

CITY OF SMYRNA

COMMUNITY DEVELOPMENT DEPARTMENT

MEMORANDUM

To: Mayor and Council

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

Date: March 16, 2017

CC: Michael Jones, City Administrator

RE: **REZONING CASE Z16-002 – 4710, 4730, 4750, 4760, 4770 & 4780 Camp Highland Road**

Applicant: Prime Interest, Inc.

Existing Zoning: GC

Titleholder: Various

Proposed Zoning: RTD-Conditional

Size of Tract: 7.25 Acres

Location: 4710, 4730, 4750, 4760, 4770
& 4780 Camp Highland Road

Contiguous Zoning:

Land Lot: 606

North	GC
South	GC & RAD
East	GC & RAD
West	RAD

Ward: 7

Access: Camp Highland Road

Hearing Dates:

Existing Improvements: Four (4) Single-Family Residences

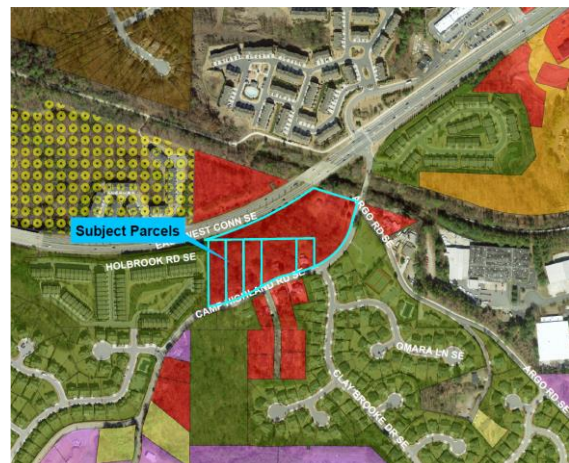
P&Z	October 10, 2016
M&C	March 20, 2017

Proposed Use:

The applicant is proposing the development of 68 townhome units at a density of 9.37 units per acre. A land use change from Medium Density Residential to Urban Residential will be required for this rezoning.

Staff Recommendation:

Approval of the rezoning from GC to RTD-Conditional 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 proposed rezoning would result in the development of a sixty-eight unit townhome subdivision along Camp Highland Road. The adjoining properties to the west are zoned RAD and are occupied by townhomes and single-family residences. The adjacent properties to the south across Camp Highland Road are zoned RAD and General Commercial (GC) and are occupied by single-family residences. The adjacent properties to the east are zoned GC and RAD and are occupied by a commercial use and single-family residences. The adjacent property to the north across East/West Connector is zoned GC and is vacant. The proposed use will provide an appropriate transition from the East/West Connector to the single-family homes and 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 zoning proposal and associated development should not have an adverse effect upon the existing use or usability of nearby properties. The zoning proposal is a down zoning from commercial (GC) to residential (RTD) and will further develop the area with residential uses.

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. The City Engineer has proposed several transportation improvements associated with the development, such as right-of-way dedications, installation of a deceleration lane and the installation of sidewalks and crosswalks. These road improvements are incorporated into the staff recommendation and stipulations below.

Based upon information provided by the Public Works Director, adequate water capacities are available in the area to accommodate the development associated with the rezoning. A 10" water main exists on the north side of Camp Highland Road. Each townhome unit will require its own separate 1" water meter and tap.

Based upon information provided by the Public Works Director, sanitary sewer is not readily available and/or adjacent to the proposed development. Cobb County should also be consulted as to the availability to the proposed development.

All water and sewer taps are the responsibility of the developer. Existing water and sewer taps not used will have to be capped at the main. Pressure and elevations are the responsibility of the developer.

This information is based upon a rezoning plan titled, Camp Highland Road by Planners and Engineers Collaborative dated September 14, 2016.

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

The 7.25-acre rezoning will not be consistent with the City's Future Development Plan, which indicates a land use of Medium Density Residential. The Medium Density Residential land use designation allows densities up to 6 units per acre. The zoning proposal will provide a density of 9.37 units per acre. Therefore, the zoning proposal will require a change of the Future Development Map from Medium Density Residential to Urban Residential (> 6 units per acre).

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 property, which give supporting grounds for approval of the zoning proposal. Over the last several decades, the surrounding area has transitioned from a commercial/industrial area to a residential area. The zoning proposal is a down zoning from commercial to residential and would further solidify the area as a residential area, as well as provide an appropriate residential transition from East/West Connector to the single-family homes.

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 will either be conserved or re-planted on-site.

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 townhomes and 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, will not have an effect upon adjacent properties. The applicant is requesting to rezone the property to RTD-Conditional. The applicant is seeking a site plan specific rezoning to deviate from: 1) the required minimum front setback; 2) the required minimum side setback; and 3) the required minimum building separation. Table 1 below shows the requirements of the RTD zoning district versus the proposed development.

Table 1: Lot Requirements for RTD Zoning District vs. Proposed Development						
	Min. Front Setback	Min. Side Setback	Min. Rear Setback	Max. Height	Max. Lot Coverage (percent)	Min. Square Footage
RTD Zoning District	40'	35'	40'	35'	30%	1,200
Proposed Development	15'	25'	40'	35'	30%	1,200

The Prime Interest, Inc. is requesting the rezoning of the subject property from GC to RTD-Conditional for the development of a sixty-eight unit townhome subdivision at a density of 9.37 units per acre. The 68 units will be split between 13 buildings, with none of the buildings exceeding six total units. The applicant is proposing two different styles of townhomes within the subdivision. The applicant is proposing to have both front-entry and rear-entry townhomes within the development. The rear-entry townhomes will front along Camp Highland Road and are proposed to be three-story, 24' wide units ranging in floor area from 2,200 sq. ft. to 2,600 sq. ft.. The front-entry townhomes will be located in the interior of the subdivision and are proposed to be three-story, 24' wide units ranging in floor area from 2,000 sq. ft. to 2,600 sq. ft.. The townhomes will employ a variety of traditional architectural features. The building facades will include, but not be limited to brick, stone, cement-fiber siding, wood or cement-fiber shingles, and other materials per the attached renderings. The applicant has provided elevations and floor plans for both townhome products for review with the zoning application.

The applicant is proposing to construct public streets and infrastructure within the subdivision. The townhomes within the subdivision will be front-entry townhomes and will be accessed from

the new public street. The applicant will provide openspace and community area in the center of the subdivision.

The applicant has reached an agreement with the adjoining Whether Brooke subdivision to the west to provide sanitary sewer to the proposed subdivision. This agreement will allow the proposed subdivision to tie into the Whether Brooke system, which ultimately ties into the City's municipal system.

The City Engineer has reviewed the proposed location of the stormwater management facility and believes the proposed plan should be able to meet the requirements of the City's stormwater management ordinance. The stormwater management facility is proposed to be an above ground facility located at the lowest point of the property along the East/West Connector.

The applicant has provided a proposed tree plan for the development. The applicant is able to meet the minimum required density for the site through the preservation and replanting of trees on-site. A complete review of the tree plan will be required during the development review process and the developer will be required to meet all the City's planting requirements.

The City Engineer is requiring several transportation improvements for the project.

1. The provision of a deceleration lane at the entrance of the subdivision;
2. The provision of 5' sidewalk with a 2' grass buffer along Camp Highland Road for the length of the development;
3. The provision of a 5' sidewalk back of curb throughout the interior of the subdivision;
4. The provision of a four-way stop at the subdivision entrance
5. The provision of a crosswalk and associated signage at the Camp Highland Road bridge;
6. The dedication of right-of-way along Camp Highland Road to bring the right-of-way up to minimum city standards.

The proposed rezoning is a site plan specific zoning and will require several variances from the City's Zoning Ordinance. These variances are as follows:

1. A reduction in the minimum front setback from 40' to 15';
2. A reduction in the minimum side setback from 35' to 25'; and
3. A reduction in the minimum building separation side to front/rear from 40' to 30'.

Community Development is **supportive of the variances** due to the topography of the site. These variances are minimal with respect to variances granted to other infill developments in the immediate area.

Under the Medium Density Residential land use designation on the Future Development Map, the subject property is allowed up to 6 units per acre. With a proposed density of 9.37 units per acre, the zoning proposal will require a land use change from Medium Density Residential to Urban Residential (> 6 units per acre).

Community Development recommends **approval** of the request rezoning from GC to RTD-Conditional with the following conditions:

Standard Conditions

(Requirement #16 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. The developer shall provide an undisturbed buffer with a minimum width of 20 feet parallel to any right-of-way external to the development (except along Camp Highland Road and where the discharge from the detention facility crosses the buffer along East/West Connector as shown on the submitted site plan).
3. There shall be protective covenants on all lots. These protective covenants shall be supplied to the city prior to the issuance of a building permit.
4. The developer shall provide at least 200 square feet of common space per lot. This common space shall be developed with improvements for the residential subdivision such as: gazebos, fountains, recreational/playground equipment or walking trails. The common space shall be controlled and maintained by the Homeowners Association.
5. The detention 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 10% reduction in a 2-year to 100-year storm event. The City Engineer shall approve all plans.
6. All utilities within the development shall be underground.
7. The developer shall be responsible for any traffic improvements (including additional right-of-way dedications) deemed necessary by the City 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.
8. 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.
9. 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.

10. The development of any streets (including private) shall conform to the city's standards for public right-of-ways.
11. No debris may be buried on any lot or common area.
12. 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".
13. 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.
14. All landscape plans must be prepared, stamped, and signed by a Georgia Registered Landscape Architect for any common areas or entrances.
15. All yards and common areas are to be sodded and landscaped. Irrigate as appropriate.
16. A Level 1 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

17. The development shall maintain the following setbacks:

Exterior Setbacks

Front – 15'
Side – 25'
Rear – 40'

Interior Setbacks

Front – 10'
Street Side – 0'
Rear – 10'

18. The buildings within the development shall maintain the following building separations:

Front to Front– 50'
Rear to Rear – 40'
Side to Front/Rear – 30'
Side to Side – 30'

19. Each townhome building shall be limited to no more than six units per building.
20. Driveway – 22' minimum length from building face to back of sidewalk or back of curb if no sidewalk is present.
21. Each home shall have a fire sprinkler system approved by the City's Fire Marshal.
22. The right-of-way along Camp Highland Road shall be increased to 50 feet. Therefore, a small dedication of is required along the right-of-way.
23. The developer shall provide a 5' sidewalk with a 2' grass buffer along Camp Highland Road for the length of the development and a 5' sidewalk within the subdivision.
24. The developer shall provide a four-way stop at the entrance of the subdivision and the intersection with Camp Highland Road and Claybrooke Drive. The City Engineer must review and approve all plans.
25. The developer shall provide a crosswalk (with associated signage and notification devices) across Camp Highland Road at the bridge. High intensity LED's shall be incorporated in the crosswalk signage. The City Engineer must review and approve all plans.
26. The developer shall provide a minimum 10' landscape buffer per Section 503 of the Zoning Ordinance along the western property line.
27. No stormwater management facility or portion thereof shall be located on any portion of the proposed lots. The stormwater management facilities shall be solely located on the HOA's property.
28. 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.
29. Approval of the subject property for the RTD zoning district shall be conditioned upon the development of the property in substantial compliance with the site plan submitted 9/30/2016 created by Planners and Engineers Collaborative and all zoning stipulations above.
30. The applicant shall build the townhomes in substantial compliances to the building elevations submitted and dated 9/30/2016. Building fronts shall have a staggered appearance. Approval of any change to the elevations must be obtained from the Director of Community Development.
31. The additional stipulations agreed upon by the applicant in the letter submitted and dated on September 30, 2016 by Kevin Moore. If there should be a

discrepancy between the stipulations in the September 30, 2016 letter and the stipulations stated above, the stipulations stated above shall apply.

32. Infrastructure decision on whether to be public or private will be made by the city after the submittal of civil site design.

Figure – 1
(Subject Property)







Figure – 4
(Adjacent Properties)







