

# CITY OF SMYRNA COMMUNITY DEVELOPMENT DEPARTMENT MEMORANDUM

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To: Mayor and Council

From: Ken Suddreth, Community Development Director  
Rusty Martin, AICP, Senior Planner

Date: November 9, 2017

CC: Planning and Zoning Board  
Tammi Saddler-Jones, City Administrator

**RE: ANNEXATION & REZONING CASE Z17-024 – 2475, 2485 & 2495 Dixie Avenue**

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**Applicant:** Longo Homes, Inc.

**Existing Zoning:** R-20

**Titleholder:** Longo Homes, Inc.

**Proposed Zoning:** RAD-Conditional

**Size of Tract:** 1.3 Acres

**Location:** 2475, 2485 & 2495 Dixie Avenue

**Contiguous Zoning:**

**Land Lot:** 490 & 519

North	R-20 (Cobb)
South	R-20 (Cobb)
East	R-20 (Cobb)
West	MU

**Ward:** 3

**Access:** Dixie Avenue

**Hearing Dates:**

**Existing Improvements:** Three Single-Family Residences

P&Z	November 13, 2017
Mayor and Council	December 18, 2017

**Proposed Use:**

Five single-family detached residences at a density of 3.82 units per acre. A land use change from Low Density Residential (Cobb County) to Moderate Density Residential is required for this rezoning.

**Staff Recommendation:**

**Approval** for five new single-family detached residences with conditions.



## 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:

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

*The adjoining properties to the north, south and east are zoned R-20 in Cobb County and are occupied by single-family residences. The properties located to the west across Dixie Avenue and Atlanta Road are zoned Mixed Use (MU) and are occupied by both residential and commercial uses. The proposed rezoning would be consistent with the use and development of adjacent and nearby properties.*

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

*The proposed rezoning and development should not have an adverse affect upon the existing use or usability of nearby properties.*

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

*The subject parcels have a reasonable economic use as currently zoned.*

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.

*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 Director of Public Works, adequate water and sewer capacities are available in the area to accommodate the development associated with the rezoning. Sanitary sewer is located within most of the right-of-way of Dixie Avenue. Depending upon the lot location, a sewer main extension maybe needed by the developer. Water for the proposed development is within the right-of-way of Dixie Avenue. It is the developer's responsibility to determine all elevations and make all water and sewer taps. Due to the location of both water and sewer mains, repaving of the roadway may be necessary. This information is based upon a concept plat titled Dixie Avenue Tract by London Patterson Engineering Support Services dated 7/24/2017.*

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

*Due to the subject property being in located in unincorporated Cobb County and being annexed into Smyrna as part of the rezoning, the rezoning would not be in conformity with the current Cobb County Future Land Use Plan, which indicates the subject parcel has a land use of Low Density Residential (under 3 units per acre). The proposed development of five single-family residences on 1.3 acres yields a density of 3.82 units per acre. A land use change from Low Density Residential to Moderate Density Residential is 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.

*There are changing conditions affecting the use and development of the subject property, which give supporting grounds for the approval of the zoning proposal, such as the redevelopment of the immediate area in a neo-traditional form with new homes on smaller lots. The zoning proposal will be in-line with other existing developments and new infill developments.*

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.

*The proposed development will employ a variety of architectural features and building materials that will enhance neighborhood aesthetics. The development will have to meet the City of Smyrna's Tree Ordinance.*

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

*The proposed use should not create a nuisance to existing uses in the area.*

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.

*Factors associated with the size of the proposed use, in either land area or building height, should have minimal effect upon adjacent properties. The applicant is requesting the following variances to the zoning requirements of the RAD zoning category: (1) Reduction in minimum front setback from 35' to 25'; (2) Reduction in minimum side setback from 10' to 5'; (3) Reduction in minimum lot area from 15,000 sq. ft. to 7,567 sq. ft.; and (4) Reduction in minimum lot width from 100' to 50'. Table 1 below shows the requirements of the RAD & R-20 zoning districts versus the proposed development.*

<b>Table 1: Lot Requirements for RAD Zoning District vs. Proposed Development</b>								
	<b>Min. Lot Size (Square Feet)</b>	<b>Min. Lot Width at Setback Line</b>	<b>Min. Front Setback</b>	<b>Min. Side Setback</b>	<b>Min. Rear Setback</b>	<b>Max. Height</b>	<b>Max. Lot Coverage (percent)</b>	<b>Min. Square Footage</b>
<b>R-20 Zoning District</b>	20,000	100'	35'	12'	35'	35'	35	2,100
<b>RAD Zoning District</b>	15,000	100'	35'	10'	30'	35'	45	1,800
<b>Proposed Lots</b>	7,567	50'	25'	5'	30'	35'	45	1,800

**Note:** Single-family detached dwellings in an RAD district shall meet the minimum side and rear yard requirements specified for the R-15 district.

**Note:** The street side setback for the new lot is reflected as 23.3' due to Section 1202 of the Zoning Ordinance which requires the street side setback to be two thirds the required front setback.

The applicant is seeking approval of an annexation and rezoning for 2475, 2485 & 2495 Dixie Avenue from R-20 (Cobb County) to RAD-Conditional for the development of five single-family detached residences at a density of 3.82 units per acre. The applicant is proposing to demolish the existing three residences and subdivide the three parcels into five new lots and construct five new detached single-family residences. The proposed lots will range from 7,567 sq. ft. to 9,644 sq. ft.. The homes will be front-entry homes with individual driveways off Dixie Avenue. The submitted homes elevations reflect a more traditional style home with a mixture of exterior façade materials and architectural elements. The new homes will enhance the architectural standards of the general neighborhood.

The applicant has proposed a community stormwater management facility for the development. The facility will be located at the rear of the property behind the new homes. The City Engineer has reviewed the proposed concept and believes it should meet the city's stormwater management requirements.

The proposed site plan reflects a 4,458 sq. ft. open space on the south end of the site to meet the requirements for conditional development under Section 1201 of the Zoning Ordinance. Section 1201 requires a minimum of 200 sq. per lot, which equates to 1,000 sq. ft. for this development. The proposed open space exceeds the minimum requirement of Section 1201. In addition, the applicant will provide an amenity feature for the openspace.

The applicant is seeking several variances to setbacks, lot size and lot width. These variances include the following:

1. Reduction in minimum front setback from 35' to 25';
2. Reduction in minimum side setback from 10' to 5';
3. Reduction in minimum lot area from 15,000 sq. ft. to 7,567 sq. ft.; and
4. Reduction in minimum lot width from 100' to 50'.

Community Development has reviewed the requested variances associated with the rezoning and is **supportive of the variances**. The four other variances are typical variances granted to other infill developments in the immediate area.

The proposed rezoning would provide for five residences at an overall density of 3.82 units per acre. This density is not excessive when compared to other previously approved infill developments in the city. Table 2, shows the infill development in the city 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>	Dixie Avenue	5	3.82	7,567	50'
<b>Riley's Walk – P.1</b>	Gilbert Street & Devin Court	26	3.91	6,533	65'
<b>Riley's Walk – P.4</b>	Gilbert Street	4	2.51	16,602	52'
<b>Belmont Avenue</b>	Belmont Avenue & Pierce Avenue	55	5.17	2,754	40'
<b>Adams Drive</b>	Adams Drive & Pierce Avenue	2	4.9	7,430	70'

Community Development has reviewed the proposed development against the zoning standards of the recent adjacent rezonings and found the proposed development to be compatible with the infill development on or near Dixie Avenue. Therefore, Community Development recommends **approval** of the rezoning from R-20 to RAD-Conditional for the development of five single-family units at a density of 3.82 units per acre with the following conditions:

**Standard Conditions**

**(Requirement #2, 8, 9, 10, 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. 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 2' 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 (unless noted elsewhere). 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 – 25'
  - Exterior Side – 10'
  - Interior Side – 5' (with a minimum of 10' between buildings)
  - Rear – 30'
14. Driveway – 22' minimum length from building face to private driveway.
15. The development shall be developed with a minimum lot size of 7,500 square feet.

16. The lots shall be developed with a minimum lot width at the setback line of 50'.
17. The homes shall have a minimum floor area of 1,800 sq. ft.
18. The developer shall provide a 5' sidewalk with a 2' grass buffer along Dixie Avenue for the length of the development.
19. All structures will be built to a maximum height of 35' as measured from the sidewalk along the front elevation.
20. The maximum allowable lot coverage for the property shall be limited to 45%.
21. The developer shall be responsible for the installation of all water and sewer lines in accordance with the requirements of the Public Works Director.
22. No stormwater management facility or portion thereof shall be located on any portion of the proposed lots. The stormwater management facilities shall be solely located on the HOA's property.
23. All trees within the limits of disturbance and not located within a tree protection area must be removed during the land clearing and grading phase of the development.
24. Approval of the subject property for the Residential Attached Detached (RAD) zoning district shall be conditioned upon the development of the property in substantial compliance with the submitted site plan dated 10/13/2017 created by London Patterson Engineering Support Services.
25. The applicant shall be build the homes in substantial compliance with the building elevations submitted and dated 10/13/2017. Approval of any change to the elevations must be obtained from the Director of Community Development.
26. The additional stipulations agreed upon by the applicant in the letter by Garvis Sams submitted and dated on November 7, 2017. If there should be a discrepancy between the stipulations in the November 7, 2017 letter and the stipulations stated above, the stipulations stated above shall apply.



**Figure -1**  
**Subject Property**







**Figure – 2**  
**Adjoining and Adjacent Properties**





