

CITY OF SMYRNA

COMMUNITY DEVELOPMENT DEPARTMENT

MEMORANDUM

To: Mayor and Council

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

Date: February 13, 2018

CC: Tammi Saddler-Jones, City Administrator
Planning and Zoning Board

RE: REZONING CASE Z18-002 – 596 Concord Road

Applicant:	<u>William & Kathryn Rhodes</u>	Existing Zoning:	<u>R-15</u>
Titleholder:	<u>Giles W. Shepherd</u>	Proposed Zoning:	<u>LC</u>
Location:	<u>596 Concord Road</u>	Size of Tract:	<u>0.2588 acres</u>
Land Lot:	<u>340 & 381</u>	Contiguous Zoning:	
Ward:	<u>3</u>	North	LC
Access:	<u>Concord Road</u>	South	GC
Existing Improvements:	<u>One Single-Family Residence</u>	East	R-15
		West	R-20 (Cobb)
		Hearing Dates:	
		Panning & Zoning	January 8, 2018
		Mayor and Council	February 19, 2018

Proposed Use:

Rezone the subject property from R-15 to LC for use as an office building. There shall be no land use change from Community Activity Center is required for rezoning.

Planning and Zoning Board

Recommendation:

Approval with staff conditions by vote of 6-0.

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.

A majority of the properties along Concord Road are single-family homes that have been converted to commercial uses. Many of these properties were formerly residences, but are now being used for professional offices and other commercial businesses. The adjoining property to the north is zoned Limited Commercial (LC) and is being used as office space. The adjoining property to the east is zone R-15 and is occupied by a single-family residence. The adjoining property to the south is zoned General Commercial (GC) and is occupied by a small office park. The adjacent properties to the west across Concord Road are zoned R-20 in Cobb County and are occupied by single-family homes. The zoning proposal will permit a use that is suitable in the view of the use and development of adjacent and nearby property along Concord Road.

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 will not adversely affect the existing use or usability of adjacent or nearby property.

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 a 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 from the City Engineer, the zoning proposal will not cause an excessive or burdensome use of existing streets or transportation facilities.

Based upon information from the Public Works Director, the zoning proposal will not cause an excessive or burdensome use of utilities. Water is available to the property and is located on the south side of Concord Road. Sanitary sewer is not available to the property and the property is currently on septic. Cobb Douglas Environmental Health Department has inspected the septic system and has determined the system can accommodate the proposed office use.

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 of Smyrna Future Land Use Map, which designates this property as Community Activity Center (CAC). The LC zoning district and the proposed office use are acceptable under the city's CAC land use designation. No change to the city's Future Land Use Map 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 change from R-15 to LC is consistent with other areas along Concord Road, which are dominated by small office and commercial uses. By rezoning the subject parcel to LC, the property will be in consistent with adjacent or nearby properties along Concord Road.

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 rezoning will not have a negative effect upon the general neighborhood. The proposed use of the property is similar to the use on the adjoining properties in the immediate area. The applicant is proposing to improve the outside façade of the structure. In addition to the exterior modifications, the applicant will be adding four (4) parking spaces to the property to accommodate parking for the commercial use. The applicant will be required to meet all applicable building and fire codes for a commercial establishment.

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 (office space) will not create a nuisance to adjacent properties provided future uses are limited to uses allowed under the LC zoning district.

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.

The structure on the property will remain relatively unchanged with minor improvements to the exterior façade. Therefore, the factors associated with the use, land area or building height will not have an impact upon the adjacent properties.

William and Kathryn Rhodes are proposing to rezone the property at 596 Concord Road from R-15 to LC for the use of the existing structure as an office building for an association group that manages non-profit organizations. The proposed business will have three (3) employees

on-site. The subject property is currently vacant. The subject parcel is currently zoned for a single-residence and is one of the last single-family residences remaining on this portion of Concord Road. The proposed rezoning would allow the applicant to convert the property from a single-family residence to an office use. The applicant is not planning to make any significant changes to the existing structure. Also, the applicant is proposing to construct four (4) parking spaces to accommodate business generated by the office use. These parking spaces will be accessed from Concord Road.

The Community Development Department has reviewed the submitted tree protection plan for the property. The trees shown to be preserved exceeds the required density for the property and no further tree replacement shall be required per the City's Tree Ordinance.

The rezoning request was heard by the Planning and Zoning Board at the January 8, 2018 meeting and was recommended for approval with staff conditions by vote of 6-0.

Community Development recommends approval of the proposed rezoning from R-15 to LC for use as an office building with the following conditions:

1. The applicant must provide four (4) parking spaces in substantial compliance with the parking plans shown on the site plan and tree plan designed by Paul Lee Consulting and Engineering Associates, Inc. and submitted 12/15/2017.
2. The stormwater detention facility shall be placed and screened appropriately to be unobtrusive to homes outside the development. The stormwater 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. There shall be no bells, whistles, or outdoor loud speakers permitted on site in conjunction with the commercial use.
4. Any proposed dumpsters shall be surrounded by a three-sided brick enclosure with an opaque gate in the front. The lid of the dumpster shall be made of rubber.
5. The applicant shall install two (2) four inch (4") caliper overstory trees along the Concord Road street frontage.

Subject Property



Adjacent Properties





