

CITY OF SMYRNA

COMMUNITY DEVELOPMENT DEPARTMENT

MEMORANDUM

To: Mayor and Council

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

Date: January 7, 2020

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

RE: REZONING CASE Z20-002 – 2790 Mathews Street

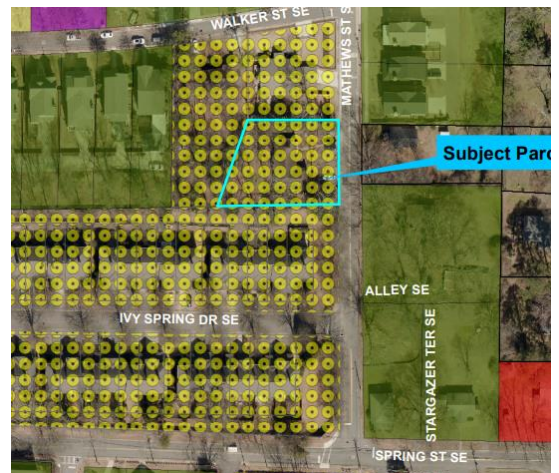
Applicant:	<u>FCJ Partners, LLC</u>	Existing Zoning:	<u>RTD</u>
Titleholder:	<u>Gurney LLC – Darshan Singh</u>	Proposed Zoning:	<u>RDA</u>
Location:	<u>2790 Mathews St</u>	Size of Tract:	<u>0.353 Acres</u>
Land Lot:	<u>593</u>	<u>Contiguous Zoning:</u>	
Ward:	<u>3</u>	North	RTD
Access:	<u>Private drives off Mathews</u>	South	RTD
Existing Improvements:	<u>One duplex building</u>	East	RDA
		West	RTD
		<u>Hearing Dates:</u>	
		P&Z	January 13, 2020
		Mayor and Council	February 17, 2020

Proposed Use:

The applicant is requesting a rezoning from RTD to RDA for the development of two (2) single-family detached units at a density of 5.68 units per acre. A land use change is not required for this rezoning.

Staff Recommendation:

Approval of the rezoning from RTD to RDA for two new single-family detached units. The Planning & Zoning Board recommend approval by a vote of 6-0 at the January 13, 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 rezoning proposal promotes a use that is suitable in view of the use and development of adjacent and nearby properties. Other properties in the area are zoned RDA single-family residential district and residential use are developed accordingly."

Staff Analysis:

The zoning proposal would result in the development of two (2) single-family homes at a density of 5.68 units per acre. The adjoining property to the north is comprised of a single-family home zoned RTD (Residential Townhome). The property located to the east is zoned RDA and is occupied by a single-family home. The properties to the south are zoned RTD and are occupied by single-family townhomes that are part of the Ivy Springs Townhome subdivision. The property to the west is zoned RTD and is currently occupied by a duplex. 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 rezoning proposal will not have an adverse effect on the usability of adjacent or nearby property. The properties directly to the east of the site are similar in lot size and proposed dwelling size. The proposed use is for single-family detached dwelling with surrounding properties for residential use."

Staff Analysis:

The proposed rezoning and development should not have an adverse affect upon the existing use or usability of nearby properties. The zoning proposal will not change the density for the site as a duplex is being replaced by two single-family homes.

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

Applicant Response:

“Current zoning and use is similar in intended economic use. The proposed zoning promotes ownership and engagement of owners in the area likely to become engaged in long-term sustainability of the community.”

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 rezoning proposal would not cause an excessive or burdensome use of existing streets, transportation facilities, utilities, or schools. Current use is attached townhome and provides for similar numbers of vehicles/occupants as proposed RDA zoning.”

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 Mathews Street. 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 zoning benefits the surrounding area and keeps the growth and vitalization of the surrounding zoning consistent with the existing RDA and residential use of the surrounding properties in the area.”

Staff Analysis:

The RDA zoning district is a compatible zoning district the Medium-High Density Residential (under 10 units per acre) Future Land Use designation. The proposed development of two new residences on 0.353 acres yields a density of 5.68 units per acre. No land use change from Medium-High Density Residential 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.

Applicant Response:

“There are other existing or prior rezoned properties and conditions affecting the use and development of the surrounding properties in line with the request to rezone the property to RDA. The zoning proposal creates a suitable use for the property, which will not adversely affect adjacent properties and will be beneficial to the long-range engagement of residents in the community.”

Staff Analysis:

The overall density for the subject site will not be changing as one duplex property on one lot (one building with two residential units) will be replaced with two detached single-family units on individual lots. The proposed rezoning will be in line with previous rezonings (Z19-015, Z19-004, Z14-005 and Z04-024) 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 property rezoning will enhance the architectural requirements and aesthetics of the general neighborhood. The zoning proposal will maintain single-family detached homes of the surrounding area.”

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 home 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 RDA zoning will not include uses that will create a nuisance or be incompatible with the existing uses in the area as surrounding properties are comparable to the proposed single-family dwellings.”

Staff Analysis:

The proposed use should not create a nuisance to existing uses in the area. The number of residential units and density will remain unchanged with this rezoning.

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 zoning reflects the land area and building heights of the general neighborhood and other uses in the immediate area.”

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	7,260	55'	25'	5'	30'	35'	45	1,800

Project Analysis

FCJ Partners, LLC is seeking approval of a rezoning for 2790 Mathews Street from RTD to RDA for the development of two single-family detached residences at a density of 5.68 units per acre. The applicant is proposing to demolish the existing duplex and then subdivide the parcel into two lots and construct two individual single-family residences. The number of units and density will remain unchanged from what currently exists on-site today. The proposed lots will be 7,260 sq. ft. and 8,090 sq. ft. The homes will face Mathews Street and have a shared drive with rear access to the garages.

Engineering Review

In addition, each lot will have its own stormwater detention facility located at the rear of the property. The applicant has provided a site plan with the rezoning application for reference. The applicant has submitted building elevations and floor plans for each home in the rezoning application. The applicant proposes to use brick, stone, and siding for the façade materials for each home

Fire Marshal Review

The Fire Marshal's office has reviewed the revised 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 two (2) new residences at density of 5.68 units per acre. The subject property is located in an area with a future land use designation of Medium-High Density Residential (up to 10 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	2790 Mathews St	2 (2 units)	5.68	7,260	55'
Existing Use	2790 Mathews St	1 (2 units)	5.68	15,350	112'
1607 Walker Street	1607 Walker St	2	5.56	7,233	50'
Ivy Springs Townhomes	Ivy Spring Dr	37	8.89	3,400	25.5'
1601 Walker St	1601 Walker St	2	5.71	7,495	50'
Village at Williams Park	Mathews St	5	5.15	8,385	48'

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 demolition of the existing duplex and construction of the two single-family homes will result in no change in the number of residential units or density on the subject property. The applicant is requesting a rezoning from RTD 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 RTD to RDA for the development of two single-family units at a density of 5.68 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 – 25'
Side – 5'
Rear – 30'
10. Driveway – 22' minimum length from building face to private driveway.
11. The right-of-way along Mathews Street shall be increased to a minimum of 25 feet from the roadway centerline feet.
12. The developer shall install curb, gutter, and sidewalk at the frontage of property along Mathews Street.
13. All structures will be built to a maximum height of 35' as measured from the sidewalk along the front elevation.
14. The developer shall meet all fire access requirements deemed necessary by the Fire Marshal during construction plan review.
15. The developer shall be responsible for any water and sewer improvements deemed necessary by the Public Works Director during construction plan review.
16. The developer shall be responsible for any stormwater improvements deemed necessary by the City Engineer.

17. 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 12/13/2019 and created by Surveys Plus, Inc. and all zoning stipulations above.
18. The applicant shall be bound to the elevations submitted on 12/13/2019; however, the applicant shall meet requirements of Condition #1 relating to hardy plank siding on the front elevation as stipulated above. Approval of any change to the elevations must be obtained from the Director of Community Development.

Figure 1 - Subject Property



Figure 2 - Adjacent Property



Figure 3 - Adjoining Property



Figure 4 - Adjacent Property

