



City of Smyrna

2800 King Street
Smyrna, Georgia 30080

Meeting Minutes - Final City Council

Monday, September 17, 2018

7:00 PM

Council Chambers

Roll Call

Present: 7 - Mayor Max Bacon, Councilmember Maryline Blackburn, Councilmember Andrea Blustein, Councilmember Charles Welch, Councilmember Susan Wilkinson, Councilmember Tim Gould and Councilmember Ron Fennel

Absent: 1 - Councilmember Derek Norton

Also Present: 8 - Tammi Saddler Jones, Scott Andrews, Terri Graham, Ken Suddreth, Russell Martin, Scott Cochran, Davi Santos and Tina Monaghan

Call to Order

Mayor A. Max Bacon called the meeting to order at 7:01pm.

1. Invocation and Pledge:

Pastor Eldren Morrison, Shaw Temple A.M.E. Zion Church (775 Hurt Road) led all for the Invocation and the Pledge of Allegiance.

2. Agenda Changes:

There were no changes to the agenda.

3. Mayoral Report:

Mayor Bacon announced that Councilmember Derek Norton was absent due to family matters.

Councilmember Charles (Corkey) Welch told a story of Bilal Quintyne, a gentleman who back during the heat of the summer helped Ms. Belinda Whitaker in her time of need. Her electric wheelchair had broken down and she asked to use his phone to call for help. Rather than do that, Mr. Quintyne went above and beyond and pushed Ms. Whitaker in her wheelchair in ninety degree heat over half a mile back to her apartment at Galleria Manor Senior Apartments.

Mr. Quintyne thanked the Council for acknowledgement. He said that a big part of life is to build the community you live in and that you can't work on the world if you can't work on the neighborhood beside you. He said he didn't do anything special, just did what he was supposed to do and that you need to be the change that you want to see. If it were his grandmother he would have wanted someone to do the same thing.

4. Land Issues/Zonings/Annexations:

A. [2018-270](#)

Public Hearing - Zoning Request Z18-011 - Modification of approved site plan and building elevations - 61.88 Acres - Land Lots 61, 171, 172, 174, 175, 176, 289 - Riverview Landing on Riverview Road between Nichols Drive and Dickerson Drive - Ardent Companies - **To be tabled indefinitely at the request of the applicant.**

Sponsors: Fennel

Mayor Bacon introduced the agenda item and stated that the applicant wished to table this item indefinitely.

Councilmember Ron Fennel was excited about the prospect of this project and the positive things that it will bring to the City of Smyrna but there are still changes in the works.

Councilmember Ron Fennel made a motion to table indefinitely, at the request of the applicant, Zoning Request Z18-011 - Modification of approved site plan and building elevations - 61.88 Acres - Land Lots 61, 171, 172, 174, 175, 176, 289 - Riverview Landing on Riverview Road between Nichols Drive and Dickerson Drive - Ardent Companies. This motion was seconded by Councilmember Tim Gould.

The motion to table indefinitely was carried by the following vote:

Aye: 6 - Councilmember Blackburn, Councilmember Blustein, Councilmember Welch, Councilmember Wilkinson, Councilmember Gould and Councilmember Fennel

Absent: 1 - Councilmember Norton

B. [2018-384](#)

Public Hearing - Authorization for an apartment name change 2018-384 from 1898 Spring LP dba Spring Apartment Homes to 1898 Spring LP dba The Arlowe Townhomes with Frederic Dawson as agent.

Sponsors: Blustein

City Administrator Tammi Saddler Jones gave the background information for, 1898 Spring LP dba Spring Apartment Homes. They requested to change the name of the complex to The Arlowe Townhomes with Frederick Dawson at the agent. The proper Name Change Application has been reviewed and approved by the Fire Marshal, Building Inspector, City Engineer, 911 Communications, and Water Department as well as reported to the Business License Officer. It is the recommendation of staff to approve the name change from 1898 Spring LP dba Spring Apartment Homes to 1898 Spring LP dba The Arlowe Townhomes located at 1898 Spring Road SE with Frederick Dawson as agent.

Mayor Max Bacon announced the Public Hearing for the name change; no one came forward to speak.

Councilmember Andrea Blustein made a motion for approval of the apartment name change from 1898 Spring LP dba Spring Apartment Homes to 1898 Spring LP dba The Arlowe Townhomes with Frederic Dawson as agent. Councilmember Maryline Blackburn seconded this motion.

The motion to approve was carried by the following vote:

Aye: 6 - Councilmember Blackburn, Councilmember Blustein, Councilmember Welch, Councilmember Wilkinson, Councilmember Gould and Councilmember Fennel

Absent: 1 - Councilmember Norton

C. [2018-298](#)

Public Hearing Only - Zoning Request Z18-014 - Rezoning from R-20 to RAD-Conditional for the construction of two single-family homes at a density of 3.84 units per acre - 0.52 Acres - Land Lots 341 and 381 - 3381 Old Concord Road - Angel Oak Homes, LLC

Sponsors: Blackburn

City Administrator Tammi Saddler Jones provided the background information pertaining to this agenda item. Angel Oak Homes, LLC has requested rezoning from R-20 to RAD-Conditional and annexation for the construction of two new single-family residences at a density of 3.84 units per acre at the northeast corner of Old Concord Road and Concord Road. The Planning and Zoning Board heard the zoning request at the August 13, 2018 meeting and recommended approval with staff conditions by a vote of 6-0. She went on to state that Mr. Rusty Martin would provide additional information on this item.

***Clerks note - While making the motion to approve the annexation. Ms. Blackburn questioned the land lot numbers listed in item (C) for the annexation ordinance being Land Lot 340. Item (D) and (E) for the Public hearing and the final vote the Land Lot was identified as Land Lot 341. The City Attorney read the Legal Description and confirmed the Land Lot was 340 and a typo had been made on the agenda for item (C) and (D).*

Mayor Bacon announced the public hearing and asked if anyone would like to speak on this rezoning; no one chose to speak

Councilmember Maryline Blackburn, whose ward this property would reside, introduced Mr. Rusty Martin to speak further on the issue.

Mr. Martin explained that the applicant has proposed to rezone the property which is currently in unincorporated Cobb County and wished to annex it into the City. The applicant wants to tear down the current single family home and build two new single family homes. The County future land use designation for property is Community Activity Center while Smyrna will change the future land use map to residential. The applicant has provided 2 options. Option A would allow homes to face Old Concord Road with access through Concord Lake Lane within the community of Concord Lake Village. Option B would require access from Old Concord Road with a shared driveway at the width of 18 feet at the road. The homes will be traditional style homes that fit in with the other homes adjacent to the property. Community Development recommended the changes 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. The residences whose lots abut external roadways shall not be permitted to utilize hardy plank siding for any

elevation facing these roads.

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 - 25'

Side - 5'

Street Side - 25'

Rear - 25'

11. The development shall be developed with a minimum lot size of 10,000 square feet.

12. The lots shall be developed with a minimum lot width at the setback line of 50'.

13. The homes shall have a minimum floor area of 1,800 sq. ft.

14. The developer shall be responsible for the installation of all water and sewer lines in accordance with the requirements of the City of Smyrna Public Works Director and Cobb County Water System.

15. The proposed shared drive off Old Concord Road shall have a minimum width of

18'.

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 RAD zoning district shall be conditioned upon the development of the property in substantial compliance with the submitted site plans dated 7/30/2018 & 8/9/2018 created by Survey Land Express, Inc. All listed stipulations above shall be addressed during the plan review process.*

18. *The homes shall be built in substantial compliance with the elevations submitted and dated 6/8/2018.*

Approval of any change to the elevations must be obtained from the Director of Community Development.

Councilmember Blackburn expressed concern about Option B due to the amount of traffic congestion that occurs in that area in the morning.

Mr. Martin explained that the City Engineer reviewed and approved the plan as long as the driveway has a width of 18 feet. It is not optimal but the existing driveway is already in that location.

Councilmember Susan Wilkinson inquired about the driveway meeting the distance requirements.

Councilmember Tim Gould asked about the preferred option and what will determine the driveway location.

According to Mr. Martin, option A is the preferred option, but Option B was provided as a backup in the event Concord Lake Village can not work out the easement for the shared driveway for Option A.

Councilmember Gould also inquired about the special recommendations and why these were made.

Mr. Rusty Martin explained that the existing zoning category is not optimal but it will work for the project. The intention is to introduce a new zoning classification at a future meeting which would encompass this request.

Councilmember Ron Fennel inquired as to whether the new homes would be compatible with the adjacent homes.

Mr. Martin felt that with what they have been shown, they will be compatible.

Ms. Wilkinson inquired if the new houses would be part of the HOA.

The applicant, Mr. Bob Harris was sworn in by the City Attorney.

Mr. Bobby Harris represented the builder Angel Oaks Homes, LLC spoke and commended Mr. Martin on the professional work on this project. He had met with residents of the subdivision and members of the HOA and there was positive feedback from many. The only obstacle was to handle legalities with the driveway easement. If this went through the property would become part of the subdivision HOA.

Councilmember Blackburn inquired as to the price range of the homes.

Mr. Harris stated that prices would be in the high 400s to mid-500s which would be comparable to the other homes in the area.

Councilmember Fennel thanked Mr. Harris for his continued investment in the City of Smyrna.

Mayor Bacon closed the public hearing.

D. [2018-397](#)

Approval of Ordinance #2018-10 - Annexation request (100% of owners requesting annexation) - Land Lot 340 and 381, 17th District, 2nd Section, Cobb County, Georgia 0.53 acre tract located at 3381 Old Concord Road, Smyrna Georgia; will become part of Ward 3 - effective October 1, 2018

Sponsors: Blackburn

Mayor Bacon summarized the Annexation ordinance process. The applicants were seeking approval to annex 0.53 acre tract of property located at 3381 Old Concord Road, Smyrna GA to annex and rezone the property. The applicants requested to rezone the property from R-20 to RAD Conditional to create two (2) single family residential homes. Cobb County has reviewed the annexation and rezoning request and responded with a letter of non-objection to the request received July 2, 2018.

****Clerks note - While making the motion to approve the annexation. Ms. Blackburn questioned the land lot numbers listed in item (C) for the annexation ordinance being Land Lot 340. Item (D) and (E) for the Public hearing and the final vote the Land Lot was identified as Land Lot 341. The City Attorney read the Legal Description and confirmed the Land Lot was 340 and a typo had been made on the agenda for item (C) and (D).**

Councilmember Maryline Blackburn made a motion to approve Ordinance #2018-10 - Annexation request (100% of owners requesting annexation) - Land Lot 340 and 381, 17th District, 2nd Section, Cobb County, Georgia 0.53 acre tract located at 3381 Old Concord Road, Smyrna Georgia; will become part of Ward 3 - effective October 1, 2018. Councilmember Ron Fennel seconded the motion.

The motion to approve was carried by the following vote:

Aye: 6 - Councilmember Blackburn, Councilmember Blustein, Councilmember Welch, Councilmember Wilkinson, Councilmember Gould and Councilmember Fennel

Absent: 1 - Councilmember Norton

E. [2018-396](#)

Final Vote - Zoning Request Z18-014 - Rezoning from R-20 to RAD-Conditional for the construction of two single-family homes at a density of 3.84 units per acre - 0.52 Acres - Land Lots 341 and 381 - 3381 Old Concord Road - Angel Oak Homes, LLC

Sponsors: Blackburn

****Clerks note - While making the motion to approve the annexation. Ms. Blackburn questioned the land lot numbers listed in item (C) for the annexation ordinance being**

Land Lot 340. Item (D) and (E) for the Public hearing and the final vote the Land Lot was identified as Land Lot 341. The City Attorney read the Legal Description and confirmed the Land Lot was 340 and a typo had been made on the agenda for item (C) and (D).

This is the Final Vote for Zoning Request Z18-014 - Rezoning from R-20 to RAD-Conditional for the construction of two single-family homes at a density of 3.84 units per acre - 3381 Old Concord Road - Angel Oak Homes, LLC.

Councilmember Maryline Blackburn made a motion to approve Zoning Request Z18-014 - Rezoning from R-20 to RAD-Conditional for the construction of two single-family homes at a density of 3.84 units per acre - 0.52 Acres - Land Lots 340 and 381 - 3381 Old Concord Road - Angel Oak Homes, LLC. Councilmember Andrea Blustein seconded the motion.

The motion to approve was carried by the following vote:

Aye: 6 - Councilmember Blackburn, Councilmember Blustein, Councilmember Welch, Councilmember Wilkinson, Councilmember Gould and Councilmember Fennel

Absent: 1 - Councilmember Norton

5. Privilege Licenses:

There were no privilege licenses.

6. Formal Business:

- A. [2018-402](#) Approval of the Ward 2 appointment of Ben Eggers to the Smyrna Tree Board to fulfill term to expire August 2020

Sponsors: Blustein

Councilmember Blustein inquired as to whether Mr. Eggers was present in the audience.

He was not present.

Councilmember Andrea Blustein made a motion to approve of the Ward 2 appointment of Ben Eggers to the Smyrna Tree Board to fulfill term to expire August 2020 with a second by Councilmember Susan Wilkinson.

The motion to approve was carried by the following vote:

Aye: 6 - Councilmember Blackburn, Councilmember Blustein, Councilmember Welch, Councilmember Wilkinson, Councilmember Gould and Councilmember Fennel

Absent: 1 - Councilmember Norton

7. Commercial Building Permits:

There were no commercial building permits.

8. Consent Agenda:

Tammi Saddler Jones, City Administrator read the consent agenda aloud.

Councilmember Ron Fennel made a motion to approve the consent agenda as read aloud by City Administrator Tammi Saddler Jones with a second by Councilmember Tim Gould.

The motion to approve was carried by the following vote:

Aye: 6 - Councilmember Blackburn, Councilmember Blustein, Councilmember Welch, Councilmember Wilkinson, Councilmember Gould and Councilmember Fennel

Absent: 1 - Councilmember Norton

- A.** [2018-398](#) Approval of the September 4, 2018 Mayor and Council Meeting Minutes
Sponsors: City Council
- B.** [2018-382](#) Approval of the August 16, 2018 Committee of the Whole Meeting Minutes
- C.** [2018-399](#) Approval of the September 4, 2018 Pre Council Meeting Minutes
Sponsors: City Council
- D.** [2018-394](#) Approve the request for a road closure permit for Southern General Contracting on Oak Drive, Smyrna, during the day, staff recommends 9 AM - 4 PM (the request is for 7AM to 5 PM) for construction of a new sewer service and force main located at 5220 South Cobb Drive.
Sponsors: Welch
- E.** [2018-379](#) Authorize Atkins Park Tavern to operate a beer/wine/specialty two-item cocktail station, beyond the boundaries of the premises (of Atkins Park Tavern) covered by the license, at the Smyrna Ugly Christmas Sweater Block Party & Movie Night event in the downtown area Saturday, December 8, 2018 (5:30 p.m. until 8:00 p.m.) at an assigned vendor space within the approved event. The exact location of the cocktail/drink station is to be within the food service area for the event, from W Spring Street to Village Green traffic circle, and from Village Walk/Bank Street to King Street SE. Streets closed during the event will be King Street in front of the Veteran's Memorial, from Bank Street to Village Green Circle in front of Community Center.
Sponsors: Wilkinson
- F.** [2018-381](#) Approve the closing of the following streets for the Smyrna Parks and Recreation's Casper's Fall Carnival and Movie: King Street from Bank Street to Village Green Circle, entire Village Green Circle from Atlanta Rd. from 5:00 p.m. - 11:00 p.m. on Friday, October 12, 2018.

Sponsors: Wilkinson

9. Committee Reports:

Councilmember Andrea Blustein hoped that Fall comes soon. She was horrified at the events of last weekend in the Carolinas and asked that prayers be given for those that have suffered as a result of the storm.

Councilmember Maryline Blackburn took the opportunity to thank everyone who came out to the Taste of Smyrna last weekend. She also wanted to send prayers to those who suffered in the storm in the Carolinas.

Councilmember Charles (Corkey) Welch had no report.

Councilmember Susan Wilkinson noted that the library would be hosting a workshop to help with online security in the library meeting room this Friday, September 21, 2018. School is out next week but the library had many activities planned including cooking classes, crafting, and story times.

Councilmember Tim Gould provided updates from Campbell High School. Nathalie Friederich a student at Campbell High School and a lyric Soprano, won a competition and will perform at Carnegie Hall in December.

*Mario Alexander, a junior at Campbell High School helped two people who were stabbed at a Target recently.
Forty businesses showed up at the last meeting to support the High School which was a great turn out.
Campbell Girls Varsity Softball made the State playoffs for the second year in a row.*

Councilmember Ron Fennel announced that there will be a finance administration committee meeting on October 2, 2018 at 4:30pm.

He noted that 42 years ago the space shuttle program was launched in 1976. Stonecrest City Council coming to visit Smyrna to learn how to build up their City which is relatively new.

It was Constitution Day and 231 years ago, the Constitution was adopted.

Mr. Fennel also wanted to lend his thoughts and prayers to those who have suffered in the storms in the Carolinas.

Last, but not least, he mentioned that the Atlanta Braves are down ten games to win the National League East Championship.

City Administrator, Tammi Saddler Jones had no report.

Assistant City Administrator Scott Andrews thanked City Engineer Mr. Eric Randall who submitted his letter of resignation for all the good work he has done for the City.

City Attorney Scott Cochran had nothing to report.

City Clerk Terri Graham introduced the new Deputy City Clerk Tina Monaghan and welcomed her to the City.

10. Show Cause Hearings:

There were no show cause hearings.

11. Citizen Input:

No one signed up to participate in citizen input.

12. Adjournment:

Mayor Max Bacon adjourned the meeting at 7:44pm.