



City of Smyrna

Legislation Text

City of Smyrna
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Council Chambers
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File #: 2016-432, **Version:** 1

WARD: 6

COMMITTEE: Community Development

\$ IMPACT: N/A

Public Hearing - Zoning Request - Z16-018 - Rezoning from OI-Conditional to RTD-Conditional for the development twenty-six townhome units - 3.35 Acres - Land Lot 528 - King Springs Road & South Cobb Drive - Waters Edge Group.

ISSUE: Waters Edge group is requesting rezoning of a 3.35 Acre tract from OI-Conditional to RTD-Conditional for the development of a twenty-six unit townhome development at a density of 7.76 units per acre.

GROUND: On August 21, 2006, the subject property was rezoned from General Commercial to RAD-Conditional by Mayor and Council by a vote of 6-0. The rezoning allowed for the construction of 20 townhome units at a density of 5.97 units per acre marketed towards active adults with a minimum age of 55. Due to the down turn in the housing market the previous applicant decided not to build the townhome development. On January 22, 2016, the subject property was rezoned RAD-Conditional to OI-Conditional for the development of a four-story, 100,000 sq. ft. medical office building. Due to the recession, the medical office building was never developed and the property has remained vacant ever since.

The Planning and Zoning Board heard the rezoning request for twenty-seven townhome units at the November 14, 2016 meeting and recommended approval with staff conditions (which did not grant the variances from the building separation requirements) by a vote of 7-0. After the Planning and Zoning Meeting, the applicant revisited their site to see if they could meet the building separation requirements. The applicant resubmitted a new site plan on December 12, 2016, which reduced the overall unit count to twenty-six units and increased the building separation requirements. Community Development has reviewed the revised site plan and has updated its staff recommendation accordingly. The Mayor and City Council tabled the zoning request from the December 19, 2016 meeting to the January 17, 2017 meeting at the request of the applicant. The Mayor and City Council tabled the zoning request from the January 17, 2017 meeting to the February 20, 2017 meeting at the request of the applicant.

RECOMMENDATION/REQUESTED ACTION: Community Development recommends **approval** of the requested rezoning from OI-Conditional to RTD-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.

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14. The development shall maintain the following setbacks:

Front - 50'

Side - 35'
Rear - 40'

15. The buildings within the development shall maintain the following building separations:
 - Front to Front- 50'
 - Side to Front/Rear - 30'
 - Side to Side - 26'
16. Each townhome building shall be limited to no more than six units per building.
17. The townhomes shall have three-sided brick architecture per the submitted building elevations.
18. Driveway - 22' minimum length from building face to back of curb.
19. Each home shall have a fire sprinkler system approved by the City's Fire Marshal.
20. The developer shall provide a 10' landscape buffer per Section 503 of the Zoning Ordinance along the northern and eastern property line.
21. The developer shall provide a 50' public utility easement over the private street for water and sanitary sewer services. Where a 50' utility easement cannot be obtained, the developer may be permitted to reduce the easement to 45' in width. All water and sanitary sewer mains must be located within this utility easement and as far as possible from structures. The sewer mains shall be class 50 DIP and the detention pond shall not be located in the 50' utility easement.
22. 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.
23. 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.
24. Approval of the subject property for the RTD zoning district shall be conditioned upon the development of the property in substantial compliance with the site plan submitted 2/6/2017 created by Ridge Planning and Engineering and all zoning stipulations above.
25. The applicant shall be bound to the elevations submitted and dated 10/14/2016. Building fronts shall have a staggered appearance. Approval of any change to the elevations must be obtained from the Director of Community Development.
26. The additional stipulations agreed upon by the applicant in the letter submitted and dated on February 6, 2017. If there should be a discrepancy between the stipulations in the February 6, 2017 letter and the stipulations stated above, the stipulations stated above shall apply.