



City of Smyrna

Meeting Minutes - Final Planning and Zoning Commission

City of Smyrna
A. Max Bacon City Hall /
Council Chambers
2800 King Street
Smyrna, GA 30080
770-434-6600
www.smyrnacity.com

Monday, March 14, 2022

6:00 PM

A. Max Bacon City Hall - Council Chambers

Roll Call

Present: 7 - Jonathan Howard, Keith Bentley, Earl Rice, James Smith, Michael Seagraves, Henriette Ostrzega and Charlie Phillips

Also Present: 0

Staff: 6 - Caitlin Crowe, Dan Campbell, Jill Head, Heather Peacon-Corn, Russell Martin and Joey Staubes

1. Call to Order

Chairperson Joel Powell called to order the March 14, 2022 Planning and Zoning Commission meeting held at A. Max Bacon City Hall in Council Chambers at 6:02 PM.

2. Business

A. [2021-518](#)

Public Hearing - Zoning Request - Z21-015 - Allow rezoning from R-15 to NS for an antiques shop - Land Lot 522 - 0.6 acres - 2986 King Street - Antiques, Wood and Rustics, LLC.

This item will be tabled to the April 11, 2022 Planning & Zoning Commission meeting.

Ward 3 / Councilmember Lindley

Boardmember Henriette Ostrzega made a motion to table to the April 11, 2022 Planning and Zoning Commission meeting item 2021-518, a public hearing and zoning request (Z21-015) to allow rezoning from R-15 to NS for an antiques shop on land lot 522 on 0.6 acres located at 2986 King Street by applicant Antiques, Wood and Rustics, LLC; seconded by Boardmember Michael Seagraves.

The motion to table to the April 11, 2022 Planning & Zoning Commission meeting carried with the following vote:

Aye: 7 - Jonathan Howard, Keith Bentley, Earl Rice, James Smith, Michael Seagraves, Henriette Ostrzega and Charlie Phillips

B. [2021-597](#)

Public Hearing - Zoning Request - Z21-017 - Allow rezoning from OI to OD for the development of a self-storage facility - 3.3 acres - Land Lots 681 & 688 - Highlands Pkwy, Fountains Office Park LP.

This item will be tabled to the April 11, 2022 Planning & Zoning Commission meeting at the applicant's request.

Ward 7 / Councilmember Wheaton

Boardmember James Smith made a motion to table to the April 11, 2022 Planning and Zoning Commission meeting item 2021-597, a public hearing and zoning request (Z21-017) to allow rezoning from OI to OD for the development of a self-storage facility on 3.3 acres on land lots 681 & 688 located at Highlands Pkwy by applicant Fountains Office Park LP; seconded by Boardmember Jonathan Howard.

The motion to table to the April 11, 2022 Planning & Zoning Commission meeting carried with the following vote:

Aye: 7 - Jonathan Howard, Keith Bentley, Earl Rice, James Smith, Michael Seagraves, Henriette Ostrzega and Charlie Phillips

C. [2022-145](#)

Public Hearing - Zoning Request - Z22-005 - Allow rezoning from GC & OI to TS for the development of a 107 room hotel and rebranding of a 135 room hotel - 3.115 acres - Land Lots 846, 880 & 881 - Mogar Farms Funding LLC - 2855 Spring Hill Pkwy & 2685 Spring Rd.

This item will be tabled to the April 11, 2022 Planning & Zoning Commission Meeting.

Ward 1 / Councilmember Pickens

Boardmember Charlie Phillips made a motion to table to the April 11, 2022 Planning and Zoning Commission meeting item 2022-145, a public hearing and zoning request (Z22-005) to allow rezoning from GC & OI to TS for the development of a 107 room hotel and rebranding of a 135 room hotel on 3.115 acres on land lots 846, 880 & 881 located at 2855 Spring Hill Pkwy & 2685 Spring Rd by applicant Mogar Farms Funding LLC; seconded by Boardmember James Smith.

The motion to table to the April 11, 2022 Planning & Zoning Commission meeting carried with the following vote:

Aye: 7 - Jonathan Howard, Keith Bentley, Earl Rice, James Smith, Michael Seagraves, Henriette Ostrzega and Charlie Phillips

D. [2022-146](#)

Plat Approval for a two lot subdivision within the R-15 Zoning District - 0.91 acres - Land Lot 487 - 1132 Church Street - Tony Hester

Ward 3 / Councilmember Lindley

Joey Staubes, Planner II, provided the following background:

Tony Hester is requesting approval to subdivide their property at 1132 Church Street into two single-family residential lots. The applicant plans to subdivide the property within the requirements of the R-15 zoning district, so no rezoning is required. The subject property is 0.91 acres in size and is zoned R-15 (single-family residential). The proposed subdivision will result in two new lots being 17,548 sq. ft. and 19,875 sq. ft. in size.

The proposed lots meet all the zoning requirements of the R-15 zoning district.

Community Development has reviewed the proposed subdivision against the requirements of the R-15 zoning district. Staff believes the proposed subdivision meets the intent of the requirements of the R-15 zoning district. Community Development recommends approval of the requested subdivision with the following conditions:

1. Approval of the subject property shall be conditioned upon substantial compliance with the plat submitted on 3/3/22.
2. Water and sewer connections shall be provided for the new lot at the cost of the developer.
3. Water quality shall be provided for the new lot and subject to approval by the City Engineer.

The request is to be heard by Mayor and Council on March 21, 2022.

Boardmember Bentley asked to clarify the proposed plan. Mr. Staubes said that the new lot will face Love Street.

Chairperson Powell asked the applicant to provide an overview of the request. Tony Hester came up as the applicant. Mr. Hester said that he is selling the lot so a future builder would be able to answer any questions.

Chairperson Powell opened the floor for Public Hearing.

No one came forward.

Boardmember Keith Bentley made a motion to approve item 2022-146, a plat approval for a two lot subdivision within the R-15 Zoning District on 0.91 acres on land lot 487 by applicant Tony Hester; seconded by Boardmember James Smith.

The motion to approve carried with the following vote:

Aye: 7 - Jonathan Howard, Keith Bentley, Earl Rice, James Smith, Michael Seagraves, Henriette Ostrzega and Charlie Phillips

E. [2022-147](#)

Public Hearing - Zoning Request - Z22-002 - Allow rezoning from GC to R-15 for an addition to a single-family home - 0.38 acres - Land Lot 453 - 3382 Ridgecrest Road - PLR Properties Inc.

Ward 3 / Councilmember Lindley

Joey Staubes, Planner II, provided the following background:

PLR Properties Inc is requesting the rezoning of one lot from GC (General Commercial) to R-15 (Residential) for the ability to use the existing structure for residential purposes. The subject property is zoned GC and currently occupied with a residential structure on the lot. The applicant is proposing an addition to the structure and requires a zoning change from GC to R-15. Since the property is a legal non-conforming use, the structure cannot be expanded per Section 1102 of the Zoning Ordinance. Rezoning the property to R-15 would bring the property in-line with the appropriate use of the property.

The City Engineer has reviewed the proposed rezoning with respect to transportation, stormwater management and stream buffer issues. No additional transportation or stormwater management improvements are required for the site.

The Fire Marshal's office has reviewed the current proposal and in general believes that it meets the Fire Code requirements for fire truck access.

Community Development has reviewed the zoning proposal against the city's 2040 Comprehensive Plan and Future Land Use Plan. The zoning proposal is consistent with the future land use designation of MODR (Moderate Density Residential).

Community Development has reviewed the proposed development against the requirements of the Zoning Ordinance and found it to be in compliance. Community Development Staff is supportive of the change in zoning from GC to R-15.

Community Development recommends approval of the rezoning from GC to R-15 at 3382 Ridgecrest Road the following condition:

1. Approval of the subject property shall be conditioned upon substantial compliance with the site plan submitted on 2/11/22.

The request is to be heard by Mayor and Council on April 18, 2022.

Chairperson Powell asked the applicant to provide an overview of the request. Pam Tatum came forward as the applicant. She said she purchased the property thinking it was already zoned residential. They are adding an addition to the property to make the property go from 2 bedrooms/1 bath to 3 bedrooms/2 bath.

Boardmember Bentley asked what the square footage of the home will be once completed. Ms. Tatum said it will be about 900 square feet to 1,600 square feet. They are wanting to sell the home for around \$400k or more.

Chairperson Powell opened the floor for Public Hearing.

No one came forward.

Boardmember Michael Seagraves made a motion to approve item 2022-147, a public hearing and zoning request (Z22-002) to allow rezoning from GC to R-15 for an addition to a single-family home on 0.38 acres on land lot 453 located 3382 Ridgecrest Road by applicant PLR Properties Inc.; seconded by Boardmember Henriette Ostrzega.

The motion to approve carried with the following vote:

Aye: 7 - Jonathan Howard, Keith Bentley, Earl Rice, James Smith, Michael Seagraves, Henriette Ostrzega and Charlie Phillips

F. [2022-148](#)

Public Hearing - Zoning Request - Z22-003 - Allow rezoning from LC to R-15 for the construction of a new single-family home - 0.35 acres - Land Lot 520 - 2635 Hickory Hill Drive - Harold Shoemaker

Ward 3 / Councilmember Lindley

Joey Staubes, Planner II, provided the following background:

Harold Shoemaker is requesting the rezoning of one lot from LC (Limited Commercial) to R-15 (Residential) for the ability to build a new single-family home on the property. The subject property is zoned LC and currently occupied with a residential structure on the lot. The applicant is proposing to demolish the existing structure and build a new home; therefore, a zoning change from LC to R-15 required.

The City Engineer has reviewed the proposed rezoning with respect to transportation, stormwater management and stream buffer issues. No additional transportation or stormwater management improvements are required for the site except for directing the front roof drains towards Hickory Hill Drive. There are no stream buffers affecting the property.

The Fire Marshal's office has reviewed the current proposal and in general believes that it meets the Fire Code requirements for fire truck access.

Community Development has reviewed the zoning proposal against the city's 2040 Comprehensive Plan and Future Land Use Plan. The zoning proposal is consistent with the future land use designation from MODR (Moderate Density Residential).

Community Development has reviewed the proposed development against the requirements of the Zoning Ordinance and found it to be in compliance. Community Development Staff is supportive of the change in zoning from LC to R-15.

Community Development recommends approval of the rezoning from LC to R-15 at 2635 Hickory Hill Drive with the following conditions:

- 1. Approval of the subject property shall be conditioned upon substantial compliance with the site plan submitted on 2/11/22.*
- 2. The applicant shall provide a 5' sidewalk with 2' grass strip.*
- 3. The applicant shall dedicate 10' of right-of-way dedication along Hickory Hill Drive.*
- 4. The applicant shall be responsible for any stormwater improvements deemed necessary by the City Engineer.*

The request is to be heard by Mayor and Council on April 18, 2022.

Chairperson Powell asked the applicant to provide an overview of the request. Harold Shoemaker came forward as the applicant. He bought the home in October 2021 and found it was zoned limited commercial.

Boardmember Bentley asked about the square footage. The applicant said it would be a 4,000 sq ft farmhouse-style home with an unfinished basement, 4 bedrooms/4 1/2 bathrooms. The price point would be around \$1.1 - 1.2 million.

Chairperson Powell opened the floor for Public Hearing.

No one came forward.

Boardmember Charlie Phillips made a motion to approve item 2022-148, a public hearing and zoning request (Z22-003) to allow rezoning from LC to R-15 for the construction of a new single-family home on 0.35 acres on land lot 520 located at 2635 Hickory Hill Drive by applicant Harold Shoemaker; seconded by Boardmember Michael Seagraves.

The motion to approve carried with the following vote:

Aye: 7 - Jonathan Howard, Keith Bentley, Earl Rice, James Smith, Michael Seagraves, Henriette Ostrzega and Charlie Phillips

G. [2022-149](#)

Public Hearing - Zoning Request - Z22-004 - Allow rezoning from R-15 to RDA-Conditional for the development of two-single family homes - 0.35 acres - Land Lot 632 - 2761 Mathews St - McBev One LLC
Ward 3 / Councilmember Lindley

Joey Staubes, Planner II, provided the following background:

McBev One LLC is requesting a rezoning from R-15 (Residential) to RDA-Conditional (Residential) for a two lot single-family detached subdivision. The subject property is

zoned R-15 and is occupied with a single-family home. The applicant plans to build two new homes on the two lots. The minimum lot size will be 7,560 sq. ft. prior to dedication of 10 ft. of right-of-way along Mathews Street. The proposed setbacks are consistent with the RDA zoning district and surrounding properties. The proposed homes will face Mathews Street with rear-entry garages from a shared access drive.

The City Engineer has reviewed the proposed rezoning with respect to transportation, stormwater management, stream buffer issues, and in general believes that it meets city requirements. There are no stream buffers affecting the property.

The Fire Marshal's office has reviewed the current proposal and in general believes that it meets the Fire Code requirements for fire truck access.

Community Development has reviewed the zoning proposal against the city's 2040 Comprehensive Plan and Future Land Use Plan. The zoning proposal to RDA is consistent with the Land Use of MEDR (Medium Density Residential) under six (6) units per acre.

Community Development has reviewed the proposed development against the requirements of the Zoning Ordinance with respect to the RDA zoning standards. The proposed development meets the zoning requirements for RDA.

Community Development staff is supportive of the change in zoning from R-15 to RDA-Conditional.

Community Development recommends approval of the rezoning from R-15 to RDA-Conditional with a density of 5.7 units per acre at 2761 Mathews Street with the following conditions:

Standard Conditions

Requirements # 2, 3, 4, 5, 8, 9, 10, 12, and 17 from Section 1201 of the Zoning Code are not applicable. The following requirements remain 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. 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 two feet shall be provided between the back of curb and sidewalk.
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 yards and common areas are to be sodded, and landscaped. Irrigate as appropriate.
7. 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:

8. *The development shall maintain the RDA setbacks:*

Front – 25'

Side – 5'

Rear – 30'

9. *The minimum lot size shall be 7,560 sq. ft.*

10. *The minimum lot width shall be 40 feet.*

11. *The developer shall obtain a shared access easement for the rear access drive.*

12. *The developer shall dedicate 10 ft. of right-of-way dedication along Mathews Street.*

13. *Mathews Street shall be widened, and new curb and gutter installed to match the Village of Williams Park to the south.*

14. *The developer shall install a 5 ft. sidewalk and 2 ft. grass strip at the frontage of property along Mathews Street.*

15. *All structures will be built to a maximum height of 35' as measured from the sidewalk along the front elevation.*

16. *The developer shall meet all fire access requirements deemed necessary by the Fire Marshal during construction plan review.*

17. *The developer shall be responsible for any water and sewer improvements deemed necessary by the Public Works Director during construction plan review.*

18. *The developer shall be responsible for any stormwater improvements deemed necessary by the City Engineer.*

19. *Approval of the subject property for the RDA-Conditional zoning district shall be conditioned upon the development of the property in substantial compliance with the site plan submitted 2/11/22 and created by Vaughn & Melton Consulting Engineers, Inc. and all zoning stipulations above.*

20. *Approval of the subject property shall be conditioned upon substantial compliance with the elevations submitted on 2/11/22.*

The request is to be heard by Mayor and Council on April 18, 2022.

Chairperson Powell asked the applicant to provide an overview of the request. Jim Beveridge came forward as the applicant. He said it is a continuation of an existing project and will be the 20 and 2st lots for the Village at Williams Park. He said they have won awards for the existing products in the area.

Boardmember Bentley asked the square footage. Mr. Beveridge said it would be 3,000 sq ft (due to Covid-19 and clients wanting more open-concept, these homes are bigger than the previous homes), and the price point is around \$700k. Boardmember Bentley also asked about the additional lots to the north of the property and if they will be incorporated later. Mr. Beveridge said he could not envision more but does not have any plans to expand at the moment.

Chairperson Powell opened the floor for Public Hearing.

No one came forward.

Boardmember Michael Seagraves made a motion to approve item 2022-149, a public hearing and zoning request (Z22-004) to allow rezoning from R-15 to RDA-Conditional for the development of two-single family homes on 0.35 acres on land lot 632 located at 2761 Mathews St by applicant McBev One LLC; seconded by Boardmember James Smith.

The motion to approve carried with the following vote:

Aye: 6 - Jonathan Howard, Earl Rice, James Smith, Michael Seagraves, Henriette Ostrzega and Charlie Phillips

Nay: 1 - Keith Bentley

3. **Approval of Minutes:**

A. [MIN2022-12](#) Approval of the February 14, 2022 Planning and Zoning Commission Meeting Minutes

Ward / Citywide

Boardmember Henriette Ostrzega made a motion to approve item MIN2022-12 the February 14, 2022 Planning and Zoning Commission meeting minutes; seconded by Boardmember James Smith.

The motion to approve carried with the following vote:

Aye: 6 - Keith Bentley, Earl Rice, James Smith, Michael Seagraves, Henriette Ostrzega and Charlie Phillips

Abstain: 1 - Jonathan Howard

4. **Adjournment**

Chairperson Joel Powell adjourned the March 14, 2022 Planning and Zoning Commission meeting at 6:30 PM.