

CITY OF SMYRNA

COMMUNITY DEVELOPMENT DEPARTMENT

MEMORANDUM

To: Mayor and Council

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

Date: October 15, 2019

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

RE: REZONING CASE Z19-013– Smyrna Hill Drive

Applicant:	<u>Prestwick Land Holdings, LLC</u>	Existing Zoning:	LI
Titleholder:	<u>William A. Willis</u>	Proposed Zoning:	RHR-PD
Location:	<u>Smyrna Hill Drive</u>	Size of Tract:	<u>2.62 acres</u>
Land Lot:	<u>381</u>		
Ward:	<u>3</u>		
Access:	<u>Smyrna Hill Drive</u>		
Existing Improvements:	<u>Vacant Wooded Tract</u>		

		Contiguous Zoning:	
	North		NS
	South		NS & GC
	East		LI
	West		NS

		Hearing Dates:	
	P&Z		September 9, 2019
	Mayor and Council		October 21, 2019

Proposed Use:

The applicant is requesting a rezoning from LI to RHR-PD for the development of a 65 unit age-restricted senior living community at 24.8 units per acre. A future land use change from Community Activity Center (CAC) to High Density Residential (HDR) is required for rezoning.

Staff Recommendation:

Approval of the rezoning from LI (Light Industrial) to RHR-PD (Residential Highrise – Planned Development) per the submitted plan **with conditions**. The Planning & Zoning Board voted on September 9, 2019 to recommend approval by a vote of 6-0.



PROJECT DESCRIPTION

Prestwick Land Holdings, LLC is requesting rezoning from LI (Light Industrial) to RHR- PD (Residential Highrise-Planned Development) for the development of a 65-unit age-restricted senior housing community. The proposed senior housing units would be limited to persons 62 years of age or older and would be rental units. The submitted site plan reflects a four-story building with a 4/5 split fronting on Smyrna Hill Drive. The site will be accessed from Smyrna Hill Drive via a full access drive on the east side of the building. The site plan provides 53 parking spaces for the development at a ratio of 0.82 parking spaces per unit. There will be an additional 8 parallel spaces on Smyrna Hill Drive that will also serve as a traffic calming measure. The site plan reflects a stormwater detention facility at the east end of the site. Finally, the site plan shows one encumbrance on the subject property; and a stream buffer on the eastern side of the property.

Prestwick Land Holdings, LLC has submitted building elevations with the rezoning application. The submitted building elevations are of projects previously developed by Prestwick Land Holdings, to reflect the type and quality of the development planned for this site. Prestwick Land Holdings, LLC proposes to use a mixture of façade materials for the buildings, including but not limited to brick, fiber cement siding, cast stone, and board & batten.

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 neighboring uses are Neighborhood Commercial. Dense residential development will add value by providing a large supply of buyers."

Staff Analysis:

The zoning proposal consists of two tracts of land totaling 2.62 acres and is zoned LI. Approval of the zoning proposal would result in the development of a new 65-unit age restricted senior housing community. The adjacent property to the north is zoned NS (Neighborhood Shopping). The adjacent properties to the south across Smyrna Hill Drive are zoned NS (Neighborhood Shopping) and GC (General Commercial). The adjoining property to the west is zoned NS (Neighborhood Shopping). The adjacent property to the east is zoned LI (Light Industrial). All are

occupied with commercial uses. The proposed zoning and associated improvements would continue to 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 increased density and the residential use will positively impact the adjacent and nearby parcels."

Staff Analysis:

The zoning proposal should not have an adverse affect upon the existing use or usability of nearby properties. The proposed use is compatible with and supportive to the adjoining commercial uses. The proposed development will also be accessed directly from Smyrna Hill Drive and not impact any additional local streets. Approval of the zoning proposal would also provide a variance for the property to be developed in suitable manner to address parcel geometry and site topography.

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

Applicant Response:

"The highest and best use of the parcel would be residential. It has very limited use as an industrial space. Industrial users require much greater acreage in order to develop new construction."

Staff Analysis:

The subject parcels have 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 age-restricted community has no impact on schools. Further, due to the age-restriction, traffic impact is minimal as compared to other uses."

Staff Analysis:

Based upon information from the City Engineer, the proposed use will not cause an excessive or burdensome use of the existing streets or transportation facilities.

Based upon information provided from Smyrna Public Works, sanitary sewer and water is available to the property. Sanitary sewer will be accessed on Smyrna Hill Drive. Water is also located in the right-of-way of Smyrna Hill Drive.

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

Applicant Response:

"The development is in line with the intent of the land use plan."

Staff Analysis:

The subject property has a future land use designation of Community Activity Center on the city's 2040 Future Land Use Plan. The proposed development of 65 age-restricted residential units at a density of 24.8 units per acre is not in conformity with the city's Future Land Use Plan. A change to the future land use designation from Community Activity Center to High Density Residential (> 10 units per acre) will be required for rezoning. The zoning proposal may exceed the density requirements of the Future Land Use Plan; however, it does meet several goals and policies of the city's 2040 Comprehensive Plan with respect to the provision of senior housing.

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:

"New construction on the parcel as industrial has limited use. The prospect of high density residential is the parcel's highest and best use, considering the lack of major thoroughfare frontage on the property."

Staff Analysis:

The proposed use and development of the property is compatible with existing development and will support existing businesses in the immediate area. The zoning proposal would be considered a down zoning of the property, bringing the property from an intensive commercial zoning classification to a high-density residential zoning classification. In addition, the zoning proposal will meet senior housing needs, as outlined in the city's 2040 Comprehensive Plan, which was adopted in October of 2017.

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 proposal will enhance the immediate surrounding area's architectural appeal and aesthetics. The open space created will conform to and enhance the neighborhood feel."

Staff Analysis:

The proposed development will employ a variety of architectural features and building materials that will enhance aesthetics along Smyrna Hill Drive. The

proposed development will provide open space within the stormwater detention area. Finally, the proposed development appears to meet the requirements of the city's Tree Ordinance through the preservation of existing trees and the replanting of trees.

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 use will not create a nuisance. The proposed developers are long term investors and will hold the property for 30+ years. In order to continue receiving financing, the proposed owner must maintain the property at a high level."

Staff Analysis:

The proposed use of the property as an age-restricted residential community will not create a nuisance for existing uses in the area. The proposed residential community is compatible and will support existing businesses 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 property will be an asset to the adjoining property and general neighborhood. It will bring supply for existing retail and enhance property values."

Staff Analysis:

Factors associated with the size of the proposed use, in either land area or building height, will ultimately have a positive effect upon all adjacent and nearby properties. The development will require one variance with respect to setbacks due to the geometry of the parcel and the topography of the site.

Project Analysis

Engineering Review

The City Engineer has reviewed the proposed site plan with respect to transportation, stormwater management and stream buffer issues. The site will be served by a full access drive on Smyrna Hill Drive. The applicant is dedicating approximately 5 feet of right-of-way along Smyrna Hill Drive. The developer will install a 5 foot sidewalk and 2 foot grass strip, and a row of parallel parking spaces along Smyrna Hill Drive to serve as traffic calming.

The proposed site plan reflects a stormwater detention pond located at the east of the site. The applicant has provided a stormwater management assessment as part of the zoning package. The City Engineer believes the development has allocated enough area to meet the requirements of the city's Stormwater Management Ordinance.

Finally, there is an existing stream that runs through the eastern end of the site. The stream runs along the site from north to south. The site plan for development has maintained the city's required stream buffers with no encroachments.

Fire Marshal Review

The Fire Marshal's office has reviewed the current site plan and in general believes that it meets the Fire Code requirements for fire truck access and building separation requirements. The applicant will have to provide a fire truck turn analysis during the permitting process to verify maneuverability through the site. The Fire Marshal's office will also require the buildings to have a fire sprinkler system.

Planning Review

Community Development has reviewed the zoning proposal against the city's 2040 Comprehensive Plan and Future Land Use Plan. The zoning proposal exceeds the allowable density under the Medium Density Residential land use designation of the Future Land Use Plan but meets several senior housing goals and policies outlined in the Comprehensive Plan. These goals and policies include the following:

- H1.1 – Consider ways to offer a reduced price point in new quality apartments, such as through incentives for moderately priced units (Page 104).
- H1.3 - Encourage the construction of affordable senior housing in order to accommodate the growing senior population (Page 104).
- H3.1 – Incorporate a park into every neighborhood or provide safe pedestrian and bicycle access from every neighborhood to larger community parks (Page 106).
- H4.4 – Ensure that infill housing development is compatible with surrounding established neighborhoods (Page 107).

Community Development has reviewed the proposed development against the zoning standards in Section 1015 of the Zoning Ordinance with respect to the senior residential high-rise developments. The proposed development meets nearly all the zoning requirements for residential high-rise development except for one requirement that deals with the minimum front setback. Community Development Staff is supportive of the requested variance listed below.

The requested variance is:

1. Reduction of minimum front setback 50' to 12.5' (**Staff Support**);

The requested variance is necessary due to the geometry of the parcel, the topography of the site and the existing encumbrances (stream buffer). All these issues meet the review standards for variances, such as, being unique circumstances that are not created by the applicant and the strict application of the zoning requirements eliminates reasonable use of the property.

STAFF RECOMMENDATION

Community Development recommends **approval** of the rezoning from GC to RHR-PD on 2.62 acres for the development of an 65-unit age restricted senior community at a density of 24.8 units per acre, including those variances supported by staff as shown above, **with the following conditions:**

Standard Conditions

Requirements # 2, 3, 4, 8, 10, 16 and 17 from Section 1201 of the Zoning Code are not applicable. The following requirements remain 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 percent hardy plank siding. The residences along external roadways shall not be permitted to utilize hardy plank for any elevation facing these roads.
2. The retention 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 ten percent reduction in a 100-year storm event. The city engineer shall approve all plans.
3. All utilities within the development shall be underground.
4. 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.
5. A strip of brick pavers or stamped concrete shall be installed on the street at the subdivision entrance for a minimum distance of 20 feet.
6. No debris may be buried on any lot or common area.
7. 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".

8. 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.
9. All landscape plans must be prepared, stamped, and signed by a Georgia Registered Landscape Architect for any common areas or entrances.
10. All yards and common areas are to be sodded, and landscaped. Irrigate as appropriate.

Special Conditions

11. The development shall maintain the following setbacks:
Front – 12.5'
Side – 20'
Rear – 30'
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. The trash dumpsters shall utilize rubber tops and be appropriately screened with a three-sided brick enclosure.
16. Utilization of low intensity, environmental type lighting shall be allowed within the development. The illumination of which shall be confined within the perimeter of the subject property through the use of "full cut-off lighting".
17. Approval of the subject property for the RHR-PD zoning district shall be conditioned upon the development of the property in substantial compliance with the site plan submitted 9/4/2019 and created by Long Engineering and all zoning stipulations above.
18. The applicant shall be bound to the elevations submitted on 8/9/2019. Approval of any change to the elevations must be obtained from the Director of Community Development.

Subject Property



Adjacent Properties



