



City of Smyrna

City of Smyrna
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Issue Sheet

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WARD / COUNCILMEMBER: Ward 7 / Councilmember Wheaton

\$ IMPACT: N/A

Agenda Title:

Public Hearing - Zoning Request - Z21-014 - Allow rezoning from GC to MU-Conditional for the development of 163 multi-family units, 20,409 sq. ft. of commercial/restaurant space, and 7,700 sq. ft. clubhouse space at a density of 23.5 units per acre - 6.9 acres - Land Lot 751 & 752 - S Cobb Drive & Oakdale Road - Arris Holdings.

Ward 7 / Councilmember Wheaton

ISSUE AND BACKGROUND:

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 Planning & Zoning Board recommended approval by a vote of 4-1 at the December 13, 2021 meeting.

RECOMMENDATION / REQUESTED ACTION: 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 home 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 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~~ 89 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 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 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 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 8, 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.