



# City of Smyrna

City of Smyrna  
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## Legislation Details (With Text)

**File #:** 2017-358      **Version:** 1      **Name:** Zoning Request Z17-016  
**Type:** Authorization      **Status:** Passed  
**File created:** 9/7/2017      **In control:** Planning and Zoning Commission  
**On agenda:** 11/20/2017      **Final action:** 11/20/2017  
**Title:** Public Hearing - Zoning Request Z17-016 - Rezoning from R-15 to RM-15-Conditional for the development of 59 townhome units - 4.71 Acres - Land Lot 809 - 2708, 2720, 2732, 2742, 2754, 2766, 2776, 2788, 2800 and 2812 Bell Drive - The Woodberry Group, LLC  
**Sponsors:** Derek Norton  
**Indexes:**  
**Code sections:**

**Attachments:** 1. Issue Sheet 2017-358 Bell Driv 59 Townhomes e.pdf, 2. Staff Memo\_V.3\_Z17-016.pdf, 3. Zoning Vicinity Map\_Z17-016.pdf, 4. Land Use Vicinity Map\_Z17-016.pdf, 5. Rezoning Application\_Z17-016.pdf, 6. Site Plan\_V.4\_Z17-016.pdf, 7. Tree Protection Plan\_V.4\_Z17-016.pdf, 8. Tree Replacement Plan\_V.4\_Z17-016.pdf, 9. Building Elevation\_V.2\_Z17-016.pdf, 10. Building Elevation\_V.2\_22 & 26\_Z17-016.pdf, 11. Garvis Sams Letter\_11022017\_Z17-016.pdf, 12. Garvis Sams Letter\_09262017\_Z17-016.pdf, 13. Garvis Sams Letter\_08310217.pdf, 14. Garvis Sams Letter\_08172017\_Z17-016.pdf, 15. Garvis Sams Letter\_07172017\_Z17-016.pdf, 16. Water & Sewer Letter\_Z17-016.pdf

Date	Ver.	Action By	Action	Result
11/20/2017	1	City Council	Approved Item	Pass
10/9/2017	1	Planning and Zoning Commission	Approved with Condition(s)	Pass

**WARD:** 1

**COMMITTEE:** Community Development

**\$ IMPACT:** N/A

**Public Hearing** - Zoning Request Z17-016 - Rezoning from R-15 to RM-15-Conditional for the development of 59 townhome units - 4.71 Acres - Land Lot 809 - 2708, 2720, 2732, 2742, 2754, 2766, 2776, 2788, 2800 and 2812 Bell Drive - The Woodberry Group, LLC

The Woodberry Group is requesting the rezoning of ten single-family residential properties on the west of Bell Drive from R-15 to RM-15-Conditional for the development of a 59 unit townhome subdivision at a density of 12.52 units per acre. The 59 units will be split between 11 buildings ranging between 5 to 6 units per building. The community will be comprised of sixteen twenty-two foot wide townhomes; fifteen twenty-six foot wide townhomes; and, twenty-eight twenty-five foot wide townhomes. The townhomes will consist of a mixture of front and rear loaded two-car garages, which shall be designed to accommodate two vehicles. The twenty-two and twenty-six foot wide homes will front on Bell Drive and have rear-entry garages. The twenty-five foot wide homes will be located along a private street and have front-entry garages. The floor areas of the townhomes will range from 1,800 sq. ft. and 3,000 sq. ft.. The townhomes will employ a variety of traditional architectural features. Building facades will include, but not be limited to brick, stone, cement-fiber siding, wood or cement-fiber siding, and other materials per the attached rendering. The applicant has provided elevations and floor plans for townhome products for review with the zoning application.

**BACKGROUND:** This item was moved from the September 11, 2017 Planning and Zoning Meeting to the October 9, 2017 meeting due to Hurricane Irma. The zoning request was heard by the Planning and Zoning Board at the October 9, 2017 meeting and was recommended for approval by a vote of 6-0.

**RECOMMENDATION/REQUESTED ACTION:** Community Development recommends **approval** of the request to change from R-15 to RM-15-Conditional with the following conditions:

**Standard Conditions**

**Requirement #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 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 (unless noted elsewhere). 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.

#### **al Conditions**

14. The development shall maintain the following setbacks:
  - Front - 10' (from existing right-of-way)
  - Front - 10' for front porches, porticos & stoops
  - North Side - 20'
  - South Side - 10'
  - Proposed Future Right-of-Way - 10'
  - Rear - 20'
15. The buildings within the development shall maintain the following building separations:
  - Front to Rear- 50'
  - Side to Side - 20'
16. Each townhome building shall be limited to no more than six units per building.
17. The proposed homes shall have a minimum floor area of 1,800 sq. ft.
18. Driveway - 22' minimum length from building face to back of sidewalk or back of curb if no sidewalk is present.
19. Each home shall have a fire sprinkler system approved by the City's Fire Marshal.
20. The rear of the townhome units shall have architectural features that delineate the individual townhome units.
21. The developer shall provide a 5' sidewalk with a 2' grass buffer along Bell Drive for the length of the development and a 5' sidewalk within the development.
22. The developer shall provide a 10' landscape buffer per Section 503 of the Zoning Ordinance along the western and southern property lines. The developer shall provide a 20' landscape buffer per Section 503 of the Zoning Ordinance along the northern property line.
23. The developer shall be responsible for any water and sanitary sewer improvements deemed necessary by the Public Works Director during construction plan review.
24. The developer shall be responsible for any fire access improvements deemed necessary by the Fire Marshal during construction plan review.

25. The developer shall provide a 50' public access & utility easement over the private street for water and sanitary sewer services. All water and sanitary sewer mains must be located within this utility easement.
26. The private street shall not be gated.
27. The developer shall dedicate a 50' right-of-way from Bell Drive to the adjoining apartment complex (as shown on the submitted site plan) for a future road at time of final platting.
28. The entrance within the right-of-way that will be dedicated to the city for a future road shall be designed to city's right-of-way requirements.
29. 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.
30. Trees shall be planted the entire length of Bell Drive and Woodland Terrace at an average spacing of no more than 40'.
31. 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.
32. Approval of the subject property for the RM-15 zoning district shall be conditioned upon the development of the property in substantial compliance with the site plan submitted 11/2/2017 created by DGM Land Planning Consultants and all zoning stipulations above.
33. The applicant shall be bound to the elevations submitted and dated 8/17/2017 & 9/26/2017. Building fronts shall have a staggered appearance. Approval of any change to the elevations must be obtained from the Director of Community Development.
34. The additional stipulations agreed upon by the applicant in the letter submitted and dated on September 26, 2017. If there should be a discrepancy between the stipulations in the September 26, 2017 letter and the stipulations stated above, the stipulations stated above shall apply.
35. Channel protection shall be required, discharge into an MS4 maintained system cannot be considered for relief from this design.
36. The detention facility shall be designed to delay the peak flows sufficiently to allow the downstream system to develop adequate capacity.
37. The detention facility shall not be located under the private streets. If required volumes cannot be achieved within the proposed footprint, extending reinforced concrete pipes under the streets may be considered at the City Engineer's discretion.