

CITY OF SMYRNA

COMMUNITY DEVELOPMENT DEPARTMENT

MEMORANDUM

To: Mayor and Council

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

Date: July 8, 2015

CC: Planning and Zoning Board
Toni Jo Howard, City Administrator

RE: REZONING CASE Z15-013 – 2645 Hickory Hill Drive

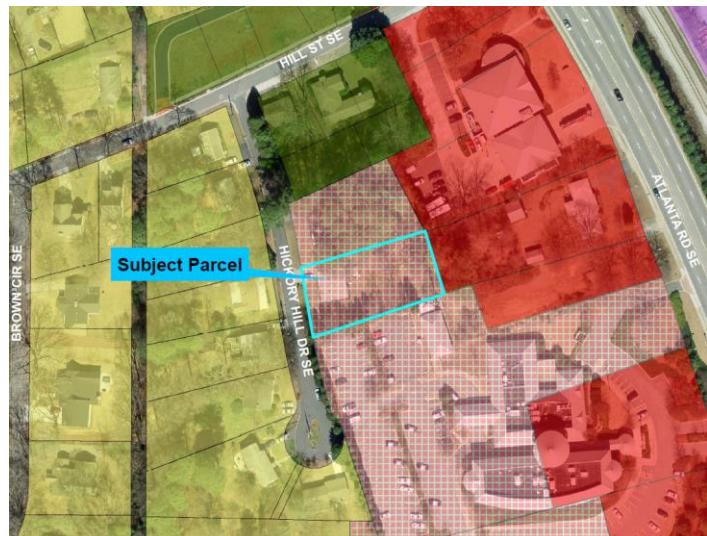
Applicant:	<u>Joseph Kusky</u>	Existing Zoning:	<u>LC</u>
Titleholder:	<u>Joseph Kusky</u>	Proposed Zoning:	<u>R-15-Conditional</u>
		Size of Tract:	<u>0.363 Acres</u>
Location:	<u>2645 Hickory Hill Drive</u>	Contiguous Zoning:	
Land Lot:	<u>520</u>	North	<u>LC</u>
Ward:	<u>3</u>	South	<u>LC</u>
Access:	<u>Hickory Hill Drive</u>	East	<u>GC</u>
Existing Improvements:	<u>One Single-Family Residence</u>	West	<u>R-15</u>
		Hearing Dates:	
		Planning & Zoning	<u>July 13, 2015</u>
		Mayor & Council	<u>August 17, 2015</u>

Proposed Use:

The applicant is proposing the demolition of the existing home on-site and the construction of a new single-family residence. No land use change from Moderate Density Residential will be required for this rezoning.

Staff Recommendation:

Approval of the proposed rezoning 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 proposed rezoning would result in the development of one single-family residence at a density 2.75 units per acre. The adjoining parcel to the north is zoned Limited Commercial (LC) and occupied by a single-family residence. The adjacent property to the west across Hickory Hill Drive is zoned R-15 and occupied by a single-family residence. The adjoining property to the south is zoned Limited Commercial (LC) and occupied by the Smyrna Police Department. The adjoining property to the east is zoned General Commercial (GC) and occupied by a commercial building. The proposed rezoning will result in a down zoning from commercial (LC) to residential (R-15). Because of this, the development will be compatible with adjacent or nearby properties along Hickory Hill Drive.

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 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.

Based upon information provided by the City Engineer, the proposed development is not expected to cause a burden to the existing street network or transportation facilities.

Based upon information provided by the Public Works Director, adequate water and sewer capacities are available in the area to accommodate the development associated with the rezoning. Sanitary sewer is located in the middle of Hickory Hill Drive and water is located on the opposite side of Hickory Hill Drive. Existing service connection should already be stubbed for this property. The developer shall use all existing taps where possible. New taps and the capping of existing taps is the responsibility of the developer. Water meters shall not be located in

driveways. Sanitary sewer elevations are the responsibility of the developer. This information is based on a boundary survey of 2645 Hickory Hill Drive by Lowery and Associates Land Surveying dated 9/18/2014.

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

The 0.363-acre rezoning will be consistent with the City's Future Development Plan. The subject property has a land use designation of Moderate Density Residential (3 to 4.5 units per acre). The density for the proposed rezoning (2.75 units per acre) will not require a land use change in the Future Development Plan.

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.

The applicant is proposing a down zoning from Limited Commercial to R-15 for the construction of a single-family home. The rezoning will result in the demolition of the existing wood frame house and the construction of a new home similar to other homes in the area. The down zoning will eliminate commercial zoning on residential street. If the rezoning passes, the adjoining property to the north will be the only commercial property remaining on Hickory Hill Drive.

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 materials that will conform and enhance the existing neighborhood's aesthetics. The proposed scale of the homes will be compatible with the existing homes in the immediate area. The tree protection plan indicates the required number of tree inches for the site will be met through conservation.

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 due to the fact that the surrounding area is also comprised of single-family residences.

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 a minimal affect upon adjacent properties. The applicant is requesting to rezone the property to R-15-Conditional. The applicant plans to meet all zoning requirements of the R-15 zoning district, except for a variance on the southern side setback. The applicant is seeking a site plan specific

rezoning to deviate from: 1) the required minimum side setback on the southern side of the home from 10' to 7'.

The proposed rezoning from LC to R-15-Conditional would result in the demolition of the existing home and the construction of a new residence at a density of 2.75 units per acre. The new home will front on Hickory Hill Drive Street and have a front-entry two car garage. The applicant has submitted building elevations with the rezoning application that depict the home that will be constructed on this lot. The elevations reflect a three-car garage, but only a two-car garage will be built to comply with zoning setbacks. The proposed home will employ traditional architecture. The design of the new home will enhance the architectural standards of the general neighborhood.

The applicant is proposing to comply will all the zoning requirements of the R-15 zoning district with the exception of a side setback reduction from 10' to 7' due to the orientation of the home and the orientation of the lot on Hickory Hill Drive.

Community Development has review the proposed rezoning request and believes the nature of the request to be compatible with the surrounding neighborhood and in line with previous infill developments. The down zoning of the property from a commercial zoning designation to a single-family residential zoning designation bring the property into conformity with existing conditions of the area. Therefore, Community Development recommends approval of the rezoning the subject property from LC to R-15-Conditional for one single-family home at a density of 2.75 units per acre with the following conditions:

Standard Conditions

(Requirement #2, 3, 4, 5, 8, 9, 10, 12, 16 and 17 from Section 1201 of the Zoning Code is not applicable)

1. All utilities within the development shall be underground.
2. 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. The grass buffer may be waived if it is deemed unnecessary by the City Engineer.
3. No debris may be buried on any lot or common area.
4. 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.
5. All landscape plans must be prepared, stamped, and signed by a Georgia Registered Landscape Architect for any common areas or entrances.
6. All yards and common areas are to be sodded, and landscaped. Irrigate as appropriate.

Special Conditions

7. The development shall maintain the following minimum setbacks:

Front – 35'
Northern Side – 10'
Southern Side – 7'
Rear – 30'

8. The home shall have a minimum floor area of 1800 sq. ft.
9. The driveway shall have a minimum length of 22' from building face to back of sidewalk.
10. The new proposed home shall not exceed two-stories in height.
11. The right-of-ways along Hickory Hill Drive shall be increased to 50 feet. Therefore a dedication of approximately 10' feet is required along Hickory Hill Drive.
12. The developer shall provide a 5' sidewalk with a 2' grass buffer along Hickory Hill Drive for the length of the development.
13. The applicant shall provide a drainage easement to convey stormwater across the property. The City Engineer shall review and approve the size and location of the easement.
14. Approval of the subject property for the R-15-Condition zoning district shall be conditioned upon the development of the property in substantial compliance with the submitted site plan dated 6/12/2015.
15. The applicant shall be bound to the elevations submitted and dated 6/12/2015. Approval of any change to the elevations must be obtained from the Director of Community Development.

**Figure – 1
(Subject Site)**



**Figure – 2
Adjacent House Across Hickory Hill Drive**



Figure – 3
(Adjoining Property to the South – Smyrna Police Station)



Figure – 4
(Adjoining property to the North)

