

CITY OF SMYRNA

COMMUNITY DEVELOPMENT DEPARTMENT

MEMORANDUM

To: Mayor and Council

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

Date: March 4, 2019

CC: Tammi Saddler-Jones, City Administrator

RE: ANNEXATION & REZONING CASE Z19-002 – Greenridge Street

Applicant: Kimberly Norwood Properties, LLC

Existing Zoning: GC & R-20

Titleholder: Sovereign Pacific, LLC

Proposed Zoning: R-15-Conditional
Size of Tract: 1.09 Acres

Location: Greenridge Street

Contiguous Zoning:

Land Lot: 349

North RM-12 (Cobb)
South R-20 & GC (Cobb)
East R-20 (Cobb)
West RTD

Ward: 5

Access: Greenridge Street

Hearing Dates:

Existing Improvements: Vacant Lot

P&Z February 12, 2019
M&C March 18, 2019

Proposed Use:

The applicant is proposing the development of two new detached single-family residences. The density for the site will be 1.89 units per acre. A land use change from Community Activity Center will not be required for this rezoning.

P&Z Board Recommendation:

Approval with conditions by vote of 6-0.

Staff Recommendation:

Approval of the rezoning from R-20 & GC to R-15-Conditional 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 would result in the development of two single-family lots. The adjoining property to the north is zoned RM-12 in Cobb County and is occupied with an apartment complex. The adjoining properties to the west are zoned RTD and are occupied by townhomes. The adjoining properties to the south are zoned General Commercial (GC) and R-20 in Cobb County and are occupied by detached single-family homes. The adjacent properties across Greenridge Street are zoned R-20 in Cobb County and are occupied by detached single-family homes. The zoning proposal is surrounded by residential uses and 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 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 water and sewer services for the site will be provided through the Cobb County Water System.

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

The 1.09-acre rezoning will not be consistent with the City's Future Land Use Plan, which indicates a land use of Community Activity Center. The subject property is requesting to be annexed into the City of Smyrna. Under Cobb County's Future Land Use Plan, the property has a Future Land Use designation of Community Activity Center and it is staff's recommendation that the designation remain in order to stay in compliance with our intergovernmental agreement with the county.

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 area surrounding the subject parcel has continued to redevelop into smaller parcels in a neo-traditional form. The proposed development is consistent with the most recent trends in this portion of the city.

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 proposed development will employ a variety of architectural features and materials that will conform and enhance the existing neighborhood's aesthetics. The proposed scale of the home will be compatible with the existing homes in the immediate areas. The tree protection plan indicates the required number of tree inches for the site has been conserved and/or planted on-site.

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 due to the fact that the surrounding area is also comprised of single-family residences.

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 not have an effect upon adjacent properties. The applicant is requesting to rezone the property to R-15-Conditional. The applicant is seeking a site plan specific rezoning to deviate from: 1) the required minimum lot width at setback line; 2) the required minimum front setback; 3) the required minimum side setback; and 4) the required minimum floor area for the homes. Table 1 below, shows the requirements of the R-15 zoning districts versus the proposed development.

Table 1: Lot Requirements for RAD Zoning District vs. 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
Proposed Lots	19,936	69'	25'	7.5'	30'	35'	35	1,865

Note: Single-family detached dwellings in an RAD district shall meet the minimum side and rear yard requirements specified for the R-15 district.

Note: The street side setback for the new lot is reflected as 23.3' due to Section 1202 of the Zoning Ordinance which requires the street side setback to be two thirds the required front setback.

The proposed rezoning from R-20 & GC to R-15-Conditional would result in the construction of two new single-family residences. Both homes will be accessed from Greenridge Street via front entry-garages. The applicant has submitted building elevations and floor plans for both residences in the rezoning application. The submitted elevations reflect a more traditional style home with a mixture of exterior façade materials and architectural elements. The design of both homes will enhance the architectural standards of the general neighborhood.

The proposed lots for the rezoning will be 19,936 sq. ft. and 26,880 sq. ft.. The proposed lots will require several variances from the zoning requirements of the R-15 zoning district. These variances include the following:

- 1) A reduction in the minimum lot width at the setback line from 85' to 69';
- 2) A reduction in the minimum front setback from 35' to 25';
- 3) A reduction in the minimum side setback from 10' to 7.5'; and
- 4) A reduction in the minimum floor area of the home from 2,000 sq. ft. to 1,800 sq. ft.

These deviations are reflected in Table 1 above.

The City Engineer has reviewed the proposed site plan for compliance with the City's stormwater management requirements and believes the proposed plan can meet all city requirements. The applicant will be required to provide a full hydrology study during the permitting process.

Community Development has received several inquiries about the zoning request but has not been notified of any opposition to the proposed development.

The Planning and Zoning Board heard the zoning request at their February 11, 2019 meeting and recommended **approval** of the request with conditions by a vote of 6-0.

Community Development recommends **approval** of the request rezoning from R-20 & GC to R-15-Conditional for the construction of two new single-family residences at a density of 1.89 units per acre with the following conditions:

Standard Conditions

(Requirement #1, 2, 3, 4, 8, 9, 10 and 17 from Section 1201 of the Zoning Code is not applicable)

1. The stormwater management facility 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.
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. 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.
4. No debris may be buried on any lot or common area.
5. 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.
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 – 25'
 - Side – 7.5'
 - Rear – 35'
10. Driveway – 22' minimum length from building face to back of sidewalk.
11. The right-of-way along Greenridge Street shall be increased to 50 feet. Therefore, a dedication of approximately 5' feet is required along Greenridge Street.

12. The developer shall provide a 5' sidewalk with a 2' grass buffer along Green Ridge Street for the length of the development.
13. 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.
14. Approval of the subject property for the R-15 zoning district shall be conditioned upon the development of the property in substantial compliance with the submitted site plan dated 2/8/2019 created by Sean J. Murphy.
15. The architectural style, composition and treatment of the residences shall be in substantial conformity to the renderings/elevations submitted on 1/11/2019. However, should minor modifications be required during the Plan Review process, said modifications shall be subject to the review and approval of the Director of Community Development.

Figure – 1
(Subject Site)



Figure – 2
(Adjacent Properties)



