



City of Smyrna

City of Smyrna
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Legislation Details (With Text)

File #: 2019-168 **Version:** 2 **Name:** Zoning Request Z19-010
Type: Zoning **Status:** Passed
File created: 5/8/2019 **In control:** City Council
On agenda: 6/17/2019 **Final action:** 6/17/2019
Title: Public Hearing - Zoning Request Z19-010 - Rezoning from R-20 to R-15-Conditional for three single-family homes at a density of 2.93 units per acre - 1.0245 Acres - Land Lot 466 - 990 Pebblebrook Road - Palladian Land, LLC - This item will be withdrawn at the request of the applicant.
Sponsors: Ron Fennel
Indexes:
Code sections:
Attachments: 1. Issue Sheet, 2. Staff Memo_Z19-0010.pdf, 3. Zoning Vicinity Map_Z19-010.pdf, 4. Future Land Use Vicinity Map_Z19-010.pdf, 5. Rezoning Application_Z19-010.pdf, 6. Site Plan_Z19-010.pdf, 7. Grading & Drainage_Z19-010.pdf, 8. Tree Plan_Z19-010.pdf, 9. Building Elevations_Z19-010.pdf, 10. 990 Pebblebrook plans.pdf, 11. Tax Receipts_Z19-010.pdf, 12. Warranty Deed_Z19-010.pdf, 13. Water & Sewer_Z19-010.pdf, 14. Hydrology Study_z19-010.pdf, 15. Email to Withdraw_06032019.msg

Date	Ver.	Action By	Action	Result
6/17/2019	2	City Council	withdrawn without prejudice	Pass
5/13/2019	1	Planning and Zoning Commission	Approved with Condition(s)	Pass

WARD: 7

COMMITTEE: Community Development

\$ IMPACT: N/A

Public Hearing - Zoning Request Z19-010 - Rezoning from R-20 to R-15-Conditional for three single-family homes at a density of 2.93 units per acre - 1.0245 Acres - Land Lot 466 - 990 Pebblebrook Road - Palladian Land, LLC - ***This item will be withdrawn at the request of the applicant.***

Palladian Land, LLC is requesting rezoning from R-20 to R-15-Conditional for the development of three family lots at a density of 2.93 units per acre. The proposed lots will front on Pebblebrook Road with the lots having side entry garages. The proposed site plan reflects individual stormwater management facilities on the lots. The lots range between 14,620 sq. ft. to 15,008 sq. ft.. The proposed lots meet the minimum setback requirements for the R-15 zoning district.

Palladian Land, LLC has submitted building elevations with the rezoning application. The submitted building elevations reflect the type and quality of the homes planned for this site. The applicant proposes to use a mixture of building materials for the buildings, including but not limited to brick, shake, board & batten and siding.

BACKGROUND: The subject property was annexed into the City of Smyrna on March 19, 2018 by the Mayor and City Council by a vote of (4-0). The property was annexed with an R-20 zoning designation for two single-family residential lots.

RECOMMENDATION/REQUESTED ACTION: Community Development recommends **approval** of the rezoning

R-20 to R-15-Conditional on 1.0245 acres for the development of three single-family residential lots at a density of 2.93 units per acre, including those variances supported by staff as shown above, **with the following conditions:**

Standard Conditions

Requirements # 2, 4, 8, 9, 10, 12 and 17 from Section 1201 of the Zoning Code are not applicable. The remaining requirements remain 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 percent hardy plank siding. The residences along 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 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.
4. All utilities within the development shall be underground.
5. 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.
6. No debris may be buried on any lot or common area.
7. 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.
8. All landscape plans must be prepared, stamped, and signed by a Georgia Registered Landscape Architect for any common areas or entrances.
9. All yards and common areas are to be sodded, and landscaped. Irrigate as appropriate.
10. Each individual lot shall have three four-inch caliper trees replanted per lot. 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.

Additional Conditions

11. The development shall maintain the following setbacks:
 - Front - 40'
 - Side - 10'
 - Rear - 30'

Building Separation - 80'

12. The minimum lot size for lot #3 shall be 14,620 sq. ft..
13. The minimum driveway setback shall be 1'.
14. The developer shall meet all fire access requirements deemed necessary by the Fire Marshal during construction plan review.
15. The developer shall be responsible for any water and sewer improvements deemed necessary by the Public Works Director or Cobb County Water System during construction plan review.
16. The developer shall be responsible for any stormwater improvements deemed necessary by the City Engineer.
17. The developer shall be responsible for any improvements deemed necessary by the City Engineer to correct the sight line issue down Pebblebrook Road.
18. The developer shall provide a 5' sidewalk and a 2' grass buffer along Pebblebrook Road for the length of the development.
19. The stormwater detention facility shall be located on a separate lot of record and shall be owned and maintained by the HOA.
20. Approval of the subject property for the R-15-Conditional zoning district shall be conditioned upon the development of the property in substantial compliance with the site plan submitted 4/12/2019 and created by Paul Lee Consulting Engineering Associates, Inc. and all zoning stipulations above.
21. The applicant shall be bound to the elevations submitted on 4/12/2019. Approval of any change to the elevations must be obtained from the Director of Community Development.