



## Meeting Minutes - Final Planning and Zoning Commission

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Monday, January 11, 2016

6:00 PM

Council Chambers

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### 1. Roll Call

**Present:** 8 - Joel Powell, Steve Kemp, Ed Whittington, Denny Campo, Ron Roberts, Leslie Lightfoot, Earl Rice and David Monroe

**Also Present:** 4 - Ken Suddreth, Russell Martin, Joey Staubes and Heather Corn

### 2. Call to Order

Chairman Joel Powell called the January 11, 2016 meeting of the Planning and Zoning Board to order at 6:00PM.

### 3. Business

- A. Public Hearing - Zoning Request - Z15-003 - Rezoning of the subject property from R-15 to RAD-Conditional for the development of two (2) single-family homes - 1.31 Acres - Land Lot 592 - 1514 Hawthorne Avenue - Tuley & Tuley, Inc. This zoning request was tabled from the June 13, 2016 Planning and Zoning Board Meeting at the request of staff.

**Sponsors:** Anulewicz

A motion was made by Boardmember Ron Roberts to table to the February 8, 2016 Planning and Zoning meeting item 2015-125 for a Zoning Request (Z15-003) for the Rezoning of the subject property from R-15 to RAD-Conditional for the development of two (2) single-family homes on 1.31 Acres, Land Lot 592 located at 1514 Hawthorne Avenue by the applicant Tuley & Tuley, Inc.; seconded by Boardmember Steve Kemp.

The motion carried by the following vote:

**Aye:** 7 - Steve Kemp, Ed Whittington, Denny Campo, Ron Roberts, Leslie Lightfoot, Earl Rice and David Monroe

- B. Public Hearing - Zoning Request Z15-022 - Rezoning from R-15 to RAD-Conditional for the development of two single-family homes - 0.431 Acres - Land Lot 489 - 1195 Hill Street - SNE, LLC  
This item will be withdrawn at the request of the applicant.

**Sponsors:** Kemp and Anulewicz

A motion was made by Boardmember Ed Whittington to withdraw without prejudice item 2015-423 for a Zoning Request (Z15-022) for the Rezoning from R-15 to RAD-Conditional for the development of two single-family homes on 0.431 Acres, Land Lot 489 located at 1195 Hill Street by the applicant SNE, LLC.; seconded by Boardmember Leslie Lightfoot.

The motion carried by the following vote:

**Aye:** 7 - Steve Kemp, Ed Whittington, Denny Campo, Ron Roberts, Leslie Lightfoot, Earl Rice and David Monroe

- C.** Public Hearing - Zoning Request Z15-005 - Annexation and rezoning of the subject property from NS (Smyrna) & OI (Cobb County) to MU-Conditional - 8.7 Acres - Land Lots 880 & 881 - 2800 & 2810 Spring Road - Nilhan Developers, LLC - This item is to be tabled indefinitely at the request of the applicant.

**Sponsors:** Roberts and Norton

A motion was made by Boardmember Steve Kemp to table indefinitely at the applicants request item 2015-126 for the Zoning Request (Z15-005) for an Annexation and rezoning of the subject property from NS (Smyrna) & OI (Cobb County) to MU-Conditional on 8.7 Acres, Land Lots 880 & 881 located at 2800 & 2810 Spring Road by the applicant Nilhan Developers, LLC.; seconded by Boardmember Earl Rice.

The motion carried by the following vote:

**Aye:** 7 - Steve Kemp, Ed Whittington, Denny Campo, Ron Roberts, Leslie Lightfoot, Earl Rice and David Monroe

- D.** Public Hearing - Zoning Request Z16-002 - Rezoning from GC to RTD-Conditional for the construction of 68 townhome units - 7.25 Acre Tract - Land Lot 606 - 4710, 4730, 4750, 4760, 4770 & 4780 Camp Highland Road - Prime Interest, Inc. - This zoning item is to be tabled to the Tuesday, January 17, 2017 City Council Meeting at the request of the applicant.

**Sponsors:** Fennel

A motion was made by Boardmember Steve Kemp to table until the February 8, 2016 Planning and Zoning meeting item 2016-40 for Zoning Request (Z16-002) for the Rezoning from GC to RTD-Conditional for the construction of 72 townhome units on 7.25 Acre Tract, Land Lot 606 located at 4710, 4730, 4750, 4760, 4770 & 4780 Camp Highland Road by the applicant Prime Interest, Inc.; seconded by Boardmember Leslie Lightfoot.

The motion carried by the following vote:

**Aye:** 7 - Steve Kemp, Ed Whittington, Denny Campo, Ron Roberts, Leslie Lightfoot, Earl Rice and David Monroe

- E.** Public Hearing - Zoning Request Z16-001 - Rezoning from R-15 to R-12-Conditional for the construction of two single-family homes - 0.63 Acre Tract - Land Lot 664 - 2580 Bates Street - Habitat for Humanity of Northwest Metro Atlanta, Inc.

**Sponsors:** Anulewicz

*Chairman Powell asked Senior Planner Russell Martin to present the background for this item. He stated the following:*

*Habitat for Humanity is requesting rezoning from R-15 to R-12-Conditional for the construction of two new single-family residences at a density of 3.17 units per acre on an existing vacant lot on Bates Street. The proposed homes will be accessed from Bates Street. The submitted elevations reflect a more traditional style one-story ranch home with a mixture of exterior façade materials and architectural elements. Community Development recommended approval of the requested rezoning from*

*R-15 to R-12-Conditional for the construction of two new single-family residences at a density of 3.17 units per acre with the following conditions:*

*Standard Conditions*

*(Requirement #2, 3, 4, 8, 9, 10 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.*
- 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:*

*Front - 35'*

*Side - 10'*

*Rear - 30'*

- 11. Driveway - 22' minimum length from building face to back of sidewalk.*
- 12. The development shall be developed with a minimum lot size of 13,763 square feet.*
- 13. The homes shall have a minimum floor area of 1,500 sq. ft.*
- 14. The right-of-ways along Bates Street shall be increased to 50 feet. Therefore a dedication of approximately 5' feet is required along the Bates Street right-of-way.*
- 15. The developer shall provide a 5' sidewalk with a 2' grass buffer along Bates Street for the length of the development.*
- 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 R-12 zoning district shall be conditioned upon the development of the property in substantial compliance with the submitted site plan dated 12/3/2015 created by Larry D. Neese.*
- 18. The homes shall be built in substantial compliance with the elevations submitted and dated 12/3/2015. Approval of any change to the elevations must be obtained from the Director of Community Development.*

*Mr. Martin stated this would go before Council on February 15, 2016 to take final action. He reviewed the issue sheet, showed pictures of the proposed site plan, elevations, adjacent properties and surrounding areas. The homes would front Bate Street with a parking pad to the front of the home.*

*There were no additional questions from the board.*

*The applicant, Mr. Dave McGuinness, spoke although suffering from laryngitis. The Board inquired about the process for placing a family into a Habitat home. He explained it is a two level process where people apply for the participation of partnership. The individual and all family members can have no domestic violence issues, must show financial responsibility, the ability and willingness to service the debt and no police records. The potential homeowners are required to have stable credit and a downpayment, in addition to a 20 year mortgage serviced by Habitat. The mortgage is revocable if any of the required conditions are violated. They work 100 hours on someone else's Habitat home and 100 hours on their own Habitat home. Habitat uses proceeds to acquire other property and materials used to build future homes.*

*Chairman Powell called the Public Hearing and no one came forward to make comment regarding this item.*

A motion was made by Boardmember Steve Kemp to approve item 2016-41 for the Zoning Request (Z16-001) for the Rezoning from R-15 to R-12-Conditional for the construction of two single-family homes on 0.63 Acre Tract, Land Lot 664 located at 2580 Bates Street by the applicant Habitat for Humanity of Northwest Metro Atlanta, Inc.; seconded by Boardmember Ron Roberts.

The motion carried by the following vote:

**Aye:** 7 - Steve Kemp, Ed Whittington, Denny Campo, Ron Roberts, Leslie Lightfoot, Earl Rice and David Monroe

#### **4. Approval of Minutes:**

##### **A. Approval of the December 14, 2015 Planning and Zoning Meeting Minutes**

A motion was made by Boardmember Leslie Lightfoot to approve item 2016-36 for the Approval of the December 14, 2015 Planning and Zoning Meeting Minutes; seconded by Boardmember Denny Campo.

The motion carried by the following vote:

**Aye:** 7 - Steve Kemp, Ed Whittington, Denny Campo, Ron Roberts, Leslie Lightfoot, Earl Rice and David Monroe

#### **5. Adjournment**

*Ken Suddreth spoke about why the standard conditions are read aloud for each zoning item, and explained that Staff is considering alternatives, such as presenting only the Special Conditions. The Standard Conditions are including in the City's Zoning Ordinance, but the Special Conditions are specific to the subject parcel included in the rezoning application. The Meeting was adjourned at 6:24 PM*

Chairman Joel Powell adjourned the meeting of the Planning and Zoning Board at 6:24PM.