

CITY OF SMYRNA

COMMUNITY DEVELOPMENT DEPARTMENT

MEMORANDUM

To: Mayor and Council

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

Date: September 7, 2016

CC: Planning and Zoning Board
Michael Jones, City Administrator

RE: ANNEXATION & REZONING CASE Z16-015 – 2495 Adams Drive

Applicant:	<u>Ronald Dickinson</u>	Existing Zoning:	<u>R-20 (Cobb County)</u>
Titleholder:	<u>Ronald Dickinson</u>	Proposed Zoning:	<u>RAD-Conditional</u>
		Size of Tract:	<u>0.405 Acres</u>
Location:	<u>Medlin Street</u>	Contiguous Zoning:	
Land Lot:	<u>519</u>	North	<u>R-20 (Cobb)</u>
Ward:	<u>3</u>	South	<u>R-15</u>
Access:	<u>Pierce Avenue</u>	East	<u>R-20 (Cobb)</u>
Existing Improvements:	<u>One single-family residence</u>	West	<u>R-20 (Cobb)</u>
		Hearing Dates:	
		P&Z	<u>September 12, 2016</u>
		M&C	<u>October 17, 2016</u>

Proposed Use:

The subdivision of one lot into two and the development of one single-family detached residence at a density of 4.9 units per acre. A land use change from Low Density Residential to Medium Density Residential will be required for this rezoning.

Staff Recommendation:

Approval the new single-family detached residence 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 zoning proposal would result in the subdivision of the subject property into two lots with the existing home remaining on one lot and a new detached single-family residence constructed on the other. The subject property was originally subdivided into two lots in 1950 when Adams Drive was constructed, but the parcel was never reflected on the County's official tax plat as an official parcel of record. The applicant is requesting to officially record the parcel per the 1950 plat and build a new home on the new lot. The surrounding area continues to change from lower density residential to moderate/medium density residential which will be furthered by this rezoning. Because of this, the development will be compatible with adjacent or 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. The adjacent properties are single-family residences; the zoning proposal will allow for the addition of one new home in the neighborhood.

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 upon information provided by the City Engineer, the proposed development is not expected to cause a burden to the existing street network or transportation facilities.

Based upon information provided by the Public Works Director, adequate water and sewer capacities are available in the area to accommodate the development associated with the rezoning. Water and sanitary sewer are located within the right-of-ways of both Pierce Avenue and Adams Drive. It is the responsibility of the developer to install any water or sewer taps for the development. Elevations are

the responsibility of the developer. This information is based upon a survey site plan of lot 72, Belmont Subdivision, dated 5/20/16 by Land Tec.

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

The 0.405-acre property has a Future Land Use designation of Low Density Residential in Cobb County. The Low Density Residential land use designation allows a density up to 2.5 units per acre. The zoning proposal is not consistent with the Future Development Plan. Therefore, the proposed density of 4.9 units per acre will require a land use change from Low Density Residential to Medium Density Residential.

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 area surrounding the subject parcel has continued to redevelop into smaller parcels in a neo-traditional form. The proposed development is consistent with the most recent trends in this portion of the City and therefore gives supporting grounds for approval of the zoning proposal.

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 materials that will conform and enhance the existing neighborhood's aesthetics. The tree protection plan indicates the required number of tree inches for the site has been met through replanting.

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 due to the fact that the surrounding area is also comprised of single-family residences.

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 to rezone the property to RAD-Conditional. The applicant is seeking a site plan specific rezoning to deviate from: 1) required minimum lot size; 2) minimum lot width at setback line; 3) minimum front setback; and 4) minimum side street side setback. Table 1 shows the requirements of the RAD zoning district versus proposed development.

Table 1: Lot Requirements for RAD Zoning District vs. Proposed Development								
	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
RAD Zoning District	15,000	100'	35'	10'	30'	35'	45	1,800
Proposed Residences	7,430	70'	25'	10'	30'	35'	45	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.

The subject property was originally platted as lot # 72 of the Belmont Subdivision in 1944. In 1950, Mr. & Mrs. Adams dedicated 10' of property along the long side of the property to the County for the creation of Adams Drive (a public street). During that dedication and replatting, lot #72 was subdivided into two lots. The first lot 70' by 100' and the second lot was 70' by 150'. These lots were recorded on the plat, but were never officially recorded with the tax office to become an official parcel of record. Since, the lots are below the minimum zoning standards of the R-20 zoning district, the property has to be rezoned to allow for the zoning proposal.

The applicant is requesting to rezone the property from R-20 to RAD-Conditional for the subdivision of the subject property into two lots per the 1950's plat. The applicant is proposing to leave the existing home on one lot and construct a new detached single family home on the second lot. The zoning proposal would provide for lot sizes of 7,430 sq. ft. (existing home) and 10,231 sq. ft. (new home). The existing home will keep access off Adams Drive and the new home will have access off Pierce Avenue. The conceptual building plans submitted with the rezoning, indicate residential elevations will employ a variety of building materials and architectural features that will enhance the architectural standards of the general neighborhood.

The applicant has provided a conceptual zoning plan (which shows proposed grading and stormwater management facilities) and tree plan with the rezoning application. City staff has reviewed the plans and has provided comments to Community Development to be incorporated into the zoning conditions.

The proposed lots will require several variances from the zoning requirements of the RAD zoning district. These variances include the following:

- 1) A reduction in the minimum lot size from 15,000 sq. ft. to 7,430 sq. ft.;
- 2) A reduction in the minimum lot width at the setback line from 100' to 70';
- 3) A reduction in the minimum front setback from 35' to 25'; and
- 4) A reduction in the minimum street side setback from 23.3' to 15';

Community Development staff is supportive of all variances except the front setback variance from 35' to 25'. There is no perceived hardship to support this variance and there is enough buildable area on the lot to provide the 35' setback from Pierce Avenue. Community Development's recommendation addresses three of the four variance requests above. However, the front setback requirement will remain 35' per the City's Zoning Ordinance.

The proposed density for the development of 4.9 units per acre is higher than typically allowed for this area of the city. However, the subject property was recorded as two properties in the 1950, but never officially recorded on the County's tax plat. The lot size of 7,430 sq. ft. is not the smallest lot on Adams Drive. The two adjacent lots across Adams Drive (2465 & 2475 Adams Drive) have lots sizes of 5,227 sq. ft. and 4,791 sq. ft., respectively. The two adjoining lots to the north on Adams Drive (2474 & 2484 Adams Drive) have lot sizes of 7,405 sq. ft. and 7,840 sq. ft., respectively. The zoning proposal is consistent with the lots sizes along Adams Drive.

Community Development recommends **approval** rezoning the subject property from R-20 to RAD-Conditional for two detached single-family units at a density of 4.9 units per acre with the following conditions:

Standard Conditions

(Requirement #1, 2, 3, 4, 8, 9, 10 and 17 from Section 1201 of the Zoning Code is not applicable)

1. The stormwater management facility 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 10% reduction in a 2-year to 100-year storm event. The City Engineer shall approve all plans.
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. The grass buffer may be waived if it is deemed unnecessary by the City Engineer.
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 minimum setbacks:

Front – 35'
Side – 10'
Street Side – 15' (From Existing ROW)
Rear – 30'
10. Driveway – 22' minimum length from building face to back of sidewalk.
11. Each home will be a minimum of 1,800 square feet in floor area.
12. The minimum allowable lot size shall be 7,430 sq. ft..
13. The minimum allowable lot width shall be 70'.
14. The developer shall install a 5' sidewalk for the length of the development along Pierce Avenue. There shall be a 2' grass buffer between the sidewalk and the back of curb.
15. The final plat for the development shall include a right-of-way dedication of 5' along Adam Drive. Setbacks shall be taken from the existing right-of-way.
16. 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 8/12/2016 created by Sean J. Murphy.
17. The home shall be constructed in substantial compliance with the architectural elevations submitted and dated 8/12/2016. The home shall meet the façade requirements established in stipulation #18 below. Approval of any change to the elevations must be obtained from the Director of Community Development.
18. 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.

Figure – 1
Subject Property



Figure – 4
Adjoining Property to the West



Figure – 5
Adjacent Property to the South Across Pierce Avenue



Figure – 6
Adjacent Property to the East Across Adams Drive



Figure – 7
Adjoining Property to the North

