



Meeting Minutes Planning & Zoning Commission

Monday, March 29, 2021

7:30 PM

Zoom Conference

MEETING ID: 921 1862 6046 PASSCODE: 788582 AUDIO:1 929 205 6099

Participation in Citizen Comments as with an On Site Planning and Zoning Meeting requires signing up with Community Development Director prior to the start of the meeting. The first twelve registering at tgarver@cityofpowdersprings.org and sedwards@cityofpowdersprings.org will have the opportunity to address the Planning and Zoning Board for no more than five minutes per speaker. Sign up emails to tgarver@cityofpowdersprings.org will be registered beginning at 6:40 PM up to 7 PM the day of the meeting. Public Meeting. Those signing up to speak will need to be participating on the ZOOM Video or Audio call to be recognized. Pursuant to Governor Kemp’s Executive Order Number 03.14.20.01 declaring a Public Health State of Emergency and in accordance with O.C.G.A. §50 14 1, this public meeting is only being conducted via the use of real time audio visual technology allowing the public simultaneous access to the public meeting.

1. Call to order/ Roll Call.

The meeting was called to order at 7:30 pm by Chair. Attendance: Johnnie Purify, Raja Antone, Randal Madison, Jim Taylor, Roy Wade, Jo Aubry, Wanda McDaniel, Tina Garver and Shauna Wilson-Edwards (Staff) Nancy Farmer council member was in attendance.

**PZ MIN
21-005**

Public in attendance: Willie Smith zoom ID
PZ Minutes Feb 11, 2021

This P&Z Minutes was adopted.

Yes: 5 - Raja Antone, Randall Madison, Roy Wade, Jim Taylor, and Jo Aubry

**PZ MIN
21-006**

PZ Minutes Feb 22, 2021

This P&Z Minutes was adopted.

PZ 21--011

Special Use application to allow a food pantry located at 4037 Austell Powder Springs Road within the Community Retail Commercial (CRC) zoning district in Land Lots 905, 19th District, 2nd Section, Cobb County, Georgia

Applicant, Laurie Wong presented case

PUBLIC COMMENT: NONE

A motion was made by Purify, seconded by Wade, that this Special Use be recommended for approval with staff conditions to the Council Work Session. The motion carried by the following vote:

1. This Special Use approval is for a food pantry located at 4037 Austell Powder Springs

Road.

- 2. There shall be no vehicle stacking along any public streets to gain access to the pantry.
- 3. The site shall be kept free of trash, debris and outdoor storage.

Yes: 5 - Raja Antone, Randall Madison, Roy Wade, Jim Taylor, and Jo Aubry

PZ 21--012 Future Land Use Amendment Powder Springs Road

APPLICANT: Staff - Shauna Wilson-Edwards and Tina Garver presented Case

PUBLIC COMMENT: NONE

A motion was made by Taylor, seconded by Madison, that this P&Z Text Amendment be recommended for approval to the Council Work Session. The motion carried by the following vote:

Yes: 5 - Raja Antone, Randall Madison, Roy Wade, Jim Taylor, and Jo Aubry

PZ 21--006 Rezoning from R20 to PUD-R, Powder Spring East Project/ LL 869

APPLICANT Parks Huff presented Case

PUBLIC COMMENT: James Jordan objected to development but provided recommendation to include no parking signage to prevent residents from parking in dead end streets.

This Rezoning was recommended for approval to the City Council with staff recommendation

1.The revised stipulations and conditions set forth herein shall replace and supersede in full any and all prior stipulations and conditions in whatsoever form which are currently in place concerning the property which constitutes the subject matter of the above-captioned Application for Rezoning. The rezoning is from Residential (R20) to Planned Unit Development-R (PUD-R) on property located east of the intersection of Powder Springs Road and Hopkins road consisting of approximately 4.3 acres.

2.The Subject Property shall be developed in substantial conformity to that certain revised site plan, prepared by Watts and Browning Engineering, Inc. for Smith Douglas Homes.

3.The construction of a maximum number of thirty-four (34) townhomes at an overall maximum density of 7.6 dwelling units per acre. Minimum lot size of 1,700 square feet.

4.The setback are as follows:
Front: 15 feet from right-of-way,
 35 feet perimeter setback
Between buildings: minimum of 10 feet

5.Approved variance
 Section 12-13 (g) To allow the removal of 75% existing tree canopy
 Section 8-70 (b) To allow dead end streets

6.Variance to allow
Front: 45%-50% brick/stone on the front per unit.
Side: Allow 50% brick on end units adjacent to Powder Springs Street and Hopkins Road.
Internal Sides: Water table allowed on internal sides

Design Review shall be conducted via Administrative Review.

7. Although buildings are not staggered to the extent required by code, they must provide some staggering a variation as approved by an Administrative design review.

8. The architectural style and composition of the homes shall consist of traditional architecture on all sides. Variety in the neighborhood will be provided by the use of stone and different shades of brick in the area shown as brick on the rendering. All side elevation visible from the right-of-way will contain brick or stone no less than 50% where exposed to the right-of-way. All elevation will contain no less than 50% brick on the front façade. An administrative design review will be required with similar renderings provided in the application and attached as Exhibit 1.

9. The creation of a mandatory Homeowners' Association ("HOA") and the submission of Declaration of Covenants, Conditions and Restrictions ("CCRs") during the Plan Review process, which shall include, among other components, strict architectural controls. The mandatory HOA shall be responsible for the maintenance and upkeep of fencing, landscaping, open space areas, sidewalks, community areas, stormwater detention and/or water quality ponds, lighting, the entrance to the Residential Community and any amenities.

10. The submission of a landscape plan during the Plan Review process which shall be subject to review and approval by the Community Development Director. Additionally, the landscape plan shall include, but not necessarily be limited to, the following:

a. Location of the underground detention. In the event a detention pond has to be built, it shall not be located where it is visible from Powder Springs Road. Landscaping and screening around the proposed detention and water quality areas with Cryptomeria, Arborvitae and/or other evergreen trees.

b. A twenty-five foot (25') landscape buffer around the perimeter of the Subject Property.

c. Compliance with landscape section renderings/elevations which will be submitted under separate cover during the Plan Review process.

d. The landscape plan, which shall be prepared, stamped and signed by a Georgia Registered Landscape Architect or a degreed Horticulturist and shall identify open space areas; landscaped common areas; and other components of the proposed Residential Community which will be further identified during the Plan Review process.

e. The installation of underground utilities and the utilization of decorative lighting themed to the architectural style and composition as above mentioned.

f. All HVAC, mechanical systems and home utilities within the community shall be screened by way of fencing and/or landscaping.

g. Entry signage for the proposed Residential Community shall be ground-based, monument-style, landscaped, lighted and irrigated.

h. The installation of landscaped front, side and rear yards.

i. Compliance with the City's current Tree Preservation & Replacement Ordinance and substantial conformity to all tree protection measures and the adherence to same during the construction and build out of the Residential Community.

11. A third party management company shall be hired to manage the day-to-day operations of the HOA and shall also be responsible for the management of all Association monies as well as insuring that the Association is properly insured until such time as the HOA makes a determination that it can undertake such responsibilities.

12. The Community Development Director shall have the authority to approve minor modifications to these stipulations, the architectural renderings/elevations, the site plan and the overall proposal as it proceeds through the Plan Review process and thereafter except for those that:

- a) Increase the density of the Residential Community.
- b) Relocate a structure closer to the property line of adjacent property which is zoned the same or in a more restrictive zoning district.
- c) Increase the height of a building which is adjacent to property which is zoned in the same or more restrictive zoning district.
- d) Change access locations to different rights-of-way.

13. Site Plan must be consistent with PUD-R regulations and all other applicable regulations identified in the Unified Development Code.

14. Road frontages will be heavily and professionally landscaped which may include the use of berms, fencing, and substantial plant material to provide for visual screening. All perimeter and roadway buffer areas will either be owned by the HOA or deed restricted with maintenance easements in favor of the HOA.

15. The development occurring at this intersection of Hopkins Road will be reviewed for their collective impact in the plan review process. This may include right-of-way requirements, turning lanes, or relocating of driveways. This is subject to City of Powder Springs approval, with the coordination of Cobb DOT.

16. Right-of-way dedication is required along Hopkins Road which will be reviewed against City standards during site plan review .

17. No parking signs must be installed at the end of dead ends streets to prevent residents from parking long term

18. Per PUD-R requirement, a 25 foot perimeter buffer must be maintained along Powder Springs Road frontage.

Yes: 5 - Raja Antone, Randall Madison, Roy Wade, Jim Taylor, and Jo Aubry

PZ 21--007 Rezoning from R20 and MDR Conditional to PUD-R, 3610 Powder Springs Road, West Project / LL 870, 869

APPLICANT: Parks Huff presented case

PUBLIC COMMENT: None

A motion was made by Antone, seconded by Taylor, that this Rezoning be recommended for approval with conditions to the Council Work Session. The motion carried by the following

vote:

1. The revised stipulations and conditions set forth herein shall replace and supersede in full any and all prior stipulations and conditions in whatsoever form which are currently in place concerning the property which constitutes the subject matter of the above-captioned Application for Rezoning. The rezoning is from Residential (R20) and MDR conditional to Planned Unit Development-R (PUD-R) on property west of Powder Springs Road and Hopkins road intersection consisting of approximately 10.2 acres.

2. The Subject Property shall be developed in substantial conformity to that certain revised site plan, prepared by Watts and Browning Engineering, Inc. for Smith Douglas Homes.

3. The construction of a maximum number of thirty-four (31) townhomes with a minimum square footage of 1700 square feet; construction of a maximum of 35 single-family detached homes with a minimum square footage of 1800 square feet. The density may not exceed 6.5 dwelling units per acre.

4. The setback are as follows:

Front: 15 feet from right-of-way,

Rear: 20 feet

Side – 5 (side corner – 10 feet)

35 feet perimeter setback

Between buildings: minimum of 10 feet

5. Variance requested and approved

B) To vary 12-13 (g) to remove more than 75% of existing canopy coverage

C) To vary 12-13 (e) to clear more than 8 acres of the site.

5.a. Variance to allow

Front: 45%-50% brick/stone on the front per unit.

Side: Allow 50% brick/stone on end units adjacent to Powder Springs Street and Hopkins Road.

Internal Sides: Water table allowed on internal sides

6. Design Review shall be conducted via Administrative Review

7. A raised medium will be required at the access point along Powder Springs Road to prevent vehicles from cutting across Powder Springs Road to join the traffic moving in an early direction.

8. The architectural style and composition of the homes shall consist of traditional architecture on all sides. Variety in the neighborhood will be provided using stone and different shades of brick in the area shown as brick on the rendering. All side elevation visible from the right-of-way will contain brick or stone no less than 50% where exposed to the right-of-way. All elevation will contain no less than 50% brick on the front façade. An administrative design review will be conducted to ensure design meets the exhibit submitted in addition to the zoning stipulations set forth.

9. The creation of a mandatory Homeowners' Association ("HOA") and the submission of Declaration of Covenants, Conditions and Restrictions ("CCRs") during the Plan Review process, which shall include, among other components, strict architectural controls. The

mandatory HOA shall be responsible for the maintenance and upkeep of fencing, landscaping, open space areas, sidewalks, community areas, stormwater detention and/or water quality ponds, lighting, the entrance to the Residential Community and any amenities.

10. The submission of a landscape plan during the Plan Review process which shall be subject to review and approval by the Community Development Director. Additionally, the landscape plan shall include, but not necessarily be limited to, the following:

a. Landscaping and screening around the proposed detention and water quality areas with Cryptomeria, Arborvitae and/or other evergreen trees.

b. A split rail fence and a 25-foot landscape strip must be maintained along the frontage of Powder Springs Road. Landscaping shall be outward of the fence. Rendering of Powder Springs road frontage must be submitted when submitting landscape plans.

c. Hopkins Road Frontage must construct a split rail fence and a 10-foot landscape strip must be maintained along the frontage of Hopkins Road Landscaping shall be outward of the fence. Rendering of Hopkin roads frontage must be submitted when submitting landscape plans.

d. The landscape plan, which shall be prepared, stamped and signed by a Georgia Registered Landscape Architect or a degreed Horticulturist and shall identify open space areas; landscaped common areas; and other components of the proposed Residential Community which will be further identified during the Plan Review process.

e. The installation of underground utilities and the utilization of decorative lighting themed to the architectural style and composition as above mentioned.

f. All HVAC, mechanical systems and home utilities within the community shall be screened by way of fencing and/or landscaping.

g. Entry signage for the proposed Residential Community shall be ground-based, monument-style, landscaped, lighted and irrigated.

h. The installation of landscaped/sod front, side, and rear yards.

i. Compliance with the City's current Tree Preservation & Replacement Ordinance and substantial conformity to all tree protection measures and the adherence to same during the construction and build out of the Residential Community.

11. A third party management company shall be hired to manage the day-to-day operations of the HOA and shall also be responsible for the management of all Association monies as well as insuring that the Association is properly insured until such time as the HOA makes a determination that it can undertake such responsibilities.

12. The Community Development Director shall have the authority to approve minor modifications to these stipulations, the architectural renderings/elevations, the site plan, and the overall proposal as it proceeds through the Plan Review process and thereafter except for those that:

a) Increase the density of the Residential Community.

b) Relocate a structure closer to the property line of adjacent property which is zoned the same or in a more restrictive zoning district.

c) Increase the height of a building which is adjacent to property which is zoned in the same or more restrictive zoning district.

d) Change access locations to different rights-of-way.

13. Site Plan must be consistent with PUD-R regulations and all other applicable regulations identified in the Unified Development Code.

14. Road frontages will be heavily and professionally landscaped which may include the use of berms, fencing, and substantial plant material to provide for visual screening.

15. All perimeter and roadway buffer areas will either be owned by the HOA or deed restricted with maintenance easements in favor of the HOA.

16. The applicant will review traffic impacts on Powder Springs Road and Carter Road. The entrance to the subdivision on Powder Springs Road will be limited to right -in/ right out unless an alternate design is approved by staff incorporating concepts from the Powder Springs Corridor and Connectivity Plan, dated Fall 2018. Additionally, the applicant and staff will continue to review options for a joint public/private project improving the area of Powder Springs Road directly adjacent to the development. An agreement regarding the required road improvements shall be completed prior to the issuance of the Land Disturbance permit.

17. If the development on the site stalls for a period of 6 months or more, the site be replanted per a plan approved by the Community Development Director showing compliance with minimum tree canopy, street trees and buffer requirements.

18. The development occurring at this intersection of Hopkins Road will be reviewed for their collective impact in the plan review process. This may include right-of-way requirements, turning lanes, or relocating of driveways. This is subject to City of Powder Springs approval, with the coordination of Cobb DOT.

19. Right-of-way dedication is required along Hopkins Road which will be reviewed against City standards during site plan review

21. Per PUD-R requirement, a 25 foot perimeter buffer must be maintained along Powder Springs Road frontage.

Yes: 5 - Raja Antone, Randall Madison, Roy Wade, Jim Taylor, and Jo Aubry

PZ 21--010 Future Land Use Hill Road Amendment

APPLICANT, Staff - Shauna Wilson Edwards and Tina Garver presented case

This P&Z Text Amendment was recommended for denial.to the Council Work Session

No: 4 - Randall Madison, Roy Wade, Jim Taylor, and Jo Aubry

Abstain: 1 - Raja Antone

PZ 21--008 Rezoning from NRC to PUD-R, Hill Road Project, LL 898, 953

APPLICANT: Kevin Moore presented case

PUBLIC COMMENT: No comment

A motion was made by Taylor, seconded by Aubry, that this Rezoning be recommended for approval to the City Council. The motion carried by the following vote:

Yes: 4 - Randall Madison, Roy Wade, Jim Taylor, and Jo Aubry

Abstain: 1 - Raja Antone

5. Adjourn

adjourn at 10:00 PM