

CITY OF SMYRNA COMMUNITY DEVELOPMENT DEPARTMENT MEMORANDUM

To: Mayor and Council

From: Russell Martin, AICP, Community Development Director
Joey Staubes, AICP, Planner II

Date: January 31, 2024

CC: Joe Bennett, City Administrator

RE: Zoning Amendment Case Z24-003 – 981 Powder Springs Street

Applicant:	<u>Whitney Shakar (Smyrna 2 Foursquare)</u>	Existing Zoning:	<u>R-15</u>
Titleholder:	<u>Smyrna 2 Foursquare</u>	Proposed Zoning:	<u>R-15</u>
Location:	<u>981 Powder Springs Street</u>	Size of Tract:	<u>2.2 acres</u>
Land Lot:	<u>448</u>	Contiguous Zoning:	
Ward:	<u>3</u>	North	R-15
Access:	<u>Powder Springs Street</u>	South	R-15
Existing Improvements:	<u>Church</u>	East	RDA
		West	R-15
		Hearing Dates:	
		P&Z	February 5, 2024
		Mayor and Council	February 26, 2024

Proposed Use:

An 8,800 sq. ft. sanctuary, 4,040 sq. ft. atrium, and 7,140 sq. ft. children’s ministry addition to the existing church facility.

Staff Recommendation:

Approval of the proposed zoning amendment for the church addition with conditions.

Planning & Zoning Board Recommendation: Approve by a vote of 7-0 at the February 5, 2024 meeting.



STAFF COMMENTS

Section 1508 of the Smyrna Zoning Code details nine zoning review factors which must be evaluated by the Planning and Zoning Board and the Mayor and Council when considering a rezoning request. The following provides the nine factors followed by an analysis of each factor in italics. Both the Applicant's response as well as Staff's analysis to each factor are listed. It is hoped that providing both responses results in a better understanding of what is actually being proposed.

1. Whether the zoning proposal will permit a use that is suitable in view of the use and development of adjacent and nearby property.

Applicant Response:

"The proposed zoning variance is for the same church that is currently on the property and is suitable for development of the proposed footprint."

Staff Response:

The zoning proposal will result in the construction of a 19,980 sq. ft. addition to the existing church facility. The addition will allow for an additional sanctuary, atrium, and children's ministry building. The zoning proposal will not change the use of the site. The proposed zoning amendment is a suitable use in view of the existing adjacent and nearby properties.

2. Whether the zoning proposal or the use proposed will adversely affect the existing use or usability of adjacent or nearby property.

Applicant Response:

"The proposed development will not negatively impact the adjacent properties or existing uses."

Staff Response:

The proposed zoning amendment will not adversely affect the existing use or usability of adjacent or nearby property.

3. Whether the property to be affected by the zoning proposal has a reasonable economic use as currently zoned.

Applicant Response:

"No economic impacts, as the use of the property is remaining."

Staff Response:

The subject parcel has a reasonable economic use as currently zoned.

4. Whether the zoning proposal will result in a use, which will or could cause an excessive or burdensome use of existing streets, transportation facilities, utilities or schools.

Applicant Response:

"The existing burden will remain on adjacent streets and facilities. Overflow parking on Sunday mornings will continue to be at Campbell High School."

Staff Response:

Based upon information provided by the Director of Water & Sewer, adequate water and sewer capacities are available in the area to accommodate the development associated with the zoning amendment. Per the City Engineer, the proposed improvements will not create a burden to the transportation system.

5. Whether the zoning proposal is in conformity with the policy and intent of the land use plan.

Applicant Response:

"Yes, this fits with the intent of the land use plan."

Staff Response:

The land use plan for the subject property is Moderate Density Residential. However, the church has remained on site for many years. The R-15 Zoning Classification allows church facilities provided the Mayor & Council approves such use. The proposed addition maintains the existing use as a church.

6. Whether there are other existing or changing conditions affecting the use and development of the property, which give supporting grounds for either approval or disapproval of the zoning proposal.

Applicant Response:

"There are no changing conditions to give grounds for disapproval. The access to the property from Powder Springs Street will remain."

Staff Response:

There are no changing conditions that give support for disapproval of the zoning amendment.

7. Whether the development of the property under the zoning proposal will conform to, be a detriment to or enhance the architectural standards, open space requirements and aesthetics of the general neighborhood, considering the current, historical and planned uses in the area.

Applicant Response:

"The new church building will enhance the current property architecturally. The current gravel lot will become a paved lot. The site will be developed to prevent the current flooding that occurs across the site during rain events from adjacent properties."

Staff Response:

The proposed addition to the church facility will employ features that will enhance the architectural standards of the general neighborhood, as well as blend with the existing facility. The proposed addition to the church facility will utilize a combination of brick for the exterior façade, as well as, provide a pitched roof with

a metal roof and canopies. The proposed building addition will enhance the general area.

8. Under any proposed zoning classification, whether the use proposed may create a nuisance or is incompatible with existing uses in the area.

Applicant Response:

"The property will remain with the current use."

Staff Response:

The proposed zoning amendment will not create a nuisance or be incompatible with the existing uses in the area. The proposed building addition will allow the existing church facility the opportunity to provide additional services to their congregation and residents of the city.

9. Whether due to the size of the proposed use, in either land area or building height, the proposed use would affect the adjoining property, general neighborhood and other uses in the area positively or negatively.

Applicant Response:

"The drainage and leveling of the site will be a positive affect on adjacent properties. The development will allow cleaning up of the existing stream."

Staff Response:

Factors associated with the size of the proposed building addition, in either land area or building height, should have a minimal affect upon adjacent properties. The proposed building additions will meet the city's zoning requirements for the R-15 zoning classification. The proposed building addition will not negatively affect the adjoining properties or the general area.

The following variances are required:

1. *Reduce church and accessory facilities setback from 75' to 10' from the side property line. (Staff Supports)*
2. *Reduce church and accessory facilities setback from 75' to 30' for the rear property line. (Staff Supports)*
3. *Allow encroachment into City 50' Undisturbed Stream Buffer. (Staff Supports)*
4. *Allow encroachment into City 75' Impervious Surface Setback. (Staff Supports)*
5. *Allow increase in impervious coverage from 35% to 62% (Staff Supports)*

PROJECT DESCRIPTION

The subject property is occupied with a church and accessory facilities on 2.2 acres in the R-15 zoning district. Churches are allowed in the residential zoning districts with the approval by Mayor & Council. The applicant is proposing a site plan revision and a 19,980 sq. ft. addition to the existing church. Therefore, approval by Mayor & Council is required for the proposed church expansion.

There are currently two buildings on the property as well as other smaller accessory structures. The existing church sanctuary building will remain and the second building will be demolished. The application proposes to build an 19,980 sq. ft. addition along the eastern boundary of the property. The addition consists of three sections: an 8,800 sq. ft. sanctuary, an 4,050 sq. ft. atrium, and a 7,140 sq. ft. children's ministry. The building is a pre-engineered metal building with brick exterior. The new building will face the access drive and the side of the building will face Powder Springs Street. The applicant is proposing street trees to provide a visual buffer along Powder Springs Street. Additionally, the applicant will provide a 10' landscape buffer around the sides and rear of the property to screen from the existing uses. The building height will be below the maximum height allowed in R-15 of 35 feet, and the proposed building location is below the grade of the adjacent subdivision. Therefore, height should not have a negative impact on the adjacent properties.

The proposed addition and existing facilities require a minimum of 153 parking spaces. The applicant is providing 68 spaces within the subject property. The applicant has secured a parking agreement with Cobb County Schools to provide the remaining spaces at Campbell High School.

Project Analysis

Engineering Review

The subject property has a stream along the western portion of the site from the northern boundary to the southern boundary. The church building addition is proposed along the eastern boundary of the site so as not to interfere with the stream. The applicant is proposing to utilize the western half of the property for the access drive, parking lot, and underground stormwater detention. A bottomless stream culvert will run under the parking lot to pipe the stream between headwalls at the northern and southern ends of the property. The Army Corps of Engineers will make a formal determination if a permit is required, and whether city and state buffer variances are required. If the Corps determines that the city buffers apply the city supports stream buffer variances provided buffer mitigation is provided as required by the City Engineer. Due to the institutional use in the R-15 zoning district an impervious coverage from 35% to 62% is requested.

Fire Marshal Review

The Fire Marshal's office has reviewed the current proposal and in general believes that it meets the Fire Code requirements for fire truck access.

Planning Review

Community Development has reviewed the proposed development against the requirements of the Zoning Ordinance with respect to the use as a church facility. Churches are permitted in the R-15 zoning district provided they are approved by Mayor & Council. The proposed development meets the zoning requirements for a church facility and requires the following variances:

- 1. Reduce church and accessory facilities setback from 75' to 10' from the side property line. (Staff Supports)*

2. *Reduce church and accessory facilities setback from 75' to 30' for the rear property line. (Staff Supports)*
3. *Allow encroachment into City 50' Undisturbed Stream Buffer. (Staff Supports)*
4. *Allow encroachment into City 75' Impervious Surface Setback. (Staff Supports)*
5. *Allow increase in impervious coverage from 35% to 62% (Staff Supports)*

Community Development recommends **approval** of the requested zoning amendment with the following conditions:

**Standard Conditions
(Requirement #1, 2, 3, 4, 9, and 17 from Section 1201 of the Zoning Code is not applicable)**

1. The detention pond shall be placed and screened appropriately. 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.
2. All utilities within the project shall be underground.
3. 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 applicant adjacent to any public right-of-way consistent with City's requirements for the extent of the project. A grass buffer with a minimum width of 2' shall be provided between the back of curb and sidewalk.
4. No debris may be buried on any lot or common area.
5. The applicant shall install decorative streetlights 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".
6. The applicant will comply with the City's current tree ordinance (unless noted elsewhere). All required tree protection measures shall be adhered to by the applicant during construction.
7. All landscape plans must be prepared, stamped, and signed by a Georgia Registered Landscape Architect for any common areas or entrances.
8. All yards and common areas are to be sodded, and landscaped. Irrigate as appropriate.

Special Conditions

9. The development shall maintain the following setbacks:

Front - 40'
Rear - 30'

Side - 10'

10. The church and accessory facilities setback shall be reduced from 75' to 10'.
11. The applicant shall install and maintain a 10' wide landscape buffer in accordance to Section 503 of the Zoning Ordinance along the eastern, western, and northern property lines.
12. The applicant shall install street trees to provide screening between the new building and Powder Springs Street.
13. Approval of a City stream buffer variance is contingent upon the State's approval of encroachment into, or removal of, the 25-foot undisturbed stream buffer.
14. If a City variance is granted to remove the 50-foot undisturbed stream buffer and 75-foot impervious setback as part of the proposed zoning amendment, a stormwater mitigation plan may be required. This plan will require approval by the City Engineer. If a mitigation plan is not approved prior to a zoning amendment, it shall be submitted for approval with a land disturbance permit application.
15. Impervious coverage shall be increased from 35% to 62%.
16. Approval of the subject property for the zoning amendment shall be conditioned upon the development of the property in substantial compliance with the submitted site plan submitted 2/9/2024 created by On Site Civil Group.
17. The applicant shall be bound to the elevations submitted 1/8/2024 created by E3 Design. Approval of any change to the elevations must be obtained from the Director of Community Development.

Figure – 1
(Subject Property)



Figure – 2
(Subject Property)



Figure – 3
(Adjacent Property)



Figure – 4
(Adjacent Property)

