



# City of Smyrna

2800 King Street  
Smyrna, Georgia 30080

## Meeting Minutes - Final City Council

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Monday, June 20, 2016

7:00 PM

Council Chambers

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### Roll Call

**Present:** 7 - Councilmember Derek Norton, Councilmember Andrea Blustein, Councilmember Teri Anulewicz, Councilmember Charles Welch, Councilmember Susan Wilkinson, Councilmember Doug Stoner and Councilmember Ron Fennel

**Absent:** 1 - Mayor Max Bacon

**Also Present:** 10 - Tammi Saddler Jones, Scott Cochran, Terri Graham, Ken Suddreth, Jennifer Bennett, Heather Corn, Russell Martin, Dat Luu, Amy Snider and Robert Harvey

### Call to Order

Mayor Pro Tem Teri Anulewicz called the June 20, 2016 Meeting of the Mayor and Council to order at 7:00pm.

#### 1. Invocation and Pledge:

Pastor Brian Downing of Oakdale Church led all in the invocation and the Pledge of Allegiance. Oakdale Church is located at 1631 Cooper Lake Rd., Smyrna GA

#### 2. Agenda Changes:

There were no agenda changes, however item 4B may be held to the end of the agenda to allow the applicant time to arrive. With the meeting time changing recently the applicant may not have been told or remember the time change.

#### 3. Mayoral Report:

There were no presentations under the Mayor's report

#### 4. Land Issues/Zonings/Annexations:

- A.** 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

*Mayor Pro Tem Teri Anulewicz announced this item and Councilmember Ron Fennel remarked that due to his children attending Whitfield Academy as well as his wife's employment at the Academy, he would recuse himself from the vote on this item. Mayor Pro Tem Anulewicz asked Assistant City Administrator Tammi Saddler-Jones*

to read aloud the background for this item. She stated the following:

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.

Mayor Pro Tem Anulewicz called the Public Hearing for this item and it was noted that no one came forward to make comment or speak in opposition to this item. The applicant is present and was sworn in by the City Attorney, Scott Cochran.

Senior Planner Rusty Martin of Community Development came forward and gave additional background for this item. He remarked that the school was requesting a renewal of the current modular building. The current zoning map was shown as well as the proposed site plan. He noted nothing will change with the location of the building. The current building elevations were shown as were pictures of the subject property.

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.

The applicant was asked to come forward but he had no additional information to present to the Mayor and Council.

A motion was made by Councilmember Doug Stoner to approve item 2016-196 for zoning request Z16-004 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, seconded by Councilmember Derek Norton. The motion carried by the following vote with the following condition:

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.

**Aye:** 5 - Councilmember Norton, Councilmember Blustein, Councilmember Welch, Councilmember Wilkinson and Councilmember Stoner

**Absent:** 1 - Mayor Bacon

**Recuse:** 1 - Councilmember Fennel

- B.** Public Hearing - Zoning Request Z16-006 - Approval of a zoning amendment to modify the currently approved site plan and building elevations from Zoning Case Z15-010 - 0.53 Acres - Land Lot 488 - 1068 Bank Street - Pritchard Builders, Inc.

**Sponsors:** Anulewicz

*This item was held due to the meeting time change from 7:30 PM - 7:00 PM, it will be postponed until the end of the agenda to allow more time for the applicant to arrive*

A motion was made by Councilmember Charles (Corkey) Welch to hold this item until the end of the meeting, seconded by Councilmember Andrea Blustein. The motion carried by the following vote:

**Aye:** 6 - Councilmember Norton, Councilmember Blustein, Councilmember Welch, Councilmember Wilkinson, Councilmember Stoner and Councilmember Fennel

**Absent:** 1 - Mayor Bacon

## 5. Privilege Licenses:

There were no Privilege Licenses

## 6. Formal Business:

- A.** Authorization to approve a Specialized Service Agreement between City of Smyrna and Georgia Tech Research Corporation to conduct a market analysis, land use and urban design study of the SunTrust Park District/Spring Road Corridor with expenses not to exceed \$70,000.

**Sponsors:** Stoner

*Mayor Pro Tem Anulewicz asked Assistant City Administrator Tammi Saddler-Jones to read aloud item 2016-245 for the authorization to approve a Specialized Service Agreement between City of Smyrna and Georgia Tech Research Corporation to conduct a market analysis, land use and urban design study of the SunTrust Park District/Spring Road Corridor with expenses not to exceed \$70,000.*

*Ms. Saddler stated that the Georgia Tech School of City and Regional Planning (SCaRP), along with the Center for Economic Development Research (CEDR) within the Enterprise Innovation Institute (EI2) at Georgia Tech, and Noell Consulting Group (NCG) are pleased to propose on a research project to assist the City of Smyrna in a land use and urban design study and market analysis of the SunTrust Park District/Spring Road corridor in the development of a guide to aid in the decision-making process surrounding the future development of the area around the new Braves baseball stadium, SunTrust Park. This research will look at existing plans and research conducted for the city, will examine current and future growth with respect to real estate market demand, land use, zoning, and economic impacts to the City as a result of the new stadium. This research will recommend a set of economic development tools and policies to help the City to adjust its zoning code and be proactive with respect to how the City handles future development opportunities that*

may locate in Smyrna. SCaRP will utilize 10-15 master degree students to create design scenarios based on City of Smyrna residents and other stakeholder's feedback.

Funds, in the amount of \$70,000, have been approved and are detailed in the adopted FY17 Budget.

Community Development Director Ken Suddreth remarked that this analysis had been in the works for some time and was now coming to fruition. This has been discussed several times with Council and the money has been allocated for the study. The purpose of the study is to assist the City of Smyrna in a land use urban design study and market analysis of the SunTrust Park District/Spring Road corridor in the development of a guide to aid in the decision making process surrounding the future development of the area around the new Braves Stadium, SunTrust Park.

July 2016 - September 2016 - Phase I - Consists of gathering data and performing the market study.

July 2016 - February 2017 - Phase II - Consists of incorporating market study impacts into a land use and urban design plan for the Spring Road Corridor.

October 2016 - November 2016 - Phase III - Consists of completing a fiscal impact analysis based on development scenarios established in the land use/urban design plan.

In February 2017 a final report will be presented to Mayor & Council detailing the findings and proposed recommendations that will allow Smyrna to be more competitive in their economic development efforts while at the same time, be responsible with tax payer resources.

Community Development recommends approval of the agreement.

Councilmember Anulewicz asked Mr. Suddreth to explain how this study compliments the LCI study. Mr. Suddreth said the LCI study is a land use and transportation study for the Spring Road Corridor and it is a much longer Corridor Study extending from Atlanta Road to Cobb Parkway. The Georgia Tech study will be finished before the LCI study. The benefit will be we will have an additional set of eyes looking at the battery area around the stadium.

A motion was made by Councilmember Doug Stoner to approve item 2016-245 for a Specialized Service Agreement between City of Smyrna and Georgia Tech Research Corporation to conduct a market analysis, land use and urban design study of the SunTrust Park District/Spring Road Corridor with expenses not to exceed \$70,000, seconded by Councilmember Derek Norton. The motion carried by the following vote:

**Aye:** 6 - Councilmember Norton, Councilmember Blustein, Councilmember Welch, Councilmember Wilkinson, Councilmember Stoner and Councilmember Fennel

**Absent:** 1 - Mayor Bacon

## 7. Commercial Building Permits:

There were no Building Permits

## 8. Consent Agenda:

Assistant City Administrator Tammi Saddler-Jones read aloud for the Council's approval.

A motion was made by Councilmember Ron Fennel to approve the Consent Agenda, seconded by Councilmember Derek Norton. The motion carried by the following vote:

**Aye:** 6 - Councilmember Norton, Councilmember Blustein, Councilmember Welch, Councilmember Wilkinson, Councilmember Stoner and Councilmember Fennel

**Absent:** 1 - Mayor Bacon

- A. Approval of the June 6, 2016 Minutes of the Mayor and Council Meeting
- B. Approval to allow road closures for the 7th annual Spooktacular Chase for Vision Rehabilitation Services of Georgia, Inc. on Saturday October 15, 2016 6AM - 12:00PM

**Sponsors:** Anulewicz

### Held Item to end of agenda

- B. Public Hearing - Zoning Request Z16-006 - Approval of a zoning amendment to modify the currently approved site plan and building elevations from Zoning Case Z15-010 - 0.53 Acres - Land Lot 488 - 1068 Bank Street - Pritchard Builders, Inc.

**Sponsors:** Anulewicz

*Mayor Pro Tem Anulewicz called the held item from Land Issues/ Zonings / Annexations.*

*Assistant City Administrator Tammi Saddler-Jones read the following background for this item. She stated this item was for the approval of a zoning amendment to modify the currently approved site plan and building elevations from Zoning Case Z15-010, on 0.53 Acres, Land Lot 488 located at 1068 Bank Street by the applicant Pritchard Builders, Inc.*

*Pritchard Builders, Inc. is requesting to change the approved homes to allow front-entry garages and individual driveways. The currently approved plans from Zoning Case Z15-010 allowed for rear-entry garages serviced by a shared driveway. The subject property of originally rezoned from R-15 to RAD-Conditional on June 15, 2015 by the City Council by a vote of 4-2 (Zoning Case Z15-010).*

*Community Development Senior Planner Rusty Martin gave additional background and showed the approved site plan and home elevations that showed the new home elevations and site plans Pritchard Builders would like to approve.*

*Mr. Martin reviewed the following conditions and noted the changes made from the originally approved conditions:*

*Community Development recommends approval of the requested zoning amendment with the following conditions carried over from Zoning Case Z15-010*

*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. The residences whose lots abut external roadways shall not be permitted to utilize hardy plank for any elevation facing these roads.*

*2. 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.*

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. 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 - 30'  
Side - 5'  
Rear - 30'
  11. Driveway - 22' minimum length from building face to back of sidewalk.
  12. The right-of-ways along Bank Street shall be increased to 50 feet. Therefore, a dedication of approximately 5' feet is required along Bank Street.
  13. The developer shall provide a 5' sidewalk with a 2' grass buffer along Bank Street for the length of the development.
  14. The developer shall provide a 5' right-of-way dedication along Bank Street for the length of the development.
  - (15.) *ELIMINATED* - The developer shall provide an access easement for the length of the shared driveway.
  15. 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.
  16. *AMENDED* - Approval of the rezoning 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 5/7/20155/13/2016 created by DGM Land Planning Consultants Frontline Surveying and Mapping, Inc..
  17. *AMENDED* - The applicant shall be bound to the elevations submitted and dated 4/9/20155/13/2016. Approval of any change to the elevations must be obtained from the Director of Community Development.
  18. The developer shall install decorative wrought iron fencing and brick columns along Bank Street similar to the existing fence of Cottages at Parkview Village. The following stipulation was added after the Council discussion)
  19. Each home shall provide a driveway with a turnaround area to allow cars to pull head first onto Bank Street.
- Mayor Pro Tem Anulewicz invited the applicant forward to speak on this item and called the public hearing and noted that no one came forward to make comment or to speak in opposition to this item.
- Mr. Steve Pritchard of Pritchard Builders Inc. discussed that the properties were originally slated to have a common driveway and side entry garages. The common

*drive has been removed and the front entrance driveways have been redesigned. Councilmember Corkey Welch asked about a small turnaround area as the Council had concerns about the residents backing onto Bank Street. Mr. Pritchard agreed to a small 5' area as a turnaround on the property to allow for safer entry to Bank Street. Councilmember Wilkinson asked if the applicant would be agreeable to additional pervious surface if the additional driveway space. Mr. Pritchard stated he would be required to meet the impervious surface requirements.*

A motion was made by Councilmember Charles (Corkey) Welch to approve item 2016-243 Zoning Request Z16-006 for a zoning amendment to modify the currently approved site plan and building elevations from Zoning Case Z15-010 - 0.53 Acres - Land Lot 488 - 1068 Bank Street - Pritchard Builders, Inc.; seconded by Councilmember Andrea Blustein. The motion carried by the following vote with the conditions as read aloud and the addition of the following condition:

19. Each home shall provide a driveway with a turnaround area to allow cars to pull head first onto Bank Street.

**Aye:** 6 - Councilmember Norton, Councilmember Blustein, Councilmember Welch, Councilmember Wilkinson, Councilmember Stoner and Councilmember Fennel

**Absent:** 1 - Mayor Bacon

## **9. Committee Reports:**

*Mayor Pro Tem Anulewicz called on the following Councilmembers to give their Committee Reports:*

*Ward 1 - Derek Norton had no report.*

*Ward 2 - Andrea Blustein had no report.*

*Ward 3 - Teri Anulewicz was acting as Mayor Pro Tem.*

*Ward 4 - Corkey Welch reminded citizens and others of this weekend's Tour of Homes and read the list of places to purchase tickets in the area. It would be held Sunday, June 26th from 1:00pm - 5:00pm.*

*Ward 5 - Susan Wilkinson had no report.*

*Ward 6 - Doug Stoner had no report.*

*Ward 7 - Ron Fennel had no report.*

*Mayor Pro Tem Anulewicz announced that the Smyrna Vision now had a Facebook page and invited citizens to like it and review it.*

## **10. Show Cause Hearings:**

There was no Show Cause Hearings

## **11. Citizen Input:**

*Shawnee Trail resident Alex Backry commented on the budget and the line item for Smyrna Schools noting that the City of Smyrna had no say in Smyrna Schools as they fell under the county's jurisdiction. He also noted he has called upon his Councilmember, Doug Stoner, and received no response to the messages left.*

*David and Amy Votts came to speak on the Recycling Center and the glass noise that was a continuing nuisance to their home. They stated resident Park Ellis moved because of the noise. At times Mr. Votts was speaking over Mrs. Votts as she commented so it was hard to understand for the minute's records. Mr. Votts noted that he has tried to contact Mayor Bacon and has received no response. They have called the police to log noise complaints.*

## **12. Adjournment:**

Mayor Pro Tem Teri Anulewicz adjourned the meeting of the Mayor and Council at 7:44 PM