



City of Smyrna

City of Smyrna
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Issue Sheet

File Number: 2021-350

Agenda Date: 8/11/2021

Version: 1

Status: ATS Review

In Control: License and Variance Board

File Type: Variance Request

Agenda Number: E.

WARD / COUNCILMEMBER: Ward 7 / Lewis Wheaton

\$ IMPACT: N/A

Agenda Title:

Public Hearing - V21-083 - Remove street tree requirement along South Cobb Drive - Lot 753 - 5150 South Cobb Drive - Integrity Engineering & Development

ISSUE AND BACKGROUND: The applicant is proposing to redevelop the existing British Petroleum (BP) and McDonald's at 5150 S Cobb Drive to accommodate a new drive-thru stand-alone McDonald's and remove the gas station. The proposed changes will necessitate a parking reduction of 21 spaces, remove the street tree requirements along South Cobb Drive, and reduce the landscape easement along South Cobb Drive and Oak Drive. Section 906 of the Zoning Ordinance controls the minimum required parking spaces per use, Section 717.101 of the Zoning Ordinance requires a landscape buffer of 5 feet in width with planted trees along the easement within the South Cobb Corridor district (CDD-4).

RECOMMENDATION / REQUESTED ACTION: The applicant is requesting to deviate from the City's required parking minimums and South Cobb Corridor overlay district requirements. 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 variances with the following conditions:

- 1.Approval of the requested variances shall be conditioned upon the development of the proper in substantial compliance with the site plan and elevations submitted with the variance application
2. The existing detention pond concrete wall, fronting on both South Cobb Drive and Oak Drive, shall have brick façade installed prior to final Certificate of Occupancy.