

CITY OF SMYRNA

COMMUNITY DEVELOPMENT DEPARTMENT

MEMORANDUM

To: Mayor and Council

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

Date: September 4, 2024

CC: Joe Bennett, City Administrator
Planning and Zoning Board

RE: **REZONING CASE Z24-011 –2471 Reed Street**

Applicant: Brookwood Homes

Existing Zoning: R-20

Titleholder: Brookhaven Home Designs LLC

Proposed Zoning: R-10-Conditional

Size of Tract: 0.649 Acres

Location: 2471 Reed Street

Contiguous Zoning:

Land Lot: 562

North	R-20
South	R-20
East	RM-10
West	RDA

Ward: 3

Access: Reed Street

Hearing Dates:

Existing Improvements: One single-family home

P&Z	September 9, 2024
Mayor and Council	October 21, 2024

Proposed Use:

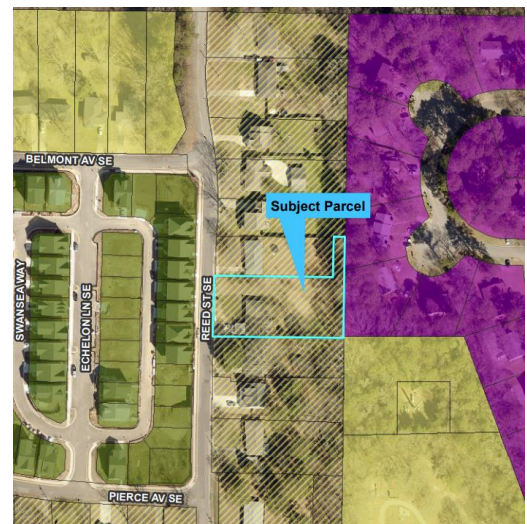
The applicant is requesting a rezoning from R-20 to R-10-Conditional for the development of two (2) single-family detached units at a density of 3.08 units per acre. A land use change from Moderate Density Residential is not required for this rezoning.

Staff Recommendation:

Approval of the rezoning from R-20 to R-10 Conditional for two (2) new single-family detached units.

Planning & Zoning Board Recommendation:

Approve by a vote of 6-0 at the September 9, 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 existing use is single family residential and is surrounded by single family residential including recently developed high density residential directly across the street and older, existing duplex multi-family development to the rear. The proposed use remains single family at moderate density. Therefore, the permitted use should be suitable in view of the use and development of nearby property."

Staff Analysis:

The property is currently comprised of one (1) single-family lot in the R-20 zoning district. The zoning proposal would result in the development of two (2) single-family homes at a density of 3.08 units per acre. The adjoining properties are occupied with single-family homes. The proposed rezoning would be consistent with the Moderate Density Residential Future Land Use designation.

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

Applicant Response:

"Since the proposed zoning is only to modify only the size of allowed lots and setbacks and the use will remain single family it will not adversely impact or affect the existing or future usability of adjacent or nearby property."

Staff Analysis:

The proposed rezoning and development should not have an adverse affect upon the existing use or usability of nearby properties. The zoning proposal will create two (2) new single-family homes in place of the existing one (1) single-family home.

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

Applicant Response:

"Private property law requires an owner fair and equitable use of their land. With the recent rezoning of the land across the street from the applicant's property to a higher density and the existing zoning of the lots to the rear all being higher

density, the applicant is not able to obtain the highest and best value for their land without rezoning to a higher density. However the applicant could reasonably expect to develop the existing lot under the current zoning."

Staff Analysis:

The subject parcel has a reasonable economic use as currently zoned. The proposed rezoning would add one (1) additional single-family home.

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:

"Given other much more significant changes and approved high density developments along the same street and in the same neighborhood, it is not logical to believe that adding one additional lot and corresponding home would have any significant impact to the local roads, facilities, or schools."

Staff Analysis:

Based upon information provided by the City Engineer, the development is not expected to cause an excessive or burdensome use of existing streets and transportation systems.

Based upon information provided by the Water/Sewer Supervisor, adequate water and sewer capacities are available in the area to accommodate the development associated with the rezoning. The water and sewer mains are both located in the right of way of Reed Street. Sewer tap locations and elevations are the responsibility of the builder/developer.

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

Applicant Response:

"The proposed zoning is in conformity with the future land use plan with 3.1 units per acre proposed. It is in keeping with the policy and intent of the Future Land Use Map."

Staff Analysis:

The R-10 zoning district is a compatible zoning district the Moderate Density Residential (up to 4.5 dwelling units per acre) Future Land Use designation. The proposed development of two (2) new residences on 0.649 acres yields a density of 3.08 units per acre. A land use change from Moderate Density Residential is not required for rezoning.

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:

"The recent approvals for the higher density development with much smaller lots across the street and older approvals for duplex developments to the rear and smaller lots on the same street all provide supporting grounds and clear precedent for a step down zoning here that is higher density than allowed under the R-20 zoning."

Staff Analysis:

The overall density for the subject site will increase from 1.54 units per acre to 3.08 units per acre by adding one (1) additional home. The proposed density is consistent with the future land use designation of Moderate Density Residential (up to 4.5 dwelling units per acre).

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 proposed new homes under the proposed R-10 zoning will help to match other new homes built on the same street in the recent years. The architectural facades, elevations, and materials proposed match those of many other homes built by the same builder in the same neighborhood and will better relate to the new homes across the street than the other older homes currently do."

Staff Analysis:

The proposed development includes two (2) homes that face Reed Street. The proposed homes will have front-entry garages. The proposed development will conform with the requirements and aesthetics of the general neighborhood.

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:

"Nothing about the proposed zoning classification would result in an incompatible use or a nuisance. The proposed zoning is for an alternate single family zoning with lot sizes 1/2 the size of the current zoning. No use change is proposed under this proposed change."

Staff Analysis:

The proposed use should not create a nuisance to existing uses in the area. The number of residential units and density will be consistent with the Future Land Use Plan.

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 height of the proposed architecture is congruent with other new homes on the same street and will not be substantially different than the other newer homes built in the last 10 years. The size of the homes and positions proposed have been proposed to relate well with adjacent homes on the same side of the street. It would therefore not be logical to believe that this could create a negative impact. The impact should generally be positive and work toward continuation of new and improved housing in the neighborhood."

Staff Analysis:

Factors associated with the size of the proposed use, in either land area or building height, should have a minimal affect upon adjacent properties. The rezoning request requires one variance from the regulations of the R-10 zoning district as shown in Table 1.

Table 1: Lot Requirements for R-10 Zoning District vs. Proposed Lots

	Min. Lot Size (Square Feet)	Min. Lot Width at Setback Line	Min. Front Setback	Min. Side Setback	Min. Rear Setback	Max. Height	Max. Lot Coverage (percent)	Min. Square Footage
R-10 Zoning District	10,000	50'	25'	7.5'	25'	35'	45	1,500
Proposed Lots	13,621	50'	25'	7.5'	25'	35'	45	1,500

Project Analysis

Brookwood Homes is seeking approval of a rezoning for 2471 Reed Street from R-20 to R-10-Conditional for the development of two (2) single-family detached residences at a density of 3.08 units per acre. The existing single-family home will be demolished to allow the construction of the two (2) single-family detached homes. Both of the homes will have a front-entry garage. The proposed lots will be 13,621 sq. ft. and 14,662 sq. ft. The applicant proposes to use elements such as brick, stone, and siding for the façade materials for each home.

Engineering Review

The applicant has provided a site plan with the rezoning application for reference. A formal review of stormwater management requirements will be assessed during plan review and permitting. There is no stream located on the subject property. If necessary, the applicant will be required to dedicate property along Reed Street to ensure the utilities and sidewalk are located within the right-of-way.

Fire Marshal Review

The Fire Marshal's office has reviewed the revised site plan and believes there is sufficient access to provide emergency services to the three homes.

Planning Review

The proposed rezoning would provide for two (2) new residences at density of 3.08 units per acre. The subject property is located in an area where the surrounding properties have a future land use designation of Moderate Density Residential (up to 4.5 dwelling units per acre). Table 2 shows the infill development in the immediate area as it relates to density, lot size and lot width.

Table 2: Proposed Development vs. Infill Developments					
Name of Development	Location	Number of Lots	Site Density	Minimum Lot Size (square feet)	Minimum Lot Width
Proposed Development	2471 Reed St.	2	3.08	13,621	50'
The Grove at Adams Pond	Pierce Ave. and Belmont Ave.	46	4.75	2,849	40'
Hawthorne Village	Hawthorne Court	33 (66 units)	4.13	12,800	100'

Community Development has reviewed the proposed development against the zoning standards of the recent nearby rezonings and found the proposed development to be compatible with the surrounding area. The subdivision and construction of two (2) new single-family detached homes result in a density of 3.08 units per acre on the subject property. The lot width and lot size are compatible with the other in-fill developments in the surrounding area. The applicant is requesting a rezoning from R-20 to R-10-Conditional and the proposed zoning is in compliance with the Future Land Use Plan.

Community Development considers the proposed density of 3.08 units per acre to be below the 4.5 unit per acre threshold of Moderate Density Residential land use. Staff is supportive of the rezoning for the proposed development and the requested variance.

STAFF RECOMMENDATION

Community Development recommends **approval** of the rezoning from R-20 to R-10-Conditional for the development of two (2) single-family units at a density of 3.08 units per acre with the following conditions:

Standard Conditions

Requirements # 2, 3, 4, 5, 8, 9, 10, 12, and 17 from Section 1201 of the Zoning Code are not applicable. The following requirements remain 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. All utilities within the development 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 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 two feet shall be provided between the back of curb and sidewalk.
4. No debris may be buried on any lot or common area.
5. 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.
6. All landscape plans must be prepared, stamped, and signed by a Georgia Registered Landscape Architect for any common areas or entrances.
7. All yards and common areas are to be sodded, and landscaped. Irrigate as appropriate.
8. 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. 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.

Special Conditions

9. The development shall maintain the following setbacks:
Front – 25'
Side – 7.5'
Rear – 25'
10. The minimum lot size shall be 13,621 sq. ft.
11. The minimum lot width shall be 50 feet.
12. Driveway – 22' minimum length from building face to back of sidewalk.
13. The developer shall dedicate property along Reed Street to ensure all utilities and sidewalk are located in the right-of-way.

14. All structures will be built to a maximum height of 35' as measured from the sidewalk along the front elevation.
15. The lot to the north shall have the driveway oriented towards the interior lot line.
16. The a vegetative buffer shall be planted along the northern property line between the new home and the adjacent property.
17. Approval of the subject property for the R-10-Conditional zoning district shall be conditioned upon the development of the property in substantial compliance with the site plan submitted 8/12/2024 and created by SJM Murphy LLC. and all zoning stipulations above.
18. Approval of the subject property shall be conditioned upon substantial compliance with the elevations submitted on 8/12/2024.

Figure 1 - Subject Property



Figure 2 – Subject Property



Figure 3 – Adjacent Property



Figure 4 – Adjacent Property

