

# 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 14, 2025**  
**6:00 PM**

### 1. Roll Call

**Present:** 5 – Chairperson Joel Powell, Commission Member Jonathan Howard, Commission Member Earl Rice, Commission Member Jill Gordon-Evans, Commission Member Michael Seagraves

**Absent:** 3 – Commission Member Charles Phillips, Commission Member Keith Bentley, Commission Member Henriette Ostrzega

**Staff:** 5 – Tyler Addison, Caitlin Crowe, Jill Head, Russell Martin, Joey Staubes

### 2. Call to Order

Chairperson Joel Powell called to order the April 14, 2025 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. Z25-004 Public Hearing - Zoning Request - Z25-004 - Allow rezoning from R-15 to RMC-8-Conditional for the development of seven single-family homes at a density of 7.0 units per acre - Land Lot 528 - 1.01 acres - 2731 & 2743 Bell Drive - EIB Properties, LLC  
**Ward 1 Councilmember - Glenn Pickens****

Joey Staubes, Planner II, provided the following background:

The applicant is requesting a rezoning from R-15 to RMC-8-Conditional for the development of seven (7) single-family detached units at a density of 7.0 units per acre. A land use change from Regional Activity Center is not required for this rezoning.

**Staff Recommendation:** Approval of the rezoning from R-15 to RMC--8 Conditional for seven (7) new single-family detached units.

The existing two (2) single-family homes will be demolished to allow the construction of the proposed development. Three (3) of the homes will face Bell Drive, and four (4) of the homes will face Woodland Terrace. All of the homes will have front-entry garages. The proposed lots will have a minimum lot size of 5,353 sq. ft. and an average lot area of 5,419 sq. ft. The applicant proposes to use elements such as brick, stone, and siding for the façade materials for each home.

The applicant has provided a site plan with the rezoning application for reference. A formal review of stormwater management requirements will be assessed during plan review and permitting. There is no stream located on the subject property. Sidewalks will be installed on both Bell Drive and Woodland Terrace. The applicant will be required to dedicate property along Woodland Terrace for the installation of a sidewalk.

Community Development has reviewed the proposed development against the zoning standards of the recent nearby rezonings and found the proposed development to be compatible with the surrounding area. The subdivision and construction of seven (7) new single-family detached homes result in a density of 7.0 units per acre on the subject property. The lot width and lot size are compatible with the other in-fill developments in the surrounding area. The applicant is requesting a rezoning from R-15 to RMC-8-Conditional and the proposed zoning will not require a change of the Future Land Use Plan from Regional Activity Center.

Staff is supportive of the rezoning for the proposed development and the requested variances:

1. Allow reduction of the minimum lot area from 12,000 sq. ft. to 5,353 sq. ft. (Staff Supports)
2. Allow a reduction of the minimum lot width from 100 ft. to 50 ft. (Staff Supports)
3. Allow reduction of the minimum front setback from 50 ft. to 15 ft. (Staff Supports)
4. Allow a reduction of the interior side setback from 10 ft. to 5 ft. (Staff Supports)
5. Allow reduction of the minimum rear setback from 30 ft. to 25 ft. (Staff Supports)
6. Allow an increase in the maximum lot coverage from 35% to 45% (Staff Supports)

Community Development recommends approval of the rezoning from R-15 to RMC-8-Conditional for the development of seven (7) single-family units at a density of 7.0 units per acre with the following conditions:

**Standard Conditions Requirements # 2, 8, 9, 10, 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. There shall be protective covenants on all lots. These protective covenants shall be supplied to the city prior to the issuance of a building permit.
3. The developer shall provide at least 200 square feet of common space per lot. This common space shall be developed with improvements for the residential subdivision such as: gazebos, fountains, recreational/playground equipment or walking trails. The common space shall be controlled and maintained by the Homeowners Association.
4. The retention 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 ten percent reduction in a 100-year storm event. The city engineer shall approve all plans.

5. All utilities within the development shall be underground.

6. 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.

7. No debris may be buried on any lot or common area.

8. The developer will install decorative streetlights within the development, subject to approval by the city engineer. Utilization of low intensity, environmental type lighting, the illumination of which shall be confined within the perimeter of the subject property through the use of "full-cutoff lighting".

9. 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.

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

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

12. 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**

13. The development shall maintain the following setbacks:

Front – 15'

Internal Side – 5'

External Side – 10'

Rear – 25'

14. The minimum lot size shall be 5,353 sq. ft.

15. The minimum lot width shall be 50 feet.

16. The maximum impervious coverage shall be 45% per lot.

17. Driveway – 22' minimum length from building face to back of sidewalk.

18. The developer shall dedicate property 25' from center line along Woodland Terrace.

19. The developer shall install a 5' sidewalk and 2' grass strip along Bell Drive and Woodland Terrace.

20. Approval of the subject property for the RMC-8-Conditional zoning district shall be conditioned upon the development of the property in substantial compliance with the site plan submitted 3/13/2025 and created by Gaskins+Lecraw. and all zoning stipulations above.

21. Approval of the subject property shall be conditioned upon substantial compliance with the elevations submitted on 3/13/2025.

Commission Member Gordon-Evans asked about the setback and lots size minimums in comparison to surrounding properties. Mr. Staubes stated that these will be consistent with other townhomes.

Kevin Moore, attorney, (David Woodbury, EIB Properties): explained that the property is just over an acre in a unique location. The area is Bell Dr. off of Spring Rd., just west of Cobb Pkwy intersection – this area has transformed in recent years. On three sides are newer developments and there are three other lots that neighbor these two lots that will

not be part of this development. They will be adding detached homes, not townhomes, which will be less dense.

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

Commission Member Jonathan Howard made a motion to approve item Z25-004; seconded by Commission Member Earl Rice.

The motion to approve carried with the following vote:

- Aye:** 4 – Commission Member Howard, Commission Member Rice, Commission Member Gordon-Evans, Commission Member Seagraves
- Nay:** 0 – None
- Absent:** 3 – Commission Member Phillips, Commission Member Bentley, Commission Member Ostrzega

**5. Approval of Minutes**

**A. MIN2025-048 Approval of the February 10, 2025 Planning and Zoning Commission Meeting Minutes.**

Commission Member Michael Seagraves made a motion to approve item MIN2025-048; seconded by Commission Member Earl Rice.

The motion to approve carried with the following vote:

- Aye:** 3 – Commission Member Howard, Commission Member Rice, Commission Member Seagraves
- Abstain:** 1 – Commission Member Gordon-Evans
- Absent:** 3 – Commission Member Phillips, Commission Member Bentley, Commission Member Ostrzega

**6. Other Business / Staff Comment**

**7. Adjournment**

Chairperson Joel Powell adjourned the April 14, 2025 Planning and Zoning Commission meeting at 6:13 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](http://www.smyrnaga.gov)  
City Hall, 2800 King Street SE, Notice Boards**