

CITY OF SMYRNA

COMMUNITY DEVELOPMENT DEPARTMENT

MEMORANDUM

To: Mayor and Council

From: Ken Suddreth, Community Development Director
Caitlin Crowe, Planner I

Date: March 12, 2019

CC: Tammi Saddler-Jones, City Administrator

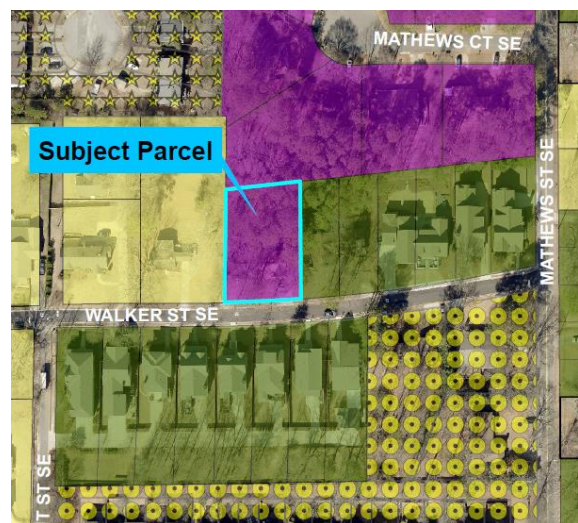
RE: REZONING CASE Z19-004 – 1601 Walker Street

| | | | |
|-------------------------------|---|----------------------------------|------------------------|
| Applicant: | <u>M. Junger Homes, LLC</u> | Existing Zoning: | <u>RM-10</u> |
| Titleholder: | <u>Matthew Junger</u> | Proposed Zoning: | <u>RDA-Conditional</u> |
| Location: | <u>1601 Walker Street</u> | Size of Tract: | <u>0.35 Acres</u> |
| Land Lot: | <u>593</u> | <u>Contiguous Zoning:</u> | |
| Ward: | <u>3</u> | North | RM-10 |
| Access: | <u>Private drives off Walker Street</u> | South | RDA |
| Existing Improvements: | <u>One duplex building</u> | East | RDA |
| | | West | R-15 |
| | | <u>Hearing Dates:</u> | |
| | | P&Z | March 11, 2019 |
| | | Mayor and Council | April 15, 2019 |

Proposed Use:
The applicant is requesting a rezoning from RM-10 to RDA-Conditional for the development of two (2) single-family detached units at a density of 5.71 units per acre. A land use change is not required for this rezoning.

P&Z Board Recommendation:
Approval with staff conditions by vote of 7-0.

Staff Recommendation:
Approval of the rezoning from RM-10 to RDA-Conditional for two new single-family detached units.



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 zoning proposal would result in the development of two (2) single-family homes at a density of 5.71 units per acre. The adjoining property to the north is part of the Cumberland Corners subdivision of duplexes and is zoned RM-10. The property located to the east was rezoned from RM-10 to RDA-Conditional in March 2014 to replace a duplex with two detached single-family homes. The properties to the south are zoned RDA-Conditional and are occupied by single-family homes that are part of the Walker Street Cottages subdivision. The property to the west is zoned R-15 and is currently occupied by a single-family detached unit. 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. The zoning proposal will not change the density for the site.

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 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 Walker 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.

The RDA zoning district is a compatible zoning district the Medium Density Residential (4.51 to 5.99 units per acre) Future Land Use designation. The proposed development of two residences on 0.35 acres yields a density of 5.71 units per acre. No land use change from Medium 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.

The overall density for the subject site will not be changing as one duplex property will be replaced with two single-family detached units on individual lots. The proposed rezoning will be in line with previous rezonings (Z14-005 and Z04-024) on adjacent property in the immediate area.

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 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.

The proposed use should not create a nuisance to existing uses in the area. The number of residential units and density will remain unchanged with this rezoning.

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 rezoning request meets all current regulations for the RDA zoning district.

M. Junger Homes, LLC is seeking approval of a rezoning for 1601 Walker Street from RM-10 to RDA-Conditional for the development of two single-family detached residences at a density of 5.71 units per acre. The applicant is proposing to demolish the existing duplex and then subdivide the parcel into two lots and construct two individual single-family residences. The

number of units and density will remain unchanged from what currently exists on-site today. The proposed lots will be 7,495 sq. ft. and 7,593 sq. ft.. Each proposed home will be a front-entry home and will face Walker Street. In addition, each lot will have its own stormwater detention facility located at the rear of the property. The applicant has provided a site plan with the rezoning application for reference. The applicant has submitted building elevations and floor plans for each home in the rezoning application. The applicant proposes to use brick and siding for the façade materials for each home.

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.

The proposed rezoning would provide for two (2) new residences at density of 5.71 units per acre. The subject property is located in an area with a future land use designation of Medium Density Residential (4.51 to 5.99 units per acre). The proposed lot sizes and widths are in line with other nearby developments. Table 1 shows the infill development in the immediate area as it relates to density, lot size and lot width.

| Table 1: Proposed Development vs. Infill Developments | | | | | |
|--|--------------------------------|-----------------------|---------------------|---------------------------------------|--------------------------|
| Name of Development | Location | Number of Lots | Site Density | Minimum Lot Size (square feet) | Minimum Lot Width |
| Proposed Development | 1601 Walker St | 2 (2 units) | 5.71 | 7,495 | 50’ |
| Existing Use | 1601 Walker St | 1 (2 units) | 5.71 | 15,058 | 100’ |
| 1607 Walker Street | 1607 Walker St | 2 | 5.56 | 7,233 | 50’ |
| 1498 Walker Street | 1498 Walker St | 3 | 4.49 | 9,400 | 54’ |
| Joni Mitchell Tract | 1524 Walker Street | 3 | 4.37 | 5,460 | 40’ |
| Walker Street Cottages | Walker Street & Mathews Street | 12 | 4.63 | 6,960 | 48’ |

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 demolition of the existing duplex and construction of the two single-family homes will result in no change in the number of residential units or density on the subject property. In addition, the applicant is requesting a down zoning from RM-10 to RDA-Conditional, which will limit the number of permitted uses and bring the property in line with the rest of the neighborhood. 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. Therefore, Community Development recommends **approval** of the rezoning from RM-10 to RDA-Conditional for the development of two single-family units at a density of 5.71 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.
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 – 25'
Side – 7.5'
Rear – 30'
10. Driveway – 22' minimum length from building face to private driveway.

11. The right-of-way along Walker Street shall be increased to 50 feet. Therefore a dedication of approximately 10' feet is required along Walker Street.
12. The developer shall provide a 5' sidewalk with a 2' grass buffer along Walker Street for the length of the development.
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.

Figure -1
Subject Property



Figure - 2
Adjoining Property to the West



Figure – 3
Adjoining Property to the East



Figure – 4
Adjacent Property to the South Across Walker Street

