

CITY OF SMYRNA COMMUNITY DEVELOPMENT MEMORANDUM

To: License and Variance Board

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

Date: September 13, 2021

**RE: VARIANCE CASE V21-099
3414 S Cobb Dr – Allow rear setback reduction from 30 ft to 15 ft
VARIANCE CASE V21-100
3414 S Cobb Dr – Parking reduction from 59 spaces to 45 spaces**

BACKGROUND

The applicant is proposing to redevelop the property located at 3414 S Cobb Drive to accommodate a 10,640 sq. ft. retail store. The proposed redevelopment will require a variance for a parking reduction from 59 spaces to 45 spaces and a rear setback reduction from 30 ft. to 15 ft. Section 906 of the Zoning Ordinance controls the minimum required parking spaces per use and Section 802 controls the minimum building setbacks.

ANALYSIS

The subject parcel is 1.02 acres located on the west side of S Cobb Drive and south side of Lake Drive (see Figure 1). The subject parcel and adjacent parcels are zoned GC (General Commercial) and are occupied by various commercial uses.

The subject property consists of two parcels (a 0.77 acre parcel and a 0.25 acre parcel) in the shape of an “L”, that were previously occupied with a drive-thru restaurant. The applicant is proposing to build a 10,640 sq. ft. retail store for PopShelf. The property consists of one access drive on Lake Drive, and two access drives on S Cobb Drive. The applicant is proposing to consolidate the two S Cobb Drive access drives into one drive with a deceleration lane for right turns. The applicant is requesting two variances due to the shape and configuration of the two parcels.

Section 906.10 of the Zoning Ordinance requires 59 parking spaces on the subject property, which is calculated at 5.5 spaces per 1,000 square feet of gross floor area. Due to the geometry and configuration of the parcels, the applicant can only provide 45 spaces. The applicant is also requesting a rear setback reduction from 30 feet to 15 feet, per Section 802. The configuration of the two parcels is a unique circumstance applying to the property. Additionally, the variances are required to achieve traffic flow for customer and emergency response vehicles.

Community Development believes the hardship is not self-created, as the lot configuration is unique and has existed since the previous use. Additionally, the parking lot will be updated to comply with the current code requirements, including ADA parking and landscaping requirements.

STAFF COMMENTS

The applicant is requesting to deviate from the City's required parking minimums. 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 has reviewed the requests against the variance review standards and found them to be in compliance with the review standards. Community Development believes that the requested variances will not adversely affect surrounding properties. Therefore, Community Development recommends **approval** of the requested variance with the following conditions:

1. Approval of the requested variance shall be conditioned upon the development of the property in substantial compliance with the site plan submitted with the variance application.
2. The applicant shall submit a consolidation plat prior to issuance of a land disturbance permit.
3. The dumpster shall be enclosed by a three-sided masonry enclosure.
4. Georgia Department of Transportation approval is required for driveway improvements along S Cobb Drive.
5. Prior to issuance of land disturbance permit a hydrology study in accordance with the City Stormwater Management Ordinance is required, subject to approval by the City Engineer.

Figure – 1



Figure – 2
Site Plan

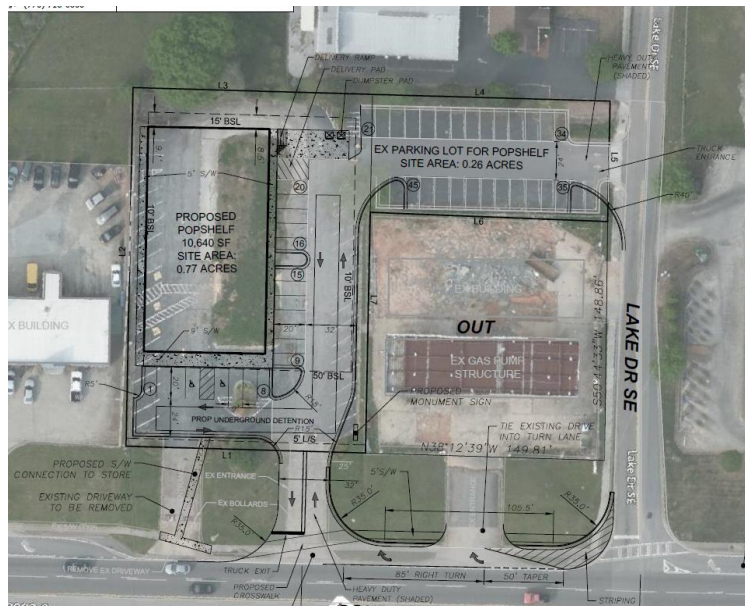


Figure – 3
Subject Property from S Cobb Dr



Figure – 4
Subject Property from Lake Drive



Figure – 5
Subject Property across S Cobb Dr



Figure – 6
Adjacent Property to the North



Figure – 7
Adjacent Property to the South

