



## Meeting Minutes - Final Planning and Zoning Commission

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Monday, May 9, 2016

6:00 PM

Council Chambers

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### 1. Roll Call

**Present:** 7 - Joel Powell, Denny Campo, Ron Roberts, Leslie Lightfoot, Earl Rice, David Monroe and Cheri Harrington

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

### 2. Call to Order

Chairman Joel Powell called to order the May 9, 2016 meeting of the Planning and Zoning Meeting at 6:02PM.

### 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 to table until June 13, 2016 at the request of staff 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 Leslie Lightfoot. The motion carried by the following vote:

**Aye:** 6 - Denny Campo, Ron Roberts, Leslie Lightfoot, Earl Rice, David Monroe and Cheri Harrington

**Absent:** 1 - Park Ellis

- B. 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 David Monroe to table until June 13, 2016 at the request of staff item 2016-40 a Zoning Request (Z16-002) for the Rezoning from

GC to RTD-Conditional for the construction of 72 townhome units on a 7.25 Acre Tract, Land Lot 606 - 4710, 4730, 4750, 4760, 4770 & 4780 Camp Highland Road by the applicant Prime Interest, Inc.; seconded by Boardmember Leslie Lightfoot. This motion carried by the following vote:

**Aye:** 6 - Denny Campo, Ron Roberts, Leslie Lightfoot, Earl Rice, David Monroe and Cheri Harrington

**Absent:** 1 - Park Ellis

**C.**

Public Hearing - Zoning Request Z16-004 - Approval for the renewal of a special land use permit for a modular classroom building at Whitefield Academy - 51.54 Acres - Land Lots 542, 543, 610 & 611 - 1 Whitefield Drive - Whitefield Academy

**Sponsors:** Fennel

*Community Development Director, Mr. Ken Suddreth reviewed the following background for this item.:*

*Zoning Request Z16-004 is for the approval for the renewal of a special land use permit for a modular classroom building at Whitefield Academy, 51.54 Acres on Land Lots 542, 543, 610 & 611 located at 1 Whitefield Drive by the applicant, Whitefield Academy.*

*Whitefield Academy is a classical Christian school for grades K through 12. The school is requesting re-approval of the existing modular building used as classroom space in their lower school. Whitefield Academy was initially approved for the use of the modular classroom building by the Mayor and Council by a vote of 7-0 on May 19, 2014. As part of the initial approval, the Mayor and Council placed a stipulation on the use of the modular building. The stipulation only allowed the use of the modular building for a 24 month period from the date of approval and required the applicant to reapply for approval of modular building should use of the building exceed the 24 month period.*

*Whitefield Academy originally planned to construct a new lower school as the next phase of construction for the campus. Since then, the school has acquired additional property, hired new architects and developed a new master plan for the campus facilities. The new master plan for the campus was presented to and approved by the City Council on December 21, 2015. During the past two years, the school has completed feasibility studies for both school facilities and funding. The result of those studies has shifted the school's priority from building a new lower school building to constructing a learning commons, which will include a dining facility and additional classroom space. Therefore, Whitefield Academy needs to extend the approval for use of the modular building out another two years.*

*Whitefield Academy was approved by the Mayor and Council on May 19, 2014 to place a temporary modular classroom building on school property at 1 Whitefield Drive. Whitefield Academy requested that Mayor and Council allow the temporary modular classroom building, as additional classroom space for the 2014 - 2016 school years, while it's actively seeking funding for a permanent building for their lower school (K through 5th) through its capital campaign.*

*Community Development recommends approval of the requested modular building with the following condition:*

*1. The modular building shall only be allowed for a period 24 months after the date of approval. If the applicant shall need the modular building for a longer period of time, the applicant shall reapply for approval of the modular building.*

*Chariman Joel Powell called the Public Hearing and no one came forward to speak for or in opposition to this item.*

A motion was made by Boardmember David Monroe to approve item 2016-196 a Zoning Request (Z16-004) for the Approval for the renewal of a special land use

permit for a modular classroom building at Whitefield Academy on 51.54 Acres, Land Lots 542, 543, 610 & 611 located at 1 Whitefield Drive by the applicant Whitefield Academy; seconded by Boardmember Cheri Harrington. The motion carried by the following vote:

**Aye:** 6 - Denny Campo, Ron Roberts, Leslie Lightfoot, Earl Rice, David Monroe and Cheri Harrington

**Absent:** 1 - Park Ellis

**D.**

Public Hearing - Approval of code amendments to include landscape contractors to the list of permitted uses under the General Commercial and Light Industrial zoning districts - City of Smyrna

**Sponsors:** Stoner

*Community Development Director, Mr. Ken Suddreth gave the following background for this item:*

*This request is for the approval of code amendments to include landscape contractors to the list of permitted uses under the General Commercial and Light Industrial zoning districts.*

*The City's Zoning Ordinance does not currently define contractor or landscape contractor. Therefore, landscape contractors are lumped together with general trade contractors and are required to follow certain outdoor storage requirements. The GC zoning district currently allows contractor offices provided there is no outside storage of equipment, materials and commercial vehicles. In addition, contractor offices are allowed in the Light Industrial (LI) zoning district with no restrictions on outside storage. These requirements currently allow for just the operation of office uses in the GC zoning district for trade contractors.*

*Landscape contractors have argued their use is no more intensive than green houses, nurseries and building material establishments, which are currently permitted within the GC zoning district and allow the outside storage of supplies and display of merchandise. Many of the landscape contractors have urged staff to review this issue to see if there is any way to allow outside storage under the GC zoning district.*

*Community Development recommends approval of the following code amendments to Sections 402, 712 and 714 of the City's Zoning Ordinance:*

**ARTICLE IV. - DEFINITIONS**

*The addition of a definition for landscape contractors to Section 402 of the Zoning Ordinance.*

*(402.33.1) Landscape Contractor: A business principally engaged in the decorative and functional alteration, planting and maintenance of grounds, including the installation of hardscape such as stonework, patios, decks, arbors and other decorative elements of the landscape. Such a business may engage in the installation and construction of underground improvements but only to the extent that such improvements (e.g., irrigation or drainage facilities) are accessory to the principal business and are necessary to support or sustain the landscaped surface of the ground.*

**ARTICLE VII. - USE PROVISIONS**

*The addition of Landscape Contractors to the list of permitted uses under the General Commercial zoning district (Section 712 of the Zoning Ordinance).*

*(712.14) Landscape contractors, provided the storage of equipment, materials or commercial vehicles is conducted entirely within an enclosed building or in the rear yard of the property. The outside storage of equipment, materials and commercial vehicles must be screened from the public right-of-way and adjoining properties through the use of opaque fencing.*

*The addition of Landscape Contractors to the list of permitted uses under Light Industrial zoning district (Section 714 of the Zoning Ordinance).*

*(714.8.1) Landscape contractors.*

*He remarked that there had been previous discussions regarding landscape contractors as it related to general commercial business. That type of business disallows outdoor storage. Community Development feels the code should be amended to allow a landscape contractor to exist with outdoor storage in the General Commercial zoning. Storage must be screened in or kept in an enclosed building or in the back yard of the business.*

*Chairman Joel Powell called the Public Hearing for this item and no one came forward to speak for or in opposition to this item.*

A motion was made by Boardmember Denny Campo to approve item 2016-197 for the Approval of code amendments to include landscape contractors to the list of permitted uses under the General Commercial and Light Industrial zoning districts by the City of Smyrna; seconded by Boardmember David Monroe. The motion carried by the following vote:

**Aye:** 6 - Denny Campo, Ron Roberts, Leslie Lightfoot, Earl Rice, David Monroe and Cheri Harrington

**Absent:** 1 - Park Ellis

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

##### **A. Approval of the April 11, 2016 Planning and Zoning Board Meeting Minutes**

A motion was made by Boardmember Earl Rice to approve item 2016-198 for the approval of the April 11, 2016 Planning and Zoning Board Meeting Minutes; seconded by Boardmember Ron Roberts. The motion carried by the following vote:

**Aye:** 6 - Denny Campo, Ron Roberts, Leslie Lightfoot, Earl Rice, David Monroe and Cheri Harrington

**Absent:** 1 - Park Ellis

#### **5. Adjournment**

*Mr. Suddreth stated that we will start reviewing the text amendments from Cobb County regarding the Braves stadium with the June meeting.*

**6:14PM**

The meeting of the Planning and Zoning Board was adjourned at 6:14PM by Chairman Joel Powell.