

CITY OF SMYRNA

COMMUNITY DEVELOPMENT DEPARTMENT

MEMORANDUM

To: Mayor and Council

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

Date: August 2, 2021

CC: Joe Bennett, City Administrator
Planning and Zoning Board

RE: **REZONING CASE Z21-010 – 1587 Roswell St**

Applicant: Brad Thompson

Existing Zoning: FC

Titleholder: Tuley & Tuley Inc

Proposed Zoning: R-10 - Conditional

Size of Tract: 1.06 Acres

Location: 1587 Roswell Street

Contiguous Zoning:

Land Lot: 592

North

RM-10

South

OD

East

FC & LC

Ward: 3

West

FC & R-15

Access: Hawthorne Ave & Roswell St

Hearing Dates:

Existing Improvements: 1 Single-family home

P&Z

August 9, 2021

Mayor and Council

September 20, 2021

Proposed Use:

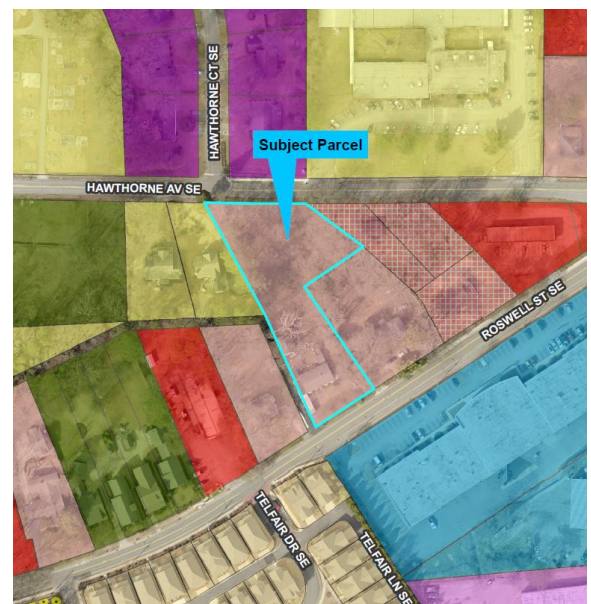
The applicant is requesting a rezoning from FC to R-10-Conditional for the development of four (4) single-family detached units at a density of 3.77 units per acre. A land use change from Industrial Mixed Use to Moderate Density Residential is required for this rezoning.

Staff Recommendation:

Approval of the rezoning from FC to R-10-Conditional for four single-family detached units.

Planning & Zoning Board Recommendation:

Approval by a vote of 6-0 at the August 9, 2021 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:

"The property is in an area that has single-family residential contiguous to it on three sides. The fourth side is an office/light commercial use that has existed for a number of years."

Staff Analysis:

The zoning proposal would result in the development of four (4) single-family homes at a density of 3.77 units per acre. The adjoining properties to the north are zoned RM-10 and are occupied with duplexes. The property to the south is zoned OD and is occupied with a commercial use. The properties to the east are zoned LC and are occupied with single-family homes. The properties to the west are zoned R-15 and LC and are occupied with single-family homes. 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.

Applicant Response:

"No adverse affect to existing uses or future usability of nearby properties."

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 four (4) 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:

"It is currently an eyesore that is in need of an upgrade aesthetically."

Staff Analysis:

The subject parcel has 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.

Applicant Response:

"No additional or excessive burden will be created."

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. 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:

"It is in keeping with the residential nature of the surrounding area."

Staff Analysis:

The proposed development of four (4) single-family detached residences on 1.06 acres yields a density of 3.77 units per acre. The Future Land Use plan identifies the property as Industrial Mixed Use. Therefore, a land use change to Moderate Density Residential is required to allow a density up to 4.5 units per acre. The R-10 zoning district is a compatible zoning district the Moderate Density Residential Future Land Use designation.

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:

"This proposal would serve as an additional anchor for the residential character and nature of this area of Roswell Street."

Staff Analysis:

The overall density for the subject site will increase from 1 unit per acre to a maximum of 3.77 units per acre by adding three additional homes. The proposed rezoning will be compatible with the density established along Roswell Street.

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:

"Streetscape and curb appeal would be greatly improved by the addition of four new homes. Both Hawthorne Avenue and Roswell Street would benefit aesthetically."

Staff Analysis:

The proposed development will employ a variety of architectural features and building materials that will enhance neighborhood aesthetics. The proposed scale of the home will be compatible with the existing homes in the immediate areas. 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.

Applicant Response:

"The proposed use is fully compatible with existing uses in this area."

Staff Analysis:

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:

"Four architecturally styled homes would enhance the immediate area's curb appeal."

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 meets most of the regulations for the R-10 zoning district as shown in Table 1.

Table 1: Lot Requirements for R-10 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
R-10 Zoning District	10,000	50'	40'	7.5'	25'	35'	45	1,500
Proposed Lots	10,712	50'	25'	5'	25'	35'	45	1,500

The following variances are required for the proposed development:

1. Allow the reduction of the front setback from 40 ft. to 25 ft. **(Staff Supports)**
2. Allow the reduction of side setback from 7.5 ft. to 5 ft. **(Staff Supports)**

Project Analysis

Brad Thompson is seeking approval of a rezoning for 1587 Roswell Street from FC to R-10-Conditional for the development of four (4) single-family detached residences at a density of 3.77 units per acre. The existing home will be removed for the construction of four (4) new single-family detached homes. The proposed lots will be between 10,712 and 12,974 sq. ft. Two homes will face Roswell Street and two will face Hawthorne Ave, and all will have front-entry garages. 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 water quality facilities located on each property. The applicant has provided a site plan with the rezoning application for reference. The City Engineer supports the proposed configuration as it meets the requirements of the Georgia Stormwater Management Manual (Blue Book). A formal review of stormwater management requirements will be assessed during plan review and permitting. There is no stream located on the subject property.

Fire Marshal Review

The Fire Marshal's office has reviewed the revised site plan and believes the zoning plan meets the Fire Code requirements for fire truck access and building separation requirements.

Planning Review

The proposed rezoning would provide for four (4) residences at density of 3.77 units per acre as currently proposed. 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) and Industrial Mixed Use. The proposed lot sizes and widths are in line with other nearby developments. Table 2 shows the infill development in the immediate area as it relates to density, lot size and lot width.

Table 2: Proposed Development vs. Infill Developments					
Name of Development	Location	Number of Lots	Site Density	Minimum Lot Size (square feet)	Minimum Lot Width
Proposed Development	Roswell St	4	3.77	15,000	85'
1587 Roswell St	Roswell St	1	1	10,712	50'
1514 Hawthorne	Hawthorne	2	1.5	8,596	50'
1543-1561 Roswell St	Roswell	4	3.05	14,000	50'
Whitfield Parc	Telfair Dr	76	7.9	2,500	32'

Community Development has reviewed the proposed development against the zoning standards of the recent nearby rezonings and found the proposed development to be compatible. The subdivision and construction of four (4) new single-family homes result in a density of 3.77 units per acre on the subject property. The applicant is requesting a rezoning from FC to R-10-Conditional and the proposed zoning is in line with the infill development patterns for this neighborhood and is in compliance with the City's 2040 Comprehensive Plan.

Community Development considers the rezoning to be reasonable as the proposed density of 3.77 units per acre. A land use change from Industrial Mixed Use to Moderate Density Residential is required for the rezoning. The proposed rezoning will require variances for a front setback reduction from 40 ft. to 25 ft. and a side setback reduction from 7.5 ft. to 5 ft.

STAFF RECOMMENDATION

Community Development recommends **approval** of the rezoning from FC to R-10-Conditional for the development of four single-family units at a density of 3.77 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 yards and common areas are to be sodded, and landscaped. Irrigate as appropriate.
7. 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

8. The development shall maintain the RDA setbacks:
Front – 25'
Side – 5'
Rear – 25'
9. The minimum lot size shall be 10,712 sq. ft.
10. The minimum lot width shall be 50 feet.
11. Driveway – 22' minimum length from building face to back of sidewalk.
12. The developer shall install a 5 ft. sidewalk and 2 ft. grass strip at the frontage of property along Hawthorne and Roswell.
13. All structures will be built to a maximum height of 35' as measured from the sidewalk along the front elevation.
14. The developer shall meet all fire access requirements deemed necessary by the Fire Marshal during construction plan review.
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 7/9/2021 and created by Vaughn & Melton and all zoning stipulations above.
18. Approval of the subject property shall be conditioned upon substantial compliance with the elevations submitted on 7/9/2021.

Figure 1 - Subject Property



Figure 2 – Adjacent Property



Figure 3 – Adjacent Property



Figure 4 – Adjacent Property

