

CITY OF SMYRNA COMMUNITY DEVELOPMENT DEPARTMENT MEMORANDUM

To: Mayor and Council

From: Ken Suddreth, Community Development Director

Date: April 9, 2019

CC: Tammi Saddler-Jones, City Administrator

RE: REZONING CASE Z19-006 – Emory Hospital, South Cobb Drive

Applicant:	<u>The Emory Clinic</u>	Existing Zoning:	OI
Titleholder:	<u>Emory University</u>	Proposed Zoning:	OI-PD
Location:	<u>3903, 3949 and 3969 South Cobb Drive, SE</u>	Size of Tract:	<u>12.69 acres</u>
Land Lot:	<u>552</u>	<u>Contiguous Zoning:</u>	
Ward:	<u>6</u>	North	RM-12
Access:	<u>South Cobb Drive</u>	South	OI & R-15
Existing Improvements:	<u>Hospital & Medical Office Buildings</u>	East	OI
		West	RHR & R-15
		<u>Hearing Dates:</u>	
		P&Z	March 11, 2019
		Mayor and Council	April 15, 2019

Proposed Use:

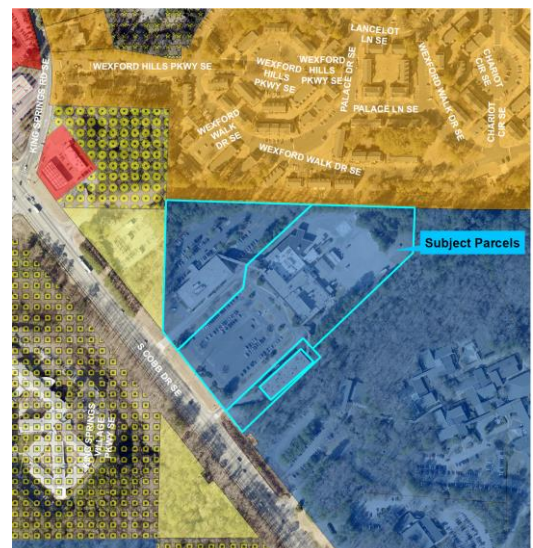
The applicant is requesting a rezoning from OI to OI-PD for the purpose of improving the existing hospital facility and development of a new Medical Office Building (MOB) with associated parking.

Planning & Zoning Recommendation:

Approval with staff conditions by vote of 7-0.

Staff Recommendation:

Approval of the rezoning from **OI** (Office-Institutional) to **OI-PD** (Planned Office Development) per the submitted plan **with conditions**.



PROJECT DESCRIPTION

Emory is seeking approval of a rezoning for 3903, 3949 and 3969 South Cobb Drive from OI (Office- Institutional) to OI-PD (Planned Office Development) for the purpose of redeveloping a portion of the site. Currently the site holds a hospital building, and two medical office buildings (MOBs) consisting of 38,000 and 25,200 sq. ft. The applicant is proposing to add a 120,000 sq. ft. medical office building as well as a new parking deck that is designed to serve the existing and proposed MOBs and the hospital. The proposal to “intensify” the existing medical campus is being done in order to better accommodate patient and facility needs and demands. The proposed MOB will be a 4-story facility (30,000 sq.ft. on each floor) and will be located closer to South Cobb Drive than either of the existing MOBs. Given the proposed design and the amount of existing surface parking that is proposed to be removed, the need for a new parking deck serving all facilities is necessary.

Submitted plans show the location of the existing buildings (labeled A, B & C), the proposed MOB (D), the proposed parking deck (E) and the improved surface parking lot existing between the hospital building and the proposed MOB as well as the improved parking lot currently located behind the hospital building. Elevations of all sides of the proposed MOB and of the east and south sides of the proposed parking deck are also included in the application.

The proposed development will be done in two phases with the submitted site plan indicating which buildings and areas are included in phase I. As such, this rezoning request primary deals with phase I with the understanding that whenever the applicants are ready to build phase II, an amendment to the OI-PD zoning plan will occur. All phase II comments and data are provided for information purposes only.

Interior renovations and some utility modifications to the existing hospital will also occur in phase I. All major renovations to the hospital however, will occur in phase II.

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 zoning proposal is for a medical campus to accompany the existing Emory Hospital on site which will remain active. The proposed permitted use is identified on the attached site plan and is consistent with what is currently on site. Nearby

there are office developments, residential housing units, a creek and a power substation. All uses have currently been operating adjacent to a medical use, which is what is proposed as part of this rezoning.”

Staff Analysis:

The zoning proposal consists of three tracts of land totally 12.69 acres and all zoned OI (Office-Institutional). Approval of the request would result in the development of a new MOB (Medical Office Building) and improvement to the existing hospital facility along with associated parking. The proposed redevelopment of the site will consist of two phases, but this proposed zoning is only dealing with phase one. The adjoining property to the north is zoned RM-12 (Multi-family Residential) and contains the Ashford Woods apartment complex. A power substation along South Cobb Drive is also located to the north. The property to the east and south is zoned OI and contains both the Ridgeview Institute and Woodland Ridge facilities. The property to the west across South Cobb Drive is zoned RHR (Residential High Rise) and contains Delmar Gardens. The proposed rezoning and associated improvements would continue to be consistent with the use and development of adjacent and nearby properties.

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 zoning proposal does not impede any access of usability of the adjacent property. The use is consistent with what is currently on site and only intends to expand the current medical campus to allow buildings that are taller than what is currently on site. The development also intends to provide ample parking to support this campus. The impacts to surrounding properties should be minimal as the site should be self-contained.”

Staff Analysis:

The proposed rezoning and redevelopment should not have an adverse affect upon the existing use or usability of nearby properties. The zoning proposal will not result in a change of use on the property as the hospital and medical office buildings already exist on the property. Approval of the request would also provide the necessary variances for the property to be redeveloped more efficiently as well as be more functional.

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 being utilized as a hospital, which is allowed by the current zoning and is a reasonable economic use. In order to accommodate a larger campus in order to support Smyrna and the surrounding community, a rezoning is being requested to allow for additional height, less building separation,

reduced setbacks and building entrance locations. The general use is not intended to change as part of this rezoning.”

Staff Analysis:

The subject parcels have a reasonable economic use as currently zoned. The proposed improvements only strengthen the viability of the uses already present.

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 development will provide additional medical services to the surrounding area. Due to the addition of medical office and hospital square footage, there will be additional trips to the site, but based upon the included traffic study, the impacts are expected to be below an allowable threshold. There should be a minimal impact to the school system as no new housing is proposed as part of this development. The existing utilities available in South Cobb Drive appear to have capacity to accommodate this development.”

Staff Analysis:

Based upon information provided to the City Engineer by the applicant, the transportation study in general is acceptable with a condition that Emory will study future traffic conditions and provide signal modifications or installations as warranted. Any improvements necessary as a result of said study/studies will be the responsibility of the applicant.

Based upon information provided by the Public Works Director, sanitary sewer and water is available to the property. Both water and sewer mains are located within the right-of-way of South Cobb Drive. Additional sewer tap locations and elevations are the responsibility of the applicant/builder/developer.

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

Applicant Response:

“The proposal does not intend to change the existing land use and therefore is in conformity with the intent of the land use plan.”

Staff Analysis:

The Future Land Use designation for the subject property is Public Institutional and within this designation medical facilities are considered acceptable uses. The proposed zoning to OI-PD (Office-Institutional Planned Development) binds the applicant to their submitted application and plans. These plans indicate a continuation of medical facilities with associated surface and deck parking areas. As such, the proposed development is considered compatible and no land use change is 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.

Applicant Response:

"There are currently no changing conditions that would affect the use of development of the property. The existing hospital will remain and will remain active throughout the new phases of development."

Staff Analysis:

The general use of the property will remain medical in nature. Improvement of the property is permitted under the existing OI zoning classification. However, due to the need for multiple variances and the proposed phasing of the development, it was recommended by staff that a rezoning of the property to the appropriate Planned Development (OI-PD) classification be pursued.

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 intent of this rezoning proposal and the associate variances requested is to enhance the general neighborhood and site, especially in terms of visibility from South Cobb Drive. The design has taken into consideration the surrounding area and developments, both new and historical, as part of the architectural design process."

Staff Analysis:

The proposed development will employ a variety of architectural features and building materials that will enhance aesthetics along the South Cobb Drive corridor. The proposed scale of the development, which will range from 66' in height for the new MOB to 87' for the proposed parking deck to 125' for the second MOB proposed for phase II. Approval of the request will result in the addition of a new more modern building to the overall look of this corridor. Variances for the height of the structures as well as several other zoning standards have been requested.

The development will have to meet the City of Smyrna's Tree Ordinance.

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 use is consistent with the existing use currently on site, which will remain. This use is compatible with the existing uses in the area and will continue to be as part of this rezoning."

Staff Analysis:

The use of the property will remain unchanged with this rezoning. Medical uses currently exist on the property with all future development and uses continuing to be medical related. As such, the proposed use should not create a nuisance nor be incompatible 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 height does exceed what is currently allowed by code. The site developable area site substantially lower (approximately 20-70') than the surrounding sites and therefore the additional height is intended to be less impactful. The land area is not changing as part of this development and will only become more densely developed as part of this proposal."

Staff Analysis:

Factors associated with the size of the proposed use (total square footage for medical related uses will increase), in either land area (no increase) or building height (heights will increase), will ultimately have a positive effect upon all adjacent and nearby properties as a more modern facility providing more services and medical choices will be created along a corridor that consists primarily of commercial uses or high density residential.

Project Analysis

Engineering Review

The preliminary site plan was amended during the review process to address most of the City Engineer's concerns and in general, is now acceptable. As such, the City Engineer has indicated that he would allow the preliminary grading/demolition work to begin prior to GDOT approving the proposed and required driveway and utility work in the South Cobb Drive right-of-way. However, issuance of the final LDP permit will not occur until GDOT approval is ultimately obtained.

In addition, the proposals submitted in the drainage memorandum concerning detention and water quality issues are acceptable.

Fire Marshal Review

The Fire Marshal's office has reviewed the current site plan and in general believes that it meets the Fire Code requirements for fire truck access and building separation requirements. However, a fire truck turnaround close to the entrance of the parking deck, will be necessary and that this configuration must be reviewed and approved prior to the issuance of a building permit for the parking deck.

Planning Review

Community Development has reviewed the proposed development against the zoning standards, as outlined previously, and believes that the proposal for a new 120,000 square foot medical office building, a 638 space parking deck along with improved surface parking areas containing another 236 spaces is totally consistent not only with the City's 2040 Comprehensive Plan designation for this area as Public-Institutional but also compatible with adjacent and nearby properties. Approval of this request would result in the applicant being able to provide more services, be more functional in its delivery, as well as be more efficient.

In addition, a DRI (Development of Regional Impact) is not triggered by the request even when considering both phase one and phase two proposals. Together both phases will be below both the 400 new bed threshold for hospitals as well as the 500,000 sq.ft threshold for offices.

The requested variances deal with 4 major areas (Land Disturbance, Stream Buffers, Zoning and Signage) requesting 16 adjustments. City Staff is supported of all the requested variances with the exception of item #1 listed below.

The request variances are:

1. Land Disturbance Permit (LDP): To allow an LDP to be issued prior to GDOT approval due to the limited scope of work within GDOT ROW and the construction schedule of the project. **(City Engineer does not support this request, an alternative is suggested as a condition)**
2. Stream Buffers:
 - a. To allow the existing encroachments into the stream buffers to be maintained. **(City Engineer Supports)**
 - b. To allow stream buffer averaging where new encroachment into the City stream buffer may be proposed. Additional buffer area would be provided to offset the encroachment, and final buffer locations would be determined during the LDP process. **(City Engineer Supports)**
3. Zoning Ordinance:
 - a. Setbacks:
 - i. Front – 25' instead of 120' **(Staff Supports)**
 - ii. Rear – 40' instead of 50' **(Staff Supports)**
 - b. Building Spacing (Separation) – 15' instead of 30' **(Staff Supports)**
 - c. Building Height – 125' instead of 55' **(Staff Supports)**
 - d. Roof Pitch (slope) – Proposal is for flat roofs instead of sloped roofs. **(Staff Supports)**
 - e. To allow the entrances of commercial or institutional buildings to be in a location that is not visible for public ROW. **(Staff Supports)**
 - f. To allow the entrances of institutional buildings to face any direction. **(Staff Supports)**
 - g. To allow parking aisles to be oriented parallel to building entrances. **(Staff Supports)**

- h. Landscaping:*
- i. Parking Lot - Zero percent instead of 10% of gross parking area. (Staff Supports)*
 - ii. Medians – Required now but do not want to build them as this area will ultimately be replaced with structured parking. (Staff Supports)*
 - iii. Trees – Tree island required every 50'. Requesting that they not be required in this phase as this area will ultimately have structured parking. (Staff Supports)*
 - iv. Building – 5% of area directly adjacent to building shall be landscaped. Requesting that this requirement be completely waived. (Staff Supports)*
- 4. Sign Ordinance: To allow a wall mounted sign on the new MOB to be increased from the allowed 325 sq.ft. to 550 sq. ft. given that the new MOB will function as the centerpiece and front door of the new redeveloped campus. (Staff Supports)*

STAFF RECOMMENDATION

The Planning and Zoning Board heard the zoning request at their March 11, 2019 meeting and made a recommendation for **approval** with staff conditions by a vote of 7-0.

Community Development recommends **approval** of the rezoning from OI to OI-PD on 12.69 acres for the redevelopment of the existing Emory Hospital site located on South Cobb Drive, including those variances supported by staff as shown above, **with the following conditions:**

Standard Conditions

Requirements #1, 2, 3, 4, 5, 8, 9, 10, 12,16 and 17 from Section 1201 of the Zoning Code are not applicable. The following requirements remain applicable.

1. All utilities within the development shall be underground.
2. 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.
3. No debris may be buried on any lot or common area.
4. 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.

5. All landscape plans must be prepared, stamped, and signed by a Georgia Registered Landscape Architect for any common areas or entrances.
6. All yards and common areas are to be sodded, and landscaped. Irrigate as appropriate.

Special Conditions

7. The development shall maintain the following setbacks:
 - Front – 25'
 - Side – 10'
 - Rear – 40'
 - Building Separation – 15'
8. The developer shall meet all fire access requirements deemed necessary by the Fire Marshal during construction plan review.
9. The developer shall be responsible for any water and sewer improvements deemed necessary by the Public Works Director during construction plan review.
10. The developer shall be responsible for any stormwater improvements deemed necessary by the City Engineer.
11. Issuance of the final Land Disturbance Permit (LDP) will not occur until GDOT approval is obtained. However, preliminary grading/demolition work, once approved by the City Engineer, will be allowed to begin prior to such GDOT approval being finalized.
12. Three months after the issuance of a final c/o for the MOB, the applicant will study traffic conditions and provide signal modifications or installations as warranted. This timeframe can be adjusted by the City Engineer as needed. Any improvements necessary as a result of said study/studies will be the responsibility of the applicant.
13. Utilization of low intensity, environmental type lighting shall be allowed within the development. The illumination of which shall be confined within the perimeter of the subject property through the use of "full cut-off lighting".
14. Approval of the subject property for the OI-PD zoning district shall be conditioned upon the development of the property in substantial compliance with the site plan submitted 3/5/2019, dated 2/08/2019 and created by Kimley Horn and Associates, Inc. and all zoning stipulations above.
15. The applicant shall be bound to the elevations submitted on 2/8/2019 for the 120,000 sq.ft. MOB and drawn by May Architecture. Approval of any change to the elevations must be obtained from the Director of Community Development.

16. The applicant shall be bound to the parking deck elevations labelled "New Northwest Parking Deck at Emory University Hospital Smyrna" submitted 2/08/2018, dated 12-28-2018 and done by Kimley Horn and Associates, Inc.

**View of Existing Campus from S. Cobb Drive
(all 3 Buildings)**



**Existing Medical Office Building
on the south side of property**



**Existing Medical Office Building
on the north side of property**



**Both entrances shown
looking south along S. Cobb Drive.**



**Looking north along S. Cobb Drive
towards power station**



**Looking west across S. Cobb Drive
Delmar Gardens**



**Adjacent Property to the South
Ridgeview Institute**

