



# City of Smyrna

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## Issue Sheet

File Number: 2017-272

Agenda Date: 7/17/2017

Version: 1

Status: Agenda Ready

In Control: City Council

File Type: Authorization

Agenda Number: D.

**WARD:** Ward 7

**COMMITTEE:** Community Development

**\$ IMPACT:** N/A

**Agenda Title:**

**Final Vote:** Zoning Request Z17-009 - Rezoning from R-20 to RAD-Conditional for the development of 15 homes at 3.64 units per acre - approximately 4.1 Acres - Land Lots 332 and 333 - Southwest corner of East/West Connector and Fontaine Road - Weekley Homes, LLC

**ISSUE:** Weekley Homes, LLC is requesting the annexation and rezoning of the subject property from R-20 to RAD-Conditional for the development of a 15 home subdivision at a density of 3.64 units per acre. The proposed subdivision will be accessed from Fontaine Road with a public road that encircles a community space in the center of the property. The proposed lots will range between 5,478 sq. ft. and 15,267 sq. ft. with an average lot size of 7,991 sq. ft.. The proposed lots will maintain a front setback of 25' (with the exception of lots # 3, #4 and # 15, which will have a 20' front setback), a side setback of 5' (with a minimum of 10' be buildings) and a rear setback of 20'. The homes will employ a variety of traditional architectural features. The building facades will include, but not be limited to brick, stone, cement-fiber siding, wood or cement-fiber shingles, and other materials per the attached renderings. The applicant has provided elevations and floor plans for review with the zoning application.

**BACKGROUND:** The zoning request was tabled at the May 8, 2017 Planning and Zoning Board meeting to allow the applicant an opportunity to address the County's original letter of opposition to the annexation and rezoning request. On May 10, 2017, Cobb County issued a revised letter with respect to it's opposition to the annexation and zoning request. The County does not object to the requested annexation and zoning. The zoning request was heard by the Planning and Zoning Board at the June 12, 2017 meeting and was recommended for approval by a vote of 5-0 with staff recommendation.

**RECOMMENDATION/REQUESTED ACTION:** Community Development recommends **approval** of

the requested rezoning from R-20 to RAD-Conditional for the development of **14 single-family homes** with the following conditions:

**Standard Conditions**

**(Requirement #8 & #9 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 developer shall provide an undisturbed buffer with a minimum width of 20 feet parallel to any right-of-way external to the development (except along East/West Connector & Fontaine Road where the detention facility is located along the right-of-way and behind lots #14 & #15 as shown on the submitted site plan).

3.There shall be protective covenants on all lots. These protective covenants shall be supplied to the city prior to the issuance of a building permit.

4.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.

5.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.

6.All utilities within the development shall be underground.

7.The developer shall be responsible for any traffic improvements (including additional right-of-way dedications) deemed necessary by the City 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.

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 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".

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 Register Landscape Architect for any common areas or entrances.

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

14.Each individual lot shall have three four inch caliper trees replanted per lot. 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.

15.A Level Archeological Study shall be provided for the development. The developer shall verify to the city that any historical or archeological features (including civil war trench lines or evidence of encampments) identified in the study will be protected from development prior to the issuance of a permit for any land disturbance activities.

**Special Conditions**

16.The development shall maintain the following minimum setbacks:

- Front - 25' & 20' for lots #3, #4 & #15
- Side - 5' (with a minimum 10' between buildings)
- Rear - 20'

17.Driveway - 22' minimum length from building face to back of sidewalk.

18.The developer shall provide 5' sidewalk with a 2' grass buffer along Fontaine Road for the length of the development and a 5' sidewalk with a 2' grass buffer within the subdivision.

19.The developer shall provide either a minimum 20' undisturbed buffer or a 20' landscape buffer in accordance with Section 503 of the Zoning Ordinance along the shared property line with the adjoining single-family homes.

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

21.Any portion of the detention facility wall visible from the public right-of-way shall be clad with a decorative brick or stone façade.

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

23. Approval of the subject property for the RAD zoning district shall be conditioned upon the development of the property in substantial compliance with the site plan submitted 5/2/2017 created by North Point Land Surveying with only 14 lots and the all zoning stipulations above.

24. The applicant shall build the homes in substantial compliance to the build elevations submitted and dated 7/17/2017. Approval of any change to the elevations must be obtained from the Director of Community Development.