



Meeting Minutes - Final
Planning and Zoning Commission

Monday, March 12, 2018

6:00 PM

Council Chambers

1. **Roll Call**

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

Absent: 1 - Joel Powell

Also Present: 6 - Terri Graham, Joey Staubes, Ken Suddreth, Russell Martin, Caitlyn Walsh and Lisa Ochoa

2. **Call to Order**

Interim Chairman-Boardmember Denny Campo called the Planning and Zoning Commission Meeting to order at 6:00 PM. Denny Campo served as Chair for the Planning and Zoning Commission meeting in Joel Powell's absence.

3. **Business**

A. Public Hearing - Zoning Request Z17-014 - Rezoning from NS & OI to MU-Conditional for the development of a mixed use project with 310 multi-family units, a hotel, 15,000 sq. ft. of retail space and 80,000 sq. ft. of office space - 8.7 Acres - Land Lots 880 & 881 - 2800 & 2810 Spring Road - Westplan Investors Acquisitions, LLC -

Sponsors: Norton and Bartlett

A motion was made by Boardmember Leslie Lightfoot to table Zoning Request Z17-014, a Rezoning from NS & OI to MU-Conditional for the development of a mixed use project with 310 multi-family units, a 200 room hotel, 15,000 sq. ft. of retail space and 80,000 sq. ft. of office space on 8.7 Acres in Land Lots 880 & 881 at 2800 & 2810 Spring Road by Westplan Investors Acquisitions, LLC; seconded by Boardmember, Monty Bye. This Item is to be tabled to the April 9, 2018 Planning and Zoning Board Meeting at the request of the Community Development staff due to late project information submittal by the applicant.

The motion to table carried by the following vote:

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

Absent: 1 - Joel Powell

B. 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

A motion was made by Boardmember Tom Bartlett to table Zoning Request Z17-021 to rezone from GC to MU-Conditional for the development of a mixed use project on 10.4 Acres at Land Lots 845 and 846 located at 3110 Sports Avenue by JLB Reality, LLC, seconded by Boardmember Cheri Harrington. This item is to be tabled to the April 9, 2018 Planning and Zoning Meeting at the request of the applicant.

The motion to table carried by the following vote:

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

Absent: 1 - Joel Powell

C. Public Hearing - Zoning Request Z18-003 - Rezoning from R-20 to RAD-Conditional for the development of 33 single-family homes at a density of 2.92 units per acre - 11.32 Acres - Land Lots 340, 341 & 380 - 3305 & 3311 Old Concord Road - CS Realty Group, LLC

Sponsors: Blackburn and Bye

A motion was made by Boardmember David Monroe to table Zoning Request Z18-003 for the rezoning from R-20 to RAD-Conditional for the development of 43 single family homes at a density of 3.8 acres on 11.3229 acres on Land Lots 340, 341, and 380 located at 3305 and 3311 Old Concord Road by CS Realty Group, LLC, seconded by Boardmember Monty Bye. This item will be tabled to the April 9, 2018 Planning and Zoning Board Meeting at the request of the Community Development staff.

The motion table carried by the following vote:

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

Absent: 1 - Joel Powell

D. Public Hearing - Zoning Request Z18-005 - Rezoning from GC to OI for use of the building as a dormitory for Atlanta Dream Center - 1.84 Acres - Land Lot 346 - 460 Bourne Drive - Atlanta Dream Center

Sponsors: Wilkinson and Harrington

A motion was made by Boardmember Cheri Harrington to table Zoning Request Z18-008 for the rezoning from GC to OI for the use of the building as a dormitory for Atlanta Dream Center on 1.84 acres at Land Lot 346 located at 460 Bourne Drive, seconded by Boardmember Leslie Lightfoot. This item will be tabled to the April 9, 2018 Planning and Zoning Board Meeting at the request of the applicant.

The motion to table carried by the following vote:

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

Absent: 1 - Joel Powell

E. Public Hearing - Zoning Request Z17-015 - Rezoning from R-20 & GC to GC-Conditional for a veterinary clinic - 0.59 Acres, Land Lots 631 and 632 - 1763 Spring Street & 2808 Madison Street - PWH Engineering, Inc.

Sponsors: Bye and Blackburn

A motion was made by Boardmember David Monroe to table indefinitely Zoning Request Z17-015 for the rezoning from R-20 and GC to GC Conditional for a veterinary clinic on 0.59 acres at Land Lots 631 and 632 located at 1763 Spring Street and 2808 Madison Street by PWH Engineering, Inc., seconded by Boardmember Tom Bartlett. The motion to table indefinitely carried by the following vote:

F. Public Hearing - Zoning Request Z18-004 - Rezoning from R-20 to RAD-Conditional for two residential lots at 4.69 units per acre - 0.426 Acres - Land Lot 519 - 2451 Adams Drive - Ronald S. Dickinson

Sponsors: Bye and Blackburn

Mr. Rusty Martin, Community Development Senior Planner, provided a presentation for 2451 Adams Drive. The proposed plan was for a rezoning approval from R-20 in Cobb County to RAD-Conditional in Smyrna. The anticipated land use would be required to change from a low density residence to a medium density residence. The proposed property is subdivided into two (2) lots on 0.426 acres. The existing home would remain and the new house would be built on the second lot. Similar lot splits have been done on Adams Drive, as well as similar land use changes have been done on the adjacent parcel. The request would be heard by Mayor and Council on the April 16, 2018 meeting.

The Variances requested were front setback reduction from 35 feet to 20 feet, rear setback reduction from 30 feet to 15 feet, and lot size reduction from 15,000 square feet to 9,085 square feet. The applicant would provide a 10 foot Right-of-Way dedication along Belmont Avenue and a 5 foot Right-of-Way dedication on Adams Drive. Community Development recommended approval with the following conditions:

Standard Conditions:

(Requirement #1, 2, 3, 4, 8, 9, 10 and 17 from Section 1201 of the Zoning Code is not applicable)

- 1. The stormwater management facility shall be placed and screened appropriately to be unobtrusive to homes inside and outside the development. The storm water detention plan shall be designed to create at least a 10% reduction in a 2-year to 100-year storm event. The City Engineer shall approve all plans.*
- 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 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.*
- 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 minimum setbacks:
Front – 20', Side – 10', and Rear – 15'

10. Driveway – 22' minimum length from building face to back of sidewalk.

11. Each home will be a minimum of 1,800 square feet in floor area.

12. The minimum allowable lot size shall be 9,085 sq. ft..

13. The minimum allowable lot width shall be 100'.

14. Curb Cuts shall be prohibited on Belmont Avenue.

15. The final plat for the development shall include a right-of-way dedication of 5' along Adam Drive. Setbacks shall be taken from the existing right-of-way.

16. The final plat for the development shall include a right-of-way dedication of 10' along Belmont Avenue. Setbacks shall be taken from the existing right-of-way.

17. The developer or property owner will need to remove the existing fence where the fence encroaches within the right-of-way.

18. Approval of the subject property for the Residential Attached Detached (RAD) zoning district shall be conditioned upon the development of the property in substantial compliance with the submitted site plan dated 2/9/2018 created by DGM Land Planning Consultants.

19. The home shall be constructed in substantial compliance with the architectural elevations submitted and dated 2/9/2018. The home shall meet the façade requirements established in stipulation #20 below. Approval of any change to the elevations must be obtained from the Director of Community Development.

20. 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.

21. The additional stipulations agreed upon by the applicant in the letter by Garvis Sams submitted and dated on March 2, 2018. If there should be a discrepancy between the stipulations in the March 2, 2018 letter and the stipulations stated above, the stipulations stated above shall apply.

Boardmember Denny Campo called the applicant to the podium. Attorney Garvis Sams, the representative for Mr. Ronald Dickinson, stated Cobb County had no objection to the annexation and had submitted a letter of non-objection. He requested a rezoning from Cobb's R-20 to Smyrna's RAD, and had not received any objections from residents. Mr. Sams submitted a letter of stipulations and conditions dated March 2, 2018 which stated his client would add stone and brick on all sides to comply with

the City's Ordinances. His client would like to keep the existing house, with access on Adams Drive, and build the custom home on the 2nd lot with accessibility on Adams Drive. Mr. Garvis Sams acknowledged that the applicant agreed to staff's conditions. He noted that the second home would be for sale only, and would comply with stormwater management requirements. The Fire Marshall has deemed the site plan acceptable.

Boardmember Denny Campo called for the Public Hearing and no one came forward.

A motion was made by Boardmember Monty Bye to approve Zoning Request Z18-004 for Rezoning from R-20 to RAD Conditional for two residential lots at 4.69 units per acre on 0.426 Acres at Land Lot 519, located at 2451 Adams Drive by applicant Ronald S. Dickinson and seconded by Boardmember Cheri Harrington.

The motion to approve carried by the following vote:

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

Absent: 1 - Joel Powell

G. Public Hearing - Plat Approval with variances for 1102 Church Street - Variance Request V18-020 - 0.810 Acres - Land Lot 487 - 1102 Church Street - Brad Thompson

Sponsors: Blackburn

Mr. Joey Staubes, Community Development Planner II, presented the requested Plat Approval with variances for 1102 Church Street. The applicant Brad Thompson requested to revert a single lot on 0.801 acres back to two (2) lots as it was originally recorded in 1913. The lot was converted into one at some point and presently remains vacant in Ward 3. The conversion would not affect the current R-15 zoning. Mr. Thompson requested two (2) variances: a reduction in lot width from 85 feet to 49 feet, and the side setback reduction from 10 feet to 5 feet. The proposed lots would be consistent with the existing development pattern in the surrounding area. Staff recommended approval.

Boardmember Denny Campo called Mr. Brad Thompson to the podium. The applicant Brad Thompson asked to go back to the original subdivision Plat layout. He stated he would like to build two (2) homes on the lots. The lot just to the west of his lot already had an existing 50 foot lot of record. Mr. Thompson asked the board to approve his request.

Boardmember Denny Campo called for the Public Hearing.

Mr. Shawn Freeman, residing at Glengrove Drive, had concerns with congestion. Mr. Freeman pondered how the new residents would get out of their driveway because it had taken him 15 minutes to make a left turn in the mornings. He expressed that the development was more about profitability than livability. He stated the lot would be great for one home.

No one else came forward to speak.

A motion was made by Boardmember Monty Bye to approve the Plat Approval with Variance Request V-18-020 on 0.810 acres at Land Lot 487 located at 1102 Church Street by Brad Thompson, seconded by Boardmember Tom Bartlett.

The motion to approve carried by the following vote:

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

Absent: 1 - Joel Powell

H. Public Hearing Only - Plat approval for 990 Pebblebrook Road - 1.0245 Acres - Land Lot 466 - 990 Pebblebrook Road - John Hicks

Sponsors: Fennel

Mr. Rusty Martin, Community Development Senior Planner, provided a presentation for Plat approval and Annexation of 990 Pebblebrook Road. Mr. Martin stated the applicant desired to annex the property from Cobb County zoned R-20 into Smyrna with the same zoning. The applicant had proposed to subdivide the acre lot and create two (2) 20,000 square foot lots which met the R-20 requirements. There were no variances required and the lots met the minimum requirements. Boardmember Denny Campo inquired if the request would effect the zoning in any way and it would not. Boardmember Denny Campo called for the Public Hearing and no one came forward.

A motion was made by Boardmember Leslie Lightfoot to approve the Plat Approval request on 1.0245 Acres at Land Lot 466 located at 990 Pebblebrook Road by applicant John Hicks and seconded by Boardmember Earl Rice.

The motion to approve carried by the following vote:

Aye: 5 - Tom Bartlett, Leslie Lightfoot, Monty Bye, Earl Rice and Cheri Harrington

Absent: 1 - Joel Powell

Recuse: 1 - David Monroe

4. Approval of Minutes:

A. Approval of February 12, 2018 Planning and Zoning Meeting Minutes

A motion was made by Boardmember Earl Rice to approve February 12, 2018 Planning and Zoning Minutes, seconded by Leslie Lightfoot.

The motion to approve was carried by the following vote:

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

Absent: 1 - Joel Powell

5. Adjournment

The meeting of the Planning and Zoning Commission adjourned at 6:33 PM.