

CITY OF SMYRNA

COMMUNITY DEVELOPMENT DEPARTMENT

MEMORANDUM

To: Mayor and Council

From: Russell Martin, AICP, Community Development Director
 Joey Staubes, AICP, Planner II

Date: June 18, 2020

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

RE: REZONING CASE Z20-005 – 2495 Adams St & 1221 Pierce Ave

Applicant:	<u>Ron Dickinson</u>	Existing Zoning:	<u>RDA & R-20</u>
Titleholder:	<u>Ron Dickenson</u>	Proposed Zoning:	<u>RDA</u>
Location:	<u>2495 Adams St & 1221 Pierce Ave</u>	Size of Tract:	<u>0.611 Acres</u>
Land Lot:	<u>519</u>	<u>Contiguous Zoning:</u>	
Ward:	<u>3</u>	North	Cobb County
Access:	<u>Private drives off Adams & Pierce</u>	South	RDA & R-12
Existing Improvements:	<u>Two Single-Family Houses</u>	East	R-15 & RDA
		West	Cobb County
		<u>Hearing Dates:</u>	
		P&Z	June 29, 2020
		Mayor and Council	July 20, 2020

Proposed Use:

The applicant is requesting a rezoning from RDA & R-20 to RDA for three (3) single-family detached units at a density of 4.9 units per acre. A land use change is required from LDR to MEDR for this rezoning.

Staff Recommendation:

Approval of the rezoning from RDA & R-20 to RDA for two new single-family detached units.

The Planning & Zoning Board recommended approval by a vote of 5-0 at the June 29, 2020 meeting.



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. Both the Applicant's response as well as Staff's analysis to each factor are listed. It is hoped that providing both responses results in a better understanding of what is actually being proposed.

1. Whether the zoning proposal will permit a use that is suitable in view of the use and development of adjacent and nearby property.

Applicant Response:

"The proposed rezoning will permit a use which is suitable in the context of existing and proposed developments concerning adjacent and nearby properties."

Staff Analysis:

The zoning proposal would result in the development of three lots, including two (2) new single-family homes and one single-family home under construction at a density of 4.9 units per acre. The adjoining property to the north is comprised of a single-family home within the County limits. The properties located to the east are occupied by single-family homes zoned RDA & R-15. The properties to the south are zoned R-12 & RDA and are occupied by single-family homes. The property to the west is currently occupied by a single-family home within County limits. 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.

Applicant Response:

"The proposed rezoning will not adversely impact the existing use or usability of adjacent or nearby properties. The applicant is proposing three single-family detached houses consisting of 1221 Pierce Avenue (now under construction) with two new parcels being created on what is now Adams Drive (existing structures to be removed), with each of those parcels having new houses built thereon"

Staff Analysis:

The proposed rezoning and development should not have an adverse affect upon the existing use or usability of nearby properties. The proposal will rezone two (2) existing lots to RDA for the creation of three (3) lots.

3. Whether the property to be affected by the zoning proposal has a reasonable economic use as currently zoned.

Applicant Response:

“Approval of the rezoning application will allow the removal of the house built in 1946 at 2495 Adams Drive which also has a detached garage with a residential unit. This parcel will be split into two parcels, each of which will have a single-family detached house. To add depth to the proposed lots, the applicant will be splitting a portion of that lot at 1221 Pierce Avenue in order to add 100 feet back to the proposed lots on Adams Drive.”

Staff Analysis:

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.

Applicant Response:

“The proposed zoning will not result in a use that will have an adverse impact upon the existing City of Smyrna’s infrastructure and constitutes a proposed use which comports with the tenor of development along this portion of Adams Drive.”

Staff Analysis:

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 Adams and Pierce. 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.

Applicant Response:

“The proposed development is situated on the reconfiguration of two parcels into three for three single-family detached houses. The proposed portion along the west side of Adams Drive is located in the MEDR (up to six units per acre) future land use category, and the parcel on the north side of Pierce Ave is located in the LDR (up to three units per acre) future land use category. The proposed density of approximately 4.9 units/acre is within the range of the two future land use category and the arrangement of the proposed houses is similar to the existing arrangement of homes situated along Adams Drive (smaller lots) and Pierce Avenue (larger lots).”

Staff Analysis:

A portion of the proposed development is located in Low Density Residential (up to 3 units per acre). The RDA zoning district is a compatible zoning district the Medium Density Residential (under 6 units per acre) Future Land Use designation. The proposed development of three new residences on 0.611 acres yields a density of 4.9 units per acre. A land use change to Medium Density Residential is required for a portion of 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.

Applicant Response:

“There are existing and changing conditions affecting the use and development of the subject property. The property is located in an area with similar single-family uses in the City of Smyrna and unincorporated Cobb County.”

Staff Analysis:

The overall density for the subject site will change from two lots at 3.27 units/acre to three lots at 4.9 units/acre. The proposed rezoning will be in line with previous rezonings (Z16-015, Z17-024 and Z18-004) 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.

Applicant Response:

“The proposed development will enhance architectural standards and aesthetics in accordance with the attached renderings depicting the architectural style and composition of the proposed homes.”

Staff Analysis:

The proposed development will employ a variety of architectural features and building materials that will enhance neighborhood aesthetics. The proposed scale of the homes 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.

Applicant Response:

“The proposed rezoning will not create a nuisance and is compatible with existing uses and zonings in the area.”

Staff Analysis:

The proposed use should not create a nuisance to existing uses in the area. The number of residential units will increase from two to three, however the development will be compatible with other rezonings 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.

Applicant Response:

“The proposed rezoning will positively affect the trend of residential development within this area of the City of Smyrna along Adams Drive and Pierce Avenue”.

Staff Analysis:

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 as shown in Table 1.

Table 1: Lot Requirements for RDA Zoning District vs. Proposed Lots

	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
RDA Zoning District	7,260	50'	25'	5'	30'	35'	45	1,800
Proposed Lots	6,250	43'	15'	5'	30'	35'	45	1,800

The following variances are required:

1. Allow the reduction of the minimum lots size form 7,260 sq. ft. to 6,250 sq. ft.
2. Allow the reduction of the minimum front setback from 25 feet to 15 feet.
3. Allow the reduction of the minimum lot width from 50 feet to 43 feet.

Project Analysis

Ron Dickinson is seeking approval of a rezoning for 2495 Adams Drive and 1221 Pierce Avenue from RDA & R-20 to RDA for the development of three single-family detached residences at a density of 4.9 units per acre. The applicant is currently under construction with one single-family house and is proposing to demolish an existing single-family house and accessory structure to subdivide the parcel into two lots and construct two individual single-family residences. The number of units and density will change from 3.27 units/acre to 4.9 units/acre. The proposed lots will be 6,250 sq. ft., 7,572 sq. ft. and 12,799 sq. ft. The two new homes will face Adams Drive and have individual driveways.

Engineering Review

The City Engineer has reviewed the site plan and believes the zoning plan meets all applicable requirements.

Fire Marshal Review

The Fire Marshal's office has reviewed the site plan and believes the zoning plan meets the Fire Code requirements for fire truck access and building separation requirements.

Planning Review

The proposed rezoning would provide for three (3) new residences at density of 4.9 units per acre. The subject property is located in an area with a future land use designation of Low Density Residential (up to 3 units per acre) and Medium Density Residential (up to 6 units per acre). The proposed lot sizes and widths are in line with other nearby developments. Table 2 shows the infill development in the immediate area as it relates to density, lot size and lot width.

Table 2: Proposed Development vs. Infill Developments					
Name of Development	Location	Number of Lots	Site Density	Minimum Lot Size (square feet)	Minimum Lot Width
Proposed Development	2495 Adams Drive	3	4.9	6,250	43'
Existing Use	2495 Adams Drive	2	3.27	8,646	80'
1231 Pierce Ave	1231 Pierce Avenue	2	4.9	7,430	70'
2461 Adams Dr	2461 Adams Dr	2	4.69	8,712	80'
Belmont Station	Dixie Ave	5	3.82	7,567	50'

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 applicant is requesting a rezoning from RDA & R-20 to RDA and 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 RDA & R-20 to RDA for the development of three single-family units at a density of 4.9 units per acre with the following conditions:

Standard Conditions

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.
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 – 15'
 - Side – 5'
 - Rear – 30'
10. Driveway – 22' minimum length from building face to private driveway.
11. All structures will be built to a maximum height of 35' as measured from the sidewalk along the front elevation.
12. The developer shall meet all fire access requirements deemed necessary by the Fire Marshal during construction plan review.
13. The developer shall be responsible for any water and sewer improvements deemed necessary by the Public Works Director during construction plan review.
14. The developer shall be responsible for any stormwater improvements deemed necessary by the City Engineer.
15. Approval of the subject property for the RDA zoning district shall be conditioned upon the development of the property in substantial compliance with the site plan submitted 2/14/2020 and created by Land Tec Surveying and all zoning stipulations above.

16. The applicant shall be bound to the elevations submitted on 2/14/2020 prepared by Design Basics Inc.

Figure 1 - Subject Property



Figure 2 - Subject Property



Figure 3 - Adjoining Property



Figure 4 - Adjacent Property

