



City of Smyrna

City of Smyrna
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Legislation Details (With Text)

File #: 2021-134 **Version:** 6 **Name:** Zoning Request - Z21-006 - Atlanta Rd & Campbell Rd
Type: Zoning **Status:** Agenda Ready
File created: 4/5/2021 **In control:** Planning and Zoning Commission
On agenda: 12/20/2021 **Final action:** 12/20/2021
Title: Public Hearing - Zoning Request - Z21-006 - Allow rezoning from NS to RDA-Conditional for the development of 12 single-family homes at a density of 5.9 units per acre - 2.03 acres - Land Lot 700 - Atlanta Rd & Campbell Rd - Morgan Capital and Development, LLC.
Ward 1 / Councilmember Glenn Pickens

Sponsors:

Indexes:

Code sections:

Attachments: 1. Issue Sheet 2021-134 Atlanta Road and Campbell Road 12 Homes.pdf, 2. Issue Sheet, 3. Staff Memo_V4_Z21-006_M&C.pdf, 4. Zoning Map_Z21-006.pdf, 5. Land Use Map_Z21-006.pdf, 6. Site Plan V5_Z21-006.pdf, 7. Elevations_Z21-006, 8. Application_Z21-006.pdf, 9. Letter amending to RDA category_Z21-006, 10. Tree Protection_Z21-006.pdf, 11. Water Sewer_Z21-006.pdf, 12. City Tax_Z21-006.pdf, 13. County Tax_Z21-006.pdf, 14. Constitutional Challenge_Z21-006.pdf, 15. Legal Ad_Z21-006.pdf

Date	Ver.	Action By	Action	Result
12/20/2021	6	City Council	Approved	Pass
11/8/2021	6	Planning and Zoning Commission	Approved	Pass
10/11/2021	6	Planning and Zoning Commission	Tabled	Pass
9/13/2021	6	Planning and Zoning Commission	Tabled to a Specific Date	Pass
8/9/2021	5	Planning and Zoning Commission	Tabled to a Specific Date	Pass
7/12/2021	4	Planning and Zoning Commission	Tabled	Pass
6/14/2021	3	Planning and Zoning Commission	Tabled to a Specific Date	Pass
5/10/2021	2	Planning and Zoning Commission	Tabled	Pass
4/12/2021	1	Planning and Zoning Commission	Tabled to a Specific Date	Pass

WARD / COUNCILMEMBER: Ward 1 / Councilmember Pickens

\$ IMPACT: N/A

Public Hearing - Zoning Request - Z21-006 - Allow rezoning from NS to RDA-Conditional for the development of 12 single-family homes at a density of 5.9 units per acre - 2.03 acres - Land Lot 700 - Atlanta Rd & Campbell Rd - Morgan Capital and Development, LLC.

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ISSUE AND BACKGROUND:

applicant is requesting a rezoning from NS to RDA-Conditional for 12 single-family detached homes at a density of 5.9 per acre. The future land is NAC and a future land use change to MEDR is required. The Planning & Zoning Board recommend approval by a vote of 6-0 at the November 8, 2021 meeting.

RECOMMENDATION / REQUESTED ACTION: Community Development recommends **approval** of the rezoning from RDA-Conditional with a density of 5.9 units per acre at Atlanta Rd & Campbell Rd with the following conditions:

Hard Conditions

Permit #2, 8, 16 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 for any elevation facing these roads.
2. 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.
3. 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.
4. 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.
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 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.
11. All landscape plans must be prepared, stamped, and signed by a Georgia Registered Landscape Architect for any common areas or entrances.
12. All yards and common areas are to be sodded, and landscaped. Irrigate as appropriate.

Soft Conditions

13. The development shall maintain the following setbacks:

Front - 20'
Side - 5'
Rear - 10'

14. The proposed homes shall have a minimum floor area of 1,800 sq. ft.
15. The minimum lot size shall be 3,150 sq. ft.
16. The maximum impervious coverage shall be 58% per lot.
17. The minimum lot width shall be 35'.
18. The private drive shall be a minimum of 24' wide from back of curb to back of curb.
19. The developer shall provide right-of-way dedication on Campbell Road where required by the City Engineer.
20. The front elevations of Lots 1-6 shall face Campbell Road and the front elevations Lots 7-12 shall face the detention pond/open space area. The rear elevation shall be on the private street.
21. All homes shall have a two car rear-entry garage.
22. Privacy fencing shall be prohibited within the development. Fencing within the front yard shall be a maximum 4' in height and decorative.
23. The front entrance to the development shall not be gated.
24. The development shall include a 10' landscape strip along Atlanta Road.
25. The development shall include a 50' landscape buffer along the northern boundary. The landscape buffer will include a 6' high planted berm, and no trees taller than 15' within 20' of the property line
26. The developer shall be responsible for sidewalks along Atlanta Road and Campbell Road.
27. The existing detention pond will be modified by the developer to be an amenity feature with a passive recreational area; including walking trails and landscaping in accordance with the site plan dated 10/19/2021.
28. The developer shall be responsible for sidewalk and landscaping within the amenity area.
29. The developer shall be responsible for installation of the private roads within the development and will be privately maintained by the HOA.
30. The shared sidewalk and road connections with the church property will be installed and constructed by the developer as shown on the 10/19/2021 site plan.
31. The development shall provide appropriate turning radius for non-emergency commercial vehicles.
32. The developer shall be responsible for any water and sanitary sewer improvements deemed necessary by the Public Works Director during construction plan review.
33. The developer shall be responsible for any fire access improvements deemed necessary by the Fire Marshal during construction plan review.

34. 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.
35. Approval of the subject property for the RDA zoning district shall be conditioned upon the development of the property in substantial compliance with the site plan submitted 10/19/2021 created by Planners and Engineers and all zoning stipulations above.
36. The applicant shall be bound to the elevations submitted and dated 6/2/2021. Approval of any change to the elevations must be obtained from the Director of Community Development.