

# CITY OF SMYRNA

## COMMUNITY DEVELOPMENT DEPARTMENT

### MEMORANDUM

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To: Mayor and Council

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

Date: May 8, 2014

CC: Eric Taylor, City Administrator

**RE: Zoning Amendment Case Z14-011 – 3260 South Cobb Drive**

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**Applicant:** Integrity Engineering & Development Services, Inc.

**Existing Zoning:** GC-Conditional

**Titleholder:** T-L Smyrna, LLC

**Proposed Zoning:** GC-Conditional  
**Size of Tract:** 1.07 acres

**Location:** 3260 South Cobb Drive

**Contiguous Zoning:**

**Land Lot:** 380

North	GC
East	GC
South	GC
West	GC

**Ward:** 4

**Access:** South Cobb Dr.

**Hearing Dates:**

**Existing Improvements:** A partially developed retail center with out-parcels

P&Z Board	N/A
Mayor and Council	May 19, 2014

**Proposed Use:**

Modification to the currently approved zoning stipulations from Rezoning Case Z14-001 for additional wall signage.

**Staff Recommendation:**

The Community Development recommends **approval** of the zoning amendment with the zoning conditions carried over from Zoning Case Z14-001.



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## 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 proposed zoning amendment will not change the use of the overall property, but will increase the number of signs on the McDonalds building. The proposed use of a fast food restaurant 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 contemplates a change in signage for the building. There will be no change in use from what is currently approved for the property. Therefore, 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 currently zoned General Commercial-Conditional (GC-Conditional).*

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 an excessive burden to existing streets or transportation facilities.*

*Based upon information provided by the Public Works Director, adequate water and sewer capacities are available in the area to accommodate the development associated with the zoning amendment.*

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

*The subject site currently has a future land use designation of Community Activity Center on the City's Future Development Map. The proposed zoning amendment will not require a land use change from Commercial Activity Center. The General Commercial zoning designation is an appropriate category and corresponds with the Community Activity Center land use designation.*

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.

*There are no existing or changing conditions affecting the use and development of the property. A zoning amendment (Z14-001) was approved on March 3, 2014, which provided several variances for the construction of a new McDonalds building. During the zoning amendment, wall signage was not reviewed as part of the request and was not incorporated into the zoning amendment.*

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 zoning proposal will enhance the architectural standards and aesthetics of the general neighborhood. At the previous zoning amendment hearing, there was a long discussion regarding the use of the golden arches for the monument sign. The Mayor and Council seemed to prefer the use of the golden arches and required the golden arches be incorporated into the ground based monument sign.*

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

*The proposed use should not create a nuisance and 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 strictly deals with signage and will have no affect on adjoining property or the general neighborhood with respect to land area, building height or any other zoning aspect.*

The Mayor and Council rezoned the subject property (Zoning Case Z09-008) on January 19, 2010 for the redevelopment of the retail shopping center. The Mayor and Council approved the rezoning request based on the site plan and building elevations provided, along with 23 zoning conditions by a vote of 5-0. Subsequently in 2011, the property owner was required to seek a zoning amendment to modify the currently approved plans for a Chase Bank. In the zoning amendment application (Z11-009), the property owner requested the several modifications to the zoning conditions for outlots #1 thru #8. The zoning amendment was approved by the Mayor and Council at the November 21, 2011 meeting by a vote of 5-0. Finally, on March 3, 2014, the applicant was approved for a zoning amendment Z14-001 for the construction of a new McDonalds building. The zoning amendment provided several variances for parking, a ground based monument sign and the orientation of the building.

The applicant is requesting a zoning amendment to break the two (2) permitted walls signs into four (4) individual signs not to exceed the total square footage currently allowed. Per zoning condition #18 of Z11-009 and Z14-001 the following requirements apply:

- a. Each tenant of outlots 1, 2, 3, 4, 5, 6 & 7 will be allowed to have two (2) walls signs, one (1) sign for the street side of the building that is visible from the public right-of-way and one (1) sign for the parking side of the building.
- b. Wall signage for the development, including all retail buildings and out parcels, shall be governed by the Code currently in place for Planned Shopping Centers which provides for one (1) square foot of signage per linear store/tenant frontage (maximum of 325 square feet per store/tenant) with a 15% size bonus for each 50' of setback from the right-of-way. If the individual business has road frontage on two or more public roadways, not including alley ways, the business shall be permitted one wall or fascia sign on each public roadway. (For example: if the business is located at a corner then the business may have two wall or fascia signs.) Sign letter height may not exceed three feet.

Based on the drawing provided in the zoning amendment application, the building would be allowed one (1), 100 sq. ft. wall sign on the building elevation facing South Cobb Drive and one (1), 100 sq. ft. wall sign on the building elevation facing the parking area. The total allowable sign area would be two (2) wall signs and 200 sq.ft. of signage. The applicant is proposing four (4) wall signs at 14 sq. ft. per sign. The zoning proposal would equate to four (4) walls signs with a total sign area of 56 sq. ft. These wall signs would be the golden arches and each building elevation would have a sign. The applicant has provided renderings of the proposed signs on the building elevations.

Community Development is supportive of the requested zoning amendment for signage because the proposed signs are inline with the types of signs (i.e. golden arches) the Mayor and Council referred for site in the previous zoning amendment. In addition, the zoning amendment reduces the overall sign area from 200 sq. ft. to 56 sq. ft. for the building, as well as eliminates the use of channel lettering. Therefore, Community Development recommends **approval** of the requested zoning amendment with the following zoning condition added to Z11-009 and Z14-001:

1. The approval of the zoning amendment shall be conditioned upon the sign rendering and building elevations submitted with the zoning amendment application dated 4/11/2014. The applicant shall be limited to one (1), 14 sq. ft. wall sign per building elevation.

**Figure – 1**  
**(Subject Property)**



**Figure – 2**  
**(Subject Property)**

