

CITY OF SMYRNA

COMMUNITY DEVELOPMENT DEPARTMENT

MEMORANDUM

To: Mayor and Council

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

Date: May 9, 2017

CC: Tammi Saddler-Jones, City Administrator

RE: **REZONING CASE Z17-007 – 2611 Argo Drive**

Applicant: Anthony Lim.

Existing Zoning: R-15

Titleholder: Anthony Lim & Marina Sugiarto

Proposed Zoning: RAD-Conditional

Size of Tract: 0.384 Acres

Location: 2611 Argo Drive

Contiguous Zoning:

Land Lot: 664

North R-15

South R-15

East R-12

West R-15

Ward: 3

Access: Argo Drive

Hearing Dates:

P&Z April 10, 2017

M&C May 15, 2017

Existing Improvements: Vacant Lot

Proposed Use:

The applicant is proposing the development of two new detached single-family residences at a density of 5.2 units per acre. A land use change from Suburban Residential to Medium Density Residential will be required for this rezoning.

Staff Recommendation:

Approval of the rezoning from R-15 to RAD-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 two single-family lots at a density of 5.2 units per acre. The new homes will be constructed on lots facing Argo Drive. Since the proposed single-family homes will be located in the middle of an existing single-family neighborhood; 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 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 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 is located within the right-of-way of Argo Drive. The developer is to use all existing taps where possible and make any additional taps. The existing taps that cannot be used will be required to be abandoned by the developer at the main.

Sanitary sewer is located within the right-of-way of Argo Drive. The developer will be required to make any additional taps and shall use any existing taps where possible. Any tap that is abandoned will require the developer to abandon at the main. Elevations are the responsibility of the developer. This information is based

off a plat titled property Address 2611 Argo Drive by Land Survey Express dated 2/8/2016.

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

The 0.384-acre rezoning will not be consistent with the City's Future Development Plan, which indicates a land use of Suburban Residential (<3 units per acre). The proposed density of 5.2 units per acre for the development is above the maximum allowable density of 3 units per acre for the Suburban Residential land use classification on the Future Development Plan. The zoning proposal will require a change of land use on the Future Development Map from Suburban Residential to Medium Density Residential. The subject property adjoins property with a Medium Density Residential land use designation to the east.

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.

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 proposed scale of the home will be compatible with the existing homes in the immediate areas. The developer will be required to meet tree density standards 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, will not have an effect 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 the required minimum lot size and lot

width for the RAD zoning district. Table 1 below, shows the requirements of the RAD & R-15 zoning districts versus the proposed development.

Table 1: Lot Requirements for R-12 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
R-15 Zoning District	15,000	85'	35'	10'	30'	35'	35	2,000
RAD Zoning District	15,000	100'	35'	10'	30'	35'	35	1,800
Proposed Lots	8,000	50'	35'	10'	30'	35'	35	1,800

Mr. Anthony Lim is requesting rezoning from R-15 to RAD-Conditional for the construction of two new single-family residences at a density of 5.2 units per acre on an existing vacant lot on Argo Drive. The proposed homes will be accessed from Argo Drive though individual private drive ways. The applicant has submitted building elevations and floor plans in the rezoning application. The submitted elevations reflect a more traditional style two-story home with a mixture of exterior façade materials and architectural elements. The new homes will enhance the architectural standards of the general neighborhood.

The proposed lots for the rezoning will be 8,071 sq. ft. (lot #1) and 8,668 sq. ft. (lot #2). The proposed lots will require several variances from the 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 8,000 sq. ft. and 2) a reduction in the minimum lot width from 100' to 50'. These deviations are reflected in Table 1 above. The proposed setbacks are consistent with the minimum setbacks for the RAD zoning district. Community Development has reviewed the requested variances and is **supportive of both variances** due to the geometry of the lot and its proximity to Medium Density Residential on City's Future Development Map.

The applicant has proposed individual stormwater management facilities for each home of the development. The City Engineer will review and approve all stormwater management plans prior to the construction of the single-family homes.

The proposed rezoning would provide for 2 residences at an overall density of 5.2 units per acre. This density is a little higher 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
Proposed Development	2611 Argo Drive	2	5.2	8,000	50'
Bates Street	2580 Bates Street	2	3.17	13,763	75'
Morris Circle	Morris Circle & Walker Street	4	3.69	8,876	52'
Joni Mitchell Tract	1524 Walker Street	3	4.37	5,460	40'
Walker Manor	Walker Court & Walker Street	9	4.5	6,200	62'
Walker Street Cottages	Walker Street & Mathews Street	12	4.63	6,960	48'
Riley's Walk I	Gilbert Street & Devin Court	26	3.81	6,533	65'
Riley's Walk III	Marston Street & Highland Avenue	10	3.81	6,075	50'
Riley's Walk II	Roswell Street	5	3.03	8,037	54'
Gilbert Street	Gilbert Street	4	2.47	16,602	52'
Spring Street	Spring Street	4	3.36	10,027	41'

Community Development has reviewed the zoning proposal against recent infill development and the City's Future Development Plan. The subject property almost adjoins a property with an RAD zoning designation and does adjoin property with a Future Land Use designation for Medium Density Residential.

Community Development recommends **approval** of the request rezoning from R-15 to RAD-Conditional for the construction of two new single-family residences at a density of 5.2 units per acre with the following conditions:

Standard Conditions

(Requirement #2, 3, 4, 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 siding for any elevation facing these roads.

2. 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.
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.
5. No debris may be buried on any lot or common area.
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, unless otherwise approved by the City's Arborist. 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 – 35'
Side – 10'
Rear – 30'
11. Driveway – 22' minimum length from building face to back of sidewalk.
12. The development shall be developed with a minimum lot size of 8,000 square feet.
13. The lots shall be developed with a minimum lot width at the setback line of 50'.
14. The homes shall have a minimum floor area of 1,800 sq. ft.

15. The developer shall provide a 5' sidewalk with a 2' grass buffer along Argo Drive for the length of the development.
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 RAD zoning district shall be conditioned upon the development of the property in substantial compliance with the submitted site plan dated 4/9/2017 created by Survey Land Express, Inc. All listed stipulations above shall be addressed during the plan review process.
18. The homes shall be built in substantial compliance with the elevations submitted and dated 3/10/2017. Approval of any change to the elevations must be obtained from the Director of Community Development.

Figure – 1
(Subject Property)



Figure – 2
(Adjoining Properties)



