

CITY OF SMYRNA COMMUNITY DEVELOPMENT DEPARTMENT MEMORANDUM

To: Mayor and Council

From: Ken Suddreth, Community Development Director
Tom Boland, Economic Development Manager
Russell Martin, AICP, Senior Planner

Date: July 10, 2018

CC: Tammi Saddler-Jones, City Administrator
Planning and Zoning Board

RE: ANNEXATION AND REZONING CASE Z17-021 – 3110 Sports Avenue

Applicant: JLB Realty, LLC

Existing Zoning: GC

Titleholder: Cumberland Community Church, Inc. & Richmond Graduate University

Proposed Zoning: MU-Conditional

Size of Tract: 12.495 Acres

Location: 3110 Sports Avenue

Contiguous Zoning:

Land Lot: 845 & 846

North GC & TS
South RM-8 (Cobb)
East RM-12
West R-15

Ward: 1

Access: Sports Avenue

Hearing Dates:

Existing Improvements: Church Building

P&Z June 11, 2018
Mayor and Council July 16, 2018

Proposed Use:

Development of a 325 unit multi-family development with 3,040 sq. ft. of accessory retail space and 6,960 sq. ft. of live/work floor area.

Planning and Zoning Board Recommendation:

Denial by vote of 7-0.

Staff Recommendation:

Community Development recommends **denial** of the request.



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 325 unit multi-family development with 3,040 sq. ft. of accessory retail space and 6,960 sq. ft. of live/work space. The adjoining property to the east is zoned R-15 and is occupied by utility uses such as an electrical substation and gas easements. The adjoining property to the south is zoned RM-8 in Cobb County and is occupied by an apartment complex. The adjoining property to the west is zoned RM-12 and is occupied by an apartment complex called Alder Park. The adjoining properties to the north are zoned General Commercial (GC) & Tourist Services (TS) and are occupied by a Burger King and an Extended Stay Hotel. Given the description of the development patterns surrounding the subject property, it would appear the proposed development would be suitable to adjacent and nearby properties. However, the proposed development does not meet the city's vision as it relates to policy, design and housing variety.

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

The proposed development is surrounded by multi-family, commercial and tourist service uses. The existing uses would not be negatively impacted by the proposed multi-family development. The zoning proposal will not adversely affect the existing use or usability of adjacent or nearby property.

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 GC zoning district is one of the city's most intensive commercial zoning districts and allows a variety of permitted uses.

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 Public Works Director, 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 Sports Avenue.

Based upon information provided by the Public Works Director, sanitary sewer is not available through the city's public sanitary sewer system. There is an existing 8" private sewer line within a 20' private sanitary sewer easement that runs through the property from Sports Avenue along the northern shared property line with the Extended Stay Hotel west to the shared property with the Alder Park apartment complex and south to the railroad right-of-way. When the private sewer easement gets to the railroad right-of-way it runs under the track and runs through the adjoining apartment complex to Springhill Parkway where it connects to the County sanitary sewer system. The applicant has provided documentation of the easement and their ability to use that easement. The applicant has started a study of the private infrastructure from the subject property all the way to County system. The study is in its preliminary stages and the applicant's engineer is currently monitoring and collecting data on current usage and capacity. The applicant's engineer has written a preliminary assessment of the system where they believe there is enough capacity for the proposed development with a few minor repairs to the system.

Based upon information from the Cobb County Board of Education, the proposed development will not have an impact on enrollment. Argyle Elementary is currently under capacity by 141 students. Campbell Middle and High School are currently over capacity by 150 students and 217 students, respectively, but will be relieved of the capacity issues through the improvements planned in SPLOST V.

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

The rezoning 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 Mixed Use (MU) zoning district is an appropriate use 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 LCI study lays out the City's vision for development patterns along the Spring Road Corridor. Additionally, the LCI study lays out the transportation projects and improvements to achieve these development patterns. The LCI study describes the future development of the area as follows:

“The Sports Avenue redevelopment area will consist of predominately of medium density housing with neighborhood oriented retail fronting Spring Road. The housing types in this area should vary from attached to detached townhomes, to cottages and accessory dwelling units. A more walkable grid with houses fronting on the street and hidden parking plaza will create a more walkable character similar to that which is found in other neighborhoods throughout Smyrna.”

Per the description of the area around Sports Avenue in the LCI study, the proposed development does not meet the stated land uses, development patterns and housing types for the area.

In addition to the not meeting the vision of the LCI study, the proposed multi-family development does not comply with the city’s recent stance regarding stand-alone multi-family development. The City has taken the position that new multi-family development will not be approved unless it’s part of a larger mixed use development (i.e. Jonquil, Belmont & Riverview Landing) or the complete redevelopment of an existing multi-family development (Avonlea Square). Since the expiration of the moratorium on multi-family developments, the city has not approved a stand-alone multi-family development. Due to the fact, the proposed development is a stand-alone multi-family development that does not comply with the vision of the LCI study gives supporting grounds for disapproval of the rezoning application.

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 may enhance the architectural standards and aesthetics of the general neighborhood. The applicant has provided renderings of the proposed buildings 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 multi-family housing and accessory retail space in an area that is already dense with respect to development patterns. 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.

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. Reduction of the front setback for multi-family building from 20' to 0' for building 600 (Section 720.3(3)(b)(1));*
- 2. Increase in the maximum allowable density from 25 units per acre to 26 units per acre for the MU zoning district (Section 720.9(1));*
- 3. Increase in the maximum allowable rental units from 15% to 97% (Section 720.9(13)); and*
- 4. Removal of requirement for rental units to be connected and integrated with non-residential uses (Section 720.9(13)).*

Project Description

JLB Realty is requesting to rezone 12.495 acres at 3110 Sports Avenue from GC to MU-Conditional for the development of a 325 unit multi-family development with 3,040 sq. ft. of accessory retail space and 6,960 sq. ft. of live/work commercial floor area. The applicant is proposing to demolish the existing Cumberland Community Church building and build the new multi-family development.

The proposed development will consist of 325 for rent multi-family units spread across six three-story buildings. Buildings 100, 200 and 500 will have basements and have the appearance of a four-story building from the side of the building with the basement. The other side of these buildings will present as three-story buildings. Building 100 is a large building that will wrap around a majority of the cul-de-sac and will accommodate residential units, Live/Work units, the leasing office, the community space/rooms and the uber cafe. Buildings 200, 300, 400 and 500 will be located interior to the site and will accommodate residential units. Building 600 will be located on the cul-de-sac and will accommodate residential units and Live/Work units. The 3,040 sq. ft of retail is located in a freestanding building that will front on Sports Avenue at the north end of the site. The applicant is proposing the following unit breakdown for the development:

- 214 one-bedroom units (66%) with an average floor area of 780 sq. ft. per unit;
- 92 two-bedroom units (28%) with an average floor area of 1,245 sq. ft. per unit;
- 13 three-bedroom units (4%) with an average floor area of 1,367 sq. ft. unit; and
- 6 Live/Work units (2%) with an average floor area of 2,521 sq. ft. per unit.

The Live/Work units will have direct access from the public street with commercial space on the first floor and the residential unit located directly over the commercial space. The public parking for these units will be located within the cul-de-sac in the public right-of-way.

The proposed development will be accessed from Sports Avenue and a new proposed public right-of-way that will run east to west from the adjoining property to the east to the Alder Park apartment complex to the west along the shared property line with the Extended Stay Hotel. The applicant is proposing the new public road in accordance with the Spring Road LCI study, which contemplated a new local street that would run parallel to Spring Road to connect this area with Cumberland Boulevard. The long term purpose of this connection would be to relieve

traffic congestion on Spring Road by providing alternative access to Cumberland Boulevard. The proposed plan reflects sidewalks throughout the site with connections from Spring Road to the development and along the new proposed road. The applicant is proposing two gated entrances off the proposed public road for entrance into the site. The Fire Marshal's Office has reviewed the entrance locations and has provided comment below with respect to the functionality of the gate and fire access.

The applicant is proposing surface level parking for the whole development. They're proposing 399 parking spaces within the development and 34 parking space within the public right-of-way of the cul-de-sac for a total of 433 parking space for the development at a ratio of 1.33 spaces per unit. In addition, the applicant is proposing 41 integrated garage spaces within the buildings. Community Development cannot consider the garage spaces in the parking calculation due to the applicant proposing tandem parking spaces in front of the garage spaces. The proposed development meets the parking requirements for residential units in the MU zoning district, which is 1 parking space for unit. However, if the development was rezoned to a multi-family zoning district, the proposed development would fall short of the parking requirement of 1.75 spaces per unit. The reduction in parking in the MU zoning district is typically offset by either structured parking or additional open space, which neither is provided. Finally, Community Development found a discrepancy between the parking number provided on the plan (Notes on the plan reflect 446 parking spaces minus the garage spaces) and the actual number of spaces shown on the plan (reflect 433 spaces minus the garage spaces). The discussion above is based on the number of parking spaces shown on the site plan. Finally, the Fire Marshal's Office has identified potential fire access issues below, which would require some redesign of the site and may lead to a change in the number of parking spaces provided.

The proposed site plan shows a pool and pool house as the main amenity feature for the multi-family development. The pool and pool house are located behind building 100 in between buildings 200 and 300. In addition, the applicant is representing 183,616 sq. ft. (or 4.21 acres) of openspace for the development. The openspace notes state the number includes buffers, landscape areas, easements, and outdoor amenity area and excludes the detention facility and the proposed public right-of-way. Typically, the city counts openspace as usable green space or preserved natural space. Landscape areas in and around parking lots are not typically included in those calculations.

There are several site constraints that affect the development of the property. First, there is a 100' power easement that runs through the northern corner of the property over the existing detention facility behind the Burger King. Second, there is an existing stream buffer in the same general location of the power easement. Finally, there is a 20' sanitary sewer easement that runs along the northern property line behind the Extended Stay Hotel and along the share property line with the Alder Park apartment complex. These issues are addressed in the project analysis section below.

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. Reduction of the front setback for multi-family building from 20' to 0' for building 600 (Section 720.3(3)(b)(1));
2. Increase in the maximum allowable density from 25 units per acre to 26 units per acre in the MU zoning classification (Section 720.9(1));
3. Increase in the maximum allowable rental units from 15% to 97% (Section 720.9(13)); and
4. Removal of requirement for rental units to be connected and integrated with non-residential uses (Section 720.9(13)).

Community Development has also reviewed the proposed plan against the zoning requirements of the Spring Road Corridor Design District (Section 717 of the Zoning Ordinance). The applicant is seeking the following variances from Section 717 of the Zoning Ordinance:

1. Reduction of the required landscape easement from 15' to 5' (Section 717.101(b));
2. Parking aisles shall be orientated perpendicular to building entrances (Section 717.141(c));
3. Reduction of the minimum gross area of parking area landscaped from 10% to 5% (Section 717.142(a));
4. Reduction of the minimum rear setback from 100' to 40' (Section 717.162(a));
5. Allow perpendicular or angled parking in a public right-of-way.

Traffic Study Review

In reviewing the traffic impact study, a copy of which is attached, the City Engineer concurs with the project engineer's conclusion that "the results of the study indicate that the roadway network in the surrounding area is already at its capacity in spite of the recent roadway improvements." However, the follow-up statement regarding the ability of the roadway network to accommodate traffic from the different scenarios, while factual, is not as stark as the implication would suggest.

Consolidating the Level of Service (LOS) charts for the different scenarios and times of day analyzed into a single table, shown below, makes it more apparent that the changes in level of service between Scenarios 1 and 2 are incremental. For some approaches, there is no change to the delay, for others, the delay is apparently reduced, and for all approaches at any of the intersections studied other than from the Aldi parking lot the additional delay between the two scenarios is incremental, with most adding a few seconds, the highest being under 9 seconds on Spring Road at Cumberland during the evening peak hour.

It is also important to note that the Spring Road Corridor is being operated by the City of Smyrna in partnership with Cobb County using an adaptive signal timing system, rather than conventional static timing software. This dynamic system implements changes to the signal timing based on real-time traffic volumes, and has been very successful in reducing the travel times along the Spring Road Corridor since being implemented several years ago.

Summarizing, the most detrimental impact to the roadway network is to build the project as proposed, though baseline traffic growth will likely adversely affect the travel time, albeit not as severely. The hypothetical scenario, with twice as many residential units and over ten times the

retail space would worsen the delay only incrementally more than the development as proposed.

Intersection		LOS (Delay)							
		AM Peak Hour				PM Peak Hour			
		Existing	No-Build	Scenario 1	Scenario 2	Existing	No-Build	Scenario 1	Scenario 2
1	Spring Rd / Circle 75 Pkwy @ US 41 (SR 3 /Cobb Pkwy)	F (80.6)	F (88.4)	F (84.2)	F (87.2)	E (62.6)	E (66.7)	E (70.6)	E (73.2)
	-Eastbound Approach	F (138.4)	F (156.7)	F (144.2)	F (151.2)	D (49.2)	D (47.9)	D (47.9)	D (47.1)
	-Westbound Approach	E (70.4)	E (70.9)	E (69.6)	E (69.6)	F (144.0)	F (154.6)	F (161.5)	F (160.9)
	-Northbound Approach	D (43.7)	D (44.1)	D (44.9)	D (44.9)	D (45.1)	D (47.6)	D (54.3)	E (59.2)
	-Southbound Approach	D (45.9)	D (48.3)	D (48.5)	D (48.5)	E (55.5)	E (63.0)	E (60.5)	E (62.5)
2	Spring Rd @ Cumberland Blvd	D (35.8)	D (48.1)	D (47.3)	D (47.3)	F (83.4)	F (119.0)	F (116.2)	F (123.6)
	-Eastbound Approach	A (6.0)	C (24.7)	C (24.7)	C (25.0)	F (80.8)	F (130.1)	F (135.1)	F (140.9)
	-Westbound Approach	C (29.9)	C (32.9)	C (33.7)	D (34.3)	D (53.5)	E (74.3)	E (73.3)	F (82.2)
	-Northbound Approach	F (90.3)	F (100.7)	F (98.3)	F (98.3)	E (74.1)	F (117.6)	F (101.9)	F (109.1)
	-Southbound Approach	D (52.4)	D (53.7)	D (54.1)	D (54.1)	F (139.7)	F (176.3)	F (182.3)	F (189.6)
3	Spring Rd @ Sports Ave	B (17.1)	B (18.0)	C (33.0)	D (40.0)	A (5.8)	A (5.7)	A (8.0)	B (12.9)
	-Eastbound Approach	A (9.3)	B (10.4)	C (24.2)	C (32.2)	A (8.4)	A (8.8)	B (12.2)	B (17.2)
	-Westbound Approach	D (45.0)	D (45.5)	E (55.4)	E (59.4)	A (1.4)	A (1.0)	A (1.0)	A (3.5)
	-Northbound Approach	E (68.9)	E (68.7)	E (65.1)	E (62.4)	E (60.8)	E (60.5)	E (60.2)	E (61.0)
	-Southbound Approach	E (70.5)	E (70.5)	E (63.1)	E (59.0)	E (65.6)	E (65.7)	E (66.5)	F (84.4)

Stormwater Management Review

The applicant is proposing a combination of aboveground and underground stormwater management facilities. The applicant is proposing one underground detention facility in the parking area between buildings 100, 500 and 600. In addition, there will be two more underground detention facilities in the parking area behind buildings 100 and 200. Finally, there is an existing above ground detention facility located at the northern end of the site behind Burger King, which will remain.

The City Engineer takes no exception to the stormwater management concept as shown. He anticipates the design submitted during construction document 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.

Environmental Review

The proposed site plan shows a stream buffer located at the northeastern corner of the site behind the Burger King and east of the existing detention facility. The applicant is reflecting an encroachment into the 50' stream buffer and the 25' impervious surface area setback as part of this plan. The site plan reflects a total undisturbed stream buffer area of 15,461 sq. ft., with a proposed encroachment of 1,227 sq. ft. for the new proposed public road. The total impact to the undisturbed stream buffer is 7.9%. The proposed road crossing would be exempt from state and local buffer requirements and would be allowed. The site plan reflects the total area of the impervious surface area setback at 7,245 sq. ft.. The applicant proposes to encroach into the

impervious surface area setback by 2,516 sq. ft. for the parking and drive aisle for the retail property. The total impact into the 25' impervious surface area setback is 34.7%.

The applicant is requesting a variance to encroach into the 25' impervious surface area setback for the parking and drive aisle of the retail building. The applicant has not shown any buffer averaging or encroachment mitigation along the stream to offset the effect of the proposed encroachment. The applicant would be required to provide additional areas of preservation along the stream. City Staff has historically been supportive of impervious surface area setback encroachments provided those encroachments have been offset by a 1:1 or greater replacement along the same stream.

Water and Sewer Review

Adequate water capacities are available in the area to accommodate the development associated with the rezoning, pressure is the responsibility of the developer. Water is located within the right-of-way of Sports Avenue.

Sanitary sewer is not available through the public city sanitary sewer system. There is an existing 8" private sewer line within 20' private sanitary sewer easement that runs through the property from Sports Avenue along the northern shared property line with the Extended Stay Hotel west to the western shared property with Alder Park apartment complex and south to the railroad right-of-way. When the private sewer easement gets to the railroad right-of-way it runs under the track and runs through the adjoining apartment complex to Springhill Parkway where it connects to the County's sanitary sewer system. The applicant has provided documentation of the easement and their ability to use that easement.

The applicant has started a study of the private infrastructure from the subject property all the way to County system. The study is in its preliminary stages and the engineer is currently monitoring and collecting data on current usage and capacity. The applicant's engineer has written a preliminary assessment of the system where they believe there is enough capacity for the proposed development with a few minor repairs to the system.

The City's Public Works Director would require the capacity data analysis to be completed prior to submittal for permitting. Also, all defects noted in the June 8th Summit Engineering letter must be corrected and detailed on all site development plans. Finally, any deficiencies found from the completed capacity data analysis will be installed, corrected and addressed on the site development plans. Any improvements required for the system will be the responsibility of the applicant/developer.

Fire Marshal Review

The City's Fire Marshal's Office has reviewed the proposed plan along with a fire truck turning model. The Fire Marshal believes the fire truck turning model was incomplete due to the fact that it did not analyze access to the site from all entrances, as well as the bi-directional movement through the site. The Fire Marshal believes they cannot adequately serve this development as currently designed and based on the information provided. The Fire Marshal has identified the following issues with respect to the site plan and fire truck turning model:

1. The applicant needs to provide a fire truck turning model that shows ingress and egress from all entrance gates front all public right-of-way points and bi-directional movement

through the site. The auto turn profile must capture the vehicle ID and its dimensions used on the sheet (show the vehicle).

- a. The fire truck turning model must show Ladder Truck 4 using both of the “routes” off of Sports avenue going to, through, and away from the gate on the “East” side of building 1000.
 - i. What has been shown on the profile submitted is Truck 4 only coming out of the “East” gate and turning right onto Sports Avenue from the “North” side parking lot of the stand alone retail building.
2. The proposed gated entrances will not work as shown;
 - a. The entrance gate design is different between the submitted site plan and fire truck turning model.
 - b. The entrance gates on the fire truck turning model show the gates opening into the new proposed public right-of-way.
 - c. The entrance gates on the turning model do not provide appropriate stacking distances, as well as the ability to turn around should a vehicle be denied access.
 - d. The western entrance gate (in the fire truck turning model) should be relocated further to the west to line up with the parking aisle in front of buildings 400 & 500. The fire truck will not be able to maneuver through the gate to access the parking aisle in front of buildings 400 and 500. Also, if the fire truck has to go down the parking aisle in front of buildings 600 and 100, the truck cannot make the turn around the landscape island at the end of building 400 to access building 400 and 500.
 - e. The relocation of the western gate further west will also provide the appropriate backing depth and access to building 500 from the new proposed public right-of-way. This would require the relocation of the trash compactor.
3. The parking aisle in front of building 400 will need to be extended all the way to the front of the building. The current design on the fire truck turning model does not provide access to the end of the building nearest the railroad right-way.
4. The parking lot landscape island in front of building 400 will need to be redesigned to provide bi-directional access around the island, which may require the removal of parking spaces to provide an appropriate turning radius.
5. There should be an access aisle between the parking aisles in the parking area between buildings 100, 300, 400, 500 & 600 to eliminate the need to run the full length of the parking aisle (approximately 680’) to access the buildings on the other parking aisle.
6. The current design of the cul-de-sac does not work with the perpendicular and angled parking. The Fire Marshal does not support the requested variance for perpendicular and angled parking in the public right-of-way.
 - a. The cul-de-sac is the only access to building 100.
 - b. The perpendicular/angled parking present potential access issues should a car not be fully parked within a parking space.
 - c. The fire truck turning model reflects a landscape island in the middle of the cul-de-sac, which limits the ability for a second truck to maneuver around the first truck, should two trucks be dispatched to the property.
 - d. The parking around the cul-de-sac should be parallel parking.
7. The limited access to building 100 will require the building to have an N.F.P.A 13 fire protection 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 City of Smyrna completed and adopted the LCI study in Spring of 2017. The LCI study lays out the City's vision for development patterns along the Spring Road Corridor. The LCI study also lays out the transportation projects and improvements to achieve these development patterns. Additionally, the LCI study describes the future development of the area as follows: "The Sports Avenue redevelopment area will consist of predominately of medium density housing with neighborhood oriented retail fronting Spring Road. The housing types in this area should vary from attached to detached townhomes, to cottages and accessory dwelling units. A more walkable grid with houses fronting on the street and hidden parking plaza will create a more walkable character similar to that which is found in other neighborhoods throughout Smyrna." The proposed development plan does not provide a walkable grid within the Sports Avenue area. The proposed plan allows Sports Avenue to dead end into the cul-de-sac and the multi-family development. In addition the proposed plan reflects a new public road that flows east/west through the site and could provide connection to Cumberland Boulevard in accordance with the LCI study. However, all entrances off the new proposed public road are private and restrict access, which ultimately limits any further future connectivity through the site.

The LCI study also contemplates the type of development envisioned for the area, which included owner occupied attached and detached single-family housing along with accessory dwelling units. The proposed development would change the development pattern and ownership rates envisioned for the area.



In addition to not meeting the vision of the LCI study, the proposed multi-family development does not comply with the city's recent stance regarding stand-alone multi-family development. The Mayor and Council has taken the position that new multi-family development will not be approved unless it's part of a larger mixed use development (i.e. Jonquil, Belmont & Riverview Landing) or the complete redevelopment of an existing multi-family development (Avonlea Square). Since the expiration of the moratorium on multi-family developments, the city has not approved a stand-alone multi-family development.

STAFF RECOMMENDATION

The proposal does provide a type of housing that is suggested in the Spring Road LCI study (apartments). However, that is all that is provided. The LCI study also states that within the Sports Avenue redevelopment node that housing types should vary from attached to detached townhomes, to cottages and accessory dwelling units. Within the proposal, there is no mix of housing or ownership types. In terms of total square footage dedicated to residential, with the possible exception of the 6 live-work units that are proposed, it consists of all apartment rental. No ownership type of housing such as townhomes, condominiums or single-family detached housing has been proposed. In terms of the "mixed" portion of this request, approximately 3% of the overall proposed building square footage of the development is being used for something other than rental units. As such, this application is basically for the development of an apartment complex and not a mixed use development. Through the years, Mayor & Council has stated many times that they want all future apartment requests to either be integrated into a larger mixed use development or combined with the tear-down and replacement of an existing apartment complex. Stand-alone multi-family developments should not be encouraged. Past approvals of the MU classification for Belmont, Jonquil and Riverview Landing involve the following percentage splits (based on square feet) between uses:

Jonquil:	Apartments - 85%
	Retail - 15%
Belmont:	Apartments - 38%
	Retail/Office - 22%
	SF Detached -40%
Riverview:	Apartments - 26%
	Townhomes - 61%
	SF Detached -13%

The mixed use developments that have been approved by the Mayor & Council either contained a variety of housing (Riverview), contained several different land uses (Belmont) or had no less than 15% retail when only two uses were proposed. With the proposed application only providing 3% or so to non-apartment uses the request falls well below the levels that the City has previously approved. Approval of this request would break with past policies and actions of the Mayor & Council and be the most unbalanced split of land uses allowed in a mixed use project and would at best only marginally contribute to the City achieving its goals for the Spring Road Corridor.

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Given all of the issues discussed through-out this report, staff recommends **denial** of the request.

The zoning request was heard by the **Planning and Zoning Board** at the June 11, 2018 meeting and was recommended for **denial by a vote of 7-0.**

Subject Property





Adjacent Properties



