

CITY OF SMYRNA COMMUNITY DEVELOPMENT DEPARTMENT MEMORANDUM

To: Mayor and Council

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

Date: February 9, 2022

CC: Joe Bennett, City Administrator
Planning and Zoning Board

RE: REZONING CASE Z21-014– S Cobb Drive & Oakdale Road

Applicant:	<u>Arris Holdings</u>	Existing Zoning:	<u>GC</u>
Titleholder:	<u>TABAS LLP, Freeman Family W LP, James E Freeman Estate, Allgood 75 Industrial Property Inc.</u>	Proposed Zoning:	<u>MU-Conditional</u>
		Size of Tract:	<u>6.923 acres</u>

Location:	<u>S Cobb Dr & Oakdale Rd</u>	Contiguous Zoning:	
Land Lot:	<u>751 & 752</u>	North	(Cobb County)
Ward:	<u>7</u>	South	TS
		East	RDA & (County)
		West	GC & (County)
Access:	<u>S Cobb Dr & Oakdale Rd</u>		

Existing Improvements:	<u>One Commercial Structure on Eight Lots</u>	Hearing Dates:	
		P&Z	December 13, 2021
		Mayor and Council	February 21, 2022

Proposed Use:

The applicant is requesting a rezoning from GC to MU-Conditional for 163 multi-family units at a density of 23.5 units per acre, 20,409 sq. ft. of commercial/restaurant space, and 7,700 sq. ft. clubhouse. The future land is CAC and no land use change is required.

Staff Recommendation:

Approval of the rezoning from **GC** (General Commercial) to **MU-Conditional** (Mixed Use).



Planning & Zoning Board Recommendation: Approval by a vote of 4-1 at the December 13, 2021 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 proposed development is suitable in relation to the adjacent and nearby, properties. The neighboring properties consist of medium density residential, apartments and commercial uses, which align with the uses proposed in the rezoning. The corresponding uses in the immediate area surrounding the property consists of apartments to the east and west and commercial to the west and south."

Staff Analysis:

The zoning proposal consists of an assemblage of eight tracts of land totaling 6.923 acres and is zoned GC. Approval of the zoning proposal to MU-Conditional would allow for the development of 163 multi-family units with a 7,700 sq. ft. clubhouse and 20,409 sq. ft. of commercial/restaurant space. The adjacent property to the north is zoned RM-12 (Cobb County) and occupied with multi-family. The adjacent property to the south is zoned TS (Tourist Services) and occupied with a hotel. The adjacent property to the west is zoned R-20 (Cobb County) & GC (General Commercial) and occupied with single-family and commercial. The adjacent property to the east is zoned R-20 (Cobb County) and RDA and are occupied with single-family residential. The zoning proposal will permit a use that is suitable in view of the use and development of adjacent and nearby property.

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

Applicant Response:

"The rezoning proposal will not have an adverse effect on the on the existing nearby properties. The proposed development does not abut any of the adjacent properties and is surrounded by public roads to the east, west and south and vacant land to the north. The nearby properties consist of primarily high and medium density residential and commercial uses."

Staff Analysis:

The proposed use would not have an adverse effect upon the existing use or usability of the property and of nearby properties.

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

Applicant Response:

"The property is currently zoned GC and does not have a reasonable economic use based on current market conditions for commercial development costs and leasing, as well as site topographic challenges."

Staff Analysis:

The subject parcel has an economic use as currently zoned. The GC zoning district allows a plethora of compatible uses but not multi-family or mixed-use development.

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:

"The proposed rezoning will not result in a use that will 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 property is currently serviced with water and sewer from Cobb County.

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

Applicant Response:

The zoning proposal is in conformity with the policy and intent of the Comprehensive Plan and the Future Land Use Map. The subject property is identified as a Community Activity center, which supports mixed-use development as an appropriate land use. The CAC designation also identifies MU as a corresponding zoning in the Comprehensive Plan."

Staff Analysis:

The subject property has a Future Land Use designation of CAC (Community Activity Center) on the city's 2040 Future Land Use Plan. The MU zoning district is a compatible zoning district under the CAC Future Land Use designation. The

surrounding area is comprised of single-family & multi-family residential and commercial properties.

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:

"There are existing and changing conditions affecting the use and development of the property that support the approval of the proposed rezoning. Recent market conditions have resulted in a dramatic slowdown in retail and commercial development, as evidenced by large shopping center and office vacancies. The current GC zoning would not support a viable commercial development in the current economic environment. The proposed zoning would be the highest and best use and would align with the intent of the comprehensive plan."

Staff Analysis:

The subject property is a 6.92-acre assemblage currently zoned General Commercial (GC) that has remained vacant for many years. The property was rezoned to GC for a commercial development in 2007 but building the commercial development was not feasible. The proposed mixed use development meets the general intent of the Comprehensive Plan with respect to land use and is a reasonable buffer between the surrounding commercial and residential uses.

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 rezoning proposal will enhance the architectural standards and will improve the aesthetics of the general neighborhood. The applicant will coordinate with the City of Smyrna on design and will comply with all architectural guidelines."

Staff Analysis:

Community Development believes the proposed development of the property under the zoning proposal will enhance the architectural standards and aesthetics of the general neighborhood. The applicant has provided renderings of the proposed buildings with the rezoning application.

The proposed development does provide limited open space within the development and is predominantly occupied with surface level parking. The applicant has increased open space on the original plan by consolidating parking via the one-story parking deck to provide more green space in the development and proposes a public plaza with public art and dog park.

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:

"The proposed zoning classification of MU will not create a nuisance and is compatible with the existing uses in the area. The classification is consistent with the surrounding uses and complies with corresponding zoning recommendations for the CAC Future Land Use in the Comprehensive Plan.

Staff Analysis:

The zoning proposal will not create a nuisance or be incompatible with existing uses in the area. The zoning proposal is for multi-family housing, and retail/commercial space. These uses are compatible with existing uses in the area

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 proposed use will have a positive impact on the general neighborhood and will aesthetically improve this corridor of S Cobb Drive by bringing Class A+ residential and commercial to the area via mixed-use development."

Staff Analysis:

The zoning proposal may not negatively affect the adjoining property, general neighborhood and other uses due to the size of the proposal in either land area or building height. The zoning proposal meets a majority of the zoning requirements of the MU zoning district, but not all of them. The applicant is seeking the following variances from Section 720 of the Zoning Ordinance:

- 1) A reduction in required parking from 460 spaces to 389 spaces (Section 901); **(Staff Supports)**
- 2) Eliminate the requirement to have a consistent building edge along a public sidewalk (Section 720.9(5)); **(Staff Supports)**
- 3) To allow off-street parking between the building and the right-of-way (Section 720.9(6)); **(Staff Supports)**
- 4) Allow front setback greater than 20 feet (Section 720.3 (c)(1)); **(Staff Supports)**
- 5) Allow side setback greater than 20 feet (Section 720.3 (c) (2)); **(Staff Supports)**

PROJECT DESCRIPTION

Arris Holdings is requesting a rezoning from GC (General Commercial) to MU-Conditional (Mixed Use) for the ability to construct 163 multi-family units with 20,409 sq. ft. of commercial/restaurant and 7,700 sq. ft. clubhouse space. The subject property is zoned GC and has been used commercially along with several parcels that remain vacant. Any existing buildings will be demolished for the construction of a new mixed use development.

The proposed development will include a total of 163 multi-family units and 20,409 sq. ft. of commercial and 7,700 sq. ft. clubhouse area in three buildings. Building #1 will be 167,934 sq. ft., four-story building and consist of 132 multi-family units and 7,700 sq. ft. of clubhouse space and pool/amenity area, and 3,200 sq. ft. of commercial space on the ground level. Building #2 will be 52,978 sq. ft., four-story building, and consist of 31 multi-family units with 11,909 sq. ft. of commercial/retail space located on the ground level. The commercial space in Building #1 & #2 will consist of retail and restaurant space, which will be marketed to local restaurants and boutiques and integrated into the building at the main entrance of the development. This portion of the commercial space will serve as an amenity to residents of the development and in the immediate area. Additionally, the project will include a dog park and public lawn within the development, as well as greenspace and landscaping around the buildings, and the perimeter of the development.

Building #3 is a one-story 5,300 sq. ft. out-parcel developed and retained by the current property owner. This building will be marketed for retail, office and general commercial uses

The unit composition for the 163 multi-family units will consists of 64% one-bedroom units, 34% 2-bedroom units, and 2%-3-bedroom units with an average unit size of 940 sq. ft. The units will range in size from 751 sq. ft. to 1,442 sq. ft. 10% of the units will be affordable for household earnings between 80% to 100% of the MSA area median income and capped at 30% of monthly income. Amenities for the units will include fitness facilities, pool and clubhouse, yoga studio, media room, business center, and communal gathering places.

The proposed project will include 389 parking spaces within the development. Section 901 requires 460 parking spaces for the combined multi-family and commercial uses. However, the proposed multi-family buildings will consist of 64% one-bedroom units, and therefore a ratio of 1.75 spaces, as required in Section 901, per unit is unnecessary. The commercial uses within the development have parking supplied at the ratios required in Section 901. A one-story parking deck will include 86 parking spaces, and 316 parking spaces will be surface level.

The development includes a full access drive on S Cobb Drive and a full access drive on Oakdale Road. The development will have one ingress lane entering the site and one egress lane exiting the site. The development will provide a 5-foot sidewalk along S Cobb Drive and along Oakdale Road.

The traffic impact study provides a future traffic analysis for horizon year 2033 for both the “No-build” and “Build” conditions. The “No-build” conditions provide an assessment on how traffic will operate in the study horizon year without the site being developed as proposed, with projected increases in through traffic volumes due to normal annual growth. The future “No-build” volumes consist of the existing traffic volumes plus increases for annual growth of through traffic. The annual growth in traffic volume was based on GDOT recorded traffic volumes for the last three years. The annual growth in traffic volume is also calculated in the “Build” scenario. Table 8 below provides the results of the future traffic analysis. The project is not projected to have any significant impact on Level of Service for the intersections studied.

Table 8: Horizon Year 2033 Level-of-Service Summary					
LOS (Delay in Seconds)					
Intersection	Approach	Horizon Year 2033 No-Build		Horizon Year 2033 Build	
		AM Peak	PM Peak	AM Peak	PM Peak
1. South Cobb Drive (SR 280) at Calibre Lake Parkway (unsignalized)	EB	F (96.0)	F (63.1)	F (100.7)	F (64.0)
	NBL	C (21.0)	C (16.4)	C (21.3)	C (16.6)
2. Oakdale Road at Oakdale Estates Court/Site Driveway B (unsignalized)	WB	A (8.9)	A (9.9)	A (8.9)	B (10.2)
	SBL	A (7.4)	A (7.6)	A (7.4)	A (7.6)
	EB			A (9.5)	A (9.6)
	NBL			A (7.5)	A (7.5)
3. South Cobb Drive (SR 280) at Kenwood Road/Church Road/Oakdale Road (signalized)	Overall	D (39.8)*	D (54.7)*	D (41.9)*	D (55.0)*
4. South Cobb Drive (SR 280) at Site Driveway A (unsignalized)	WB			F (52.2)	E (37.3)
	SBL			C (16.5)	C (15.9)
5. South Cobb Drive (SR 280) at Highlands Parkway/Shell Driveway (signalized)	Overall	F (**)	F (147.8)	F (**)	F (151.6)
6. South Cobb Drive (SR 280) at South Cobb Industrial Boulevard/Wright Road (signalized)	Overall	D (41.6)	C (33.2)	D (42.9)	C (34.5)
7. Oakdale Road at Wright Road/Park Avenue (unsignalized)	EB	B (11.5)	B (13.1)	B (11.6)	B (13.2)
	WB	B (10.2)	B (13.1)	B (10.3)	B (13.2)
	NBL	A (7.6)	A (7.9)	A (7.6)	A (7.9)
	SBL	A (7.6)	A (7.7)	A (7.7)	A (7.7)

*Due to the intersection phasing, HCM 2000 was used for the analysis. HCM 2010 and HCM 6th Edition cannot analyze 5-leg intersections.

**Delay exceeds 180 seconds.

The traffic impact study indicates that LOS (Level of Service) should not be impacted by the development. The eastbound approach of S Cobb Drive at Calibre Lake Parkway is projected to have a LOS of F in the AM and E in the PM in the 2033 Build or 2033 No-Build conditions. S Cobb Drive at Highlands Pkwy/Shell Driveway is projected to have a LOS of F in the AM and PM in the 2033 Build or 2033 No-Build conditions. The traffic impact study recommends the following system improvements at the intersection of S Cobb Drive and Highlands Parkway to improve the intersection to LOS D for AM and PM:

1. Install right-turn overlaps for the eastbound right-turn and southbound right-turn phases.
2. Install an additional eastbound left-turn lane (via restriping or widening) so the approach provides two (2) exclusive left-turn lanes, one (1) shared left-turn/through lane, and one (1) right-turn lane. Sidewalks are proposed along S Cobb Drive and Oakdale Road.

Additionally, the westbound access drive at S Cobb Drive at Site Driveway A is projected to operate at a LOS F in the AM and E in the PM of the 2033 Build condition. The traffic impact study recommends constructing one ingress lane entering the site and one egress lane existing

the site at both entrances to the development. The traffic study also recommends extending the merge lane on S Cobb Drive to the proposed site driveway to become a right-turn lane into the site.

Finally, the traffic impact study indicates that the intersection at S Cobb Drive and Oakdale Road will continue to operate at LOS D for the 2033 Build Condition, and the development is projected to only add 5 seconds of delay to the signal. Table 9 below provides the results of the future traffic analysis.

Table 9: Projected 2023 Improved Level-of-Service Summary					
LOS (Delay, in seconds)					
Intersection	Approach / Movement	Projected 2023 No-Build Improved		Projected 2023 Build Improved	
		AM Peak	PM Peak	AM Peak	PM Peak
5. South Cobb Drive (SR 280) at Highlands Parkway/Shell Driveway (signalized)	Overall	D (54.2)	D (54.5)	D (54.4)	D (54.6)

The applicant will also pursue voluntary improvements with the appropriate Departments of Transportation to mitigate any impacts, such as providing a dedicated left-turn arrow for Church Road westbound and widening Kenwood Road eastbound to provide a left-turn lane, if there are no utility conflicts. The applicant has agreed to provide a right-turn lane on Oakdale Rd for northbound travel along S Cobb Drive.

Using the Trip Generation Manual, the traffic impact study compares the proposed project with 70,000 sq. ft. shopping center which is allowed by-right under the current GC zoning. The proposed project is expected to generate 1,350 total net trips. The shopping center would generate 2,110 total net trips; more than 760 additional trips daily compared to the trip generation of the proposed project. Due to the possible heavy traffic intensity of commercial centers, the proposed project could create significantly less traffic than other alternative uses, which are allowed by-right.

The proposed building will utilize cement fiber lap siding & panel, as well as brick for each facade. The applicant has provided architectural renderings with the zoning application for reference. The development will also incorporate a public art display area that will showcase local area artists and create a visual draw and aesthetic uniqueness to the property and area.

Project Analysis

Zoning Review

Community Development has reviewed the proposed plan against the zoning requirements of the MU zoning district (Section 720 of the Zoning Ordinance) with regards to setbacks, building height, building separations, parking requirements, buffering and landscaping. The zoning proposal meets a majority of the zoning requirements of the MU zoning district. The applicant is seeking the following variances from Section 720 of the Zoning Ordinance:

- 1) A reduction in required parking from 460 spaces to 389 spaces (Section 901); **(Staff Supports)**
- 2) Eliminate the requirement to have a consistent building edge along a public sidewalk (Section 720.9(5)); **(Staff Supports)**
- 3) To allow off-street parking between the building and the right-of-way (Section 720.9(6)); **(Staff Supports)**
- 4) Allow front setback greater than 20 feet (Section 720.3 (c)(1)); **(Staff Supports)**
- 5) Allow side setback greater than 20 feet (Section 720.3 (c) (2)); **(Staff Supports)**

Traffic Study Review

The City Engineer has reviewed the proposed rezoning with respect to transportation. The City Engineer has requested a sidewalk along S Cobb Drive and Oakdale Road for the length of the project, as well as connections to the buildings. The City Engineer believes the recommendations in the Traffic Study Analysis are appropriate and suggests the following traffic improvements:

1. A dedicated right turn lane/deceleration lane will be required for the entrance on SR 280. The turn lane will need to be off of the existing lanes on SR 280 and the three existing through lanes on SR 280 will need to be maintained, or as otherwise required by Georgia Department of Transportation.
2. An acceleration lane will be required for the exit on SR 280. The hatching on the recently submitted site plan will need to be removed. Please maintain the existing roadway geometry on SR 280, or as otherwise required by Georgia Department of Transportation.
3. A deceleration lane will be required for the entrance on Oakdale Road.
4. Tree removal will be required for any trees within the sight distance triangle on Oakdale Road.
5. A GDOT permit will be required before issuance of a Land Disturbance Permit.

Environmental Review

The proposed site plan shows no streams or stream buffers on the site. The site does have typography challenges within the development.

Stormwater Review

The applicant is proposing below ground stormwater management facilities for the development. The City Engineer takes no exception to the stormwater management concept as shown. The design submitted during permitting will take into account site constraints such as topography, utilities, and tree/landscaping requirements. The site will be required to meet all the requirements of the City's Stormwater Management Ordinance.

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.

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 MU (Mixed Use) does not require a Land Use change from CAC (Community Activity Center).

The City's 2040 Future Land Use Map designates the subject property as CAC (Community Activity Center) which is an appropriate Land Use for the MU (Mixed Use) zoning. The property to the north currently designated NAC (Neighborhood Activity Center - County). The properties to the east are currently designated MDR (Medium Density Residential – County) and MEDR (Medium Density Residential – Smyrna). The property to the south is designated CAC (Community Activity Center – Smyrna). The property to the west is designated HDR (High Density Residential – County) IC (Industrial Compatible – County) and LDR (Low Density Residential – Smyrna). The proposed development is an appropriate buffer between the diverse land use designations. In addition, the proposed zoning meets the following goals and policies laid out in the City's Comprehensive Plan:

Housing

- Goal 1 – Protect and preserve established residential neighborhoods.
 - Policy 1.1 Ensure adequate buffering and screening in order to protect residential neighborhoods from negative impacts of adjacent incompatible development.
 - Policy 1.2 Ensure that infill housing development is compatible with surrounding established neighborhoods.
- Goal 2- Encourage redevelopment of older declining neighborhoods and apartment communities.
 - Policy 2.1 Identify declining neighborhoods within planning studies and target these areas for revitalization efforts.
 - Policy 2.5 Encourage adequate amounts, types and densities of housing needed to support desired mixed use redevelopment.
- Goal 3 – Encourage the development of a range of housing choices in order to meet market demand and allow residents to remain in Smyrna across different life-cycle stages.
 - Policy 3.2 Encourage housing opportunities for young families, as well as “empty nester” households.
 - Policy 3.3 Encourage housing opportunities to ensure those who work in Smyrna have the option of living within the City.
 - Policy 3.5 Encourage opportunities for mixed use, live/work housing.

Economic Development

- Goal 5 – Promote revitalization of declining commercial & industrial areas.
 - Policy 5.1 – Promote adaptive reuse and mixed use redevelopment of declining strip commercial centers.
- Goal 6 – Promote continued economic development within downtown and other activity centers as vibrant mixed use center for residential, government, office, retail and entertainment activities.
 - Policy 6.1 Support higher-intensity housing within and adjacent to activity centers in conformity with the Future land Use Map.

Land Use

- Goal 13 – Encourage an efficient, equitable, and compatible distribution of land uses.
 - Policy 13.2 Encourage an appropriate transition of type and scale between established neighborhoods and activity centers.
- Goal 15 – Encourage infill development and redevelopment that has a positive impact on existing neighborhoods and activity centers.
 - Policy 15.1 Prioritize redevelopment and revitalization of existing underutilized commercial and industrial areas over development of new land for commercial purposes.
 - Policy 15.2 Ensure that infill development is compatible with surrounding neighborhoods and activity centers.

Quality of Life

- Goal 20 – Provide lifestyle amenities that improve the “quality of life” in Smyrna.

STAFF RECOMMENDATION

Community Development recommends **approval** of the rezoning from GC to MU-Conditional on 6.92 acres for a mixed use community, with 163 multi-family units, 20,409 sq. ft. of commercial, and 7,700 sq. ft. clubhouse space, at a density of 23.5 units per acre, including those variances supported by staff as shown above, **with the following conditions:**

Standard Conditions

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

1. The composition of the buildings in the development shall include a mixture of elements including; but not limited to: brick, stone, shake, Hardie Plank and stucco. No elevation shall be comprised of 100 percent Hardie 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. A strip of brick pavers or stamped concrete shall be installed on the street at the subdivision entrance for a minimum distance of 20 feet.
6. No debris may be buried on any lot or common area.
7. 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".
8. 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.
9. All landscape plans must be prepared, stamped, and signed by a Georgia Registered Landscape Architect for any common areas or entrances.
10. All yards and common areas are to be sodded, and landscaped. Irrigate as appropriate.

Special Conditions

11. The development shall maintain the following building setbacks from the Mixed Use District:
 - Minimum Setbacks:
 - Front – 20'
 - Side – 10'
 - Rear – 40'
 - Maximum Building Setbacks:
 - Front – 50'
 - Side – 70'
12. The developer shall meet all fire access requirements deemed necessary by the Fire Marshal during construction plan review.
13. The developer shall be responsible for any water and sewer improvements deemed necessary by the Public Works Director during construction plan review.
14. The developer shall be responsible for any stormwater improvements deemed necessary by the City Engineer.
15. The developer shall provide a 5' sidewalk with 2' grass strip along S Cobb Drive and Oakdale Road for the length of the development. There shall be sidewalk connection from the public sidewalk to each building.

16. Prior to the issuance of a Land Disturbance Permit the traffic study and site plan shall be reviewed by Georgia Department of Transportation (GDOT).
17. The development shall not be gated. The parking deck may use gates to control access.
18. A dedicated right turn lane/deceleration lane will be required for the entrance on SR 280. The right turn lane will need to be off the existing lanes on SR 280 and three existing through lanes on SR 280 will need to be maintained, or as otherwise required by Georgia Department of Transportation.
19. An acceleration lane will be required for the exit on SR 280. The hatching on the recently submitted site plan will need to be removed. Please maintain the existing roadway geometry on SR 280, or as otherwise required by Georgia Department of Transportation.
20. A deceleration lane will be required for the entrance on Oakdale Road.
21. A right-turn lane on Oakdale Rd at S Cobb Drive will be required.
22. install right-turn overlaps for the eastbound right-turn and southbound right-turn phases at the intersection of Highlands Pkwy and S Cobb Dr.
23. install an additional eastbound left-turn lane (via restriping or widening) so the approach provides two (2) exclusive left-turn lanes, one (1) shared left-turn/through lane, and one (1) right-turn lane at the intersection of Highlands Pkwy and S Cobb Dr.
24. Tree removal will be required for any trees within the sight distance triangle on Oakdale Road.
25. The minimum floor area for attached dwelling units, condominium units and other multi-family units may not be less than an average of 940 square feet. (Section 720.9(2) of the Zoning Ordinance).
26. The development will include a minimum of 389 parking spaces per the current density shown. A reduction in the residential units caused by unforeseen site constraints would cause a commensurate reduction in parking to be reviewed by the Director of Community Development.
27. Parking for the commercial, retail and apartments within the development will be provided by means of surface and structured parking as shown on the submitted site plan, which will employ "shared" parking among the respective components and will provide sufficient and adequate parking for the total development.
28. The parking deck shall provide a decorative brick exterior on the north, east, and south elevations.

29. All air conditioning condenser units, transformers and any other utilities shall be fully screened from view from any public right-of-way. The utility units components placed on the roof of the buildings may be screened by parapets and the utility components at ground level may be screened by landscaping.
30. Dumpsters shall be positioned so as to prevent visual intrusion from streets, connection points to community spaces and wherever possible with screening by landscaping, walls and/or vegetation. Dumpsters shall have rubber lids and bumpers to minimize noise during emptying. At grade trash compaction shall also be allowed and screened as appropriate in accordance with the City's regulations.
31. The maximum number of residential units shall not exceed 163 Class A amenitized multi-family units. One hundred percent (100%) of the said units shall be constructed so that the units can be modified to individually owned condominium units in the event of future favorable market conditions.
32. All apartment units shall be maintained in a Class A/First Class manner.
33. The multi-family units shall include the following interior finishes:
 - i. Minimum nine-foot (9') ceilings;
 - ii. Forty-two inch (42") upper cabinets in the kitchen;
 - iii. Pendant lighting shall be utilized in the in the kitchen area of the units and flush-mount LED can lighting shall be used in both the kitchen and dining areas of the units;
 - iv. Bathroom cabinets need to be of equal or similar quality as kitchen cabinets;
 - v. Sheet vinyl flooring and VCT vinyl flooring shall be prohibited;
 - vi. Tile flooring shall be required in both the kitchen and bathrooms including luxury vinyl tile (i.e. not sheet vinyl or VCT);
 - vii. All bathrooms shall have tub/shower surrounds with an aesthetic similar to tile;
 - viii. All kitchen and bathroom counter and cabinet tops shall be solid surface granite or similar material. Laminate counter tops are prohibited;
 - ix. All kitchen counter tops shall be horizon style counter tops; and
 - x. All kitchen sinks shall be under-mounted stainless-steel sinks.
34. The approximate mixture of unit types shall consist of the following: sixty-four percent (64%) one bedrooms, thirty-four percent (34%) two bedrooms, and two percent (2%) three bedrooms.
35. A minimum of 10% of the multi-family units will be designated as work-force housing affordable to households earning between 80% and 120% of the area median income, with rents capped at 30% of monthly income.
36. Approval of the subject property for the MU-Conditional zoning district shall be conditioned upon the development of the property in substantial compliance with

the site plan submitted February 2, 2022 and created by Kimley-Horn and all zoning stipulations above.

37. The applicant shall be bound to the conceptual elevations submitted on December 3, 2021. Approval of any change to the elevations must be obtained from the Director of Community Development.
38. All structures on the subject property shall be demolished within nine (9) months of approval by the Mayor & Council.

Subject Property



Subject Property



Adjacent Properties



Adjacent Properties

