

CITY OF SMYRNA COMMUNITY DEVELOPMENT DEPARTMENT MEMORANDUM

To: Mayor and Council

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

Date: August 7, 2014

CC: Eric Taylor, City Administrator

RE: REZONING CASE Z14-022 – 2764 Hamby Street

Applicant:	<u>Charter Custom Homes, LLC</u>	Existing Zoning:	<u>R-15</u>
Titleholder:	<u>Stanley D. Cox and Billie J.C. Sappenfield</u>	Proposed Zoning:	<u>RAD-Conditional</u>
		Size of Tract:	<u>0.633 Acres</u>
Location:	<u>2764 Hamby Street</u>	<u>Contiguous Zoning:</u>	
Land Lot:	<u>488</u>	North	R-15
Ward:	<u>3</u>	South	R-15
		East	CBD
		West	R-15 & RAD
Access:	<u>Hamby Street</u>	<u>Hearing Dates:</u>	
Existing Improvements:	<u>One Single-Family Residence</u>	P&Z	August 11, 2014
		M&C	September 15, 2014

Proposed Use:

The applicant is proposing the development of three new detached single-family residences. The density for the site will be 4.75 units per acre. No land use change from Medium Density Residential will be required for this rezoning.

Staff Recommendation:

Approval of the rezoning from R-15 to RAD-Conditional for the three single-family homes at a density of 4.75 units per acre 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 three single-family lots at a density of 4.75 units per acre. The existing home will be demolished and three new homes will be constructed on lots facing Hamby Street. Since the proposed additional single-family homes will be located in the middle of an existing single-family neighborhood; the proposed use is suitable in view of the use and development of adjacent and nearby property.

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. However, water and sewer improvements are required to access the city systems. Water is located on the other side of Hamby Street and will require the developer to bore this street for water services. Sanitary sewer is not available in Hamby Street to the proposed development. The developer will be required to install a sanitary sewer main extension from Powder Springs Street to serve this development. Elevations are the responsibility of the developer.

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

The 0.633-acre rezoning will be consistent with the City's Future Development Plan, which indicates a land use of Medium Density Residential. The proposed density of 4.75 units per acre for the development is well below the maximum allowable density of 6 units per acre for the Medium Density Residential land use classification on the Future Development Plan. The zoning proposal will not require a change of land use on the Future Development Map from Medium Density Residential.

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 area surrounding the subject parcel has continued to redevelop into smaller parcels in a neo-traditional form. The proposed development is consistent with the most recent trends in this portion of the City.

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 home will be compatible with the existing homes in the immediate areas. The tree protection plan indicates the required number of tree inches for the site has been conserved on-site.

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, will have an effect upon adjacent properties. The applicant is requesting to rezone the property to RAD-Conditional. The applicant is seeking a site plan specific rezoning to deviate from: 1) the required minimum lot size; 2) the required minimum lot width; 3) the required minimum front setback; and 4) the required minimum side setback. Table 1 below shows the requirements of the RAD & R-15 zoning districts versus the proposed development.

Table 1: Lot Requirements for RAD Zoning District vs. Proposed Development								
	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-15 Zoning District	15,000	85'	35'	10'	30'	35'	35	2,000
RAD Zoning District	15,000	100'	35'	10'	30'	35'	45	1,800
Proposed Lots	9,227	50'	20'	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 proposed rezoning from R-15 to RAD-Conditional would result in the demolition of existing home and the construction of three new single-family residences at a density of 4.75 units per acre. The proposed homes will be accessed from Hamby. The applicant has submitted building elevations and floor plans for all three residences in the rezoning application. The submitted 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 proposed lots for the rezoning will be 9,169 sq. ft. (lot #1), 9,117 sq. ft. (lot #2) and 9,286 sq. ft. (lot #3). The proposed lots will require several variances from the zoning requirements of the RAD zoning district. These variances include the following: 1) a reduction in the minimum lot size from 15,000 sq. ft. to 9,000 sq. ft.; 2) a reduction in the minimum lot width from 100' to 50'; 3) a reduction in the minimum front setback from 35' to 20'; and 4) a reduction in the minimum side setback from 10' to 5'. These deviations are reflected in Table 1 above. The proposed variances will allow the developer to preserve four specimen trees along the rear property line and build better floor plans. In addition, The proposed setbacks are consistent with the type of setbacks given for recent infill developments.

The applicant has proposed individual stormwater management facilities for each home of the development. These facilities will be located underground and under the driveway of each home. The City Engineer has reviewed the proposed concept and believes it should meet the city's stormwater management requirements.

The applicant is also requesting a waiver from the city's Tree Ordinance with regards to specimen tree recompense. The city requires specimen trees to be recompensed at a rate of 1" per 1" of tree removed. The applicant plans to remove 59" of specimen tree form the site and therefore would be required to replant fifteen 4" caliper trees for recompense. However, the applicant is proposing to preserve four specimen trees at 135" and 5 other tress at 43" for a total of 178" of tree preserved on-site. The applicant is requesting to use the inches over and above the required tree density for the site to be used toward the specimen tree recompense. The site density requirement and specimen tree recompense would be met with the proposed tree plan. The proposed tree plan shows the applicant protecting approximately 50' along the

rear property line and specimen trees #7, #8, #9 and #13 are located within this area. Community Development is supportive of this request.

The proposed rezoning would provide for 3 residences at an overall density of 4.75 units per acre. This density is not excessive when compared to other previously approved infill developments in the city. The single-family homes are located directly across Hamby Street, have lot sizes that range in size from approximately 3,600 sq. ft. to 6,100 sq. ft. Table 2, shows the infill development in the city as it relates to density, lot size and lot width.

Table 2: Infill Developments					
Name of Development	Location	Number of Lots	Site Density	Minimum Lot Size (square feet)	Minimum Lot Width
Morris Circle	Morris Circle & Walker Street	4	3.69	8,876	52'
Joni Mitchell Tract	1524 Walker Street	3	4.37	5,460	40'
Walker Manor	Walker Court & Walker Street	9	4.5	6,200	62'
Walker Street Cottages	Walker Street & Mathews Street	12	4.63	6,960	48'
Jason Allen	Bank Street	3	3.29	11,457	59'
Riley's Walk III	Roswell Street	5	3.03	8,037	54'
Medlin Place	Medlin Street & Duntun Street	16	5.143	6,202	45'
Cottages at King Springs	King Springs Road	11	3.02	13,434	56'
Parkview Village II	Bank Street	3	3.94	11,000	57'
Parkview Village III	Bank Street	13	4.26	6,477	51'
Grady Manor	Grady Street	16	4.11	7,000	50'
Gilbert Street	Gilbert Street	4	2.47	16,602	52'
Church Street	Church Street	2	3.51	12,400	59'
Medlin Park	Medlin Street	4	6.67	6,300	49'
Brown Circle	Brown Circle	2	4	10,772	71'

Community Development has reviewed the zoning proposal against recent infill development and the City's Future Development Plan. The proposed density conforms to the requirements of

the Medium Density Residential land use category. In addition, the requested variances are in-line with similar variances granted in other infill developments.

Community Development recommends **approval** of the request rezoning from R-15 to RAD-Conditional for the construction of three new single-family residences at a density of 4.75 units per acre with the following conditions:

Standard Conditions

(Requirement #2, 3, 4, 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. The detention 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 10% reduction in a 2-year to 100-year storm event. The City Engineer shall approve all plans.
3. All utilities within the development shall be underground.
4. 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.
5. No debris may be buried on any lot or common area.
6. 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.
7. All landscape plans must be prepared, stamped, and signed by a Georgia Registered Landscape Architect for any common areas or entrances.
8. All yards and common areas are to be sodded, and landscaped. Irrigate as appropriate.

Special Conditions

9. The development shall maintain the following setbacks:
Front – 20'

Side – 5' with a minimum building separation of 10'
Rear – 30'

10. Driveway – 22' minimum length from building face to back of sidewalk.
11. The developer shall provide a 5' sidewalk with a 2' grass buffer along Hamby Street for the length of the development.
12. The developer shall be required to bore across Hamby Street for water services.
13. The developer will be required to install a sanitary sewer main extension from Powder Springs Street to serve the development. Elevations are the responsibility of the developer.
14. The developer shall be allowed to count any tree density over and above the city's minimum required density towards specimen tree recompense provided specimen trees #7, #8, #9 and #13 are preserved, as shown on the tree plan submitted and dated 7/11/2014. Should any of these trees not be preserved, the developer shall be required to meet the specimen tree recompense requirements.
15. The developer shall at least one 4" caliper street tree along Hamby Street for each lot. If the 42" hardwood on lot #3 is able to be preserved, lot #3 shall be exempted from this requirement.
16. 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 7/11/2014 created by Craig Wrigley.
17. The applicant shall be bound to the elevations submitted and dated 7/11/2014. Approval of any change to the elevations must be obtained from the Director of Community Development.

Figure – 1
(Subject Site)



Figure – 2
(Adjoining Property to the South)



Figure – 3
(Adjoining Property to the North)



Figure – 4
(Adjacent Property to the East Across Hamby Street)

