



City of Smyrna

2800 King Street
Smyrna, GA 30080
770-434-6600
www.smyrnacity.com

Meeting Minutes - Final Planning and Zoning Commission

Monday, October 12, 2020

6:00 PM

Community Center

**Smyrna Community Center Large Gym / 200 Village Green Circle SE
Parking and entrance to meeting on Powder Springs Street Side of Building
MASKS REQUIRED / TEMPERATURE WILL BE CHECKED**

Rollcall

Present: 7 - Joel Powell, Tom Bartlett, Victor Jones, Keith Bentley, Earl Rice, James Smith and Henriette Ostrzega

Absent: 1 - Michael Seagraves

Also Present: 0

Staff: 5 - Heather Peacon-Corn, Russell Martin, Joey Staubes, Caitlin Crowe and Landon O'Neal

2. Call to Order

Chairman Joel Powell called the October 12, 2020 Planning and Zoning Commission Meeting to order at 6:00 PM.

3. Business

A. [2020-403](#)

Public Hearing - Zoning Request - Z20-011 - Rezoning from GC to R-15 for the development of one single-family home at a density of 1.64 units per acre - 0.61 acres - Land Lot 592 - 1529 Roswell Street - Thomas Trebus

Mr. Joey Staubes, Planner II, presented staff recommendation for rezoning Z20-011. The request is to be heard by Mayor and Council on November 16, 2020. The applicant would like to rezone the property from GC to R-15 to allow for a new single-family home. There will be no future land use change.

The applicant is requesting one variance:

- 1. Increase impervious coverage from 35% to 50%*

Staff are supportive of the variance and recommend approval with several conditions:

Standard Conditions

- 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 landscape plans must be prepared, stamped, and signed by a Georgia Registered Landscape Architect for any common areas or entrances.

7. All yards and common areas are to be sodded, and landscaped. Irrigate as appropriate.

8. 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

9. The development shall maintain the following setbacks:

- a. Front – 35'
- b. Side – 10'
- c. Rear – 30'

10. The development shall have a maximum of 50% impervious lot coverage and provide a water quality program.

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

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

13. Approval of the subject property for the R-15 zoning district shall be conditioned upon the development of the property in substantial compliance with the site plan submitted 9/11/2020 and created by Barcliff Associates and all the zoning stipulations above.

14. The applicant shall be bound to the elevations submitted on 9/21/2020 and created by Caldwell Cline. Approval of any change to the elevations must be obtained from the Director of Community Development.

Chairman Powell asked the applicant to provide an overview of the request.

Mr. Thomas Trebus came up as the applicant. He and his wife are planning on demolishing and rebuilding the home to create their dream-home that they will live in.

Chairman Powell opened the floor for Public Hearing- no one came forward.

Boardmember Keith Bentley made a motion to approve Zoning Request - Z20-011 - Rezoning from GC to R-15 for the development of one single-family home at a density of 1.64 units per acre - 0.61 acres - Land Lot 592 - 1529 Roswell Street - Thomas Trebus. Boardmember James Smith seconded the motion.

The motion to approve was carried by the following vote:

Aye: 6 - Tom Bartlett, Victor Jones, Keith Bentley, Earl Rice, James Smith and Henriette Ostrzega

Absent: 1 - Michael Seagraves

B. [2020-404](#)

Public Hearing - Zoning Request - Z20-12 - Rezoning from R-12 to R-8 for the development of two new single-family homes at a density of 4.84 units per acre - 0.413 acres - Land Lot 664 - 2588 Bates Street - Bakari Brooks

Mr. Joey Staubes, Planner II, presented staff recommendation for rezoning request Z20-012. The request is to be heard by Mayor and Council on November 16, 2020. The rezoning is from R-12 to R-8 for the construction of 2 new detached single-family homes. The property is currently a vacant lot. There will be no future land use change. The two lots will have front-entry garages. No variances will be required. Staff recommend approval with several conditions:

Standard Conditions

- 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 landscape plans must be prepared, stamped, and signed by a Georgia Registered Landscape Architect for any common areas or entrances.*
- 7. All yards and common areas are to be sodded, and landscaped. Irrigate as*

appropriate.

8. 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

9. The development shall maintain the following setbacks:
a. Front – 25' (from existing ROW)
b. Side – 5'
c. Rear – 20'

10. Driveway – 20' minimum length from building to private driveway.

11. The developer shall dedicate right-of-way along Bates Street to achieve 25' from the property line to centerline of the road.

12. The developer shall install curb, gutter, and sidewalk at the frontage of property along Bates Street.

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

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

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

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

17. Approval of the subject property for the R-8 zoning district shall be conditioned upon the development of the property in substantial compliance with the site plan submitted 9/11/2020 and created by Paramount Surveys and all zoning stipulations above.

Chairman Powell asked the applicant to provide an overview of the request.

Mr. Bakari Brooks came up as the applicant. Mr. Brooks said he is the developer of the site and is looking create quality affordable housing. Mr. Brooks said that they are trying to keep the price point to \$370,000- \$390,000.

Board member Bentley said that he had a conversation with the applicant about a week ago and said that he believes it is a good thing for the neighborhood.

Chairman Powell opened the floor for Public Hearing- no one came forward.

Boardmember Keith Bentley made a motion to approve Zoning Request - Z20-12 - Rezoning from R-12 to R-8 for the development of two new single-family homes at a density of 4.84 units per acre - 0.413 acres - Land Lot 664 - 2588 Bates Street - Bakari Brooks. Boardmember Earl Rice seconded the motion.

The motion to approve was carried by the following vote:

Aye: 6 - Tom Bartlett, Victor Jones, Keith Bentley, Earl Rice, James Smith and Henriette Ostrzega

Absent: 1 - Michael Seagraves

C. [ORD2020-12](#)

Public Hearing - Approval of Ordinance 2020-12, an Ordinance to amend sections 719.8(4)(J) and 1502.9 of Appendix A - Zoning Ordinance for the requirement of a sanitary sewer analysis for the zoning of commercial development, mixed use development or residential development with 10 or more dwellings units, setting a fee for the analysis and to authorize the Mayor to sign and execute all related documents.

Mr. Rusty Martin, Community Development Director, presented staff recommendation for the text amendment. The request is to be heard by Mayor and Council on November 16, 2020. The amendment is brought on behalf of Public Works to bring the City into compliance with the North Metro Water District's requirements. The text amendments affect Section 719.8 (4)(i) and Section 1502.9 of the Zoning Ordinance. A new fee of \$1,000 will be added to all new development or redevelopment of commercial, mixed-use, or residential properties with more than 10 dwelling units that will impact the sanitary sewer system. The fee is a pass-through fee, which will be sent to Croy Engineering, who will perform the analysis. If the property is in the City and is being annexed, a letter from Cobb County will be allowed in lieu of a fee.

Chairman Powell asked who will be required to pay if the analysis says that they need more access to the sewer. Mr. Martin said that the developer is required to pay the fees. Mr. Powell asked when it would take effect. Mr. Martin said it would take effect Monday if approved by Mayor and Council.

Chairman Powell opened the floor for Public Hearing- no one came forward.

Boardmember Victor Jones made a motion to approve of Ordinance 2020-12, an Ordinance to amend sections 719.8(4)(J) and 1502.9 of Appendix A - Zoning Ordinance for the requirement of a sanitary sewer analysis for the zoning of commercial development, mixed use development or residential development with 10 or more dwellings units and to authorize the Mayor to sign and execute all related documents. Boardmember James Smith seconded the motion.

The motion to approve was carried by the following vote:

Aye: 6 - Tom Bartlett, Victor Jones, Keith Bentley, Earl Rice, James Smith and Henriette Ostrzega

Absent: 1 - Michael Seagraves

D. [ORD2020-16](#)

Public Hearing - Review of proposed Ordinance 2020-16 for Code Amendments to Sections 402 and 714 to the City's Zoning Ordinance are proposed to add a definition related to outdoor recreational facility and to list outdoor recreational facility as a permitted use within the Light Industrial zoning district.

Mr. Joey Staubes, Planner II, presented staff recommendation for the text amendment to the Light Industrial zoning district. The request is to be heard by Mayor and Council

on November 16, 2020. The amendment was needed when an applicant requested to have an outdoor recreation facility and the code does not currently allow it in any district. The text amendments affect Section 714 and Section 402 of the Zoning Ordinance.

Chairman Powell opened the floor for Public Hearing- no one came forward.

Boardmember Tom Bartlett made a motion to approve the Review of proposed Ordinance 2020-16 for Code Amendments to Sections 402 and 714 to the City's Zoning Ordinance are proposed to add a definition related to outdoor recreational facility and to list outdoor recreational facility as a permitted use within the Light Industrial zoning district. Boardmember Earl Rice seconded the motion.

The motion to approve was carried by the following vote:

Aye: 6 - Tom Bartlett, Victor Jones, Keith Bentley, Earl Rice, James Smith and Henriette Ostrzega

Absent: 1 - Michael Seagraves

4. Approval of Minutes:

- A. [2020-369](#) Approval of the September 14, 2020 Planning and Zoning Commission Meeting minutes.

Boardmember Victor Jones made a motion to approve the September 14, 2020 Planning and Zoning Commission Meeting minutes. Boardmember James Smith seconded the motion.

The motion to approve was carried by the following vote:

Aye: 6 - Tom Bartlett, Victor Jones, Keith Bentley, Earl Rice, James Smith and Henriette Ostrzega

Absent: 1 - Michael Seagraves

5. Adjournment

Chairman Powell adjourned the October 12, 2020 Planning and Zoning Commission Meeting at 6:27 PM.