



## Legislation Text

**File #:** PZ 18--033, **Version:** 1

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**APPLICATION:** Special Use, Olympia Homes

**PETITION:** The applicant, Olympia Homes Inc, is initiating a Special Use approval to allow density of up to eight (8) units per acre in the MDR zoning district (pending zoning change approval from R15-MDR, PZ 18-032).

**PURPOSE OF THE REQUEST:** MDR allows a maximum of five (5) dwelling units per acre by right for multi-family dwelling. Five (5) to eight (8) units per acre for multi-family requires a Special Use approval (Table 2.2).

**LOCATION:** Land Lots 869 & 870, 19<sup>th</sup> Districts, Powder Springs, Georgia.

**ACRES:** Approximately 3.1 acres, 19086900280 and a portion of 19086900010 (access easement)

**STAFF RECOMENDATION:** Approval with Conditions



### Background:

The subject site has a split use designation of Residential (R-15) and Medium Density Residential (MDR). There is currently a rezoning application (PZ 18-032) to rezone the R-15 portion of the site to MDR to facilitate

townhome development consisting of 24 units on approximately 3.1 acres. The Medium Density Residential (MDR) zoning district allows a maximum of five (5) dwelling units per acre by right. Five (5) to eight (8) units per acre requires a Special Use approval (Table 2.2). The proposed density request is for 7.7 dwelling units per acre. Therefore, the request is to allow greater density in the MDR zoning district to facilitate the proposed 24 unit town home development.

**Surrounding Land Use:**

There are a variety of zoning districts that are adjacent to the subject site. The north of the subject site is zoned R-15 and MDR along Hopkins Road. The R-15 designation currently consists of single-family lots known as the Ashley Woods subdivision. The property located south of the subject site is zoned CRC and currently consists of a vacant lot and a gas station located at the intersection of Hopkins Road and Powder Springs Road. West of the subject site is zoned R-20 that currently consists of a single-family unit. East of the subject site, at the intersection of Hopkins Road and Powder Springs Road, is property zoned and used as single family within Cobb County jurisdiction. There are also single-family units located within the R-20 zoning districts along Hopkins Road.

**Analysis:**

Special Use Approval requests are reviewed by criteria set forth in Section 11-3 of the Unified Development Code. Based on analysis in this staff recommendation, this application meets the requirements of Special Use Approval, subject to the stipulations and provisions indicated above.

Table 2-3 of the Unified Development Code (UDC) indicates that a Special Use approval by the Mayor and City Council must be granted prior to establishment of a density between five to eight dwelling units per acres in the MDR zoning district.

**The application should be reviewed against the following standards:**

**a. Will the proposed special use be consistent with the stated purpose of the zoning district in which it will be located?**

As outlined in the Unified Development Code (UDC), the MDR zoning district permits a variety of styles of homes, including duplexes, townhomes, condominiums, etc. Additionally, density increases are permitted by Special Use Application under the MDR zoning district (a SUA Application is filed concurrently with the Rezoning Application). Density increases are also permitted by special use not exceeding 8 dwelling units per acre, provided development incorporates exceptional traditional neighborhood development design and amenities into the site plan. Institutional and park, recreation, and greenspace uses are also accommodated. The site plan meets the intent of the MDR zoning district.

**b. Will the establishment of the special use not impede the normal and orderly development of the surrounding property for uses predominate in the area?**

The City's decision to grant the special Use application will ensure that the overall character of the area will remain intact. The proposed Townhome Community will be compatible with the purpose and intent of the Comprehensive Plan and is located within an area projected to be a Redevelopment Area as defined in the Comprehensive Plan, adopted on October 16, 2017.

**c. Is the location and character of the proposed special use consistent with a desirable pattern of development in general?**

The proposed MDR Rezoning (filed concurrently with the Special Use Application) is consistent with the City-sanctioned pattern of development as defined in the Comprehensive Plan. Additionally, the subject property is located at the edge of a Neighborhood Activity Center ("NAC") node and directly contiguous (northern property line) to property zoned MDR.

**d. Is or will the type of street providing access to the use be adequate to serve the proposed special use?**

Hopkins Road is classified as a major collector roadway and is therefore more than adequate to serve the proposed townhome community. Additionally, there is secondary/optional ingress to and egress from the subject property by way of an existing forty foot (40') easement.

**e. Is or will access into and out of the property be adequate to provide for traffic and pedestrian safety, the anticipated volume of traffic flow, and access by emergency vehicles?**

The 24-unit townhome community will produce less traffic than a 24-7 commercial development and provides a gradual transition from commercial development to residential development along Hopkins Road. Additionally, the subdivision entrance will be located more than 275' from the signalization intersection of Hopkins Road/Powder Springs Road, to lessen any impact on a.m./p.m. peak hour traffic which may occur.

**f. Are or will public facilities such as schools, water or sewer utilities, and police or fire protection be adequate to serve the special use?**

Yes, public facilities and infrastructure are adequate to serve the proposed use. Access to the subject property will be via Hopkins Road along with optional access via the easement to Powder Springs Road. The proposed development will generate minimal students at the Elementary, Middle and High School level. In addition, the table below indicates the schools that are zoned for this area. The table also indicates that schools are currently under capacity and can facilitate students that will be generated from the proposed 24 unit development.

**Table 1: School Capacity and Enrollment**

School	Student Capacity	Student Enrollment	Capacity Status
Compton Elementary School	925	494	431 under capacity
Tapp Middle School	1137	962	175 under capacity
McEachern High School	2362	2390	28 over capacity

*Source: Cobb County School District*

**g. Are or will refuse, service, parking and loading areas on the property be located or screened to protect other properties in the area from such adverse effects as noise, light, glare or odor?**

The proposed Townhome Community will provide a transition from the adjacent existing commercial development and future commercial development along Powder Springs Road and will not cause adverse effects such as noise, light intrusion, glare or odors.

**h. Will the hours and manner of operation of the special use have no adverse effects on other properties in the area?**

The proposed Townhome Community will have no adverse effect upon other similarly positioned residential properties in the area.

**i. Will the height, size or location of the buildings or other structures on the property be compatible with the height, size or location of buildings or other structures on neighboring properties?**

The height, size, scale and location of the single-family attached residences will be compatible and suitable in view of the use and development of adjacent and nearby properties.

**Fiscal Impact:**

There are currently existing services and infrastructure to support the proposed request. The proposed development will provide increased tax income for the City. The proposed request should not have any negative economic impact on the City of Powder Springs as infrastructure and services are already in place to serve the proposed request.

**Recommendation:** Staff recommends approval of PZ 13-33 with the following conditions:

*Conditions provide by the applicant - no underline*

*Underlined - staff added text*

*Strikeout - deleted from conditions*

1. Special Use approval to allow greater density up to 8 dwelling units per acre on property located at Land Lots 869 & 870, 19<sup>th</sup> Districts, Powder Springs, Georgia.

2. That the approval of this Special Use is not limited to the applicant and is transferrable to any other business or subsequent owner.
3. Violation of the conditions of approval will render the approval null and void.