

CITY OF SMYRNA

COMMUNITY DEVELOPMENT DEPARTMENT

MEMORANDUM

To: Planning and Zoning Board

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

Date: February 9, 2010

CC: Mayor and Council
Eric Taylor, City Administrator

RE: Rezoning Case Z14-014 – 790 Smyrna Hill Drive

Applicant: Raymond E. Fowler

Titleholder: Raymond E. Fowler

Location: 790 Smyrna Hill Drive

Land Lot: 381

Ward: 4

Access: Smyrna Hill Drive

Existing Improvements: 1-Story Commercial Building

Existing Zoning: NS
Proposed Zoning: GC
Size of Tract: 1.74 Acres

Contiguous Zoning:

North	Light Industrial
South	R-15
East	GC
West	NS

Hearing Dates:

P&Z	May 12, 2014
Mayor and Council	June 16, 2014

Proposed Use:
Rezoning from NS to GC for use as a specialty contracting office.

Staff Recommendation: Community Development recommends **approval** of the rezoning subject property from NS to GC. No land use change from Community Activity Center is required for rezoning.



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 will result in a change in zoning of the property from Neighborhood Shopping (NS) to General Commercial (GC) for use as a specialty contracting office. The adjoining property to the east is zoned GC and is occupied by a commercial business. The adjoining property west zoned NS and is occupied by a Sparkles Skating Rink. The adjoining property to the south is zoned R-15 and occupied by a small trailer park. The adjacent property to the north across Smyrna Hill Drive is zoned LI and is currently a vacant wooded lot. The proposed use 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 immediate area has numerous commercial uses and varying zoning categories. The proposed use is in-line with the surrounding uses and will not adversely affect existing uses 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 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 on information provided by the City Engineer, the proposed development is not expected to cause an excessive burden to existing street or transportation facilities.

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.

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 Future Development Plan, which indicates the subject parcel has a land use of Community Activity Center. No land use change from Community Activity Center 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 supporting grounds for approval of the zoning proposal. The surrounding areas are a mixture of zoning categories from LI to R-15. There are numerous commercial uses on Smyrna Hill Drive and the subject property already has an existing commercial building.

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.

There are no planned improvements for the subject property.

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 proposing to use the existing structures on the property.

The applicant is requesting a change in zoning for the subject from NS to GC for use as a contractor's office. The applicant is not proposing any improvement for the property at this time. The applicant is proposing the existing building be used for office space for a landscaping company. The proposed use is not permitted under the NS zoning district. Contractor offices are allowed as permitted uses in the GC zoning district. As stated above, there are numerous commercial uses along Smyrna Hill Drive. The proposed use will be in-line with the existing uses in the immediate area. No land use change from Community Activity Center is required for rezoning.

Community Development recommends **approval** of the proposed rezoning subject adherence to all provisions and requirement for the GC – General Commercial district as outlined in Appendix A of the Zoning Ordinance.

Figure – 1
(Subject Property)



Figure – 2
(Adjoining Property to the East)



Figure – 3
(Adjoining Property to the West)



Figure – 4
(Adjacent Property to the North Across Smyrna Hill Drive)

