



City of Smyrna

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

Meeting Minutes - Final Planning and Zoning Commission

Monday, November 9, 2020

6:00 PM

Community Center / Large Gym

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

1. Roll Call

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

Absent: 1 - Joel Powell

Also Present: 0

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

2. Call to Order

Chairperson Tom Bartlett called the November 9, 2020 Planning and Zoning Commission meeting to order at 6:00 PM.

Chairperson Bartlett gave a few comments to start the meeting and mentioned that Boardmember Keith Bentley will be voting by phone.

3. Business

A. [2020-468](#)

Public Hearing - Zoning Request - Z20-014 - Rezoning from R-15 & LC to RDA for the development of 32 single-family attached units - 5.487 acres - Land Lot 558 - 3030, 3040, and 3050 Atlanta Road - KRB Investments - *This item will be tabled at the request of the applicant until December 14, 2020 Planning Board meeting.*

Boardmember Michael Seagraves made a motion to table Zoning Request - Z20-014 - Rezoning from R-15 & LC to RDA for the development of 32 single-family attached units - 5.487 acres - Land Lot 558 - 3030, 3040, and 3050 Atlanta Road - KRB Investments - to the December 14, 2020 Planning Board meeting at the request of the applicant. Boardmember James Smith seconded the motion.

The motion to table was carried by the following vote:

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

B. [2020-459](#)

Public Hearing - Zoning Request - Z20-013 - Rezoning from NS to GC for the use as a general contractor office, professional office, and batting

cage - 1.55 acres - Land Lot 339 - 3515 N Cooper Lake Rd - Tracey and Bearin Santos

Mr. Joey Staubes, Planner II, presented staff recommendation for rezoning Z20-013. The request is to be heard by Mayor and Council on December 21, 2020. The applicant would like to rezone the property from NS to GC to allow for a new professional office, contractor’s office, and indoor batting cage. The subject property has historically been a non-conforming commercial use. There will be no future land use change.

Staff are supportive and recommend approval with three conditions:

- 1. The applicant shall remove vegetation and accumulated silt/sediment from the existing detention pond.*
- 2. The applicant shall record an Inspection and Maintenance Agreement for the pond.*
- 3. The applicant shall plant a landscape buffer along the property boundary that abuts residential property in accordance with Section 503 of the Zoning Ordinance.*

Boardmember Bartlett asked the applicant to provide an overview of the request.

Bearin and Tracey Santos came up as the applicants. Mrs. Santos had a presentation for the members on the screen. Mrs. Santos explained that her husband is the owner of Big Bear Construction and she has other smaller businesses that they would like to move to this new location. Her presentation consisted of several questions and clarifications for staff in regards to the stipulations associated with the request.

Board Member Bentley asked if the staff would work with the Santos’ on their requests.

Community Development Director Rusty Martin responded that the City Engineer would most likely not support the City cleaning out the stormwater detention pond, and that it the property owner’s responsibility. Mr. Martin said that staff would work with them on the landscape buffer.

Boardmember Bartlett opened the floor for Public Hearing and no one came forward.

Boardmember James Smith made a motion to approve Zoning Request - Z20-013 - Rezoning from NS to GC for the use as a general contractor office, professional office, and batting cage - 1.55 acres - Land Lot 339 - 3515 N Cooper Lake Rd - Tracey and Bearin Santos. Boardmember Victor Jones seconded the motion.

The motion to approve was carried by the following vote:

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

C. [2020-460](#)

Public Hearing - Plat Approval with variance - V20-065 - Subdivision of one lot into two lots - 2.4 acres - Land Lot 337/384 - 3813 N Cooper Lake Rd - Corkey A. Welch

Mr. Joey Staubes, Planner II, presented staff recommendation for plat approval with variance request V20-065. The request is to be heard by Mayor and Council on November 16, 2020. There are currently two structures on one lot, so the lot split will create two lots with one structure on each lot. The two lots will meet all R-15 zoning

requirements except the side setback on one lot.

The applicant is requesting one variance:

1. *Reduction in the minimum side setback from 10 feet to 2.3 feet.*

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

1. *A reduction of the side setback from 10 feet to 2.3 feet.*
2. *Approval is conditioned upon substantial compliance with the site plan submitted October 21, 2020 and prepared by Gaskins.*

Board member Bartlett asked the applicant to provide an overview of the request. Mr. Charles Welch, son of the applicant, came up on behalf of the applicant. Mr. Welch clarified that the intention was to have three lots.

Board member Bartlett asked him to clarify the lots, which Mr. Welch and Mr. Staubes did- it will be one lot into two lots.

Board member Smith asked if this was a temporary plat. Mr. Welch said that the larger house would be demolished so it would be temporary.

Board member Bartlett opened the floor for Public Hearing and no one came forward.

Boardmember Earl Rice made a motion to approve Plat Approval with variance - V20-065 - Subdivision of one lot into two lots - 2.4 acres - Land Lot 337/384 - 3813 N Cooper Lake Rd - Corkey A. Welch. Boardmember Michael Seagraves seconded the motion.

The motion to approve was carried by the following vote:

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

4. Approval of Minutes:

- A. [2020-455](#) Approval of the October 12, 2020 Planning and Zoning Commission Meeting minutes.

Boardmember Henriette Ostrzega made a motion to approve the October 12, 2020 Planning and Zoning Commission Meeting minutes. Boardmember Earl Rice seconded the motion.

The motion to approve was carried by the following vote:

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

5. Adjournment

Chairperson Tom Bartlett adjourned the November 9, 2020 Planning and Zoning Commission meeting at 6:35 PM.