boland and Susan Wilkinson

2. Call to Order

Chairman Joel Powell called the August 13, 2018 meeting of the Planning and Zoning Commission to order at 6:00 PM.

3. Business

A. Public Hearing - Zoning Request Z18-013 - Approval of a Special Land Use Permit for a modular office building - 0.4835 Acres - Land Lot 559 - 1408 Spring Street - Joni Lovelace -

Sponsors: Bye and Blackburn

A motion was made by Boardmember David Monroe to withdraw Zoning Request Z18-013 at the request of the applicant for a Special Land Use Permit for a modular office building - 0.4835 Acres - Land Lot 559 - 1408 Spring Street - Joni Lovelace; there was a second by Boardmember Leslie Lightfoot.

The motion to withdraw carried by the following vote:

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

Absent: 1 - Monty Bye

B. Public Hearing - Zoning Request Z18-015 - Rezoning from GC to RM-12-Conditional for the development of 35 townhome units at a density of 11.47 units per acre - 3.05 Acres - Land Lots 347 and 348 - 2249 South Cobb Drive and 2265 Ventura Road - Loyd Development Services, LLC - *This item will be tabled to the September 10, 2018 Planning and Zoning Board meeting at the request of the applicant.*

Sponsors: Harrington and Wilkinson

This item was tabled to the September 10, 2018 Planning and Zoning Board meeting at the request of the applicant.

A motion was made by Board-member Cheri Harrington to table Public Hearing and

zoning request Z18-015 to the September 10, 2018 Planning and Zoning Board Meeting, at the request of the applicant; Rezoning from GC to RM-12-Conditional for the development of 35 townhome units at a density of 11.47 units per acre - 3.05 Acres - Land Lots 347 and 348 - 2249 South Cobb Drive and 2265 Ventura Road - Loyd Development Services, LLC; there was a second by Board-member Tom Bartlett. The motion to table carried by the following vote:

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

Absent: 1 - Monty Bye

D.

Public Hearing - Code Amendments to Sections 402, 712, 714 ,716 and 720 of the Zoning Ordinance are proposed to add definitions related to breweries and distilleries and to list breweries and distilleries as permitted uses within the General Commercial, Light Industrial, Central Business District and Mixed Use zoning districts - City of Smyrna

Sponsors: Gould and Campo

Rusty Martin presented staffs recommendation. The request is to be heard by Mayor and Council on September 17, 2018. Mr. Martin discussed the brewery and distillery uses. Staff met with numerous brewers looking to locate in Smyrna but the current ordinance does not say anything about breweries so staff felt it was beneficial to face it head on. The amendment will add definitions to section 402 for barrel, brewer, brewery, brewpub, distilled spirits, and distiller, distillery, and malt beverage. The amendment would also update breweries into the allowable uses in sections 712, 714, 716, and 720, amendment for breweries and distilleries and to list breweries and distilleries as permitted uses within the General Commercial, Light Industrial, Central Business District and Mixed use zoning districts. Staff has to make an interpretations by each application. CD is proposing to amend section 402 the definitions for barrel, brewer, brewery brewpub distilled spirits distiller distillery and malt beverages also to sections 712, 714, 716 and 720 to the listed zonings.

Chairman Powell announced the Public Hearing. One person came forward, Jim Pearson- Grandview Dr- asked about addition of wineries.

Rusty Martin responded that Community Development had not looked into wineries presently but it would be possible to investigate at a later date.

Public hearing announced. .

A motion was made by Board-member Denny Campo to approve - Code Amendments to Sections 402, 712, 714 ,716 and 720 of the Zoning Ordinance are proposed to add definitions related to breweries and distilleries and to list breweries and distilleries as permitted uses within the General Commercial, Light Industrial, Central Business District and Mixed Use zoning districts - City of Smyrna; a second was made by Board-member David Monroe.

The motion to approve carried by the following vote:

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

Absent: 1 - Monty Bye

E. Public Hearing - General Code Amendments for Corrections and Updates for Zoning Ordinance - City of Smyrna

Sponsors: Gould and Campo

Caitlin Walsh presented staff's recommendation. The request is to be heard by Mayor and Council on September 17, 2018. Ms. Walsh recommended that the zoning ordinance be updated to correct grammatical and typo errors. Staff also changed the number of attached houses from 10 to 6. Ken Suddreth, Community Development Director, clarified that six dwelling units refers to townhome buildings. Rusty Martin, City Senior Planner, added on that it is currently reflected as 6 in Section 801.

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

A motion was made by Board-member Denny Campo to approve - General Code Amendments for Corrections and Updates for Zoning Ordinance - City of Smyrna; a second was made by Board-member David Monroe.

The motion to approve carried by the following vote:

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

Absent: 1 - Monty Bye

F. Public Hearing - Application for Map Amendments Update to the Zoning Ordinance - City of Smyrna

Sponsors: Gould and Campo

Caitlin Walsh presented staff's recommendation. The request is to be heard by Mayor and Council on September 17, 2018. Staff is recommending Section 1502 of the zoning ordinance be consistent with information requested in applications for rezoning. Staff is requesting the impact statement for applicants of developments 100,000 sq ft or 75 dwelling units. Staff is also requesting a hydrology study and a water and sewer availability letter from Public Works. Staff is also including other information in the text that is currently requested in zoning applications.

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

A motion was made by Board-member Denny Campo to approve - Application for Map Amendments Update to the Zoning Ordinance - City of Smyrna; a second was made by Board-member Cheri Harrington.

The motion to approve carried by the following vote:

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

Absent: 1 - Monty Bye

G. Public Hearing - Mixed Use District Update to the Zoning Ordinance - City of Smyrna

Sponsors: Gould and Campo

Caitlin Walsh presented staff's recommendation. The request is to be heard by Mayor and Council on September 17, 2018. The current intent is too narrow of a scope and limits the mixed use district to specific area in the city. Staff recommends Regional Activity Center to be allowed in Mixed Use per recommendations from the Spring Road LCI Study and the 2040 Comprehensive Plan. Staff also addressed other typos and

grammatical errors.

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

A motion was made by Board-member Denny Campo to approve - Mixed Use District Update to the Zoning Ordinance - City of Smyrna; a second was made by Board-member Tom Bartlett.

The motion to approve carried by the following vote.

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

Absent: 1 - Monty Bye

H. Public Hearing - Code Amendment to the Zoning Ordinance to add new single-family residential zoning districts - City of Smyrna

Sponsors: Gould and Campo

Planner Caitlin Walsh presented staff's recommendation. The request is to be heard by Mayor and Council on September 17, 2018. Staff is recommending the addition of R-8 and R-10 zoning districts. Currently, there is no residential district that addresses developments between 3.4 and 6 units per acre. This will also assist with more uniform development patterns and less variances.

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

A motion was made by Board-member Denny Campo to approve - Code Amendment to the Zoning Ordinance to add new single-family residential zoning districts - City of Smyrna; a second was made by Board-member Cheri Harrington.

The motion to approve carried by the following vote:

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

Absent: 1 - Monty Bye

I. Public Hearing - Section 704 RAD Update to the Zoning Ordinance - City of Smyrna

Sponsors: Gould and Campo

Caitlin Walsh presented staff's recommendation. The request is to be heard by Mayor and Council on September 17, 2018. Without R-8 and R-10 zoning, RAD has become a catch-all zoning district. Also with the RAD naming, the "attached" aspect of the category is emphasized. Staff recommends changing the name from RAD to RDA and that the text be amended in all areas RAD needs to be changed to RDA.

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

A motion was made by Board-member Denny Campo to approve - Section 704 RAD Update to the Zoning Ordinance - City of Smyrna; a second was made by Board-member Tom Bartlett.

The motion to approve carried by the following vote:

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

Absent: 1 - Monty Bye

J. Public Hearing - Zoning Ordinance Table Updates - City of Smyrna

Sponsors: Gould and Campo

Caitlin Walsh presented staff's recommendation. The request is to be heard by Mayor and Council on September 17, 2018. Staff recommends updating the tables in sections 601, 801, and 802 in conjunction with the RAD and R-8 and R-10 text amendments. Staff also added the setbacks for R-8 and R-10 in section 801 and added in Mixed Use to section 601. Staff also corrected a typing error in section 802.

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

A motion was made by Board-member Denny Campo to approve - Zoning Ordinance Table Updates - City of Smyrna; a second was made Board-member Leslie Lightfoot. The motion to approve carried by the following vote:

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

Absent: 1 - Monty Bye

C. Public Hearing - Zoning Request Z18-014 - Rezoning from R-20 to RAD-Conditional for the construction of two single-family homes at a density of 3.84 units per acre - 0.52 Acres - Land Lots 341 and 381 - 3381 Old Concord Road - Angel Oak Homes, LLC

Sponsors: Blackburn and Bye

Rusty Martin presented staff's recommendation to the Board. The request will be presented to Mayor and Council September 17, 2018. The request had previously been tabled by the Planning and Zoning Board due to concerns with the site plan. The property currently lies in Cobb County on the north side of Concord Rd, thus the applicant is requesting to annex and rezone the property. The applicant is requesting to rezone from R-20 to RAD-Conditional for the development of two new detached single-family residences at a density of 3.84 units per acre. There will be a change from neighborhood activity center to moderate density residential on the future land use map. There are two options for site plans that will be approved. The first option fronts on Old Concord Rd and has a shared drive with Concord Lake Village with rear entry garages. If the developer is unable to access the Concord Lake Village drive, the second option has a shared driveway off Old Concord Rd with rear entry garage. The applicant is requesting several variances for both site plan options:

1. A reduction in the minimum lot size from 15,000 sq. ft. to 10,753 sq. ft.;
2. A reduction in the minimum lot width from 100' to 52';
3. Front setback reduction from 35' to 25';
4. Side setback reduction from 10' to 5'; and
5. Rear setback reduction from 30' to 25'.

Staff are supportive of all variances.

Staff recommends approval with the following conditions:

Standard Conditions

(Requirements 2, 3, 4, 8, 9, 10, 11 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 siding 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.
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, 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

10. The development shall maintain the following setbacks:
 - a. Front – 25'
 - b. Side – 5'
 - c. Street Side – 25'
 - d. Rear – 25'
11. The development shall be developed with a minimum lot size of 10,000 square feet.
12. The lots shall be developed with a minimum lot width at the setback line of 50'.
13. The homes shall have a minimum floor area of 1,800 sq. ft.
14. The developer shall be responsible for the installation of all water and sewer lines in accordance with the requirements of the City of Smyrna Public Works Director and Cobb County Water System.
15. The proposed shared drive off Old Concord Road shall have a minimum width of 18'.
16. 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.
17. Approval of the subject property for the RAD zoning district shall be conditioned upon the development of the property in substantial compliance with the submitted site plans dated 7/30/2018 & 8/9/2018 created by Survey Land Express, Inc. All listed stipulations above shall be addressed during the plan review process.
18. The homes shall be built in substantial compliance with the elevations submitted and dated 6/8/2018. Approval of any change to the elevations must be obtained from the Director of Community Development.

Board Member Monroe inquired how the corner lot affects the property. Mr. Martin

*responded that there would be setbacks on both street frontages of 25'.
 Bob Harris of Angel Oak Homes was asked by the Chairman to give an overview of the request. The applicant stated that they specialize in small urban infill lots. Mr. Harris stated that Concord Lake Village supports the development proposal and they all believe it will be an asset to the community.
 Chairman Powell opened the floor for Public Hearing- no one came forward.*

Staff recommends approval with the standard conditions and omissions that do not apply

Special conditions are shown

David Monroe asked if the corner lot is affecting the setbacks. Rusty replies that he is matching on both.

Applicant came forward Bob Harris in Smyrna Georgia the company specializes in small. They have spoken to Concord Lakes subdivision and they are welcoming the redevelopment.

public hearing announced no one came forward.

A motion was made by Board-member Cheri Harrington to approve - Zoning Request Z18-014 - Rezoning from R-20 to RAD-Conditional for the construction of two single-family homes at a density of 3.84 units per acre - 0.52 Acres - Land Lots 341 and 381 - 3381 Old Concord Road - Angel Oak Homes, LLC; a second was made by Board-member Leslie Lightfoot.

The motion to approve carried by the following vote:

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

Absent: 1 - Monty Bye

4. Approval of Minutes:

A. Approval of the July 9, 2018 Planning and Zoning Commission Meeting Minutes

Sponsors: City Council

A motion was made by Board-member Earl Rice to approve the July 9, 2018 Planning and Zoning Commission Meeting Minutes; a second was made by Board-member Tom Bartlett.

The motion to approve carried by the following vote:

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

Absent: 1 - Monty Bye

5. Adjournment

Chairman Joel Powell adjourned the meeting of the Planning and Zoning Commission at 6:50 PM.