



# City of Smyrna

City of Smyrna  
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## Legislation Details (With Text)

**File #:** 2017-316      **Version:** 1      **Name:** Zoning Request Z17-015  
**Type:** Authorization      **Status:** Tabled  
**File created:** 8/10/2017      **In control:** Planning and Zoning Commission  
**On agenda:** 3/12/2018      **Final action:** 3/12/2017  
**Title:** Public Hearing - Zoning Request Z17-015 - Rezoning from R-20 & GC to GC-Conditional for a veterinary clinic - 0.59 Acres, Land Lots 631 and 632 - 1763 Spring Street & 2808 Madison Street - PWH Engineering, Inc. Tabled indefinitely at the March 12, 2018 meeting by court order.  
**Sponsors:** Monty Bye, Maryline Blackburn

**Indexes:**

**Code sections:**

**Attachments:** 1. Z17-015\_Staff Memo\_V.2.pdf, 2. Zoning Vicinity Map\_Z17-015.pdf, 3. Land Use Vicinity Map\_Z17-015.pdf, 4. Zoning Application\_Z17-015.pdf, 5. Site Plan\_Z17-015.pdf, 6. Tree Plan\_Z17-015.pdf, 7. Water & Sewer Letter\_Z17-015.pdf, 8. Legal Description\_Z17-015.pdf, 9. M&C Meeting Minutes\_May 16, 2005.pdf

Date	Ver.	Action By	Action	Result
3/12/2018	1	Planning and Zoning Commission	Tabled Indefinitely	Pass
2/12/2018	1	Planning and Zoning Commission	tabled	Pass
1/8/2018	1	Planning and Zoning Commission	tabled	Pass
12/11/2017	1	Planning and Zoning Commission	tabled	Pass
11/13/2017	1	Planning and Zoning Commission	tabled	Pass
10/9/2017	1	Planning and Zoning Commission	tabled to a specific date	Pass
8/14/2017	1	Planning and Zoning Commission	tabled to a specific date	Pass

**WARD:** 3

**COMMITTEE:** Community Development

**\$ IMPACT:** N/A

**Public Hearing** - Zoning Request Z17-015 - Rezoning from R-20 & GC to GC-Conditional for a veterinary clinic - 0.59 Acres, Land Lots 631 and 632 - 1763 Spring Street & 2808 Madison Street - PWH Engineering, Inc. **Tabled indefinitely at the March 12, 2018 meeting by court order.**

**ISSUE:** The PWH Engineering, Inc. is requesting rezoning of the subject property from R-20 and GC (General Commercial) to GC-Conditional for use of the existing buildings as a veterinary clinic, pet grooming and boarding. 2808 Madison Street is a portion of the subject property that is currently zoned R-20 and occupied by a single-family residence. 1763 Spring Street is also a portion of the subject property that is zoned GC and currently operated as a pet grooming and boarding facility. The zoning proposal would allow for the existing residential building at 2808 Madison Street to be used as a veterinary clinic and the commercial building at 1763 Spring Street to remain a pet grooming and boarding facility. The zoning proposal provides for additional parking and vehicular access between

the existing buildings with a stormwater management facility at the northwest corner of Madison Street & Spring Street.

**GROUND:** Dr. Good (the property owner) annexed 1763 Spring Street in to the City on May 16, 2005. The property was annexed from Cobb County to the City as General Commercial with an existing pet grooming and washing facility. During the annexation the property was granted variances from the city ordinances that require veterinary clinics and pet care businesses to be located more than 200' from adjoining residential property. The variances were approved by vote of 7-0 with conditions requiring an 8' privacy fence along the shared property line with the residential property, the prohibition outdoor boarding and the allowance of one dog to be walked outdoor at any time.

Dr. Good also owned 2808 Madison Street, the adjacent property to the north, and annexed that property into the City on September 8, 2015. 2808 Madison Street was annexed into the City of Smyrna under the R-20 zoning classification as a single-family home.

**RECOMMENDATION/REQUESTED ACTION:** Community Development recommends **approval** rezoning the subject property from **R-20 & GC to LC-Conditional** with the following conditions:

#### **Standard Conditions**

**Requirement #1, 2, 3, 4, 8, 9, 10, 12, 16 and 17 from Section 1201 of the Zoning Code is not applicable)**

1. The stormwater management facility 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.
2. All utilities within the development shall be underground.
3. 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.
4. No debris may be buried on any lot or common area.
5. 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.
6. All landscape plans must be prepared, stamped, and signed by a Georgia Registered Landscape Architect for any common areas or entrances.
7. All yards and common areas are to be sodded, and landscaped. Irrigate as appropriate.

#### **Additional Conditions**

8. The development shall maintain the following minimum setbacks:

Front - 27'  
Side - 10'  
Rear - 30'

9. The accessory shall maintain a 7' setback from the adjoining residential property.
10. The roof structure on the north side of the building and the existing driveway at 2808 Madison Street shall be removed during the land development process.
11. The stormwater management facility 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 20% reduction in a 2-year to 100-year storm event. The City Engineer shall approve all plans.
12. The developer shall be responsible for any stormwater improvements deemed necessary by the City Engineer.
13. The developer shall be responsible for any water and sanitary sewer improvements deemed necessary by the Public Works Director.
14. The developer shall be responsible for any site safety and access improvements deemed necessary by the City Fire Marshal.
15. 2808 Madison Street and 1763 Spring Street shall be consolidated into one lot of record.
16. The developer shall provide new curb and gutter and a 5' sidewalk with a 2' grass buffer along Madison Street for the length of the development.
17. Any structure containing animals shall be insulated in such a way that no outside noise is detectable within 10' of the structure.
18. The developer shall provide a 10' evergreen buffer along the northern property line in accordance with Section 503 of the Zoning Ordinance, except where the existing accessory structure encroaches 3' into the buffer.
19. The developer shall install an 8' privacy fence along the northern property line from the rear property line to the front face of the building. **(This stipulation is a carryover from the approved annexation and variances in 2005)**
20. There shall be no outside boarding of dogs on the subject property. **(This stipulation is a carryover from the approved annexation and variances in 2005)**
21. Only **one** dog shall be allowed outside at any time and must be supervised by an employee at all times. **(This stipulation is a carryover from the approved annexation and variances in 2005)**
22. 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.

23. 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.
24. Approval of the subject property for the Limited Commercial (LC) zoning district shall be conditioned upon the development of the property in substantial compliance with the submitted site plan dated 7/14/2017 created by PWH Engineering.