

CITY OF SMYRNA COMMUNITY DEVELOPMENT DEPARTMENT MEMORANDUM

To: Mayor and Council

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

Date: September 11, 2024

CC: Joe Bennett, City Administrator
Planning and Zoning Board

RE: **REZONING CASE Z24-012– 3030, 3040 & 3050 Atlanta Road**

Applicant:	<u>City of Smyrna</u>	Existing Zoning:	R-15 & LC
Titleholder:	<u>City of Smyrna - Downtown Smyrna Development Authority</u>	Proposed Zoning:	<u>R-15-Conditional</u>
		Size of Tract:	<u>5.34 acres</u>

Location:	<u>3030, 3040 & 3050 Atlanta Rd.</u>	Contiguous Zoning:	
Land Lot:	<u>558</u>	North	LC
Ward:	<u>6</u>	South	R-15
		East	RDA
		West	R-15 & R-20

Access: Atlanta Road

Existing Improvements: Three residential structures to be demolished

	Hearing Dates:
P&Z	N/A
Mayor and Council	September 23, 2024

Proposed Use:

The applicant is requesting a rezoning of three parcels from R-15 & LC to R-15-Conditional for use as a church. The future land is MEDR and a land use change is not required.

Staff Recommendation:

Approval of the rezoning from R-15 & LC to R-15-Conditional.



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.

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

Staff Analysis:

The zoning proposal consists of three tracts of land totaling 5.34 acres and are zoned R-15 & LC (Limited Commercial). Approval of the zoning proposal would allow all three parcels to be rezoned to R-15 Conditional for the construction of a 60,000 sq. ft. church. Churches are permitted in every zoning district. The adjacent property to the north is zoned LC (Limited Commercial) and is occupied with a bank. The adjacent property to the south is zoned R-15 (Residential) and occupied by the Reed House. The adjacent properties to the east are zoned RDA and are occupied with single-family residences. The adjacent properties to the west are zoned R-15 & R-20 (Residential) and are occupied with single-family homes. The proposed zoning would be consistent with the commercial, institutional, and residential land uses of the surrounding properties.

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

Staff Analysis:

The zoning proposal should have no adverse effect upon the existing use or usability of nearby properties. The proposed use as a church is allowed in all zoning districts. The purpose of the rezoning is to consolidate all three properties from R-15 & LC to R-15 to consolidate into one consistent zoning district. The subject property is currently accessed directly from Atlanta Road will not impact any additional local streets.

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

Staff Analysis:

The subject parcel has 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.

Staff Analysis:

Based upon information from the City Engineer, the proposed use will not cause an excessive or burdensome use of the existing streets or transportation facilities. The proposed use as a church will primarily be occupied on Sundays and weekdays during off-peak travel times.

The buildings will be serviced with water from the city from the Atlanta Road right-of-way. The building will be serviced by sanitary sewer from an existing sewer easement on the property.

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

Staff Analysis:

The subject property has a future land use designation of MEDR (Medium Density Residential) on the city's 2040 Future Land Use Plan. The proposed rezoning to R-15 for use as a church will not require a land use change from the MEDR (Medium Density Residential) future land use designation.

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.

Staff Analysis:

The properties are currently zoned R-15 & LC. The request rezone to consolidate all three properties to R-15 Conditional is supported by the use of a church being permitted in all zoning districts.

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.

Staff Analysis:

The development of the property under the zoning proposal would conform with the architectural standards and aesthetics of the general area by the proposed building elevations.

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

Staff Analysis:

The proposed zoning to the R-15 classification is compatible with the existing uses in the area and should not create any nuisance.

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.

Staff Analysis:

Factors associated with the size of the proposed use, in either land area or building height should have no negative effect upon all adjacent and nearby properties. The following variances are required:

- 1) Allow a reduction in the front setback from 50 feet to 25 feet. **(Staff Supports)**
- 2) Allow a reduction in the side building setback from 75 feet to 25 feet. **(Staff Supports)**
- 3) Allow a reduction in the landscape buffer from 50 feet to 10 feet along the southern property line and 20 feet along northern and western property lines. **(Staff Supports)**
- 4) Allow an increase in impervious coverage from 35% to 50%. **(Staff Supports)**
- 5) Allow an increase in building height from 35 feet to 66 feet. **(Staff Supports)**
- 6) Allow a parking area setback reduction from 20 feet to 10 feet along the southern property line. **(Staff Supports)**

PROJECT DESCRIPTION

The City of Smyrna is requesting the rezoning of three parcels from R-15 (Residential) and LC (Limited Commercial) to R-15-Conditional for the use as a church. The subject properties are zoned R-15 & LC and have been used for residential purposes. The rezoning will allow consolidation of the three lots to one parcel with a single R-15 zoning designation. The city is proposing the R-15 zoning classification as it is the least intensive of the available zoning districts that permit a church. The existing buildings will be demolished for the construction of a new 60,000 sq. ft. church on 5.34 acres. The building will be two stories with a maximum height of 66 feet. The church will face Atlanta Road, and the building will be a minimum of 75 feet from any single-family residential property. A building setback reduction is requested for the front setback, as well as the sides adjacent to the Reed House and bank.

The parking lot is proposed behind the church, with stormwater detention placed at the rear of the property. Towards the rear of the subject property are properties occupied by single-family homes. Many of these properties will be adjacent to the parking lot and the detention area of the church property. A small area of the parking lot will require a reduction in the parking area setback to 10 feet along the southern property line. Additionally, a 50-foot landscape buffer is required for an institutional use on properties over 5 acres. The landscape buffer will require a reduction to 10 feet along the southern property line and 20 feet along the northern and western property lines. However, the perimeter of the lot is proposed to be screened by vegetation to provide a buffer between the church property and all adjacent properties.

The proposed development will consist of two access drives. The main access will be a full access shared drive to the property and the Reed House. The primary access drive will be at a new traffic signal. The secondary access will be adjacent to the bank property and be right-in and right-out only. A total of 222 parking spaces are proposed for the church.

The proposed building will utilize brick and stone for the front façade. The applicant has provided architectural renderings with the zoning application for reference. The building will be a

two-story structure, however the sanctuary will require a variance to extend to a maximum height of 66 feet.

The conceptual master plan will require the following variances:

- 7) Allow a reduction in the front setback from 50 feet to 25 feet. **(Staff Supports)**
- 8) Allow a reduction in the side building setback from 75 feet to 25 feet. **(Staff Supports)**
- 9) Allow a reduction in the landscape buffer from 50 feet to 10 feet along the southern property line and 20 feet along northern and western property lines. **(Staff Supports)**
- 10) Allow an increase in impervious coverage from 35% to 50%. **(Staff Supports)**
- 11) Allow an increase in building height from 35 feet to 66 feet. **(Staff Supports)**
- 12) Allow a parking area setback reduction from 20 feet to 10 feet along the southern property line. **(Staff Supports)**

Community Development believes there should be no negative impact if the variances are approved.

Project Analysis

Engineering Review

The City Engineer has reviewed the proposed rezoning with respect to transportation, stormwater management and stream buffer issues. There are no stream buffers affecting the property. The development will utilize a detention pond for stormwater management at the rear of the property. The development will require a variance to increase the impervious coverage to 50%. Prior to the issuance of the land disturbance plan a hydrology study will be submitted for review by the City Engineer to ensure the detention area is sized appropriately for the required hydrological demands.

The primary entrance to the property will be a full access drive to the south on Atlanta Road. The primary entrance will provide shared access to the church and the Reed House. A traffic signal is proposed on Atlanta Road adjacent to the primary access drive. The secondary access drive to the north will be right in/right out only. Inter-parcel access to the bank property is not planned at this time but the potential exists to make the connection in the future.

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. The shared drive will maintain a connection to the Reed House circular drive.

Planning Review

Community Development has reviewed the zoning proposal against the city's 2040 Comprehensive Plan and Future Land Use Plan. The zoning proposal to R-15-Conditional is consistent with the MEDR land use designation on the Future Land Use Map.

Community Development has reviewed the proposed development against the requirements of the Zoning Ordinance with respect to the use as a church. The proposed development meets some of the R-15 zoning requirements however due to the geometry of the property several variances are requested. The rezoning will require the following variances:

- 1) Allow a reduction in the front setback from 50 feet to 25 feet. **(Staff Supports)**
- 2) Allow a reduction in the side building setback from 75 feet to 25 feet. **(Staff Supports)**
- 3) Allow a reduction in the landscape buffer from 50 feet to 10 feet along the southern property line and 20 feet along northern and western property lines. **(Staff Supports)**
- 4) Allow an increase in impervious coverage from 35% to 50%. **(Staff Supports)**
- 5) Allow an increase in building height from 35 feet to 66 feet. **(Staff Supports)**
- 6) Allow a parking area setback reduction from 20 feet to 10 feet along the southern property line. **(Staff Supports)**

Community Development staff is supportive of the change in zoning from R-15 & LC to R-15 Conditional and the requested variances and believes a church will be compatible with the surrounding residential, commercial and public uses. The rezoning request will allow the three parcels zoned R-15 and LC to be consolidated to one parcel with a single R-15 zoning designation.

STAFF RECOMMENDATION

Community Development recommends **approval** of the rezoning from R-15 t& LC o R-15-Conditional on 5.34 acres for a church **with the following conditions:**

Standard Conditions

Requirements # 2, 3, 4, 8, 9, 16 and 17 from Section 1201 of the Zoning Code are not applicable. The following requirements remain applicable.

1. The composition of the building 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 percent hardy plank siding.
2. The retention 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 ten percent reduction in a 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.
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. 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.

Special Conditions:

10. The development shall maintain the following minimum building setbacks:
 - Front – 25'
 - Side – 25'
 - Rear – 30'
 - Setback from residential property – 75'
11. The maximum building height shall be 66 feet.
12. The minimum landscape buffer shall be 10 feet along the southern property line and 20 feet along the northern and western property lines.
13. The maximum impervious coverage shall be 50%.
14. The minimum parking area setback shall be 10 feet.
15. The primary shared access drive shall maintain connection to the Reed House circular drive for fire department accessibility.
16. The dumpster shall be screened with a three sided brick enclosure.

17. Approval of the subject property for the R-15-Conditional zoning district shall be conditioned upon the development of the property in substantial compliance with the site plan submitted September 10, 2024, and created by Croy and all zoning stipulations above.
18. The applicant shall be bound to the conceptual elevations submitted on August 16, 2024. Approval of any change to the elevations must be obtained from the Director of Community Development.

Subject Property



Subject Properties



Subject Properties



Atlanta Road Adjacent Properties



Atlanta Road Adjacent Properties



Atlanta Road Adjacent Properties

