



City of Smyrna

City of Smyrna
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Legislation Details (With Text)

File #: 2019-363 **Version:** 4 **Name:** Zoning Request - Z19-016
Type: Authorization **Status:** Agenda Ready
File created: 10/10/2019 **In control:** City Council
On agenda: 1/21/2020 **Final action:** 1/21/2020
Title: Public Hearing - Zoning Request - Z19-016 - Rezoning from R-20 to R-12 - Conditional for the development of a 38 unit subdivision at 2.99 units per acre - 12.7 Acres - Land Lot 542 - 1465 Buckner Road - Grant Grimes - The applicant requests the item be withdrawn without prejudice

Sponsors:

Indexes:

Code sections:

Attachments: 1. Issue Sheet 2019-363.pdf, 2. Letter to Withdraw_Z19-016, 3. Saff Memo_V.2_Z19-016.pdf, 4. SITE PLAN_Z19-016, 5. Elevations_V19-016.pdf, 6. REZONING APPLICATION_Z19-016, 7. Rezoning Application_Z19-016_Beazer Homes, 8. Letter to Request zoning change from RDA to R-12_Z19-016.pdf, 9. 05.1 DEED_Z19-016.pdf, 10. 05.2 DEED_Z19-016.pdf, 11. ANNEXATION FORM_Z19-016.pdf, 12. Cobb Water Sewer_Z19-016.pdf, 13. Level 1 Archeological Survey_Z19-016.pdf, 14. PRELIMINARY HYDRO STUDY_Z19-016.pdf, 15. REZONING ANALYSIS_Z19-016.pdf, 16. SUPP. LETTER OF INTENT_Z19-016.pdf, 17. SUPP. SITE RENDERING_Z19-016.pdf, 18. SUPP. SPECIMEN TREE REPORT_Z19-016.pdf, 19. SURVEY_Z19-016.pdf, 20. TAX RECEIPT_Z19-016.pdf, 21. Tree Protection_Z19-016.pdf, 22. Non-Objection Letter.pdf, 23. Objection Letter from Adjoining Properties.pdf, 24. Objection Letter - Arborist Report.pdf, 25. Letter of Opposition_Whitefield Academy.pdf

| Date | Ver. | Action By | Action | Result |
|------------|------|--------------------------------|-----------------------------|--------|
| 1/21/2020 | 4 | City Council | withdrawn without prejudice | |
| 12/9/2019 | 3 | Planning and Zoning Commission | denied | Pass |
| 11/11/2019 | 2 | Planning and Zoning Commission | tabled | Pass |
| 10/14/2019 | 1 | Planning and Zoning Commission | tabled | Pass |

WARD: 7, Councilmember Lewis Wheaton

COMMITTEE: Community Development

\$ IMPACT: N/A

Public Hearing - Zoning Request - Z19-016 - Rezoning from R-20 to R-12 - Conditional for the development of a 38 unit subdivision at 2.99 units per acre - 12.7 Acres - Land Lot 542 - 1465 Buckner Road - Grant Grimes - **The applicant requests the item be withdrawn without prejudice**

: Beazer Homes is requesting to rezone 12.72 acres at 1465 Buckner Road from R-20 (County) to R-12- conditional for the development of 38 single-family detached units at a density of 2.99 units per acre. The ant is proposing to demolish the existing structure and build the new single-family home subdivision in its

roposed development will be accessed by Buckner Road with the addition of a deceleration lane. The

ed plan reflects sidewalks throughout the site with connections from Pebblebrook Road and Buckner Road. Proposed streets within the development will be public and will be built to the City's construction standards. Applicant has agreed not to gate the community.

Applicant is proposing each home to have a two-car garage with a two-car driveway for a potential of four parking spaces per unit. The homes will be front-entry and face on the public streets.

Applicant is representing 4.66 acres or 36.6% of openspace for the development. A mail kiosk is reflected in openspace at the back of the neighborhood, with appropriate parking spaces including an ADA accessible

are one stormwater detention facility planned for the community. The detention facility is located on the west of the property between Lots 17 & 18. This facility will be retrofitted to meet the City's current stormwater management requirements.

are several site constraints that affect the development of the property. First, there is an existing 100' power line that runs through the eastern corner of the property. Second, there is an existing stream buffer along the northern boundary of the property. These issues are addressed in the project analysis section below.

BACKGROUND: The Planning and Zoning Board Meeting voted to deny the request by a vote of 7-0 at the December 9, 2019.

RECOMMENDATION/REQUESTED ACTION: Community Development recommends **approval** of the rezoning R-20 (County) to R-12-Conditional on 12.72 acres for a 38-unit single-family detached home development at a density of 2.99 units per acre, including those variances supported by staff as shown above, **with the following conditions:**

Standard Conditions from Section 1201 of the Zoning Ordinance:

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. The developer shall provide an undisturbed buffer with a minimum width of 20 feet parallel to any right-of-way external to the development.
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. 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.
5. 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.

6. All utilities within the development shall be underground.
7. 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.
8. The developer shall install a deceleration lane at the entrance for the subdivision. The deceleration lane shall have a minimum length of 150 feet with a 50-foot taper.
9. 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.
10. The development of any streets (including private) shall conform to the City's standards for public right-of-ways.
11. No debris may be buried on any lot or common area.
12. 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".
13. 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.
14. All landscape plans must be prepared, stamped, and signed by a Georgia Registered Landscape Architect for any common areas or entrances.
15. All yards and common areas are to be sodded, and landscaped. Irrigate as appropriate.
16. 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.
17. A Level I Archeological Study shall be provided for the development. The developer shall verify to the city that any historical or archeological features (including civil war trench lines or evidence of encampments) identified in the study will be protected from development prior to the issuance of a permit for any land disturbance activities.

al Conditions

18. The development shall maintain the following setbacks:
Front - 15'
Side - 5'
Rear - 10' (Interior)
Rear - 20' (Exterior)

19. The development shall maintain a minimum lot size of 5,000 sq. ft.
20. The development shall maintain a minimum driveway length of 22' from back of sidewalk/curb to garage face.
21. The development shall maintain a minimum lot width of 50'
22. The maximum impervious surface lot coverage for the development shall be 65% per lot.
23. The maximum building height shall be 35'.
24. The developer shall meet all fire access requirements deemed necessary by the Fire Marshal during construction plan review.
25. The developer shall be responsible for any water and sewer improvements deemed necessary by Cobb County Water during construction plan review.
26. The developer shall be responsible for any stormwater improvements deemed necessary by the City Engineer.
27. The developer shall provide a 5' sidewalk within the development and along Buckner Road and shall connect to the sidewalk on Pebblebrook Road.
28. The developer shall provide a 5' right-of-way dedication along Pebblebrook Road and Buckner Road.
29. The developer shall provide a left turn lane and a right turn deceleration lane on Buckner Road.
30. The developer shall install curb and gutter along the entire frontage of Buckner Road.
31. Approval of the subject property for the R-12-Conditional zoning district shall be conditioned upon the development of the property in substantial compliance with the site plan submitted 11/22/2019 and created by McFarland-Dyer & Associates, Inc. and all zoning stipulations above.
32. The applicant shall be bound to the elevations submitted on 9/13/2019. Approval of any change to the elevations must be obtained from the Director of Community Development.