

CITY OF SMYRNA COMMUNITY DEVELOPMENT DEPARTMENT MEMORANDUM

To: Mayor and Council

From: Ken Suddreth, Community Development Director
Russell Martin, AICP, Senior Planner

Date: January 15, 2018

CC: Tammi Saddler-Jones, City Administrator

RE: REZONING CASE Z18-019 – 2875 Spring Hill Parkway

Applicant: MCP III Real Estate, LLC

Titleholder: MCP III Real Estate III, LLC

Location: 2875 Spring Hill Parkway

Land Lot: 881

Ward: 1

Access: Spring Hill Parkway

Existing Improvements: Office Building with Attached Warehouse Space.

Existing Zoning: OI

Proposed Zoning: TS-Conditional

Size of Tract: 0.99 Acres

Contiguous Zoning:

North	OI (Cobb)
South	TS
East	OI (Cobb)
West	OI

Hearing Dates:

P&Z	December 10, 2018
Mayor and Council	January 22, 2019

Proposed Use:

Development of a seven-story, 103,685 sq. ft. boutique hotel.

Staff Recommendation:

Approval with staff conditions by vote of 7-0.

Staff Recommendation:

Approval of the zoning request with conditions.



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.

The applicant is proposing the redevelopment of the subject property for a seven-story, 136 room (103,685 sq. ft.) hotel with structured parking. The adjoining property to the north and east is zoned Office Institutional (OI) in unincorporated Cobb County and is occupied by an office park. The adjoining property to the west is zoned OI and is occupied by a Holiday Inn hotel. The adjacent property to the south across Spring Hill Parkway is zoned Tourist Services (TS) and is occupied by a Hyatt Inn hotel. 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.

The zoning proposal for a seven-story, 136 room hotel with structured parking is in line with development patterns on adjoining and adjacent properties in the Spring Road/Cumberland Boulevard area. The zoning proposal will not adversely affect the existing use or usability of adjacent or nearby properties.

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

The subject parcel has a reasonable economic use as a currently zoned. The property is currently zoned OI in the city.

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.

Based upon information provided by the City Engineer, the proposed development is not expected to cause a burden to the existing street network or transportation facilities.

Based upon information provided by the Cobb County Water System, adequate water capacities are available in the area to accommodate the development associated with the rezoning. Water is located within the right-of-way of Spring Hill Parkway via an 8" water main. A passing fire flow test is a requirement of approval of construction plans by this department.

Based upon information provided by the Cobb County Water System, adequate sewer capacities are available in the area to accommodate the development associated with the rezoning.

Based upon information from the applicant, the zoning proposal will not have a impact on Smyrna schools. The zoning proposal calls for a new hotel which will provide temporary lodging for white-collar professional, "traveling millennials", and other professionals and executives.

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

The zoning proposal is in conformity with the City's Future Land Use Plan, which indicates the subject parcel has a future land use designation of Regional Activity Center (RAC). The proposed hotel and TS zoning district are an appropriate use and zoning district under the RAC future land use designation. There will be no change to the future land use designation required for this rezoning.

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.

The City of Smyrna completed and adopted the Spring Road Livable Centers Initiative (LCI) in Spring of 2017. The Spring Road LCI lays out the City's vision for development patterns along the Spring Road Corridor. The LCI also lays out the transportation projects and improvements to achieve these development patterns. The zoning proposal meets the general intent of the LCI study with respect to land use.

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.

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 building with the rezoning application.

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

The zoning proposal will not create a nuisance or be incompatible with existing uses in the area. The zoning proposal is for a hotel in an area that is already dense with respect to development patterns and has several nearby hotels. The proposed use is 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.

The zoning proposal will 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 only meets a majority of the zoning requirements of the TS zoning district and the Spring Road Corridor Design District (CDD-2), but not all of them. The applicant is seeking the following variances from Sections 717, 802 & 906 of the Zoning Ordinance and Section 82-15 of the Sign Ordinance:

1. *Reduce the front setback from 50' to 31' (Section 717);*
2. *Reduce the side setback from 15' to 5' (Section 717);*
3. *Reduce the rear setback from 50' to 7' (Section 717);*
4. *Reduce the minimum landscape area in the parking area from 10% to 0% (Section 717);*
5. *Increase the maximum allowable building height from 5 stories to 7 stories (Section 802);*
6. *Reduce the minimum required parking from 170 spaces to 101 spaces (Section 906); and*
7. *Increase the maximum allowable wall sign area from 40 sq. ft. to 125 sq. ft. (Section 82-15).*
8. *Allow a second wall sign on building elevation facing Interstate 285 (Section 82-15).*

Project Description

MCP III Real Estate, LLC is requesting to rezone the property at 2875 Spring Hill Parkway from Office/Institutional (OI) to Tourist Services (TS) – Conditional for the development of a seven-story, 136 room boutique hotel with structured parking.

The applicant is proposing to demolish the existing one-story office/warehouse building to construct a seven-story, 136 room hotel over a two-story structured parking deck. The site will be accessed from a full access driveway off Spring Hill Parkway on to the top deck of the structure and the bottom deck of the parking structured being located below grade. The proposed driveway entrance to the site will remain unchanged for where it is located today. Patrons will enter the site onto the top deck of the parking deck where there will be 28 parking spaces and an area for drop off and pick up. An additional 73 parking spaces will be located on the lower level of the parking deck beneath the hotel. The total number of parking spaces provided is 101 spaces at a ratio of 0.74 spaces per room.

Project Analysis

Zoning Review

Community Development has reviewed the proposed plan against the zoning requirements of the TS zoning district and the Spring Road Corridor Design District (CDD-2 - Section 717 of the Zoning Ordinance) with regards to setbacks, building height, parking requirements and

landscaping. The zoning proposal meets a majority of the zoning requirements of the TS zoning district and the Spring Road Corridor Design District. The applicant is seeking the following variances from Sections 717, 802 and 906 of the Zoning Ordinance and 82-15 of the Sign Ordinance:

1. Reduce the front setback from 50' to 31' (Section 717) (**Staff Support**);
2. Reduce the side setback from 15' to 5' (Section 717) (**Staff Support**);
3. Reduce the rear setback from 50' to 7' (Section 717) (**Staff Support**);
4. Reduce the minimum landscape area in the parking area from 10% to 0% (Section 717) (**Staff Support**);
5. Increase the maximum allowable building height from 5 stories to 7 stories (Section 802) (**Staff Support**);
6. Reduce the minimum required parking from 170 spaces to 101 spaces (Section 906) (**Staff Support**);
7. Increase the maximum allowable wall sign area from 40sq. ft. to 125 sq. ft. (Section 82-15) (**Staff Support**); and
8. Allow a second wall sign on building elevation facing Interstate 285 (**Staff Support**).

Community Development has reviewed the requested variances with respect to the design of the site and site constraints. Community Development is **supportive** of the requested variances because the design of the site meets the general intent of the Spring Road LCI and the City's Comprehensive Plan while dealing with topography issues.

Engineering Review

The City Engineer has reviewed the proposed zoning amendment for traffic and stormwater management issues. With regards to traffic improvements, the City Engineer would recommend the following improvement be completed applicant/developer: 1) Eliminate the dumpster driveway location on Spring Hill Parkway and relocate dumpster to interior of the site at rear of property; (2) Curb and gutter Spring Hill Parkway along property frontage; and (3) replace stormwater ditch along Spring Hill Parkway with stormwater piping in accordance with city requirements. With regards to on-site stormwater management, the applicant has not provided any information as to how they plan to meet the city's stormwater requirements. The City Engineer cannot provide comment on stormwater issues due to the lack of information. The applicant will provide a preliminary hydrology study prior to the Mayor and City Council Hearing. The applicant will be required to meet all city stormwater management requirements during the plan review process.

Fire Marshal Review

The City's Fire Marshal's Office has reviewed the proposed plan and believes that will be able to serve the zoning proposal provided that it meets the City & State Fire Codes. The Fire Marshal's Office has provide the following items that need to be addressed with respect to the site plan to provide appropriate emergency response and access:

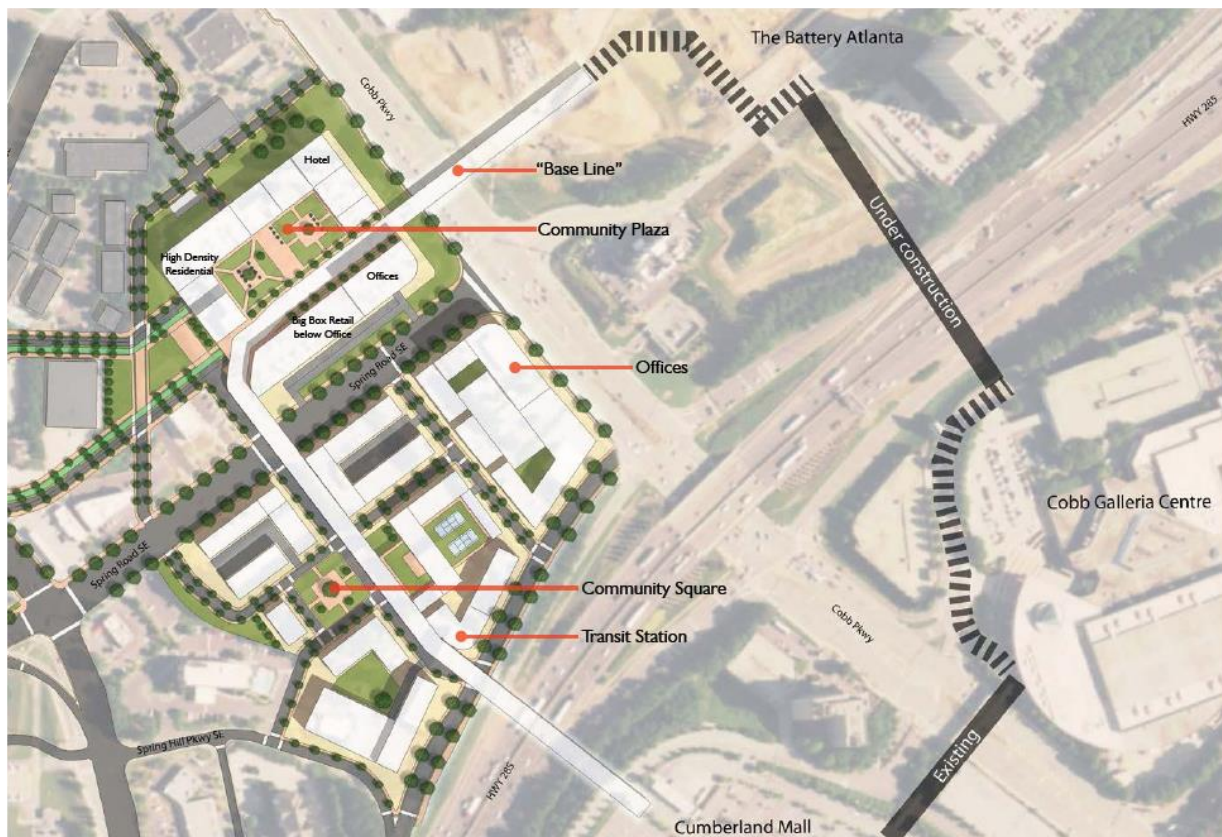
1. The applicant shall provide a full turning model for fire truck access with the specifications of the City's largest truck;
2. All radii within the development shall be a minimum of 25';

3. The site will be required to meet ADA requirements for access and parking; and
4. The building and parking deck will be required to have a fire sprinkler system.

This development will need to address all the issues described above and meet all the city requirements with regards to the fire code.

Planning Review

The development proposal is consistent with the land use recommendations in the Spring Road LCI Master Plan along the southern portion of the Spring Road Corridor. The subject property is located in the “South Spring” area of the LCI Plan that calls for higher intensive uses such as commercial, office, hotels and multi-family housing.



Planning and Zoning Board Recommendation

The Planning and Zoning Board heard the rezoning request at the December 10, 2019 meeting and recommended **approval** with staff conditions by vote of 7-0.

STAFF RECOMMENDATION

Community Development recommends approval of the rezoning from OI to TS-Conditional for a proposed seven-story, 136 room boutique hotel with the following conditions:

Standard Conditions

(Requirement #2, 3, 4, 8, 9, 10, 11, 16 and 17 from Section 1201 of the Zoning Code is not applicable)

1. The composition of the homes in a residential subdivision 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. The residences along external roadways shall not be permitted to utilize hardy plank for any elevation facing these roads.
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 two inches 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 comply with the city's current tree ordinance. All required tree protection measures shall be adhered to by the developer during construction.
7. All landscape plans must be prepared, stamped, and signed by a Georgia Registered Landscape Architect for any common areas or entrances. There shall be a landscaped front entrance, with monument, indicating the name of the development.
8. All yards and common areas are to be sodded, and landscaped. Irrigate as appropriate.

Special Conditions

9. The development shall maintain the following setbacks:

Front – 31' (from the existing Right-of-way)
Side – 5'
Rear – 7'

10. The developer shall be responsible for any water and sanitary sewer improvements deemed necessary by the Public Works Director or Cobb County Water System during construction plan review.

11. The developer shall be responsible for any fire access improvements deemed necessary by the Fire Marshal during construction plan review.
12. Trees shall be planted the entire length of Spring Hill Parkway at an average spacing of no more than 40'.
13. The proposed dumpster shall be located at the rear of the property and screened from the public right-of-way.
14. The development shall be limited to one access point on Spring Hill Parkway.
15. The development shall be allowed two wall signs (one sign on the Spring Hill Parkway elevation and one sign on the I-285 elevation) with a maximum allowable sign area of 125 sq. ft. for each sign.
16. All trees within the limits of disturbance and not located within a tree protection area must be removed during the land clearing and grading phase of the development.
17. Approval of the subject property for the TS zoning district shall be conditioned upon the development of the property in substantial compliance with the site plan submitted 11/9/2018 created by Kimley Horn and all zoning stipulations above.
18. The applicant shall be bound to the elevations submitted and dated 11/9/2018. Approval of any change to the elevations must be obtained from the Director of Community Development.
19. The additional stipulations agreed upon by the applicant in the letter submitted and dated on December 4, 2018. If there should be a discrepancy between the stipulations in the December 4, 2018 letter and the stipulations stated above, the stipulations stated above shall apply.

Subject Property



Adjacent Properties



