

CITY OF SMYRNA COMMUNITY DEVELOPMENT DEPARTMENT MEMORANDUM

To: Mayor and Council

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

Date: February 8, 2017

CC: Planning and Zoning Board
Michael Jones, City Administrator

RE: REZONING CASE Z17-002 – Atlanta Road and Campbell Road

Applicant: Covenant United Methodist Church, Inc.

Existing Zoning: NS

Titleholder: Jane Adams MacKenna

Proposed Zoning: OI-Conditional
Size of Tract: 5.5 acres

Location: Atlanta Road & Campbell Road

Contiguous Zoning:

Land Lot: 700

North NS & R-15
East R-15
South RM-12
West RAD & R-15

Ward: 1

Access: Atlanta Road & Campbell Street

Hearing Dates:

Existing Improvements: Undeveloped Property

P&Z Board February 13, 2017
Mayor and Council March 20, 2017

Proposed Use:

Rezoning from NS to OI-Conditional for the construction of a new 17, 500 sq. ft. Church. A land use change from Medium Density Residential to Neighborhood Activity Center is required for this rezoning.

Staff Recommendation:

Approval of proposed rezoning 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 subject property is currently undeveloped and zoned Neighborhood Shopping (NS). The zoning proposal would allow for the development of the subject property as a church.

The adjoining properties to the north are zoned NS & R-15 (single-family residential) and are undeveloped and occupied by single-family residences. The adjoining properties to the east are zoned R-15 and are occupied by single-family residences. The adjoining property to the south is zoned RM-12 (multi-family residential) and is occupied by an apartment complex. The adjacent properties to the west across Atlanta Road are zoned RAD & R-15 and are occupied by single-family residences. The zoning proposal will permit a use that 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 subject property is currently zoned NS, which allows for limited retail uses that are designed to serve the immediate surrounding neighborhood. The applicant is requesting a down zoning of the subject property to Office/Institutional (OI) for the construction of a church. The OI zoning designation encourages the development of, as well as provides areas suitable for offices, public and private community uses and certain related activities. The zoning proposal should 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 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 an excessive burden to existing streets or transportation facilities.

Based upon information provided by Public Works Director, adequate water and sewer capacities are available in the area to accommodate the development associated with the zoning proposal. Water is located on the west side of Atlanta Road requiring a case and bore. Sanitary sewer availability is based upon sewer flows provided by the design engineer. Sanitary sewer is located on Campbell Road. Sanitary sewer may also require a case and bore. Elevations are the responsibility of the developer. This information is based upon a conceptual site drawing labeled Covenant United Methodist Church by Lyman, Davidson, Dooley, dated 1/6/17.

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

The subject site currently has a future land use designation of Medium Density Residential on the City's Future Development Map. A land use change from Medium Density Residential to Neighborhood Activity Center is required for this 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 undeveloped and has a zoning designation of NS, which allows for limited retail services that serve the immediate surrounding neighborhood. The applicant is requesting a down zoning to OI that permits lesser intensive uses and is proposing to develop the site as a church, which would have less impact on the surrounding neighborhoods than the retail uses allowed under the NS zoning district. The down zoning 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 zoning proposal will enhance the aesthetics and architectural standards of the general neighborhood and area. The applicant is requesting a variance to reduce the required 50' landscape buffer between residential and non-residential uses to 10' and 15' for their parking area. In lieu of the 50' buffer, the applicant is proposing to install a 6' privacy fence between the uses.

8. Under any proposed zoning classification, whether the use proposed may create a nuisance or is incompatible with existing uses in the area.

The zoning proposal should not create a nuisance or be incompatible with existing uses in the area. The site will remain unchanged from its current design.

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 not negatively affect adjoining properties. The applicant is proposing to meet all setback and height requirements established in the OI zoning district.

Covenant United Methodist Church is requesting to rezone 5.5 acres of a 7.53 acre site from NS to OI-Conditional for the development of a new church. The remaining 2.034 acres will remain zoned NS and will be developed in the future. The subject property under consideration for rezoning is currently zoned NS and undeveloped. The applicant is proposing to construct a 17,500 sq. building with a 350 seat sanctuary, a kitchen, administrative offices and adult education classrooms. The building will be orientated towards Atlanta Road with a majority of the parking located behind the building. The zoning proposal reflects a right-in/right-out entrance off Atlanta Road and full access entrance off Campbell Road. The site plan also reflects a 60' access easement across the adjoining 2.034 acres to access Campbell Road. The applicant has also shown a large area to the north of the proposed building to be left undeveloped and will be preserved as area for future development and campus expansion. The conceptual building plans submitted with the rezoning indicate the building elevations will employ a variety of building materials and architectural features that will enhance the architectural standards of the Atlanta Road corridor.

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 City Engineer has proposed a zoning stipulation requiring the applicant/developer to provide stormwater management for the entire 7.53 acres in regional detention facility on-site. In addition, the Public Works Department is also proposing to restrict the entire 7.53 acres to one vehicular entrance on Atlanta Road. Therefore, a zoning stipulation requiring inter-parcel access between properties has been provided in the recommendation.

The proposed development will require some variances from the City's buffer requirements. Section 503 of Zoning Ordinance requires a minimum 50' landscape buffer between residential and non-residential uses for developments over 5 acres. The buffer requirement would require a 50' buffer along the southern property line that abuts the apartment complex and the eastern property line that abuts the single-family residential. The applicant is requesting variances to reduce the required 50' buffer along the southern property line to 10' and along the eastern property line to 15' with a 6' privacy fence. Community Development is **supportive** of the buffer reduction to 10' along the southern property line that abut the apartment complex due to the area on the apartment property being part of their entrance and currently being wooded. Community Development is **not supportive** of the variance request to reduce the buffer requirement to 15' along the eastern property line that abuts the single-family residential. The applicant has not been able to show any hardships or unique circumstances that necessitate the buffer reduction along the single-family residences.

Community Development recommends **approval** rezoning the subject property from **NS to OI-Conditional** for the development of a 17,500 sq. ft. church with the following conditions:

**Standard Conditions
(Requirement #2, 3, 4, 9, 10, 12 and 16 from Section 1201 of the Zoning Code is not applicable)**

1. The composition of the building in the development 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 building elevations 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. The grass buffer may be waived if it is deemed unnecessary by the City Engineer.
5. The developer shall install a deceleration lane at the entrance for the subdivision. The deceleration lane shall have a minimum length of 150 feet with a 50-foot taper.
6. No debris may be buried on any lot or common area.
7. 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.
8. All landscape plans must be prepared, stamped, and signed by a Georgia Registered Landscape Architect for any common areas or entrances.
9. All yards and common areas are to be sodded, and landscaped. Irrigate as appropriate.
10. A Level I Archeological Study shall be provided for the development. The developer shall verify to the city that any historical or archeological features (including civil war trench lines or evidence of encampments) identified in the

study will be protected from development prior to the issuance of a permit for any land disturbance activities.

Special Conditions

11. The development shall maintain the following minimum setbacks:
 - Front – 50'
 - Side – 15'
 - Rear – 50'
12. Any proposed dumpsters shall be surrounded by a three-sided brick or stucco enclosure with an opaque gate in the front. The lid of the dumpster shall be made of rubber.
13. Any utility boxes, HVAC components, or accessory components to the commercial building shall be screened from the public right-of-ways and adjoining property owners.
14. The building shall have entry doors along Atlanta Road.
15. The subject property shall be limited to one right-in/right-out driveway on Atlanta Road. The developer shall provide inter-parcel access from the proposed driveway to the property at the intersection of Atlanta Road and Campbell Road.
16. The developer shall provide signage directing south bound Atlanta Road traffic to use the Campbell Road entrance to access the traffic light to head south on Atlanta Road.
17. The developer shall be responsible for any water and sanitary sewer improvements deemed necessary by the Public Works Director during construction plan review.
18. The developer shall provide a straight access from the Campbell Road entrance to the site. The proposed dog-leg in the access drive reflected on the zoning plan shall be removed during the plan review and permitting process.
19. The developer shall provide stormwater management for the entire 7.53 acres on-site in one detention facility in accordance with the requirements of the City's Stormwater Management Ordinance.
20. The developer shall provide a 50' landscape buffer in accordance with Section 503 of the Zoning Ordinance along eastern property line that abuts single-family residential.
21. The developer shall provide a 10' landscape buffer in accordance with Section 503 of the Zoning Ordinance along southern property line that abuts multi-family residential.

22. Approval of the subject property for the Office Institutional (OI) zoning district shall be conditioned upon the development of the property in substantial compliance with the submitted site plan dated 1/13/2017 created by Acme American. All listed recommendations above shall be addressed during the plan review process.
23. The applicant shall be bound to the building material and architectural features illustrated on the elevations submitted 1/13/2017. If there is any change to the elevations, it must be approved by the Director of Community Development.

Figure – 1
Subject Property





Figure – 2
Adjacent Properties



