



# City of Smyrna

2800 King Street  
Smyrna, GA 30080  
www.smyrnacity.com

## Issue Sheet

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**WARD:** 4

**COMMITTEE:** Community Development

**\$ IMPACT:** N/A

**Agenda Title:**

**Public Hearing** - Zoning Request Z17-008 - Rezoning from R-15 to RAD-Conditional for the development of three single-family homes at a density of 3.57 units per acre - 0.699 Acres - Land Lot 335 - 4149 North Cooper Lake Road - Craftmark Development, LLC

**ISSUE:** Craftmark Development, LLC has requested the rezoning of 4149 North Cooper Lake Road from R-15 to RAD-Conditional for the development of 3 residences at a density of 2.75 units per acre. The applicant is proposing to incorporate the three new homes as Phase II of the Park Place Subdivision. The Park Place Subdivision was originally rezoned in 2014 (Zoning Case Z14-003) and was approved for 12 single-family homes at a density of 2.74 units per acre. The Park Place Subdivision was developed with only 11 single-family homes and was completed in the Fall of 2016. The applicant was the developer of the Park Place Subdivision and still retains control of the HOA and the openspace. The applicant would like to transfer the twelfth lot from the Park Place Subdivision to Phase II to hold the density in-line with the original zoning. Upon completion of the zoning process and the development, the applicant will turn over control of the openspace and the HOA over to the residents. The applicant has worked with the existing residents of the Park Place Subdivision to address their concerns and create a design that integrates with their neighborhood. The applicant has made the statement that the Park Place residents are supportive of the incorporation of the homes as Phase II of the subdivision, as well as the reduction of the openspace for the community. Staff has requested a letter acknowledging this support, but at the writing of this report, staff has yet to receive this letter.

**BACKGROUND:** This zoning request was tabled from the May 8, 2017 Planning and Zoning Board Meeting to the June 12, 2017 meeting. The zoning request was recommended for approval by the Planning and Zoning Board by a vote of 5-0 at their June 12, 2017 meeting.

**RECOMMENDATION/REQUESTED ACTION:** Community Development recommends **approval** the rezoning from R-15 to RAD-Conditional for the three single-family homes at a density of 2.75 units per acre with the following conditions carried over from Z14-003 (changes highlighted in

yellow):

**Standard Conditions**

**(Requirements #2, 8, and 17 from Section 1201 of the Zoning Code are 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. The grass buffer may be waived if it is deemed unnecessary by the City Engineer.

7.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.

8.The development of any streets (including private) shall conform to the City's standards for public right-of-ways.

9.No debris may be buried on any lot or common area.

10.The developer will install decorative streetlights within the development, subject 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".

11. The developer will comply with the City current tree ordinance (unless noted elsewhere). All required tree protection measures shall be adhered to by the developer during construction.

12. All landscape plans must be prepared, stamped, and signed by a Georgia Registered Landscape Architect for any common areas or entrances.

13. All yards and common areas are to be sodded, and landscaped. Irrigation appropriate.

14. 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, unless otherwise approved by the City's Arborist. 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

15. The development shall maintain the following setbacks:

Front - 20'

Side - 5'

Street Side - 10'

Rear - 20'

16. The development shall be developed with a minimum lot size 10,000 square feet.

17. The proposed homes shall have a minimum floor area of 2,000 sq. ft.

~~18. All new homes shall be accessed from the new proposed public roads for subdivision.~~

19. Driveway 22' minimum length from building face to back edge of sidewalk. Each unit shall have a two-car garage.

~~20. The developer shall provide access from the 50' cul-de-sac to the existing 5' sidewalk along Plant Road to provide pedestrian access to the City park.~~

21. The developer shall be responsible for the installation of all water and sewer lines in accordance with the requirements of the Public Works Director.

22. No stormwater management facility or portion thereof shall be located on any portion of the proposed lots. The stormwater management facilities shall be solely located on the HOA's property.

23. The proposed stormwater management facility shall be tied into the existing stormwater system on Plant Road.

~~24. The developer shall be responsible for the provision and dedication of a sanitary~~

~~sewer easement for the connection to the city sanitary sewer system at time of final platting. The City Public Works Director and Parks Director shall review and approval all easements.~~

25.The trees removed along the north side of Spy Glass Court shall be recompensed a replanted on-site on an inch per inch basis.

26.There shall be a minimum 50' between the street edge on North Cooper Lake Drive to the nearest edge of the driveway apron on lot #1.

27.All trees within the limits of disturbance and not located within a tree protection ar must be removed during the land clearing and grading phase of the development.

28.Approval of the subject property for the Residential Attached Detache(RAD) zoning district shall be conditioned upon the development of the property in substantial compliance with the submitted site plan dated 6/8/2017 created by Ridge Planning and Engineering.

29.The applicant shall be bound to the elevations submitted and dated4/7/2017. Approval of any change to the elevations must be obtained from the Director of Community Development.

30.The additional stipulations agreed upon by the applicant in the letters by Garvis Sa submitted and dated on June 1, 2017, June 8, 2017 and July 10, 2017. If there should be a discrepancy between the stipulations in the June 1, 2017, June 8, 2017 and July 10, 2017 letters and the stipulations stated above, the stipulations stated above shall apply.