

CITY OF SMYRNA COMMUNITY DEVELOPMENT MEMORANDUM

To: License and Variance Board

From: Rusty Martin, AICP, Community Development Director
Caitlin Crowe, Planner I

Date: October 14, 2024

RE: VARIANCE CASE V24-083
1565 Roswell Street – Reduce the front setback from 50 feet to 25 feet

VARIANCE CASE V24-084
1565 Roswell Street – Reduce the eastern side setback and landscape buffer from 10 feet to 9 feet

VARIANCE CASE V24-085
1565 Roswell Street – Reduce the required parking spaces from 49 spaces to 23 spaces

BACKGROUND

The applicant is proposing to renovate an existing building and surrounding parking area to accommodate a new restaurant and office space at 1565 Roswell Street. The renovations will require three variances: a reduction in the front setback from 50 feet to 25 feet, a reduction in the eastern side setback and landscape buffer from 10 feet to 9 feet, and a required parking space reduction from 49 spaces to 23 spaces. Section 802 regulates the required setbacks in the General Commercial zoning district, Section 503 regulates landscape buffer requirements, and Section 906 of the Zoning Ordinance controls the minimum required parking spaces.

ANALYSIS

The subject parcel is 0.67 acres located on the north side of Roswell Street (see Figure 1). The subject parcel is zoned GC (General Commercial) and is occupied by a vacant warehouse building. The adjacent parcel to the north is City right-of-way (in the form of an abandoned alleyway), the adjacent parcels to the south are zoned RMC-8, and the adjacent parcel to the west is zoned RDA; all are occupied by detached single-family homes. The adjacent parcel to the east is zoned R-8 and is currently under construction for two new detached single-family homes.

The subject property was formerly occupied by the Neighbors Feed and Seed, which closed for business in 2021 (after having been occupied by a Feed and Seed business since the building was erected in 1976) and served as a neighborhood business since it is surrounded by residential properties. The property has sat vacant since the business's closure. The applicant

received a building permit in June 2023 to replace the exterior siding of the existing building while the full civil and building plans were being developed; this permit is still active.

The property is currently occupied by a 5,057 square foot warehouse building with a paved and gravel parking area. The applicant is proposing to renovate the existing building to create four office suites and construct a 2,250 square foot two-story building addition at the southern end of the building (closest to Roswell Street) to create a new restaurant space. Per the applicant, the restaurant is to cater to the local community as a coffee shop or café, while the office spaces would hope to meet the needs for local artisans or other local businesses.

The existing building is located on the eastern side of the lot, with a mixed asphalt and gravel parking area on the front and western side of the property and wrapping around the building. Due to the configuration of the existing building and parking area on the site, the applicant can only provide 23 spaces while still maintaining the required 24-foot access aisle and parking space dimensions. Section 906.3 and Section 906.17 of the Zoning Ordinance requires 49 parking spaces on the subject property, which is calculated at 1 space per 250 square feet of gross floor area in the office areas and 1 space per 75 square feet of gross floor area in the restaurant space. Since the office spaces and restaurant are to cater to the surrounding neighborhood, the applicant is anticipating that the majority of clientele will be walking to the location. Thus, the need for on-site parking is limited.

As mentioned, the front of the property currently consists of gravel parking with the existing structure pushed 70 feet back. When the building was erected in 1976, this was in line with the surrounding structures, both commercial and residential. However, Roswell Street has become increasingly pedestrian accessible, with all new residential homes pushed up towards the street to allow for a seamless streetscape. Thus, the applicant is requesting a front setback reduction from 50 feet to 25 feet to keep in line with the surrounding residential properties; the adjacent residential property to the west (1561 Roswell Street) and the under-construction homes to the east (1577 and 1581 Roswell Street) also have 25-foot front setbacks so there is a precedence in the area.

In order to create a viable restaurant space, the applicant is requesting a variance to reduce the eastern side setback by 1 foot to maximize the amount of kitchen and seating potential within the restaurant. This encroachment will also cause the landscape buffer along the eastern side to be reduced to 9 feet nearest to the building. Section 503 requires a 10-foot landscape buffer along any sides of the property that abut residentially zoned properties. Since the property is within a residential neighborhood and has single-family detached homes on either side, the landscape buffer requirement is required. However, Section 503 was enacted in 1977, after the building was erected the year prior. Since the parking area has existed on the western side since the building's creation, no buffer shall be replaced in this location. Although there are homes at the rear of the property, an existing alleyway separates the commercial and residential zoning, so no landscape buffer is required. The eastern landscape buffer shall be installed to screen the two-story building from the new construction next door as dictated in Section 503 so there should be minimal impact to adjacent properties.

Community Development believes the variances will not cause negative impacts to the adjacent properties, as the lot and building configuration have existed since 1976. Additionally, the parking lot will be updated to comply with the current code requirements, including ADA parking

and a fully paved parking surface. Community Development believes the variances requested are the minimum variances needed to add a restaurant space to the subject property.

STAFF COMMENTS

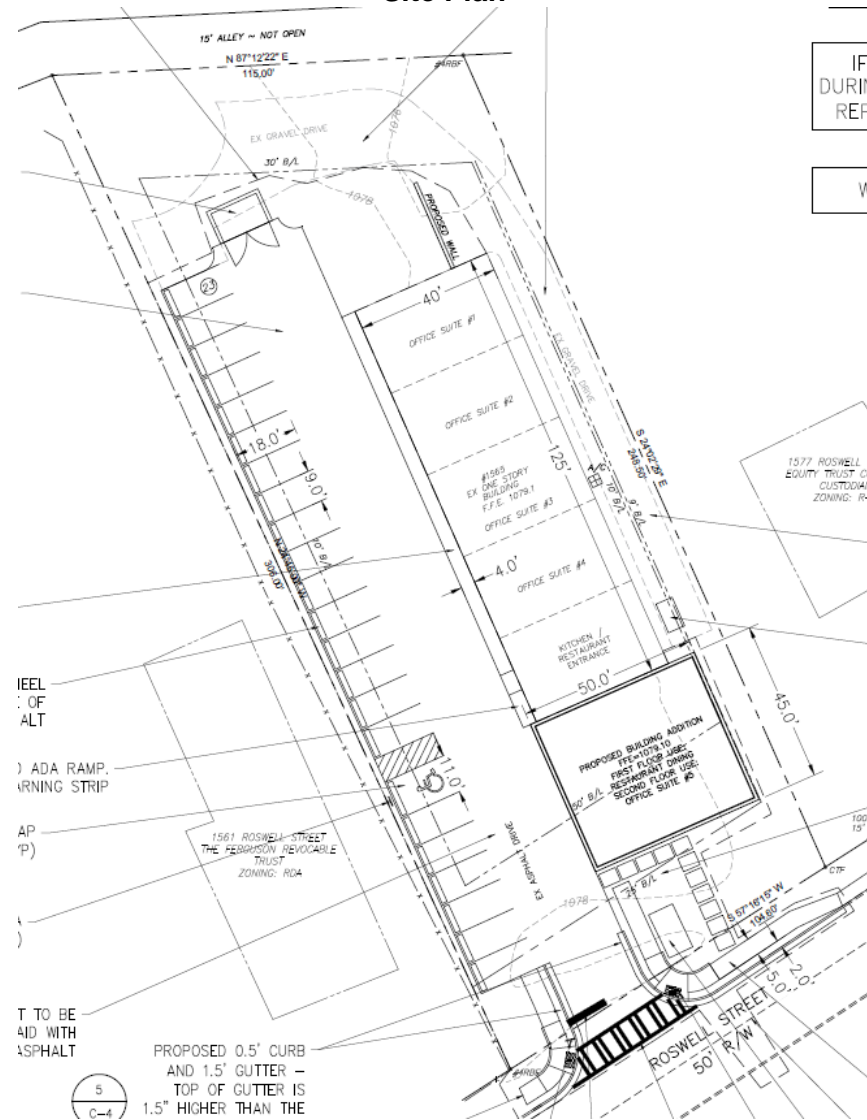
The applicant is requesting to deviate from the City's required setbacks, buffer requirements, and parking requirements. According to Section 1403 of the Zoning Ordinance, variances must be reviewed under the following standards: (1) Whether there are unique and special or extraordinary circumstances applying to the property; (2) Whether any alleged hardship is self-created by any person having an interest in the property; (3) Whether strict application of the relevant provisions of the code would deprive the applicant of reasonable use of the property; and (4) Whether the variance proposed is the minimum variance needed. Community Development believes that the requested variances will not adversely affect surrounding properties. Therefore, Community Development recommends **approval** of the requested variances with the following conditions:

1. Approval of the requested variances shall be conditioned upon the development of the property in substantial compliance with the site plan and elevations submitted with the variance application.
2. A 9-foot landscape buffer shall be planted along the length of the eastern side property in accordance with Section 503. A fence shall not be used in place of the screening plants between the new addition and side property line but may be erected in combination with the screening plants.
3. There shall be a clear accessible route from the city sidewalk into the site as well as to and into each first-floor suite.

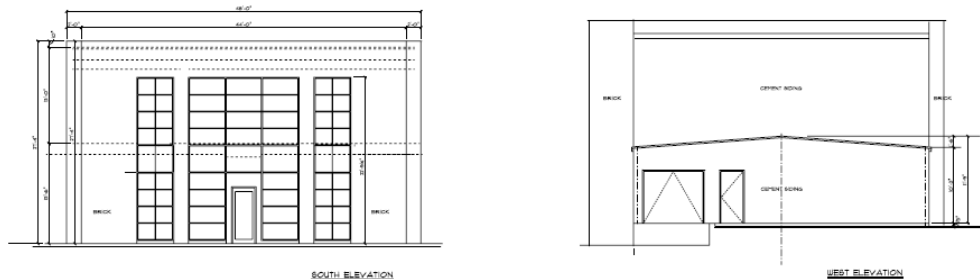
Figure – 1



**Figure – 2
Site Plan**



**Figure – 3
Front and Rear Elevations**



Side Elevations

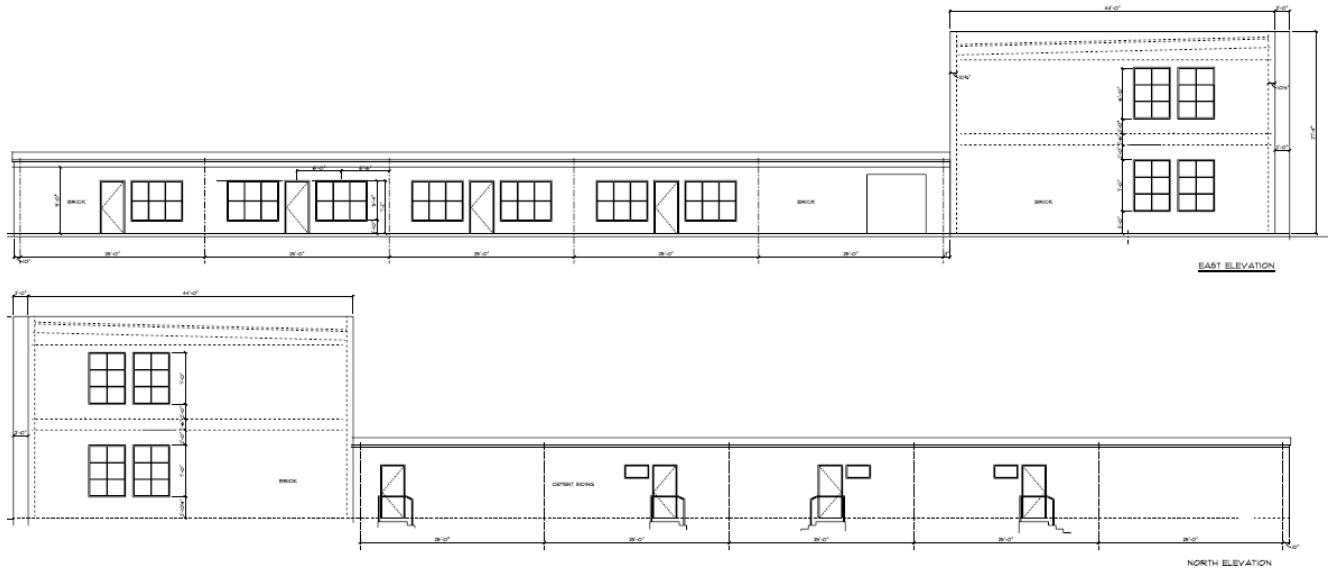


Figure – 4
Subject Property



Figure – 5
Adjacent Property to the West



Figure – 6
Adjacent Properties to the East



Figure – 7
Adjacent Properties across Roswell St

