

CITY OF SMYRNA COMMUNITY DEVELOPMENT DEPARTMENT MEMORANDUM

To: Mayor and Council

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

Date: April 10, 2018

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

RE: REZONING CASE Z18-005 – 460 Bourne Drive

Applicant: Atlanta Dream Center

Existing Zoning: GC

Titleholder: Eastside Baptist Church

Proposed Zoning: OI-Conditional

Size of Tract: 1.84 acres

Location: 460 Bourne Drive

Contiguous Zoning:

Land Lot: 346

North GC

South GC

East GC

West RAD

Ward: 5

Access: Bourne Drive & Old Concord Road

Hearing Dates:

Panning & Zoning April 9, 2018

Mayor and Council April 16, 2018

Existing Improvements: Three Church Buildings

Proposed Use:

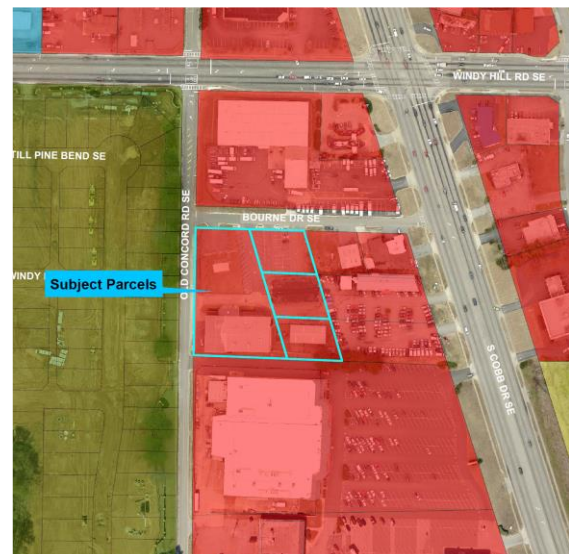
Rezone the subject property from GC to OI for use as a dormitory for the Atlanta Dream Center. There shall be no land use change from Public/Institutional required for rezoning.

Planning and Zoning Recommendation:

Denial of the request by a vote of 5-1.

Staff Recommendation:

Approval 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.

Atlanta Dream Center is requesting to rezone the subject property from General Commercial (GC) to Office/Institutional (OI) for use of the existing church as a dormitory. The applicant is proposing to convert the existing church offices and classrooms into dormitory rooms for students. The adjoining properties to the north, east and south are zoned GC and are occupied by commercial/retail uses. The adjoining properties to the west are zoned RAD and are occupied by a single-family residences. The zoning proposal will permit a use that is suitable in the view of the use and development of adjacent and nearby property along Old Concord Road & South Cobb Drive.

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 will not adversely affect the existing use or usability of adjacent or nearby property.

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 a 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 from the City Engineer, the zoning proposal will not cause an excessive or burdensome use of existing streets or transportation facilities.

Based upon information from the Public Works Director, the zoning proposal will not cause an excessive or burdensome use of utilities. Water is available to the property on Old Concord Road. Sanitary sewer is not adjacent to the proposed development, though the current development may be connected to a City of Smyrna sewer main by private force main. Any modification to the existing property will require the force main connection to be brought up to Smyrna requirements. This information is based upon an overlay map by Kelly Davis P.E. with Gaskins Engineering.

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

The zoning proposal is in conformity with the City of Smyrna Future Land Use Map, which designates this property as Public/Institutional (PI). The OI zoning district and the proposed dormitory use are acceptable under the city's PI future land use designation. No change to the city's Future Land Use Map 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.

The subject property is currently a vacant church site with three existing buildings. Atlanta Dream Center is proposing to convert the offices and classrooms in two of the church buildings into 20 dormitory rooms to house students studying for missionary work. The zoning proposal will allow for the use of a vacant building while maintaining the institutional use on the property.

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 rezoning will not have a negative effect upon the general neighborhood. The proposed use will provide use of currently vacant buildings. The applicant has no plans to immediately improve the exterior of the buildings or the property. The applicant plans to improve the exterior of the buildings and the site in as they grow into the property, the initial improvements will be in the interior of the buildings.

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 dormitory use will not create a nuisance to adjacent properties provided future uses are limited to uses allowed under the OI zoning district.

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.

The structures on the property will remain relatively unchanged. Therefore, the factors associated with the use, land area or building height will not have an impact upon the adjacent properties.

Atlanta Dream Center is proposing to rezone the property at 460 Bourne Drive from GC to OI-Conditional for the use of the existing church buildings as a dormitory for students attending the Atlanta School of Ministry. The Atlanta Dream Center works in partnership the Atlanta School of Ministry to house and train students for missionary work (approximately an 18 month program). The school is located in downtown Atlanta in the midtown area. Students will live in the Smyrna

dorms and either drive downtown to school in their personal vehicles, or use the transportation provided by the school. The applicant is proposing to house 120 students at maximum occupancy. The students will be housed in two buildings on-site. Building #1 is the existing 14,000 sq. ft. church building and it will be renovated for ten dorm rooms with six beds per room and four full bathrooms (with showers). Building #2 is an existing 5,400 sq. ft. building and it will be renovated for ten dorm rooms with six beds per room and 5 full bathrooms (with showers). There will be no kitchen facilities provided on site. The students will be separated by gender with one building housing males and the other building housing females.

The property currently provides 58 parking spaces, which exceeds the amount of parking needed for the students. The applicant has stated that 25% of the students have personal transportation and the rest of the students use the transportation provided by the school. The applicant plans to remove the concrete foundation at the northwest corner of the property, which could be converted to more parking if need be.

The applicant is requesting several variances to clean up non-conformities of the existing buildings with the city's zoning ordinance:

1. Reduction of the street side setback requirement for building #1 from 50' to 10';
2. Reduction of the rear setback for building #1 from 40' to 5';
3. Reduction of the rear setback for building #3 from 40' to 30'; and
4. Reduction of the side setback for building #2 from 15' to 1'.

Community Development is **supportive all the variances**. The variances remove the non-conformity issues related to the existing buildings.

The applicant has been working with Community Development, Public Works and the Fire Marshal's office to fully understand what will be required to bring the buildings up to code to be used as a dormitory. Staff has met with the applicant three to four times to discuss plans and scheduling.

The zoning request was heard by the **Planning and Zoning Board** at the April 9, 2018 meeting and was recommended for **denial by a vote of 5-1**. During the public hearing, a couple of citizens raised concerns over the habitability of the structures with respect to ADA and plumbing requirements. If the zoning request is approved, the applicant will be required to submit architectural drawings to bring the buildings up to fire and building code for dormitory use. The buildings will be required to meet all Americans with Disability Act (ADA), life safety and building requirements (electrical, plumbing, mechanical) prior to any students being allowed to occupy the buildings.

Community Development recommends **approval** of the proposed rezoning from GC to OI-Conditional for use as a dormitory with the following conditions:

1. The applicant must provide parking for the dormitory use at a ratio of 1.5 spaces per dorm room and 1 space for every 100 sq. ft. of common space.
2. The facility shall be limited to a maximum of 20 student dorm rooms with 120 student beds. Any increase in the number of rooms or beds shall be brought back to the City Council for review and approval.

3. The applicant shall remove the existing concrete foundation at the northwest corner of the site.
4. The applicant shall remove the existing concrete sidewalk/parking area along Old Concord Road.
5. The applicant shall replace the curb and gutter along Old Concord Road for the length of the property and provide a new 5' sidewalk with a 2' grass buffer.
6. The applicant shall provide 3" caliper street trees along Old Concord Road for the length of the property. There shall be one tree for every 40 linear feet of frontage along Old Concord Road.
7. The developer shall be responsible for any water and sanitary sewer improvements deemed necessary by the Public Works Director during construction plan review.
8. The developer shall be responsible for any fire access improvements deemed necessary by the Fire Marshal during construction plan review.
9. Any proposed dumpsters shall be surrounded by a three-sided brick enclosure with an opaque gate in the front. The lid of the dumpster shall be made of rubber.
10. The following uses shall be prohibited:
 - Homeless shelters
 - Group homes
 - Halfway houses

Subject Property



Adjacent Properties





