



# City of Smyrna

## Legislation Text

City of Smyrna  
A.Max Bacon City Hall /  
Council Chambers  
2800 King Street  
Smyrna, GA 30080  
770-434-6600  
www.smyrnacity.com

---

File #: 2018-163, Version: 5

---

**WARD:** 3

**COMMITTEE:** Community Development

**\$ IMPACT:** N/A

**Public Hearing** - Zoning Request Z18-007 - Rezoning from R-15 to RAD-Conditional for two single-family homes at a density of 5.2 units per acre - 0.38 Acres - Land Lot 559 - 1478 Spring Street - PM Builders, LLC

: PM Builders, LLC is seeking rezoning from R-15 to RAD-Conditional for the development of two (2) new family homes at density of 5.2 units per acre. The first home will front on Spring Street with a detached two garage fronting on Foster Street. The second home will have a front-entry garage and will face Foster Street. Applicant has provided a site plan with the rezoning application for reference. The applicant has submitted elevations and floor plans in the rezoning application. The submitted elevations reflect a more traditional home with a mixture of exterior façade materials and architectural elements. The new homes will enhance the structural standards of the general neighborhood.

**BACKGROUND:** This zoning request was tabled from the April 9, 2018 Planning and Zoning Board meeting to the May 14, 2018 meeting at the request of the applicant. This zoning request was tabled from the May 14, 2018 Planning and Zoning Board meeting to the June 11, 2018 meeting at the request of the applicant. The zoning request was heard by the Planning and Zoning Board at the June 11, 2018 meeting and was **recommended for denial by a vote of 6-1.**

**RECOMMENDATION/REQUESTED ACTION:** Community Development recommends **approval** of the proposed rezoning for 1478 Spring Street with the following conditions:

**Standard Conditions**

**Requirements #2, 3, 4, 8, 9, 10, and 17 from Section 1201 of the Zoning Code are 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. 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.
3. All utilities within the development shall be underground.
4. 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.

5. No debris may be buried on any lot or common area.
6. 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".
7. 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.
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. All single-family and/or duplex residential lots shall provide the following at the time of certificate of occupancy: either four 3" caliper trees or three 4" caliper trees, unless otherwise approved by the City's Arborist. 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.

## **al Conditions**

11. The development shall maintain the following setbacks:
  - Front - 20' (from existing right-of-way)
  - Side - 10' (not as requested by the applicant)
  - Rear - 20' (not as requested by the applicant)
12. The development shall be developed with a minimum lot size of 5,293 square feet.
13. The proposed homes shall have a minimum floor area of 1,800 sq. ft.
14. The driveways shall have a minimum length of 22' from building face to edge of Private Street. Each unit shall have a two-car garage.
15. The final plat for the development shall include a right-of-way dedication of 5' along both Springs Street and Foster Street.
16. A new 5' sidewalk with 2' grass buffer shall be constructed along both Foster Street.
17. The developer shall be responsible for any water and sanitary sewer improvements deemed necessary by the Public Works Director during construction plan review.
18. The developer shall replace and upgrade the drainage pipe along the eastern property line and provide

associated easements per the City Public Works Director.

19. The developer shall provide new curb and gutter along Foster Street for the length of the development.
20. The developer shall improve the curb radius at the intersection of Spring Street and Foster Street per the City Public Works Director.
21. 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.
22. The home adjacent to Spring Street shall have the front of the home on Spring Street.
23. Approval of the subject property for the Residential Attached Detached (RAD) zoning district shall be conditioned upon the development of the property in substantial compliance with the site plan submitted 5/9/2018 created by BH & D Engineering. The Community Development Director shall review and approve all minor changes and revision to the site plan during the plan review process.
24. The applicant shall be bound to the elevations submitted and dated 3/9/2017. Approval of any change to the elevations must be obtained from the Director of Community Development.