

PLANNING AND ZONING COMMISSION

Minutes - Final



A. Max Bacon City Hall
Council Chambers
2800 King Street SE
Smyrna, GA 30080

Joel Powell, Mayor Appointee
Charles Phillips (Ward 1)
Jonathan Howard (Ward 2)
Keith Bentley (Ward 3)
Earl Rice (Ward 4)
Jill Gordon-Evans (Ward 5)
Michael Seagraves (Ward 6)
Henriette Ostrzega (Ward 7)

City Attorney Scott Cochran
City Administrator Joseph Bennett
City Clerk Heather K. Peacon-Corn

April 15, 2024
6:00 PM

1. Roll Call

Present: 8 – Chairperson Joel Powell, Commission Member Charles Phillips, Commission Member Jonathan Howard, Commission Member Keith Bentley, Commission Member Earl Rice, Commission Member Jill Gordon-Evans, Commission Member Michael Seagraves, Commission Member Henriette Ostrzega

Staff: 4 – Tyler Addison, Caitlin Crowe, Jill G. Head, and Joey Staubes

2. Call to Order

Chairperson Joel Powell called to order the April 15, 2024 Planning and Zoning Commission meeting held at A. Max Bacon City Hall in Council Chambers at 6:00 PM

3. Chairperson Instruction and Comment

4. Formal Business

- A. ATH2024-070** Plat Approval - Approval of subdivision for two single-family homes in the R-15 Zoning District - Land Lot 384 - 1.46 acres - 3813 N Cooper Lake Rd - Aaron & Gina McGinnis
Ward 4 Councilmember - Charles "Corkey" Welch

Joey Staubes, Planner II, provided the following background:

Aaron & Gina McGinnis are requesting approval to subdivide property at 3813 N Cooper Lake Rd into two single-family residential lots. The request is to be heard by Mayor and Council on April 22, 2024. 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 1.46 acres in size and is zoned R-15 (single-family residential). The proposed subdivision will result in two new lots with each being approximately 43,826 sq. ft. in and 21,794 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 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 land subdivision.

Gina McGinnis, representative for the applicant, came forward and verified that everything is in conformance with the surrounding area.

Commission Member Charles Phillips made a motion to approve item ATH2024-070; seconded by Commission Member Michael Seagraves.

The motion to approve carried with the following vote:

Aye: 7 – Commission Member Phillips, Commission Member Howard, Commission Member Bentley, Commission Member Rice, Commission Member Gordon-Evans, Commission Member Seagraves, Commission Member Ostrzega
Nay: 0 – None
Recuse: 0 – None

- B. Z24-007** Public Hearing - Zoning Request - Z24-007 - Allow rezoning from R-15 to TD-Conditional for the development of six single-family attached units at a density of 6.3 units per acre - Land Lot 700 - 0.95 acres - 3410 Atlanta Rd - Butler Development Group, LLC

Ward 6 Mayor Pro Tem / Councilmember - Tim Gould

Joey Staubes, Planner II, provided the following background:

Proposed Use: The applicant is requesting a rezoning from R-15 to TD-Conditional for the development of six (6) single-family attached units at a density of 6.3 units per acre. A land use change from Medium Density Residential to Medium-High Density Residential is required for this rezoning. Each townhome will have rear entry garages from a private access drive off Atlanta Road. There will be five guest parking spaces with a mail kiosk and a pad for garbage bins in the rear. There will also be a 20-foot landscape buffer in the rear with stormwater detention. There are no variances requested. The request is to be heard by Mayor and Council on May 20, 2024.

Staff Recommendation: Approval of the rezoning from R-15 to TD Conditional for six (6) new single-family attached units.

Community Development recommends approval of the rezoning from R-15 to TD-Conditional for the development of six single-family units at a density of 6.3 units per acre 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 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:
Front – 25'
Side – 25'
Rear – 30'
10. The minimum lot size shall be 41,382 sq. ft.
11. Driveway – 21' minimum length from garage face to private access drive.
12. Approval of the subject property for the RTD-Conditional zoning district shall be conditioned upon the development of the property in substantial compliance with the site plan submitted 4/8/2024 and created by Roger. S Lee & Associates, Inc. and all zoning stipulations above.
13. Approval of the subject property shall be conditioned upon substantial compliance with the elevations submitted on 3/15/2024.

Kevin Moore, attorney for applicant, stated The property is just under an acre and the surrounding community has expressed that they are looking for this property to be residential. There will be six townhomes in one building with the front facing Atlanta Rd. They will leave as much room as possible in the rear to give room to the neighbors in the rear and provide the landscape buffer. They also recently had a positive meeting with the neighborhood in the rear. Commission Member Bentley asked about the price point to which Mr. Moore stated that they would be around \$700-800K.

A public hearing was called, and no one came forward in favor of or in opposition to this item.

Commission Member Michael Seagraves made a motion to approve item Z24-007; seconded by Commission Member Jonathan Howard.

The motion to approve carried with the following vote:

Aye: 7 – Commission Member Phillips, Commission Member Howard,
Commission Member Bentley, Commission Member Rice, Commission
Member Gordon-Evans, Commission Member Seagraves, Commission
Member Ostrzega
Nay: 0 – None
Recuse: 0 – None

5. Approval of Minutes

A. **MIN2024-045** Approval of the March 4, 2024 Planning and Zoning Commission Meeting Minutes **Citywide**

Commission Member Earl Rice made a motion to approve item MIN2024-045; seconded by Commission Member Henriette Ostrzega.

The motion to approve carried with the following vote:

Aye: 6 – Commission Member Phillips, Commission Member Howard,
Commission Member Bentley, Commission Member Rice, Commission
Member Seagraves, Commission Member Ostrzega
Nay: 0 – None
Abstain: 1 – Commission Member Gordon-Evans

6. Other Business / Staff Comment

7. Adjournment

Chairperson Joel Powell adjourned the April 25, 2024 Planning and Zoning Commission meeting at 6:18 PM.

Facilities are provided throughout City Hall for the convenience of persons with disabilities.

THIS MEETING WAS PROPERLY NOTICED AND POSTED AT THE FOLLOWING LOCATIONS IN ACCORDANCE WITH THE NOTICING STANDARDS AS OUTLINED IN O.C.G.A. 50-14-3:
The City of Smyrna website – www.smyrnaga.gov
City Hall, 2800 King Street SE, Notice Boards