



City of Smyrna

City of Smyrna
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Legislation Details (With Text)

File #: 2019-440 **Version:** 15 **Name:** Rezoning Request Z19-019 - 2320 Campbell Rd
Type: Authorization **Status:** Agenda Ready
File created: 12/5/2019 **In control:** City Council
On agenda: 1/19/2021 **Final action:** 1/19/2021
Title: Public Hearing / NO VOTE ITEM - Zoning Request - Z19-019 - Rezoning from NRC & OI to RM-10-PD for the development of 144 residential units at a density of 6.01 units per acre - 23.95 Acres - Land Lots 775, 810, & 811 - 2320 Campbell Road - InLine Communities, LLC.

Sponsors:

Indexes:

Code sections:

Attachments: 1. Issue Sheet 2019-440 - InLine Communities.pdf, 2. Staff Memo_Z19-019_MC_V9.pdf, 3. Zoning Vicinity Map_Z19_019, 4. Land Use Map_Z19-019, 5. Application for Rezoning_Z19-019, 6. Annexation Application_Z19-019, 7. Site Plan V10_Z19-019.pdf, 8. Elevations_11921_Z19-019.pdf, 9. Legal Ad_Z19-019.pdf, 10. Legal Ad_V2_Z19-019.pdf, 11. Cross Section Example_Z19-019, 12. Site Distance_Z19-019, 13. Traffic Impact Study V6_Z19-019.pdf, 14. Traffic Impact Study V6_Response_Z19-019.pdf, 15. Sewer capacity_Z19-019, 16. Survey 1_Z19-019, 17. Survey 2_Z19-019, 18. Tax Plat_Z19-019, 19. Taxes_Z19-019, 20. Constitutional Challenge_Z19-019, 21. Cobb Water-Sewer Letter_Z19-019, 22. Deed_Z19-019, 23. Corrective Deed_Z19-019, 24. Executors Deed_Z19-019, 25. Signed_Letter_of_Response_Non-Objection_2320_Campbell_Rd_11-2019_Z19-019, 26. Letters to Table_Summary_Z19-019

| Date | Ver. | Action By | Action | Result |
|------------|------|--------------------------------|---------------------------|--------|
| 1/19/2021 | 15 | City Council | | |
| 12/21/2020 | 14 | City Council | Tabled | Pass |
| 12/14/2020 | 13 | Planning and Zoning Commission | Denied | Pass |
| 11/2/2020 | 12 | City Council | Tabled | Pass |
| 10/19/2020 | 11 | City Council | Tabled | Pass |
| 10/5/2020 | 10 | City Council | Tabled | Pass |
| 9/21/2020 | 9 | City Council | Tabled | Pass |
| 8/17/2020 | 7 | City Council | Tabled | |
| 8/17/2020 | 7 | City Council | Tabled | Pass |
| 7/13/2020 | 6 | Planning and Zoning Commission | Denied | Pass |
| 6/29/2020 | 5 | Planning and Zoning Commission | Tabled to a Specific Date | Pass |
| 3/9/2020 | 4 | Planning and Zoning Commission | Tabled | Pass |
| 2/10/2020 | 3 | Planning and Zoning Commission | tabled | Pass |
| 1/13/2020 | 2 | Planning and Zoning Commission | tabled | Pass |
| 12/9/2019 | 1 | Planning and Zoning Commission | tabled | Pass |

WARD: Ward #1 / Councilman Glenn Pickens / Boardmember Tom Bartlett

COMMITTEE: Community Development

\$ IMPACT: N/A

Public Hearing / NO VOTE ITEM - Zoning Request - Z19-019 - Rezoning from NRC & OI to RM-10-PD for the development of 144 residential units at a density of 6.01 units per acre - 23.95 Acres - Land Lots 775, 810, & 811 - 2320 Campbell Road - InLine Communities, LLC.

BACKGROUND: InLine Communities LLC is requesting to annex and rezone 23.95 acres at 2320 Campbell Road from NRC & OI (Cobb County) to RM-10-PD for the development of 134 single-family attached and 10 single family detached units at a density of 6.01 units per acre. The original rezoning plan called for a change to MU-Conditional for the development of a 170-unit independent senior living facility and 114 townhome units at a density of 11.85 units per acre; however, the plan was revised due to concerns from the public about cost and density.

The Planning Board recommended denial of the rezoning to MU-Conditional by a vote of 6-0 at the July 13, 2020 meeting, and denial of the rezoning to RM-10-PD at the December 14, 2020 meeting.

RECOMMENDATION/REQUESTED ACTION: Community Development recommends **approval** of the rezoning from NRC & OI (County) to RM-10-PD on 23.95 acres for a 144-unit residential community at a density of 6.01 units per acre. The rezoning represents a downzoning from a commercial use to single-family attached units and the development meets many goals and policies in the Comprehensive Plan and Spring Road LCI, which serve to support housing diversity in the area. Community Development recommends approval including those variances requested by staff as shown above, **with the following conditions:**

Standard Conditions

Elements # 2, 8, 16 and 17 from Section 1201 of the Zoning Code are not applicable. The following elements remain applicable.

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 percent hardy plank siding. The residences 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. 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. All utilities within the development shall be underground.
6. 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.

7. 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.
8. The development of any streets (including private) shall conform to the City's standards for public right-of-ways.
9. No debris may be buried on any lot or common area.
10. 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".
11. 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.
12. All landscape plans must be prepared, stamped, and signed by a Georgia Registered Landscape Architect for any common areas or entrances.
13. All yards and common areas are to be sodded, and landscaped. Irrigate as appropriate.

I Conditions

14. The development shall maintain the following setbacks:

Townhomes

- Front - 50' (Spring Road)
- Front (along Campbell Road Extension) - 10'
- Eastern Side - 35'
- Western Side - 35'
- Side (Adjacent to Gas Station) - 0'
- Rear - 40'

Single-Family Homes

- Front - 20'
- Side - 5'
- Rear - 20'

15. The development shall maintain the following building separations:

- Side to Side - 30' (Western Side of Development)
- Side to Side - 20' (Eastern Side of Development)
- Front to Side - 40'
- Front to Back - 50'
- Front to Front - 50'
- Back to Back - 50'

16. The single-family lots shall have a minimum lot size of 4,200 sq. ft.

17. The maximum impervious surface area coverage for the development shall be 65%.
18. The maximum building height for the townhomes shall be 45'.
19. The maximum number of units per building shall be 6 units.

20. The developer shall install deceleration lanes at the entrance of the development along Spring Road and Campbell Road with a minimum length of 100 feet and taper of 50 feet.
21. The developer shall provide a left turn lane to the development on Campbell Road for southbound traffic.
22. The developer shall provide access management that restricts turning movements near the Spring Road intersection on Campbell Road.
23. The developer shall construct a dedicated eastbound right-turn lane on Spring Road and connect it to the existing dedicated receiving lane on Cumberland Boulevard to form a free flow right-turn lane movement.
24. The developer shall change the signal phasing of the southbound right-turn lane to "Protected-Overlap" at the Spring Rd & Cumberland Boulevard intersection.
25. The developer shall restripe the existing southbound shared 'through and left-turn-lane' into a shared through/right-turn/left-turn-lane on Village Parkway.
26. The developer shall change the signal phasing of the southbound right-turn approaches to "Protected-Overlap" at the Spring Rd & Village Parkway intersection.
27. Minimum driveway length shall be 22' from curb of street, or 20' back of sidewalk, or 18' from alleyways.
28. The roads and utility infrastructure within the community shall be private and shall be maintained by the HOA.
29. The 50' stream buffer and 25' impervious surface area setback along the stream buffer shall be compensated at a ratio of 1:1 square feet for any encroachment along the same stream buffer within the development.
30. The developer shall meet all fire access requirements deemed necessary by the Fire Marshal during construction plan review.
31. The developer shall be responsible for any water and sewer improvements deemed necessary by the Public Works Director during construction plan review.
32. The developer shall be responsible for any stormwater improvements deemed necessary by the City Engineer.
33. The developer shall provide a 20' landscape buffer in accordance with Section 1013.3 of the Zoning Ordinance along the western property line and 10' along the Eastern property line.
34. The developer shall replace any disturbed sidewalk, curb, and gutter along the frontage of Campbell Road and Spring Road.
35. The developer shall make a sidewalk connection from the development to Campbell Road.
36. The developer shall dedicate right-of-way along Campbell Road to meet the minimum of 30 feet from the centerline.
37. The gating of the private roads shall be prohibited.
38. The townhome buildings throughout the development shall use brick, stone or other architectural features/materials in lieu of 100% hardi-plank lap siding. The building elevations shall reflect three-sided architecture with the sides containing a minimum of one-story of brick or stone facade.
39. The Campbell Road extension shall be connected to Cobb County School property provided an agreement is

settled prior to final plat. However, if no such agreement is settled prior to final platting of the final phase the commitment will terminate or expire.

40. The developer shall be responsible for a vehicular and pedestrian connection from the private street of the subdivision to Woodruff Drive. The proposed connection shall be reviewed by the City Engineer during the permitting process for a Land Disturbance Permit.
41. Approval of the subject property for the RM-10-PD zoning district shall be conditioned upon the development of the property in substantial compliance with the site plan submitted 1/19/2020 and created by Planners and Engineers Collaborative and all zoning stipulations above. Should there be any conflict between the zoning conditions above and the approved site plan, the zoning stipulations above shall apply.
42. The applicant shall be bound to the elevations submitted on 1/19/21. Approval of any change to the elevations must be obtained from the Director of Community Development.