

CITY OF SMYRNA COMMUNITY DEVELOPMENT DEPARTMENT MEMORANDUM

To: Mayor and Council

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

Date: July 10, 2014

CC: Eric Taylor, City Administrator

RE: Rezoning Case Z14-019 – Smyrna Grove – 490 Windy Hill Road

Applicant: Smyrna Residential, LLC

Existing Zoning: RM-12

Titleholder: Smyrna Downtown
Development Authority

Proposed Zoning: RAD-Conditional

Size of Tract: 47.396 Acres

Location: 490 Windy Hill Road

Contiguous Zoning:

Land Lot: 274, 303 and 304

North GC & OD

South R-15

East GC

Ward: 5

West Cobb R-20

Access: Windy Hill Road, Old Concord
Road & Benson Poole Road

Hearing Dates:

**Existing
Improvements:** Vacant Site

P&Z July 14, 2014

Mayor and Council August 18, 2014

Proposed Use:

Rezoning from RM-12 to RAD-Conditional for 194 single-family detached residences on 47.396 acres at a density of 4.09 units per acre. No land use change from Urban Residential is required for rezoning.

Staff Recommendation:

Approval 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 will produce a single-family, detached development of 194 units accessed from Windy Hill Road, Old Concord Road and Benson Poole Road. The adjoining properties to the north across Windy Hill Road are zoned GC and OD and are occupied by retail uses and a self-storage facility. The adjacent properties to the east across Old Concord Road are zoned GC and are occupied by retail uses. The adjacent properties to the south are zoned R-15 and are occupied by single-family residences. The adjacent properties to the west across Benson Poole Road are zoned R-20 in Cobb County and are occupied by single-family residences and apartments. The immediate area around the development is made up of varying uses from single-family homes to apartments to commercial retail centers. The zoning proposal will permit a use that 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 zoning proposal will result in the down zoning of the property from RM-12 (multi-family residential) to RAD-Conditional (single-family residential). The property was previously developed with a 726 unit apartment complex. 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. The subject property was formerly developed as a 726 unit apartment complex. The zoning proposal for 194 single-family units will result in a net

reduction of 556 residential units. The existing infrastructure will be able to accommodate the proposed development.

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. Water is located on Windy Hill Road, Old Concord Road and Smyrna Powder Springs Road. Availability of adequate supply and pressure shall be determined by the developer with a minimum of 1500 gpm @ 20 psi at the highest elevation. All existing water mains within the development shall be removed. Sanitary sewer is available to the proposed development. A portion of the sanitary sewer that runs through the proposed development from Windy Hill Road shall be replaced and relocated. This portion shall also remain live at all times. All existing sanitary sewer piping within the development shall be removed and replaced. The development shall connect to the existing m/n 3137 located on Smyrna Powder Springs Road. Elevations are the responsibility of the developer.

Based on information provided by Cobb County School District, the zoning proposal could negatively affect enrollment at Campbell Middle School, which is over capacity by 105 students at this time. The zoning proposal will not negatively affect enrollment at Belmont Hills Elementary and Campbell High, which are currently under enrolled.

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

The zoning proposal is in conformity with the City's Future Development Plan, which indicates the subject parcel has a land use of Urban Residential (> 6 units per acre). The applicant has proposed a density of 4.09 units per acre, which is allowable under the Urban Residential land use classification. No land use change is required for this 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 subject property was formerly developed in the 1960's as a 726 unit apartment complex. The property deteriorated to the point, the property was going to fall into foreclosure. Prior to foreclosure, the city made an offer to buy the property for redevelopment purposes. Since purchasing the property, the city has demolished all the buildings on-site and has actively marketed the property for redevelopment opportunities. The redevelopment of this property will positively affect the immediate area and create a halo effect for surrounding properties. From the City's perspective, changing the property from transient uses to an owner-occupied use is beneficial to the surrounding 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 zoning proposal will enhance the general neighborhood with regards to architectural standards and open space. The developer is proposing to save approximately 7.28 acres of property for open space and amenities, which will include two large parks and amenity features. In addition, the applicant has provided building elevations for the homes planned for this community. The homes are planned to be traditional in nature and be in-line with recent infill developments within the city.

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, 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 at setback line; 3) the required minimum front setback; 4) the required minimum side setback; and 5) the required minimum rear setback. Table 1 below shows the requirements of the RAD & R-15 zoning districts versus the 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	4,245	50'	10'	5'	10'	35'	45	1,800

The proposed rezoning would provide for the development of 194 single-family detached residences with access provided from Windy Hill Road, Old Concord Road and Benson Poole Road. The residences will employ a variety of building materials and architectural features (see submitted renderings). The residences will utilize both front-entry (homes along the perimeter of the property) and rear-entry garages (homes in the interior of the property).

The proposed development's density is in-line with other recently approved single-family subdivisions in the city. The proposed minimum lot size of 4,245 sq. ft. is significantly smaller

than other approved single-family subdivisions. The need to cluster development on smaller lots is being requested to accommodate the subject parcel's unique characteristics of topography and the water feature. 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'
McLinden Avenue	McLinden Avenue	2	5.5	7,747	80'

The City Engineer has reviewed the conceptual plan for stormwater detention and believes the proposed plan will be achievable on-site and meet all the City's stormwater requirements. The existing lake will be used as an amenity feature for the development, as well as serve as the developments stormwater management facility.

All existing water and sewer lines will be replaced along with the construction of an entirely new road system through the development. The developer is providing 110 parallel parking spaces throughout the development for guest parking. The access point off Windy Hill Road and Old Concord Road will be gated through the construction process and then the gates will be removed when the streets are dedicated to the city. The developer is preserving 7.28 acres for green space. The developer will be required to comply with all aspects of the City's Tree Ordinance.

The previous apartment complex was such a blight on the immediate area surrounding the subject property that the proposed development will have a profoundly positive impact on the surrounding properties. This rezoning has the opportunity to significantly impact the complexion of the immediate area. Therefore, Community Development recommends **approval** of the rezoning request from RM-12 to RAD-Conditional for 194 single-family units at a density of 4.09 units per acre with the following conditions:

Standard Conditions

(Requirement #2, 16 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 with a mandatory homeowners association 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 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.
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. The developer shall install a deceleration lane at the main entrance for the subdivision. The deceleration lane shall have a minimum length of 150' with a 50' taper.
8. A strip of brick pavers or stamped concrete shall be installed on the street at the subdivision entrance for a minimum distance of 20 feet.
9. The development of any streets (including private) shall conform to the City's standards for public right-of-ways.
10. No debris may be buried on any lot or common area.
11. 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".
12. 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.
13. All landscape plans must be prepared, stamped, and signed by a Georgia Registered Landscape Architect for any common areas or entrances.
14. All yards and common areas are to be sodded, and landscaped. Irrigate as appropriate.
15. All single-family residential lots shall provide the following at the time of certificate of occupancy: either two 3" caliper trees or one 2" caliper and one 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

16. Minimum floor area shall be 2,000 square feet.
17. The development shall maintain the following setbacks:

Alley Access Homes

Front – 10'

Side – 5' (Minimum 10' Between Houses)

Rear – 15' (except lots 146 – 150, which shall have 14' rear setback)

Right-of-Way Access Homes

Front – 10'

Side – 5' (Minimum 10' Between Houses)

Rear – 10'

18. All driveways shall have the following minimum lengths:

- Alley Accessed Homes – 20' from building face to back of curb.
- Right-of-Way Accessed Homes – 22' from building face to back of sidewalk or curb (if no sidewalk is present).

19. Gate entrances shall include adequate space to safely stack three automobiles. A turnaround shall also be provided to allow visitors who are denied entrance in to the subdivision a way to enter the exit lane. The developer will install an emergency gate access system, subject to approval by the City Fire Marshall.

20. The developer shall provide 10' multi-use trail along Windy Hill Road.

21. The mandatory homeowners association must include rules that regulate and control the following:

- Each unit shall have a two-car garage.
- No outside storage shall be permitted, with the exception of firewood and lawn furnishings, or as otherwise prohibited in the protective covenants.
- All garbage containers must be screened from view of all public rights-of-way.

22. 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 6/13/2014 created by Paradigm Engineering Services, Inc.

23. The applicant shall be bound to the elevations submitted 6/13/2014 and created by gmd Design Group of Georgia. Approval of any change to the elevations must be obtained from the Director of Community Development.

(Subject Property)



**Figure – 2
(Subject Property)**



Figure – 3

(Subject Property)



Figure – 4
(Subject Property)



Figure – 5

(Subject Property)



Figure – 6
(Subject Property)

