



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, September 12, 2022

6:00 PM

A. Max Bacon City Hall - Council Chambers

Roll Call

Present: 8 - Joel Powell, Charlie Phillips, Jonathan Howard, Keith Bentley, Earl Rice, Jill Gordon-Evans, Michael Seagraves and Henriette Ostrzega

Also Present: 0

Staff: 4 - Russell Martin, Joey Staubes, Caitlin Crowe and Heather Peacon-Corn

1. Call to Order

Chairperson Joel Powell called the September 12, 2022 meeting of the Planning and Zoning Commission to order at 6:00PM.

2. Business

A. [2022-444](#)

Public Hearing - Z22-009 - Allow rezoning from RD to R-15 - Land Lots 553 & 554 - 0.05 acres - 1487 Spring Wood Drive - D&R Real Estate Solutions Inc & Kyle Vincent

Ward 6 / Mayor Pro Tem/Councilmember Gould

Joey Staubes, Planner II, presented staff recommendation for rezoning request Z22-009. The request is to be heard by Mayor and Council on October 17, 2022. The current homeowner of 3710 Ashwood Dr wants to purchase land from the adjacent property off Spring Wood Dr and consolidate with his property. The applicant is requesting the property to be rezoned from RD to R-15 with a future land use change from MHDR to LDR.

The applicant is requesting one variance, which the staff supports:

- 1. Allow the reduction of the lot size from 12,500 sq ft to 11,336 sq ft in the RD Zoning District.*

Staff are supportive of the rezoning and recommends approval.

Board member Phillips asked about any setbacks for a potential privacy fence. Mr. Staubes said they can go all the way up to the property line.

Chairman Powell asked the applicant to provide an overview of the request. Kyle Vincent, applicant, approached the podium. Mr. Vincent said he just wants to add the land to his property for his family to enjoy and that the townhome is not using it. Chairman Powell opened the floor for a Public Hearing. No one came forward in favor of or in opposition to this item.

A motion was made by Boardmember Michael Seagraves to approve item 2022-444 for a Public Hearing (Z22-009) to allow rezoning from RD to R-15 on Land Lots 553 & 554, located 0.05 acres on 1487 Spring Wood Drive by the applicant D&R Real Estate

Solutions Inc & Kyle Vincent; seconded by Boardmember Henriette Ostrzega.

The motion for approval carried by the following vote:

Aye: 6 - Jonathan Howard, Keith Bentley, Earl Rice, Michael Seagraves, Henriette Ostrzega and Jill Gordon-Evans

Nay: 1 - Charlie Phillips

B. [2022-447](#)

Public Hearing - Z22-010 - Allow rezoning from FC to R-10 for the development of two single-family homes - 0.49 acres - Land Lot 592 - 1577 Roswell Street - Brad Thompson

Ward 3 / Councilmember Lindley

Joey Staubes, Planner II, presented staff recommendation for rezoning request Z22-010. The request is to be heard by Mayor and Council on October 17, 2022. The applicant is requesting to rezone from FC to R-10 to allow for two new single-family homes. There will be no future land use change. They will both have rear entry garages. One of the homes will have its own driveway, the property to the east will have a shared driveway with the neighboring property.

The applicant is requesting one variance, which the staff supports:

1. *Reduce the side setback from 7.5 feet to 5 feet.*

Staff are supportive of the rezoning and recommends approval with the following 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 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 R-10 setbacks:*
Front – 25'
Side – 5'

Rear – 25'

9. The minimum lot size shall be 10,000 sq. ft.
10. The minimum lot width shall be 50 feet.
11. Driveway – 22' minimum length from building face to back of sidewalk.
12. Each home shall have a rear-entry garage.
13. A 5-foot sidewalk and 2-foot grass strip shall be replaced for the length of the property along Roswell Street.
14. All structures will be built to a maximum height of 35' as measured from the sidewalk along the front elevation.
15. The developer shall meet all fire access requirements deemed necessary by the Fire Marshal during construction plan review.
16. The developer shall be responsible for any water and sewer improvements deemed necessary by the Public Works Director during construction plan review.
17. The developer shall be responsible for any stormwater improvements deemed necessary by the City Engineer.
18. Approval of the subject property for the R-10 zoning district shall be conditioned upon the development of the property in substantial compliance with the site plan submitted 8/11/22 and created by Vaughn & Melton Consulting Engineers, Inc. and all zoning stipulations above.
19. Approval of the subject property shall be conditioned upon substantial compliance with the elevations submitted on 8/11/22.

Chairman Powell asked the applicant to provide an overview of the request. Brad Thompson of PM Builders came up as the applicant. The homes will be 3,000 sq ft and will be a few years out. The price point will be in the \$700s.

Boardmember Bentley asked how the homes are going to go with the adjacent properties. Mr. Thompson said he will have an access easement for the home's driveway. Mr. Bentley also wanted to confirm that there would be some variation to the homes and that they are not going to look the same. Mr. Thompson said he can vary the elevations.

Chairman Powell asked if there is any way to tie him to a varied elevation. Russell Martin, Community Development Director, said that the applicant is tied to the elevations, but there is flexibility if the same style is used. Mr. Martin said the Board has the ability to make a further stipulation. Chairman Powell said they are not interested in being more restrictive.

Boardmember Bentley reiterated that he would like to see the elevations before permitting. Mr. Thompson agreed that he will reach out to Mr. Bentley prior to permitting.

Chairman Powell opened the floor for Public Hearing. No one came forward in favor of or in opposition to this item.

A motion was made by Boardmember Keith Bentley for the approval of item 2022-447 for a Public Hearing (Z22-010) to allow rezoning from FC to R-10 for the development of two single-family homes on 0.49 acres on Land Lot 592 located at 1577 Roswell Street by the applicant Brad Thompson; seconded by Boardmember Charlie Phillips.

The motion for approval carried by the following vote:

Aye: 7 - Charlie Phillips, Jonathan Howard, Keith Bentley, Earl Rice, Michael Seagraves, Henriette Ostrzega and Jill Gordon-Evans

C. [2022-451](#)

Plat Approval - Approval for a three lot subdivision under the R-15 zoning requirements - Land Lot 384 - 1.87 acres - 825 Austin Drive - Sue Caplan

Ward 4 / Councilmember Welch

Joey Staubes, Planner II, presented staff recommendation for the plat approval at 825 Austin Dr. The request is to be heard by Mayor and Council on September 19, 2022. The applicant is requesting to split the current lot into 3 parcels, keeping the R-15 zoning. There will be 3 new homes facing Austin Drive with the stormwater facility in the rear on a separate parcel.

Staff are supportive of the plat approval and recommends approval.

Chairman Powell asked the applicant to provide an overview of the request. Brian Gordon of Hearth Custom Homes came forward to represent the applicant. Each of the homes will be occupied by family members.

Chairman Powell opened the floor for Public Hearing. No one came forward in favor of or in opposition to this item.

A motion was made to approve item 2022-451 for a Plat Approval for a three lot subdivision under the R-15 zoning requirements on Land Lot 384 on 1.87 acres located at 825 Austin Drive by the applicant Sue Caplan; seconded by Boardmember Jonathan Howard.

The motion for approval carried by the following vote:

Aye: 7 - Charlie Phillips, Jonathan Howard, Keith Bentley, Earl Rice, Michael Seagraves, Henriette Ostrzega and Jill Gordon-Evans

D. [2022-452](#)

Plat Approval - Approval for a two lot subdivision under the GC zoning requirements - 3.3 acres - Land Lot 444 - 912 Daniell Drive - GFAC Logistics LLC

Ward 5 / Councilmember Wilkinson

Joey Staubes, Planner II, presented staff recommendation for the plat approval at 912 Daniell Dr. The request is to be heard by Mayor and Council on September 19, 2022. The property will be split in two with GC zoning setbacks. No development is currently proposed, just looking to subdivide at the moment. No variances are required. The applicant is not present tonight.

Staff are supportive of the plat approval and recommends approval.

Chairman Powell opened the floor for Public Hearing.

Johnny Turner- Daniell Dr- came forward. He stated since the residential subdivision is in Cobb County but the building is Smyrna, no one was aware of the construction until it started. He asked what would be built on the lot. Community Development Director Russell Martin said that nothing has been presented yet.

Darrell Howell- Daniell Dr- came forward. He stated there are concerns with the water runoff to adjacent properties since it has already been an issue on the site and concerns with what will be put on the property. Mr. Martin reiterated that this is a plat approval, so if anything were to be built on the property, the property would need to meet all permitting requirements, including stormwater management. Since it is zoned GC right now, they can do any GC uses as allowed in the current code. This request is just to see if the plat meets current codes.

Mr. Staubes said the applicant will be at the Mayor and Council meeting.

A motion was made by Boardmember Jill Gordon-Evans to table until the October 10, 2022 Planning and Zoning Meeting for item 2022-452 for the Plat Approval for a two lot

subdivision under the GC zoning requirements on 3.3 acres on Land Lot 444 located at 912 Daniell Drive by the applicant GFAC Logistics LL.; seconded by Boardmember Henriette Ostrzega.

The motion to table until the October 10, 2022 Planning and Zoning Meeting carried by the following vote:

Aye: 7 - Charlie Phillips, Jonathan Howard, Keith Bentley, Earl Rice, Michael Seagraves, Henriette Ostrzega and Jill Gordon-Evans

E. [ORD2022-21](#)

Public Hearing - Approval of ORD2022-21 for code amendments to Appendix A of the Zoning Ordinance pertaining to townhome design standards with an effective date of October 1, 2022 and authorize the Mayor to review and sign all documents related thereto.

Ward / Citywide

Russell Martin, Community Development Director, presented staff recommendation for the code amendment to add townhome design standards. A committee was formed to review townhome development which included Councilmembers Travis Lindley, Charles Welch, and Tim Gould. The process has taken roughly 1 ½ years. The request is to be heard by Mayor and Council on September 19, 2022. The code was posted on the City website and a townhall meeting was held. The intent of the ordinance is to regulate the siting and architectural design of townhome projects in Smyrna. Mr. Martin went over the specifics in the ordinance.

Staff are supportive of the code amendment and recommends approval.

Board member Phillips asked if there were any maximum building setbacks from the road. Mr. Martin said no, the sites are mostly infill development so the constraints currently on sites do not need them.

Board member Ostrzega asked about the building height. Mr. Martin said the maximum height is 45 ft.

Board member Bentley was appreciative for staff's work on the townhome ordinance. Chairman Powell opened the floor for Public Hearing. No one came forward in favor of or in opposition to this item.

A motion was made by Boardmember Earl Rice for the approval of item ORD2022-21 for a Public Hearing for code amendments to Appendix A of the Zoning Ordinance pertaining to townhome design standards with an effective date of October 1, 2022 and authorize the Mayor to review and sign all documents related thereto; seconded by Boardmember Jonathan Howard.

The motion for approval carried by the following vote:

Aye: 7 - Charlie Phillips, Jonathan Howard, Keith Bentley, Earl Rice, Michael Seagraves, Henriette Ostrzega and Jill Gordon-Evans

3. Approval of Minutes:

A. [MIN2022-61](#)

Approve the August 8, 2022 Planning and Zoning Commission Meeting Minutes.

Ward / Citywide

A motion was made by Boardmember Michael Seagraves for the approval of item MIN2022-61 to approve the August 8, 2022 Planning and Zoning Commission Meeting

Minutes; seconded by Boardmember Keith Bentley.

The motion to approve carried by the following vote:

Aye: 5 - Charlie Phillips, Jonathan Howard, Keith Bentley, Earl Rice and Michael Seagraves

Abstain: 2 - Henriette Ostrzega and Jill Gordon-Evans

4. Adjournment

7:13PM

Chairperson Joel Powell adjourned the September 12, 2022 meeting of the Planning and Zoning Commission to order at 7:14PM.