

# CITY OF SMYRNA

## COMMUNITY DEVELOPMENT DEPARTMENT

### MEMORANDUM

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To: Mayor and Council

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

Date: October 6, 2016

CC: Planning and Zoning Board  
Michael Jones, City Administrator

**RE: ANNEXATION & REZONING CASE Z16-016 – 2731 Mathews Street**

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**Applicant:** Matthew Junger

**Existing Zoning:** R-20

**Titleholder:** Matthew Junger

**Proposed Zoning:** RAD-Conditional

**Size of Tract:** 0.39 Acres

**Location:** 2731 Mathews Street

**Contiguous Zoning:**

**Land Lot:** 632

North	R-20 (Cobb)
South	R-20 (Cobb)
East	R-20 (Cobb)
West	RM-10

**Ward:** 3

**Access:** Mathews Street

**Hearing Dates:**

**Existing Improvements:** Vacant lot

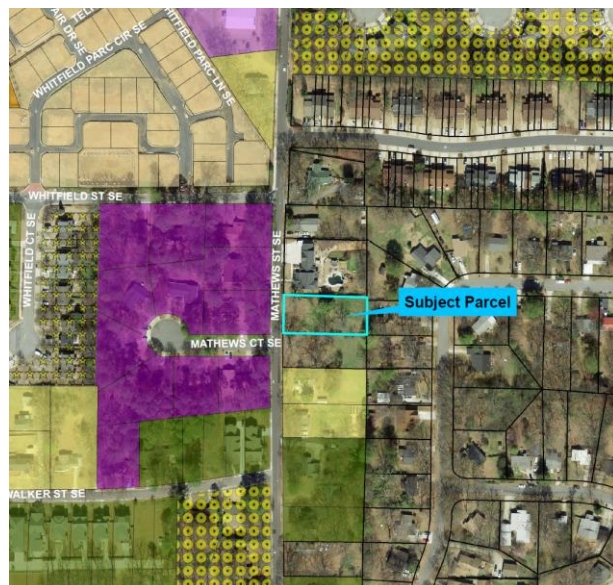
P&Z	October 10, 2016
Mayor and Council	November 21, 2016

**Proposed Use:**

Two single-family detached units at a density of 5.13 units per acre. A land use change from Low Density Residential (Cobb County) to Medium Density Residential is required for this rezoning.

**Staff Recommendation:**

**Approval** for two new single-family detached units 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 adjoining properties to the north south and east are zoned R-20 in Cobb County and are occupied by single-family residences. The properties located to the west are zoned RM-10 and are occupied by duplexes. 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.

*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 parcels have 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 development is not expected to cause an excessive or burdensome use of existing streets and transportation systems.*

*Based upon information provided by the Director of Public Works, adequate water and sewer capacities are available in the area to accommodate the development associated with the rezoning. The developer will be required to use existing water and sewer taps if at all possible. One inch (1") water meters will be required for each lot. Water meters and service lines are required to be located in front of the lot they serve. Additional water taps are the responsibility of the developer. Each lot will have its own sewer tap located in front of each lot. Existing sewer taps to be abandoned shall be capped behind the curb of the road. Installation of additional sewer taps shall be the responsibility of the developer. All elevations are the responsibility of the developer.*

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

*The rezoning would not be in conformity with the current land use plan, which indicates the subject parcel has a land use of Low Density Residential (under 3 units per acre). The proposed development of two residences on 0.39 acres yields a density of 5.13 units per acre. A land use change from Low Density Residential to Medium 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.

*There are changing conditions affecting the use and development of the subject property, which give supporting grounds for the approval of the zoning proposal, such as the redevelopment of the immediate area in a neo-traditional form with new homes on smaller lots. The development of the surrounding area varies between single-family homes, duplexes and townhomes. The zoning proposal will be in-line with other existing developments and new infill developments.*

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 building materials that will enhance neighborhood aesthetics. 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.

*The proposed use should not create a nuisance to existing uses 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.

*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 applicant is requesting the following variances to the zoning requirements of the RAD zoning category: (1) Reduction in minimum front setback from 35' to 25'; (2) Reduction in minimum side setback from 10' to 5'; (3) Reduction in minimum lot area from 15,000 sq. ft. to 8,453 sq. ft.; (4) Increase in the maximum lot coverage from 45% to 47%; and (5) Reduction in minimum lot width from 85' to 43". Table 1 below shows the requirements of the RAD & R-20 zoning districts versus the proposed development.*

<b>Table 1: Lot Requirements for RAD Zoning District vs. Proposed Development</b>								
	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
<b>R-20 Zoning District</b>	20,000	100'	35'	12'	35'	35'	35	2,100
<b>RAD Zoning District</b>	15,000	100'	35'	10'	30'	35'	45	1,800
<b>Proposed Lots</b>	8,453	43'	25'	5'	30'	35'	47	1,800

**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 applicant is seeking approval of an annexation and rezoning for 2731 Mathews Street from R-20 (Cobb County) to RAD-Conditional for the development of two single-family detached residences at a density of 5.13 units per acre. The applicant is proposing to subdivide the parcel into two lots and construct two detached single-family residences. The proposed lots will be 8,453 sq. ft. and 8,463 sq. ft.. The lots will be served by one shared driveway between the homes, which will lead to detached two-car garages behind the homes at the rear of the property. The submitted homes elevations reflect a more contemporary style home with a mixture of exterior façade materials and architectural elements. The new homes will enhance the architectural standards of the general neighborhood.

The applicant has proposed individual stormwater management facilities for each home within the development. These facilities will be located between the homes and the detached garages. The City Engineer has reviewed the proposed concept and believes it should meet the city's stormwater management requirements.

The applicant is seeking several variances to setbacks, lot coverage, lot size and lot width. These variances include the following:

1. Reduction in minimum front setback from 35' to 25';
2. Reduction in minimum side setback from 10' to 5';
3. Reduction in minimum lot area from 15,000 sq. ft. to 8,453 sq. ft.;
4. Increase in the maximum lot coverage from 45% to 47%; and
5. Reduction in minimum lot width from 85' to 43''.

Community Development has reviewed the requested variances associated with the rezoning and is **supportive of most of the variances except for the increase in impervious surface area.** Community Development believes there are no hardships or unique hardships with regards to this property that preclude the applicant from meeting the lot coverage zoning requirement. The four other variances are typical variances granted to other infill developments in the immediate area.

The proposed rezoning would provide for 2 residences at an overall density of 5.13 units per acre. This density is not excessive when compared to other previously approved infill developments in

the city. Table 2, shows the infill development in the city 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
<b>Proposed Development</b>	2731 Mathews St.	2	5.13	8,453	43'
<b>1607 Walker Street</b>	1607 Walker Street	2	5.56	7,233	50'
<b>The Village at Williams Park</b>	Mathews Street & Walker Street	5	5.15	8,453	48'
<b>Walker Manor</b>	Walker Court & Walker Street	9	4.5	6,200	62'
<b>Walker Street Cottages</b>	Walker Street & Mathews Street	12	4.63	6,960	48'

Community Development has reviewed the proposed development against the zoning standards of the recent adjacent rezonings and found the proposed development to be very compatible with the infill development on or near Mathews Street. Therefore, Community Development recommends **approval** of the rezoning from R-20 to RAD-Conditional for the development of two single-family units at a density of 5.13 units per acre with the following conditions:

**Standard Conditions**

**(Requirement #2, 3, 4, 5, 8, 9, 10, and 17 from Section 1201 of the Zoning Code is not 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% 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. 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 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".
6. 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.
7. All landscape plans must be prepared, stamped, and signed by a Georgia Registered Landscape Architect for any common areas or entrances.
8. All yards and common areas are to be sodded, and landscaped. Irrigate as appropriate.
9. 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**

10. The development shall maintain the following setbacks:  
Front – 25'  
Side – 5' (with a minimum of 15' between buildings)  
Rear – 25'
11. Driveway – 22' minimum length from building face to private driveway.
12. The right-of-ways along Walker Street shall be increased to 50 feet. Therefore, a dedication of approximately 5' feet is required along Mathews Street.
13. The developer shall provide a 5' sidewalk with a 2' grass buffer along Mathews Street for the length of the development.
14. All structures will be built to a maximum height of 35' as measured from the sidewalk along the front elevation.
15. The maximum allowable lot coverage for the property shall be limited to 45%.
16. All trees within the limits of disturbance and not located within a tree protection area must be removed during the land clearing and grading phase of the development.
17. Approval of the subject property for the Residential Attached Detached (RAD) zoning district shall be conditioned upon the development of the property in substantial compliance with the submitted site plan dated 10/4/2016 created by Crescent View Engineering, LLC.

18. The applicant shall be build the homes in substantial compliance with the building elevations submitted and dated 9/9/2016. Approval of any change to the elevations must be obtained from the Director of Community Development.

**Figure -1**  
**Subject Property**





**Figure – 2**  
**Adjacent Property to the West Across Mathews Street**



**Figure – 3**  
**Adjoining Property to the North**





**Figure – 4**  
**Adjoining Property to the South**

