



## Planning and Zoning Commission Meeting - Final

June 12, 2023

6:00 PM

- 
- A. Z23-003** Public Hearing - Zoning Request - Z23-003 - Allow rezoning from R-8 Conditional to RDA - Conditional for the development of six single-family homes at a density of 4.87 units per acre - Land Lot 632 - 1.23 acres - 2791, 2801, and 2811 Madison Street - BaeBrooke LLC.



# City of Smyrna

## Issue Sheet

A Max Bacon City Hall  
2800 King Street  
Smyrna, GA 30080

File Number: Z23-003

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**Agenda Date: 08/07/2023**

**In Control:** CITY COUNCIL

**File Type:** Zoning

**Agenda Section:**

Item **Agenda**

Community Development

**Number: A.**

**Department: Community Development**

**Agenda Title:**

Public Hearing - Zoning Request - Z23-003 - Allow rezoning from R-8 Conditional to RDA - Conditional for the development of six single-family homes at a density of 4.87 units per acre - Land Lot 632 - 1.23 acres - 2791, 2801, and 2811 Madison Street - BaeBrooke LLC.

***Ward 2 Councilmember - Latonia P. Hines***

**ISSUE AND BACKGROUND:**

The property was approved for annexation and rezoning from R-20 Cobb County to R-8 Conditional for the development of five single-family homes in 2021 (Z21-003). The applicant is now requesting a rezoning from R-8 to RDA-Conditional for the development of six (6) single-family detached units at a density of 4.87 units per acre. A land use change from Medium Density Residential is not required for this rezoning. The Planning and Zoning Board voted to deny the request by a vote of 5-1 at the June 12, 2023 meeting.

**RECOMMENDATION / REQUESTED ACTION:**

Community Development recommends **approval** of the rezoning from R-8 to RDA-Conditional for the development of six single-family units at a density of 4.87 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.



# City of Smyrna

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**File Number: Z23-003**

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 – 20'  
Side – 5'  
Rear – 15'
10. The minimum lot size shall be 4,299 sq. ft.
11. The minimum lot width shall be 40 feet.
12. Driveway – 22' minimum length from building face to back of sidewalk.
13. The developer shall install a 5 ft. sidewalk and 2 ft. grass strip at the frontage of property along Mildred Place and Madison 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 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 RDA-Conditional zoning district shall be conditioned upon the development of the property in substantial compliance with the site plan submitted 7/14/2023 and created by DGM Land Planning Consultants and all zoning stipulations above.
18. Approval of the subject property shall be conditioned upon substantial compliance with the elevations submitted on 3/10/2023.

# CITY OF SMYRNA

## COMMUNITY DEVELOPMENT DEPARTMENT

### MEMORANDUM

To: Mayor and Council

From: Russell Martin, AICP, Community Development Director  
Joey Staubes, AICP, Planner II

Date: June 7, 2023

CC: Joe Bennett, City Administrator  
Planning and Zoning Board

RE: REZONING CASE Z23-003 –2791, 2801, 2811 Madison Street

**Applicant:** Baebrook LLC

**Existing Zoning:** R-8  
**Proposed Zoning:** RDA - Conditional  
**Size of Tract:** 1.23 Acres

**Titleholder:** Baebrook LLC

**Location:** 2791 – 2811 Madison St

**Contiguous Zoning:**

**Land Lot:** 632

North R-15  
South GC  
East RTD  
West R-20 (County)

**Ward:** 3

**Access:** Madison Street

**Hearing Dates:**

**Existing Improvements:** 3 Lots with Single-Family Homes

P&Z June 12, 2023  
Mayor and Council August 7, 2023

**Proposed Use:**

The applicant is requesting a rezoning from R-8 to RDA-Conditional for the development of six (6) single-family detached units at a density of 4.87 units per acre. A land use change from Medium Density Residential is not required for this rezoning.

**Staff Recommendation:**

**Approval** of the rezoning from R-8 to RDA-Conditional for six new single-family detached units.

**Planning & Zoning Board Recommendation:**

**Deny** by a vote of 5-1 at the June 12, 2023 meeting.





## STAFF COMMENTS

Section 1508 of the Smyrna Zoning Code details nine zoning review factors which must be evaluated by the Planning and Zoning Board and the Mayor and Council when considering a rezoning request. The following provides the nine factors followed by an analysis of each factor in italics. Both the Applicant's response as well as Staff's analysis to each factor are listed. It is hoped that providing both responses results in a better understanding of what is actually being proposed.

1. Whether the zoning proposal will permit a use that is suitable in view of the use and development of adjacent and nearby property.

*Applicant Response:*

*"Yes, proposed zoning will be compatible with surrounding land uses. Commercial property lies to the south and residential lies to the north and east."*

*Staff Analysis:*

*The property was annexed and rezoned in 2021 (Z21-003) from R-20 County to R-8 for the development of five (5) single-family homes at a density of 4.07 units per acre. The zoning proposal would result in the development of six (6) single-family homes at a density of 4.87 units per acre. The adjoining properties to the north are zoned R-15 and occupied with single-family detached homes. The property to the south is zoned GC and is occupied with a commercial business. The property to the east is zoned RTD and contains single-family attached homes. The property to the west is zoned R-15 & R-20 (Cobb County). The proposed rezoning would be consistent with the use and development of adjacent and nearby properties in regards to lot size and lot width.*

2. Whether the zoning proposal or the use proposed will adversely affect the existing use or usability of adjacent or nearby property.

*Applicant Response:*

*"No. Roads and infrastructure to support this development are already in place".*

*Staff Analysis:*

*The proposed rezoning and development should not have an adverse affect upon the existing use or usability of nearby properties. The zoning proposal will create six new single-family homes.*

3. Whether the property to be affected by the zoning proposal has a reasonable economic use as currently zoned.

*Applicant Response:*

*"Considering current land costs and market values, 6 units on this parcel would support this economic development."*

Staff Analysis:

*The subject parcel has a reasonable economic use as currently zoned. The property was rezoned to R-8 in 2021 for the development of five (5) single-family homes (Z21-003). The proposed rezoning would add one (1) additional single-family home.*

4. Whether the zoning proposal will result in a use which will or could cause an excessive or burdensome use of existing streets, transportation facilities, utilities or schools.

Applicant Response:

*"No. Roads and infrastructure to support this development are already in place. Our marketing will be directed toward the active adult community - which would support minimal to no impact on school system. No, we are adding two more homes than what would previously have been there. Streets, schools, and transportation facilities are sufficient."*

Staff Analysis:

*Based upon information provided by the City Engineer, the development is not expected to cause an excessive or burdensome use of existing streets and transportation systems.*

*Based upon information provided by the Water/Sewer Supervisor, adequate water and sewer capacities are available in the area to accommodate the development associated with the rezoning. The water and sewer mains are both located in the right of way of Mildred Place and Madison Street. Sewer tap locations and elevations are the responsibility of the builder/developer.*

5. Whether the zoning proposal is in conformity with the policy and intent of the land use plan.

Applicant Response:

*"Yes. This falls well within the parameters of the land use plan. We are well under the maximum of 6 units to the acre."*

Staff Analysis:

*The RDA zoning district is a compatible zoning district the Medium Density Residential (under 6 units per acre) Future Land Use designation. The proposed development of six (6) new residences on 1.23 acres yields a density of 4.87 units per acre. A land use change from Medium Density Residential is not required for rezoning.*

6. Whether there are other existing or changing conditions affecting the use and development of the property which give supporting grounds for either approval or disapproval of the zoning proposal.

Applicant Response:

*"Infill development immediately around this site - and for that matter within the entire city of Smyrna, is currently on the rise. This development will provide momentum and be a quality addition to the neighborhood."*

Staff Analysis:

*The overall density for the subject site will increase from 4.07 units per acre to 4.87 units per acre by adding one additional home. The proposed density is consistent with the future land use designation of Medium Density Residential (up to 6 units per acre).*

7. Whether the development of the property under the zoning proposal will conform to, be a detriment to or enhance the architectural standards, open space requirements and aesthetics of the general neighborhood, considering the current, historical and planned uses in the area.

Applicant Response:

*"This development will provide momentum and help set standards for quality development within the neighborhood."*

Staff Analysis:

*The proposed development includes five (5) homes that face Madison Street, and one (1) home accessed by Mildred Place. All of the proposed homes will be front entry homes. Additionally, the lot width and lot size of some of the lots are less than the existing homes; however the density of the overall development is consistent with the land use plan.*

8. Under any proposed zoning classification, whether the use proposed may create a nuisance or is incompatible with existing uses in the area.

Applicant Response:

*"No. Rezoning is actually more appropriate for this site in that we will be providing an appropriate step down from the commercial property adjacent to our South to the lower density residential property adjacent to our North."*

Staff Analysis:

*While the proposed development has lot widths and lot size less than existing homes, the lot width and lot size are consistent with previous rezonings and infill development recently approved in the area. The proposed use should not create a nuisance to existing uses in the area. The number of residential units and density will be consistent with previous rezonings.*

9. Whether due to the size of the proposed use, in either land area or building height, the proposed use would affect the adjoining property, general neighborhood and other uses in the area positively or negatively.

Applicant Response:

*"This development will positively enhance both the adjoining property and the general neighborhood in that we will be providing a level of quality and beautification that the entire neighborhood will appreciate. The development should increase property values to surrounding residents."*

Staff Analysis:

*Factors associated with the size of the proposed use, in either land area or building height, should have a minimal affect upon adjacent properties. The rezoning request requires variances from the regulations of the RDA zoning district as shown in Table 1.*

**Table 1: Lot Requirements for RDA Zoning District vs. Proposed Lots**

	Min. Lot Size (Square Feet)	Min. Lot Width at Setback Line	Min. Front Setback	Min. Side Setback	Min. Rear Setback	Max. Height	Max. Lot Coverage (percent)	Min. Square Footage
RDA Zoning District	7,260	50'	25'	5'	30'	35'	45	1,800
Proposed Lots	4,299	40'	20'	5'	15'	35'	45	1,800

The following variances are required for the proposed development:

1. Allow the reduction of minimum lot width from 50 ft. to 40 ft. **(Staff Supports)**
2. Allow the reduction of the minimum lot size from 7,260 sq. ft. to 4,299sq. ft. **(Staff Supports)**
3. Allow the reduction of the minimum front setback from 25 ft. to 20 ft. **(Staff Supports)**
4. Allow the reduction of the minimum rear setback from 30 ft. to 15 ft. **(Staff Supports)**

**Project Analysis**

Baebrook LLC is seeking approval of a rezoning for 2791, 2801, and 2811 Madison Street from R-8-Conditional to RDA-Conditional for the development of six single-family detached residences at a density of 4.87 units per acre. The property was annexed and rezoned to R-8 in 2021 (Z21-003) for the development of five single-family homes at a density of 4.07 units per acre. The plan featured three homes facing Madison and two homes facing Mildred, with access drives for rear-entry homes. The applicant is proposing to add an additional lot to the currently approved plan with each home having a front entry garage and access from the public right of ways. Five of the homes will face Madison Street and one will face Mildred Place. The proposed lots will be between 4,299 and 14,122 sq. ft. The applicant proposes to use elements such as brick, stone, and siding for the façade materials for each home.

### Engineering Review

The zoning proposal shows a stormwater detention facility located at the southern end of the property. 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. The applicant will be required to add new sidewalk around the development.

### Fire Marshal Review

The Fire Marshal's office has reviewed the revised site plan and believes there is sufficient access to provide emergency services to the six homes.

### Planning Review

The proposed rezoning would provide for six (6) new residences at density of 4.87 units per acre. The subject property is located in an area where the surrounding properties have a future land use designation of Medium Density Residential (up to 6 units per acre). The proposed lot sizes and widths would be significantly less than other lots in the area. Table 2 shows the infill development in the immediate area as it relates to density, lot size and lot width.

<b>Table 2: Proposed Development vs. Infill Developments</b>					
<b>Name of Development</b>	<b>Location</b>	<b>Number of Lots</b>	<b>Site Density</b>	<b>Minimum Lot Size (square feet)</b>	<b>Minimum Lot Width</b>
<b>Proposed Development</b>	Madison & Mildred	6	4.87	4,299	40'
<b>Madison &amp; Mildred</b>	Madison & Mildred	5	4.07	6,587	47.5'
<b>Cumberland Townhomes</b>	Shenandoah Valley Ln	165	10	1,430	20'
<b>Village at Williams Park Phase 1</b>	Mathews St	5	5.15	8,385	48'
<b>Village at Williams Park Phase 2</b>	Mathews St & Spring St	12	7.18	7,378	43'

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 six new single-family homes result in a density of 4.87 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-8 to RDA-Conditional and the proposed zoning is in compliance with the Future Land Use Plan.

Community Development considers the proposed density of 4.87 units per acre to be below the 6 unit per acre threshold of Medium Density Residential land use. The proposed rezoning will require variances from the RDA zoning district in terms of lot size and lot width. Staff is supportive of the variances required for the proposed development.

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## **STAFF RECOMMENDATION**

Community Development recommends **approval** of the rezoning from R-8 to RDA-Conditional for the development of six single-family units at a density of 4.87 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 – 20'  
Side – 5'  
Rear – 15'
10. The minimum lot size shall be 4,299 sq. ft.
11. The minimum lot width shall be 40 feet.
12. Driveway – 22' minimum length from building face to back of sidewalk.
13. The developer shall install a 5 ft. sidewalk and 2 ft. grass strip at the frontage of property along Mildred Place and Madison 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 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 RDA-Conditional zoning district shall be conditioned upon the development of the property in substantial compliance with the site plan submitted 7/14/2023 and created by DGM Land Planning Consultants and all zoning stipulations above.
18. Approval of the subject property shall be conditioned upon substantial compliance with the elevations submitted on 3/10/2023.



**Figure 1 - Subject Property**



**Figure 2 – Subject Property**





**Figure 3 – Adjacent Property**



**Figure 4 – Adjacent Property**



**Figure 5 – Adjacent Property**





City of Smyrna, GA

03/20/2023

## RZ-23-4

### Rezoning Application

**Status:** Active**Date Created:** Mar 10, 2023

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### Applicant

Steven Pacholick  
steven\_pacholick@hotmail.com  
10 Trent Drive SE  
Rome, GA 30161  
4047177127

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### Applicant Information

**Full Name (i.e., First and Last Name, or Name of Entity):**

BaeBrooke LLC

**Street Address:**

2791 Madison Street

**City:**

Smyrna

**State:**

GA

**Zip Code:**

30080

**Email Address:**

steven\_pacholick@hotmail.com

**Phone Number:**

404.717.7127

**Are you the titleholder of the subject property?**

Yes

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### Property Information

**Parcel ID:**

17063200850

**Property Address:**

2791 Madison Street

**Present Zoning:**

R-8

**Present Future Land Use:**

MEDR - Medium Density Residential



**Parcel ID:**

17063200840

**Property Address:**

2801 Madison Street

**Present Zoning:**

R-8

**Present Future Land Use:**

MEDR - Medium Density Residential

**Parcel ID:**

17063200830

**Property Address:**

2811 Madison Street

**Present Zoning:**

R-8

**Present Future Land Use:**

MEDR - Medium Density Residential

**Rezoning Analysis****Number 1: Whether the zoning proposal will permit a use that is suitable in view of the use and development of adjacent and nearby property.**

Yes, proposed zoning will be compatible with surrounding land uses. Commercial property lies to the south and residential lies to the north and east.

**Number 2: Whether the zoning proposal or the use proposed will adversely affect the existing use or usability of adjacent or nearby property.**

No. Roads and infrastructure to support this development are already in place.

**Number 3: Whether the property to be affected by the zoning proposal has a reasonable economic use as currently zoned.**

Considering current land costs and market values, 7 units on this parcel would support this economic development.

**Number 4: Whether the zoning proposal will result in a use which will or could cause an excessive or burdensome use of existing streets, transportation facilities, utilities or schools.**

No. Roads and infrastructure to support this development are already in place. Our marketing will be directed toward the active adult community - which would support minimal to no impact on school system.

**Number 5: Whether the zoning proposal is in conformity with the policy and intent of the land use plan.**

Yes. This falls well within the parameters of the land use plan. We are well under the maximum of 6 units to the acre.

**Number 6: Whether there are other existing or changing conditions affecting the use and development of the property which give supporting grounds for either approval or disapproval of the zoning proposal.**

Infill development immediately around this site - and for that matter within the entire city of Smyrna, is currently on the rise. This development will provide momentum and be a quality addition to the neighborhood.

**Number 7: Whether the development of the property under the zoning proposal will conform to, be a detriment to or enhance the architectural standards, open space requirements and aesthetics of the general neighborhood, considering the current, historical and planned uses in the area.**

This development will provide momentum and help set standards for quality development within the neighborhood.

**Number 8: Under any proposed zoning classification, whether the use proposed may create a nuisance or is incompatible with existing uses in the area.**

No. Rezoning is actually more appropriate for this site in that we will be providing an appropriate step down from the commercial property adjacent to our South to the lower density residential property adjacent to our North.

**Number 9: Whether due to the size of the proposed use, in either land area or building height, the proposed use would affect the adjoining property, general neighborhood and other uses in the area positively or negatively.**

This development will positively enhance both the adjoining property and the general neighborhood in that we will be providing a level of quality and beautification that the entire neighborhood will appreciate. The development should increase property values to surrounding residents.

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## Acknowledgement

### Applicant Signature

Steven T. Pacholick  
02/22/2023

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# Rezoning Plat - page 1 of 3

## BaeBrooke Village

City of Smyrna, Georgia, Land Lot 632, 17th District

prepared for:

BaeBrooke, LLC

DGM

LAND PLANNING  
CONSULTANTS



975 Cobb Place  
Bldg Suite 212  
KENNESAW  
GA 30144  
770 514-9006  
FAX 514-9491

### Site Data

Total Site Area: 1.23 AC

Present Zoning: R-8

Proposed Zoning: RDA

Density: 4.87 UN/AC

Total Units Shown: 6

30' wide x 45' deep unit footprints

w/2 car garages

Proposed Building Setbacks:

front: 25'

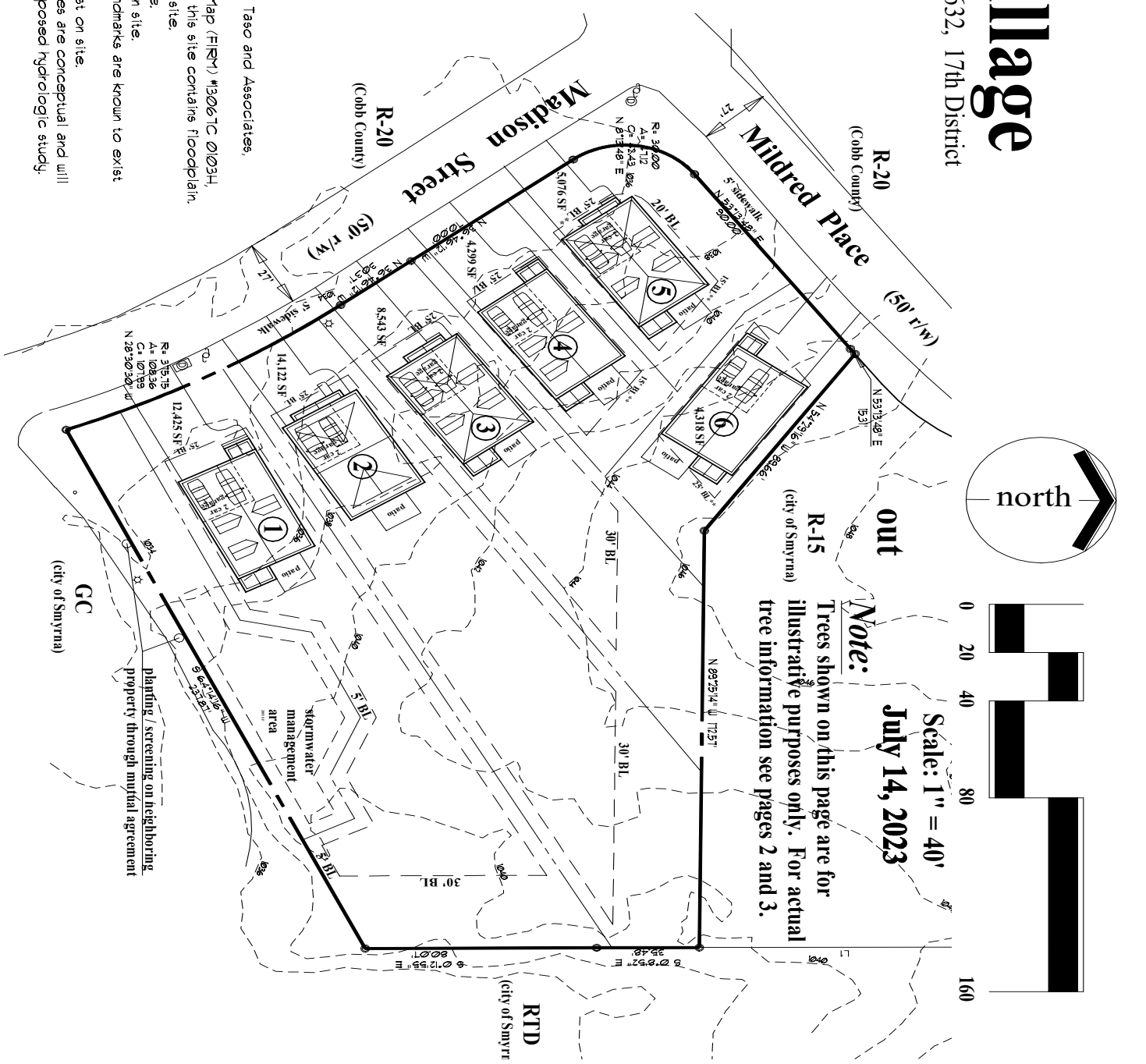
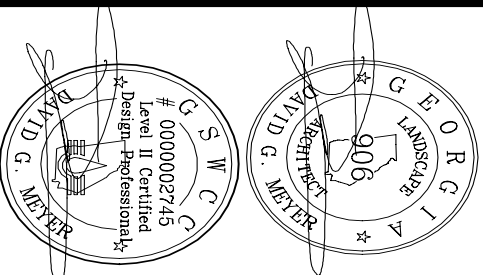
side: 5'

rear: 30'

\*\*denotes variances requested as shown

### General Notes:

1. Boundary survey and topography by Taso and Associates, dated 2020-10-22.
2. According to Flood Insurance Rate Map (FIRM) #13067C 0203H, dated March 4, 2013, no portion of this site contains floodplain.
3. No cemeteries are known to exist on site.
4. No wetlands are known to exist on site.
5. No state waters are known to exist on site.
6. No archeological or architectural landmarks are known to exist on site.
7. No utility easements are known to exist on site.
8. Stormwater and water quality structures are conceptual and will be designed further based on proposed hydrologic study.





## ZONING DISCLOSURE REPORT

Has the applicant\* made, within two years immediately preceding the filing of this application for rezoning, campaign contributions aggregating \$250 or more or made gifts having in the aggregate a value of \$250 or more to the Mayor or any member of the City Council or Planning and Zoning Board who will consider this application?

No.

If so, the applicant\* and the attorney representing the applicant\* must file a disclosure report with the Mayor and City Council of the City of Smyrna, within 10 days after this application is filed.

**Please supply the following information, which will be considered as the required disclosure:**

The name of the Mayor or member of the City Council or Planning and Zoning Board to whom the campaign contribution or gift was made:

N/A

The dollar amount of each campaign contribution made by the applicant\* to the Mayor or any member of the City Council or Planning and Zoning Board during the two years immediately preceding the filing of this application, and the date of each such contribution:

N/A

An enumeration and description of each gift having a value of \$250 or more by the applicant\* to the Mayor and any member of the City Council or Planning and Zoning Board during the two years immediately preceding the filing of this application:

N/A

Does the Mayor or any member of the City Council or Planning and Zoning Board have a property interest (direct or indirect ownership including any percentage of ownership less than total) in the subject property?

No.

If so, describe the natural and extent of such interest: \_\_\_\_\_

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

**ZONING DISCLOSURE REPORT (CONTINUED)**

Does the Mayor or any member of the City Council or Planning and Zoning Board have a financial interest (direct ownership interests of the total assets or capital stock where such ownership interest is 10% or more) of a corporation, partnership, limited partnership, firm, enterprise, franchise, association, or trust, which has a property interest (direct or indirect ownership, including any percentage of ownership less than total) upon the subject property?

No.

If so, describe the nature and extent of such interest:

N/A

Does the Mayor or any member of the City Council or Planning and Zoning Board have a spouse, mother, father, brother, sister, son, or daughter who has any interest as described above?

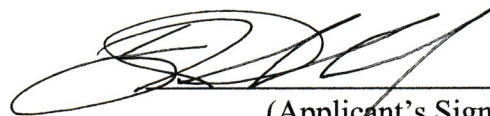
No.

If so, describe the relationship and the nature and extent of such interest:

N/A

If the answer to any of the above is "Yes", then the Mayor or the member of the City Council or Planning and Zoning Board must immediately disclose the nature and extent of such interest, in writing, to the Mayor and City Council of the City of Smyrna. A copy should be filed with this application\*\*. Such disclosures shall be public record and available for public inspection any time during normal working hours.

We certify that the foregoing information is true and correct, this 5 day of March, 2023.

  
(Applicant's Signature)

\_\_\_\_\_  
(Attorney's Signature, if applicable)

**Notes**

\* Applicant is defined as any individual or business entity (corporation, partnership, limited partnership, firm enterprise, franchise, association or trust) applying for rezoning action.

\*\* Copy to be filed with the City of Smyrna Zoning Department and City Clerk along with a copy of the zoning application including a copy of the legal description of the property.

Tree Survey, Protection, and Replacement Plan - page 2 of 3

BaeBrooke Village

City of Smyrna, Georgia, Land Lot 632, 17th District

prepared for:  
BaeBrooke, LLC

Tree Calculations

Site Area Calculation:  
Net Site Area = 123 AC

Tree Density Calculation:  
1.23 AC x 100"/AC = 123 Total Inches Required  
EDF + RDE = SDF  
EDF = 68" (68" of non-specimens + 0" of specimens preserved)  
RDE = 56" (street trees and additional trees  
see plan and tree list)

68" + 56" = 124" SDF  
therefore density is satisfied

Specimen Tree Recompense Calculation:  
No specimen trees exist on site.

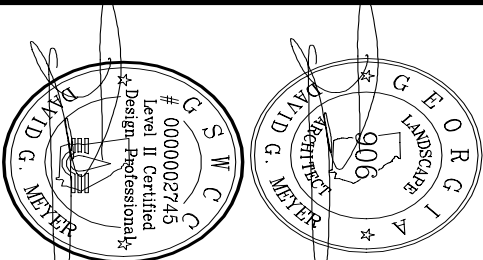
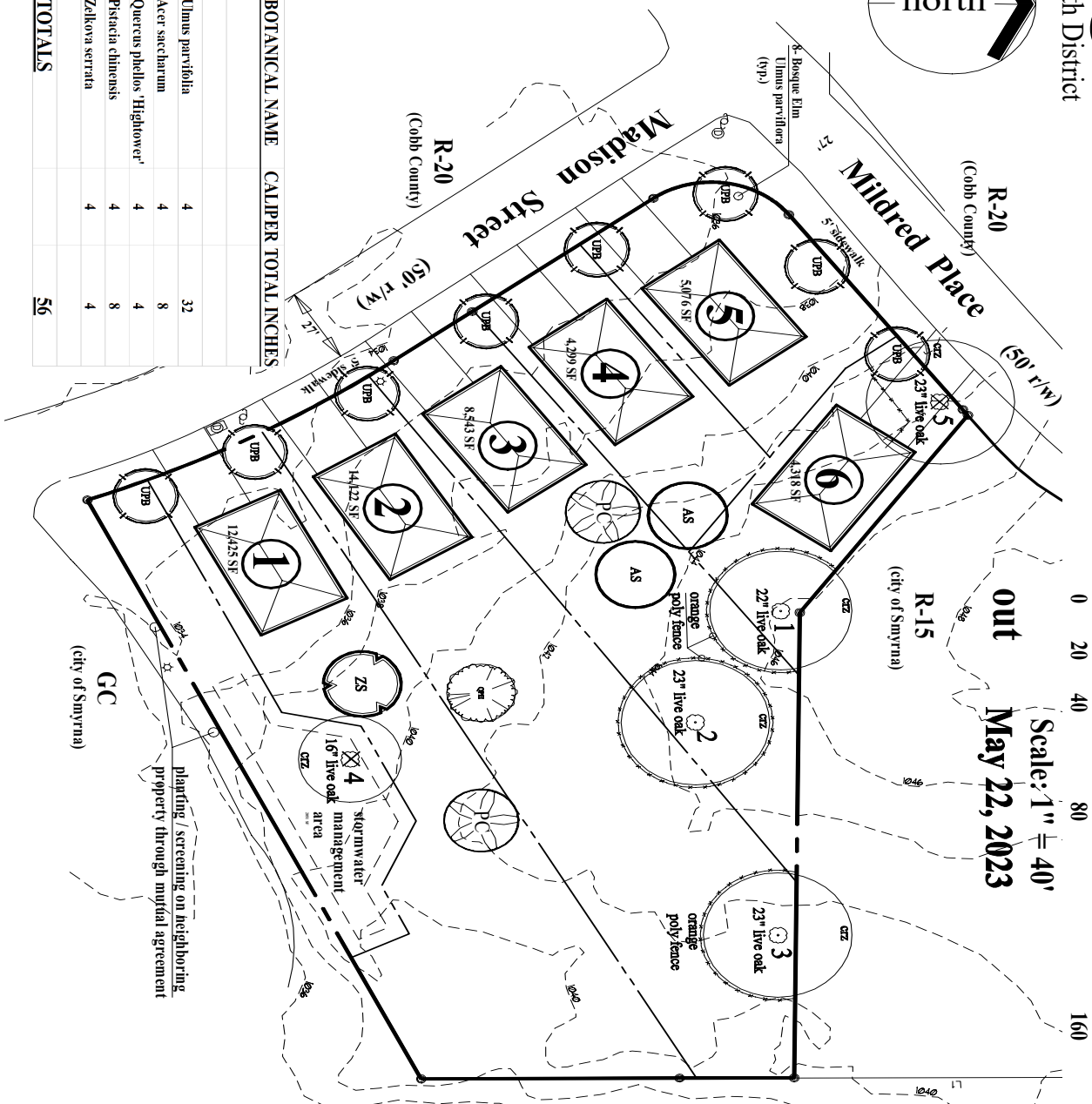
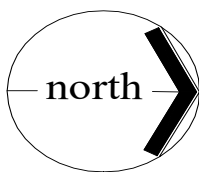
Street Tree Requirement:  
8 trees + will be required per the street tree requirement  
A total of 8 x 4" caliper trees will be provided. Street trees will  
be placed at every viable and appropriate location possible.  
The 8 (32") will be counted to satisfy density requirements.

Preserved Non Specimen Tree Inches

Tree Number	Tree Size DBH (in inches)	Tree Species
1	22 Live Oak	
2	23 Live Oak	
3	23 Live Oak	
Total Inches:		68

PLANT TYPE	LABEL	QUAN.	COMMON NAME	BOTANICAL NAME	CALIPER TOTAL INCHES
Replacement Trees					

(street tree)	UPB	8	Bosque Elm	Ulmus parvifolia	4	32
(replacement tree)	AS	2	Sugar Maple	Acer saccharum	4	8
(replacement tree)	QPH	1	Hightower Willow Oak	Quercus phellos 'Hightower'	4	4
(replacement tree)	PC	2	Chinese Pistache	Pistacia chinensis	4	8
(replacement tree)	ZS	1	Zelkova	Zelkova serrata	4	4
TOTALS						56





January 27, 2021

David Meyer  
**DGM Land Planning Consultants, LLC**  
1635 Old Highway 41, Suite 112-314  
Kennesaw, Georgia 30152  
[dmeyer@dgmipc.com](mailto:dmeyer@dgmipc.com)  
770-427-9064

Re: **Stormwater BMP's @ BaeBrooke Village**  
City of Smyrna, Cobb County, Georgia

Dear Mr. Meyer,

I have reviewed the proposed site plan for the above development. This was done in order to evaluate the best way to provide stormwater controls for the project. In my opinion, the most strategic method to manage the stormwater BMP for this project is to provide a combination of underground detention and infiltration. This hopefully can be accomplished by oversizing the stormwater pipes that will be a part of the overall design of the project. As well as creating infiltration areas with stone to satisfy the treatment requirements of the Georgia Stormwater Manual.

I hope this letter serves as an assessment that the proposed project can be served by conventional stormwater control methods.

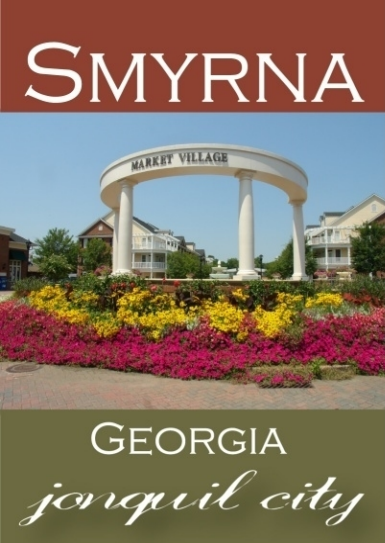
Sincerely,

A handwritten signature in blue ink that reads "Chuck Davis". The signature is stylized with a large "C" and "D".

Chuck Davis, P.E.

Vice President





# **Rezoning Case: Z23-003**

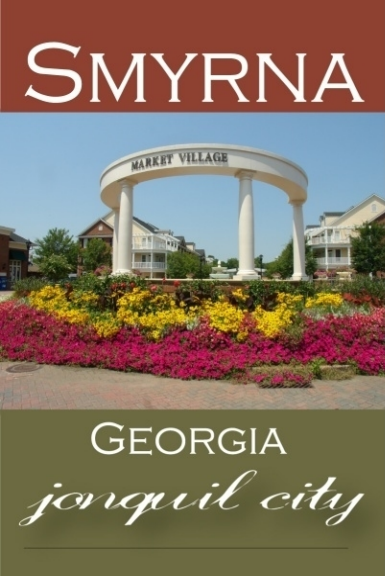
**Applicant: Baebrook LLC**

**Date Submitted: 3/10/2023**

**P&Z Hearing: 6/12/2023**

**P&Z Recommendation: Deny 5-1**

**M&C Hearing: 7/17/2023**



**Location:** Mildred Place & Madison St

**Size:** 1.23 Acres

**Ward:** 3

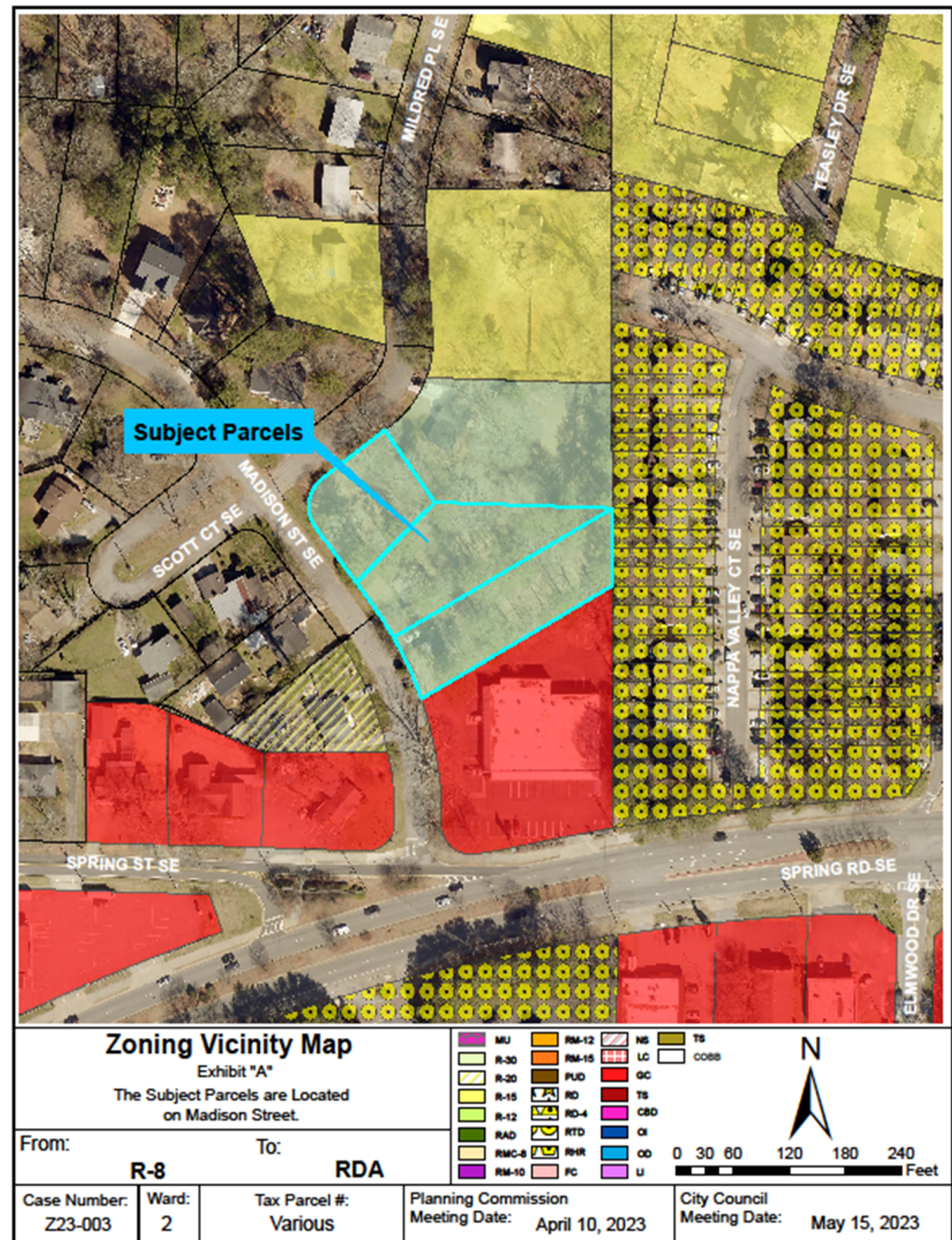
**Existing Condition:** Five (5) Single-family lots

**Proposed Use:** Six (6) New Detached Single-Family Residences

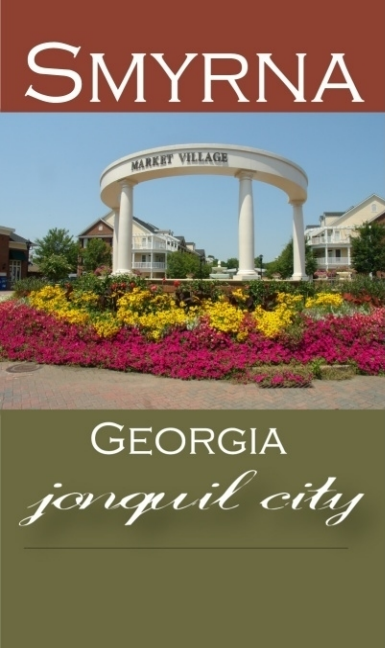
**Existing Zoning:** R-8-Conditional

**Proposed Zoning:** RDA-Conditional

## Zoning Map





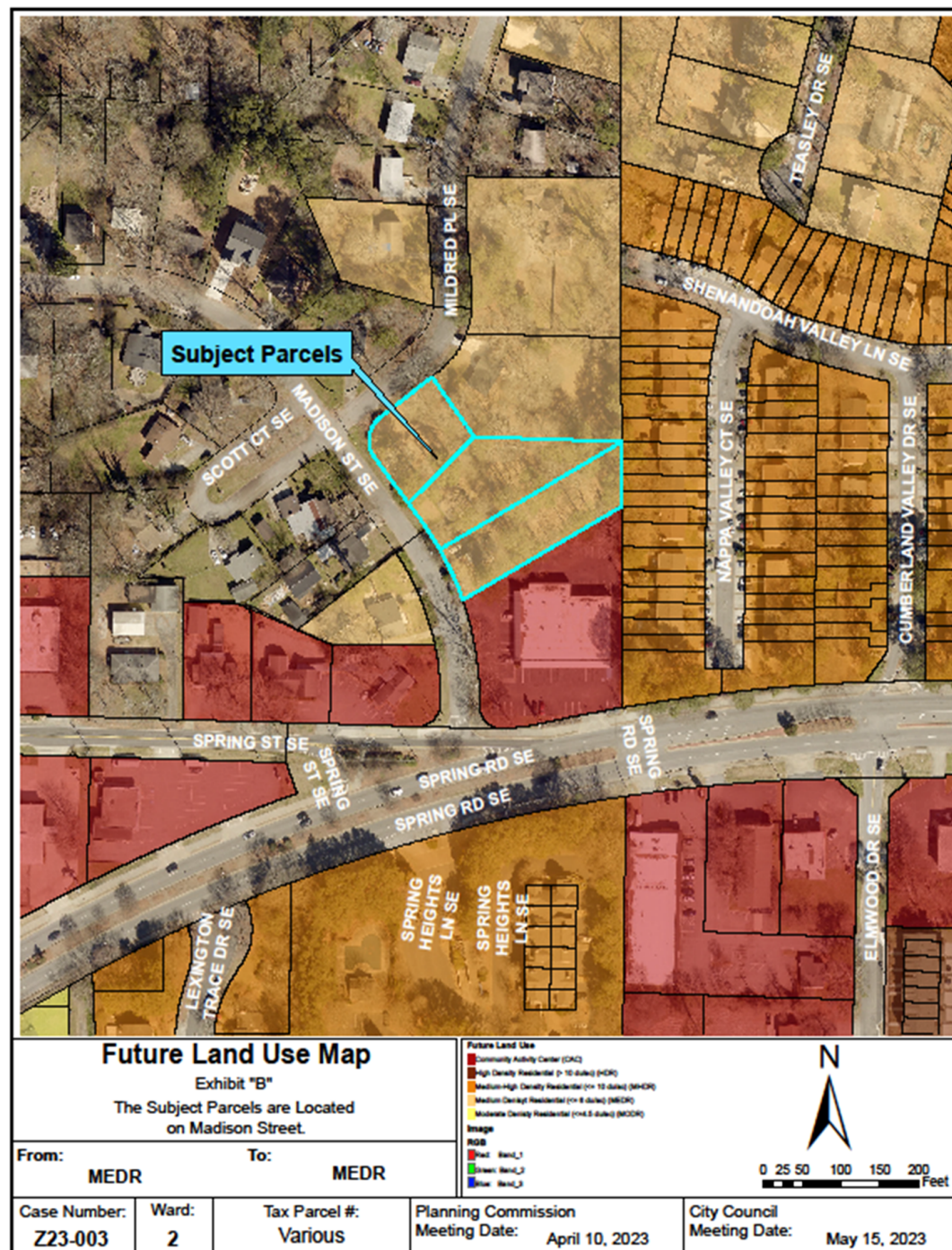


# Future Land Use Map

**Existing Future Land Use:**  
Medium Density Residential

**Proposed Future Land Use:**  
Medium Density Residential

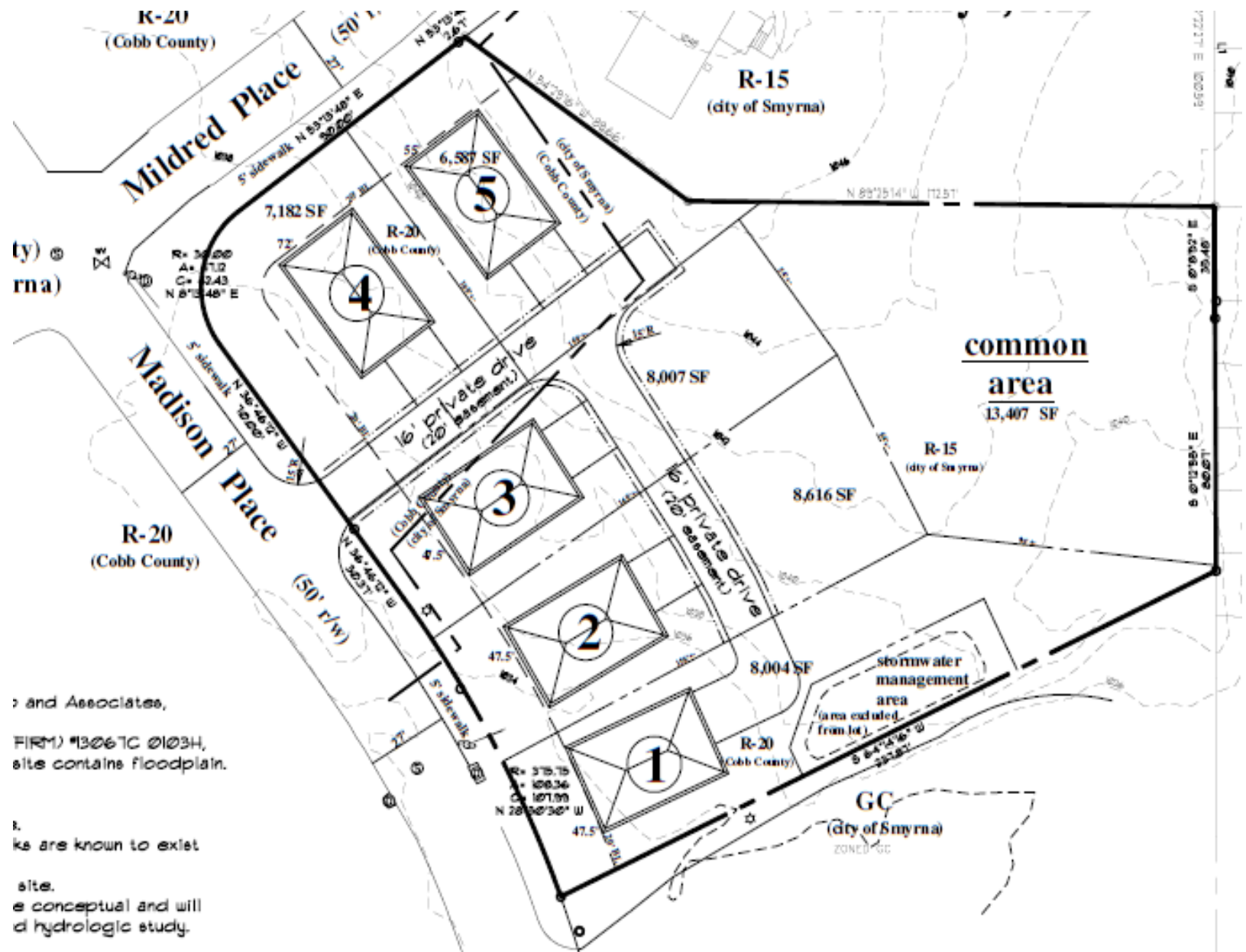
- Adjoining Contiguous Future Land Uses:**
- **North** – Medium Density Residential
  - **East** – Medium High Density Residential
  - **South** – Community Activity Center
  - **West** – Low Density Residential (County)







## Approved R-8 Site Plan





# Proposed Site Plan

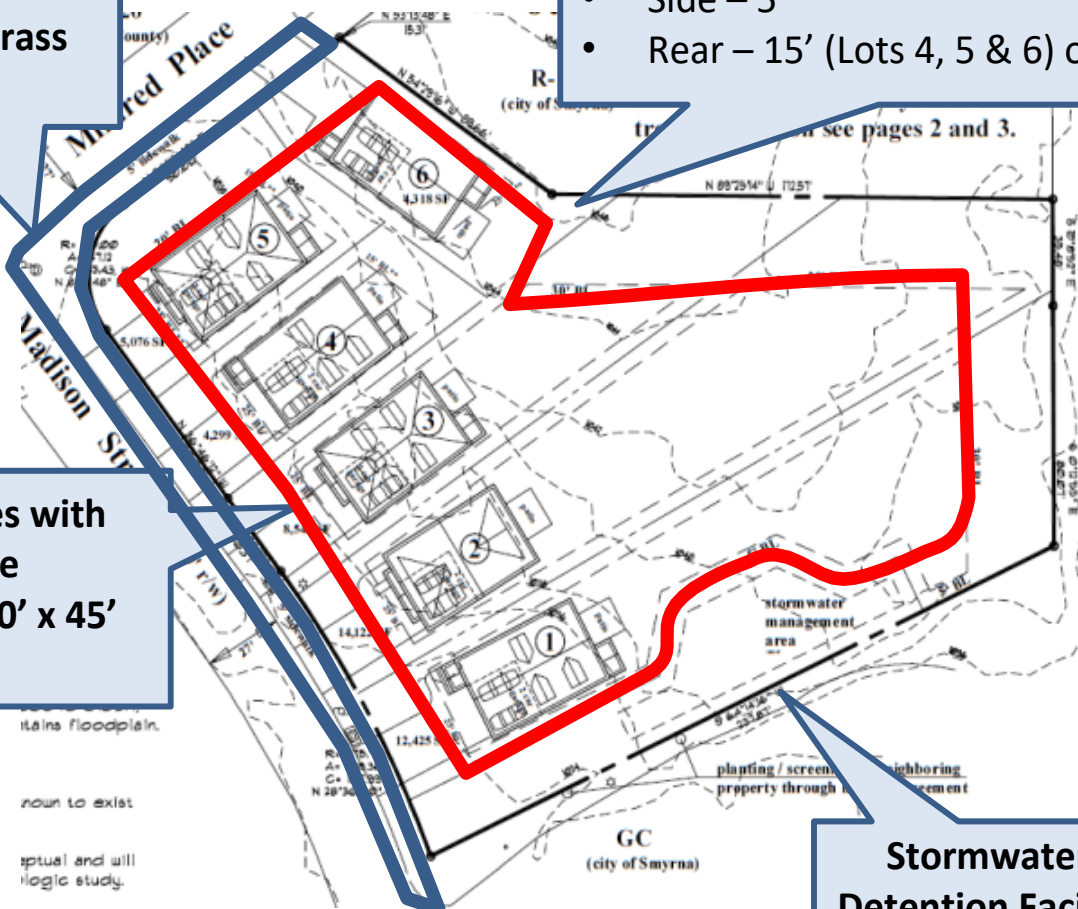
## RDA Zoning District Minimum Setbacks:

- Front – 20' (Lot 5 & 6) otherwise 25'
- Side – 5'
- Rear – 15' (Lots 4, 5 & 6) otherwise 30'

5' Sidewalk & Grass Strip

Front Entry Homes with  
2- Car Garage  
House Footprint 30' x 45'

Stormwater  
Detention Facility



## Requested Variances:

- Allow reduction of minimum lot width from 50' to 40' (**Staff Supports**)
- Allow reduction of minimum lot size from 7,260 sq. f.t to 4,299 sq. ft. (**Staff Supports**)
- Allow reduction of minimum front setback from 25' to 20' for Lot 5 & 6 (**Staff Supports**)
- Allow reduction of minimum rear setback from 30' to 15' for Lots 4, 5, and 6 (**Staff Supports**)

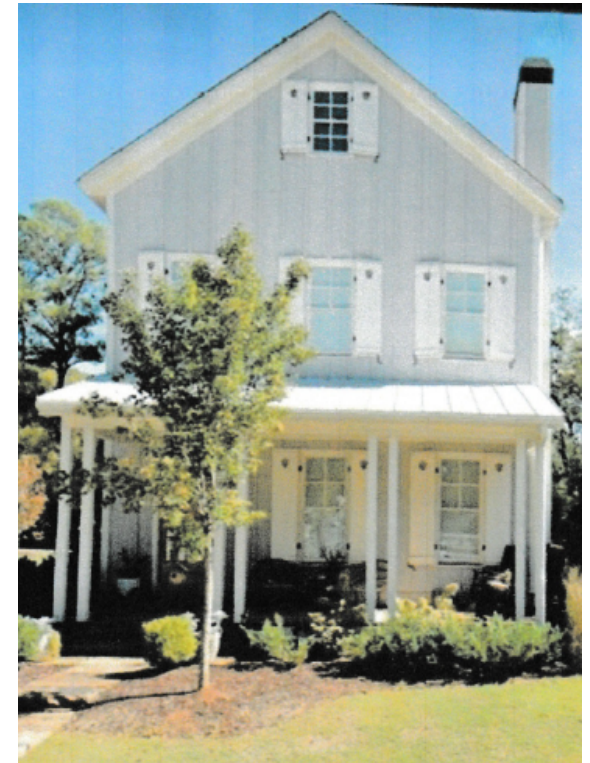


SMYRNA



GEORGIA  
*jonquil city*

# Proposed Home Elevations



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# Proposed Home Elevations







# Picture of Subject Property





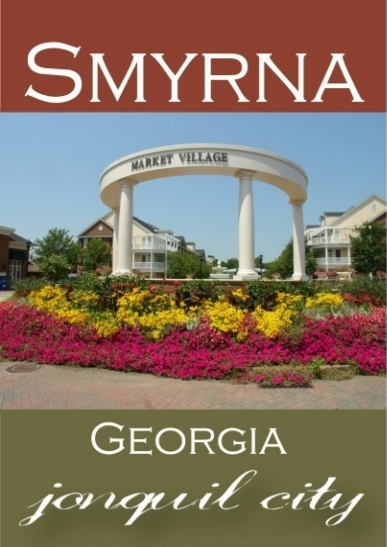
SMYRNA



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# Pictures of Adjacent Property





# Staff Recommendation

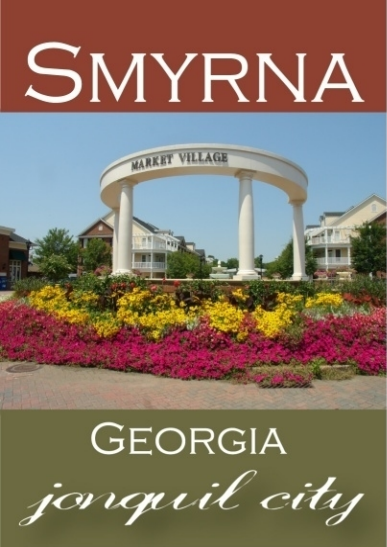
Community Development recommends **approval** of the rezoning from R-8 Conditional to RDA-Conditional for the development of six (6) single-family units at a density of 4.87 units per acre with the following conditions:

## **Standard Conditions**

**(Requirement #2, 3, 4, 5, 8, 9, 10, 12 and 17 from Section 1201 of the Zoning Code is not 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 2' shall be provided between the back of curb and sidewalk.



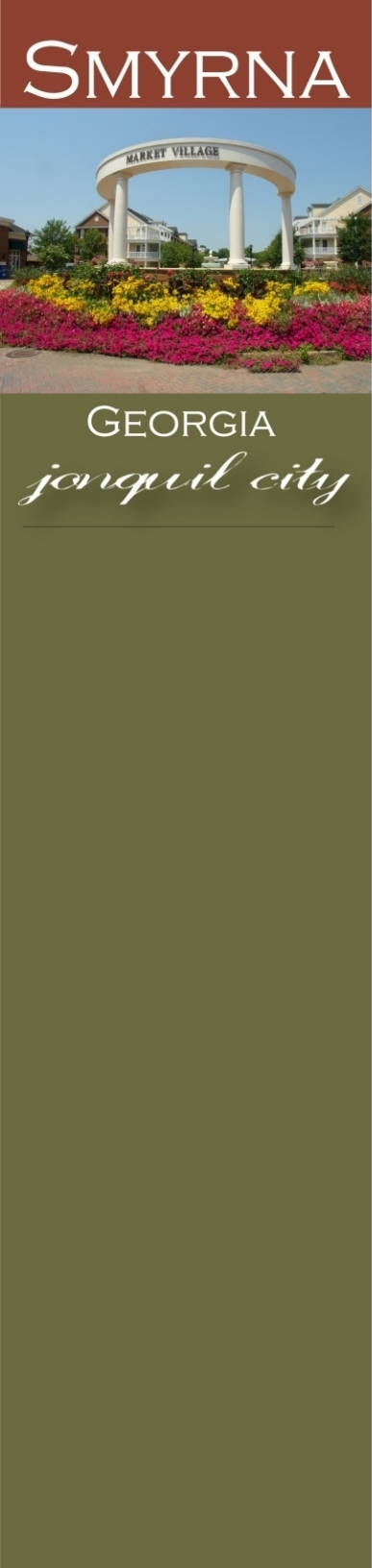


# Staff Recommendation

- (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.

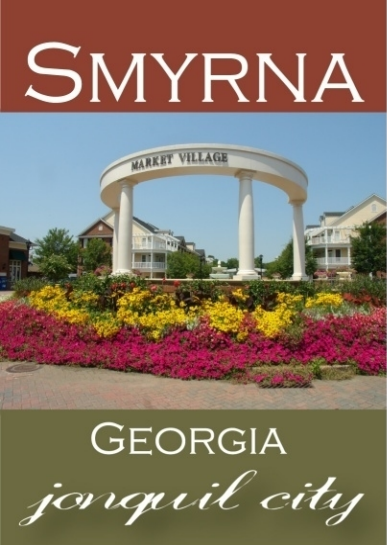
## **Special Conditions**

- (9) The development shall maintain the following **minimum setbacks**:
  - Front – 20'
  - Side – 5'
  - Rear – 15'



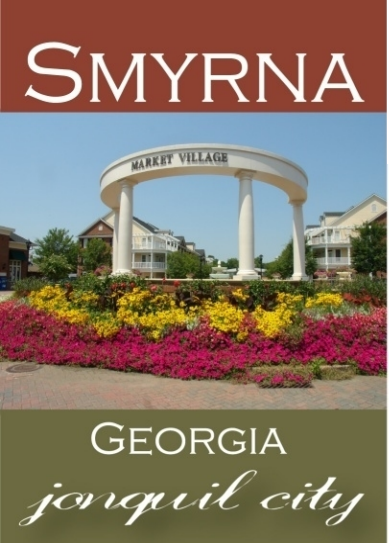
# Staff Recommendation

- (10) The minimum **lot size** shall be **4,299 sq. ft.**
- (11) The minimum **lot width** shall be **40 feet.**
- (12) The **minimum driveway length** shall be **22 ft.** from building face to back of sidewalk.
- (13) The developer shall install a **5 ft. sidewalk and 2 ft. grass strip** at the frontage of property along Mildred Place and Madison 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 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 water and sewer improvements** deemed necessary by the Public Works Director during construction plan review.



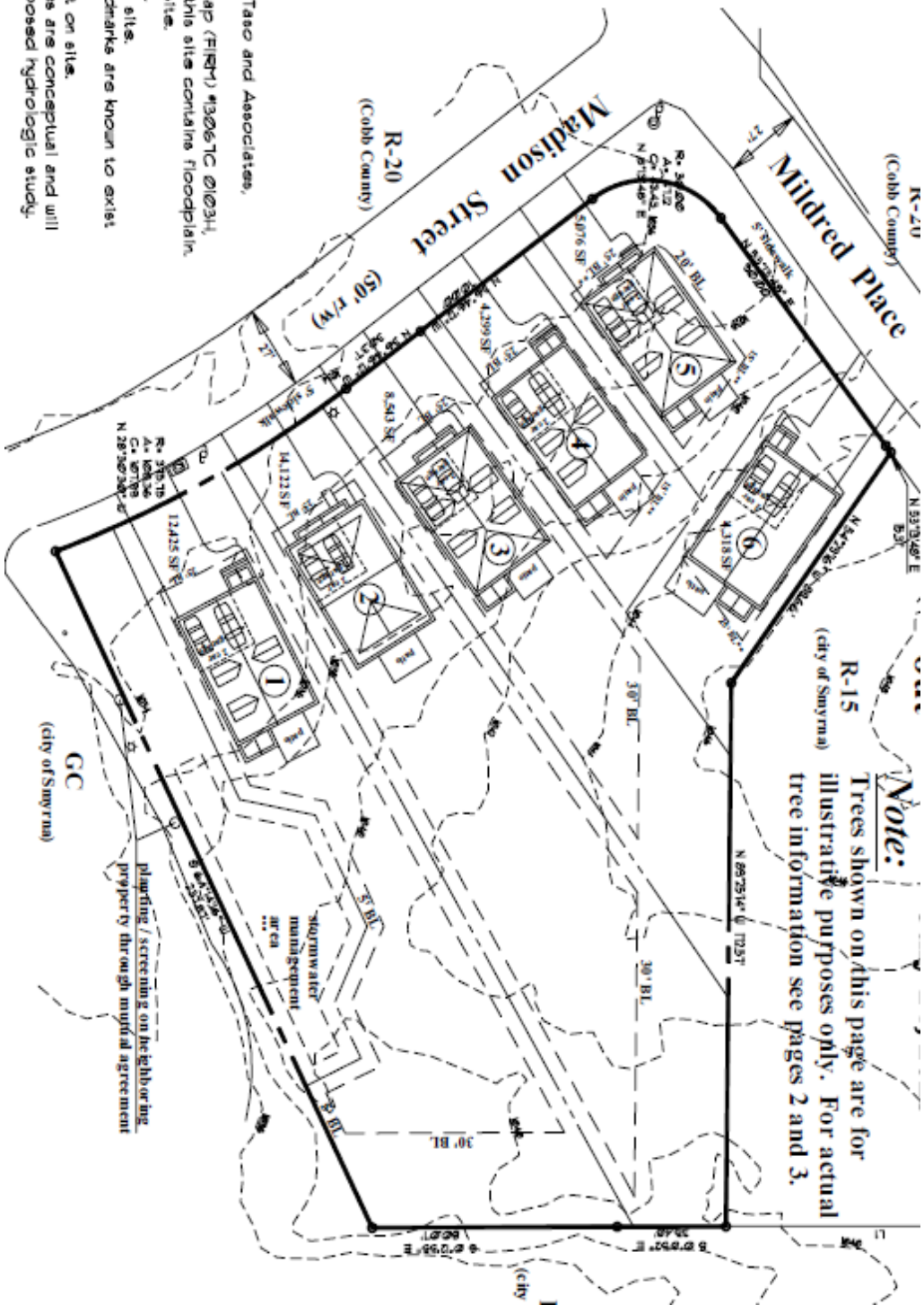
# Staff Recommendation

- (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 7/14/2023** and created by DGM Land Planning Consultants and all zoning stipulations above.
- (18) Approval of the subject property shall be conditioned upon **substantial compliance with the elevations** submitted on 3/10/2023.



# Proposed Site Plan

Map (FIRM) #13067C @1034,  
if this site contains floodplain  
areas, these areas are known to exist  
on site.  
Areas are conceptual and will  
be subject to hydrologic study.





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# Proposed Elevations



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# Proposed Elevations

