



City of Smyrna

City of Smyrna
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Issue Sheet

File Number: **Z22-014**

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In Control: City Council

File Type: Rezoning

Agenda Number: A.

WARD / COUNCILMEMBER: Ward 3 / Councilmember Lindley

\$ IMPACT: N/A

Agenda Title:

Public Hearing - Zoning Request - Z22-014 - Allow a rezoning from GC to MU for the development of 24 residential lofts and 9,450 sq. ft. of office/commercial area - 1.09 acres - Land Lot 559 - 2934 Atlanta Road, 0 Atlanta Road, and 2950 Atlanta Road - Tanalta LLC & Jamac Corp.

Ward 3 / Councilmember Lindley

ISSUE AND BACKGROUND:

Tanalta LLC & Jamac Corp. is requesting to rezone 1.09 acres of assembled properties along Atlanta Road from GC to MU-Conditional for the development of a four-story, 37,800 sq.ft. mixed-use building, which includes 24 residential lofts at a density of 22 units per acre and 9,450 sq. ft. of commercial/office space. The applicant is proposing to demolish the existing restaurant and office building to construct the mixed-use development. The Planning & Zoning Board recommended approval by a vote of 4-3 at the November 14, 2022 meeting. The Urban Design Commission recommended approval by a vote of 7-0 at the December 12, 2022 meeting.

RECOMMENDATION / REQUESTED ACTION: Community Development recommends **approval** of the rezoning from GC to MU-Conditional on 1.09 acres for a mixed-use development at a density of 22 units per acre, including those variances supported by staff as shown above, **with the following conditions:**

Standard Conditions

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

1.The composition of the mixed-use building 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 home 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 2' 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 install decorative streetlights within the development, subject to approval by the city engineer. Utilization of low intensity, environmental type lighting, the illumination of which shall be confined within the perimeter of the subject property through the use of "full-cutoff lighting".

7.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.

8.All landscape plans must be prepared, stamped, and signed by a Georgia Registered Landscape Architect for any common areas or entrances.

9.All yards and common areas are to be sodded, and landscaped. Irrigate as appropriate.

Special Conditions

10.The development shall maintain the following minimum building setbacks:

- Front - 0'
- Side - 0'
- Rear - 20'

11.The developer shall meet all fire access requirements deemed necessary by the Fire Marshal during construction plan review.

12.The developer shall be responsible for any water and sewer improvements deemed necessary by the Public Works Director during construction plan review.

13.The developer shall be responsible for any stormwater improvements deemed necessary by the City Engineer.

14.The developer shall provide a sidewalk connection from the development to the Atlanta Road sidewalk/multi-use trail.

15.The minimum floor area for attached dwelling units, condominium units and other residential units may not be less than an average of 900 square feet. (Section 720.9(2) of the Zoning Ordinance).

16.Parking for the commercial, office, and lofts within the development will be provided by means of surface and structured parking as shown on the submitted site plan, which will employ "shared" parking among the respective components and will provide sufficient and adequate parking for the total development.

17.All air conditioning condenser units, transformers and any other utilities shall be fully screened.

from view from any public right-of-way. The utility units components placed on the roof of the buildings may be screened by parapets and the utility components at ground level may be screened by landscaping.

18. Dumpsters shall be positioned so as to prevent visual intrusion from streets, connection point to community spaces and wherever possible with screening by landscaping, walls and/or vegetation. Dumpsters shall have rubber lids and bumpers to minimize noise during emptying. At grade trash compaction shall also be allowed and screened as appropriate in accordance with the City's regulations.

19. A ~~five~~ foot sidewalk and two-foot grass strip shall be installed along the frontage of Church Street and shall connect to the existing sidewalk to the west.

20. The access on Church Street shall be restricted to right in/right out.

21. The access on Atlanta Road shall provide a large turning radius.

22. The access on Atlanta Road shall be designed to accommodate queuing for left turns into the development which may require modifying the centerline striping on Atlanta Road. Final design to be determined in plan review.

23. The two existing curb cuts on Atlanta Road, closest to the traffic signal at the intersection Atlanta Road and Church Street shall be closed and replaced with curb & gutter, a grass strip, and trail in-kind with the remainder of Atlanta Road.

24. Right-of-way dedication shall be provided on Church Street for the new sidewalk to be located within the City right-of-way.

25. Right-of-way dedication on Atlanta Road to be a minimum of 50 ft from the roadway centerline or a minimum of 3 ft from the back of sidewalk.

26. The maximum number of residential units shall not exceed 24 Class A amenitized residential units. One hundred percent (100%) of the said units shall be constructed so that the units can be modified to individually owned condominium units in the event of future favorable market conditions.

27. All residential units shall be maintained in a Class A/First Class manner.

28. The residential units shall include the following interior finishes:

- i. Minimum nine-foot (9') ceilings;
- ii. Forty-two inch (42") upper cabinets in the kitchen;
- iii. Decorative lighting fixtures shall be utilized in the in the kitchen area of the units and spot track or recessed lighting shall be used in both the kitchen and dining areas of the units;
- iv. Bathroom cabinets need to be of equal or similar quality as kitchen cabinets;
- v. Sheet vinyl flooring shall be prohibited;
- vi. Tile flooring shall be required in both the kitchen and bathrooms;
- vii. All bathrooms shall have tile tub/shower surrounds;
- viii. All kitchen and bathroom counter and cabinet tops shall be solid surface granite or similar material. Laminate counter tops are prohibited;
- ix. All kitchen counter tops shall be horizon style counter tops; and
- x. All kitchen sinks shall be under-mounted.

29. The approximate mixture of unit types shall consist of the following: fifty percent (50%) one bedrooms and fifty percent (50%) two bedroom lofts.

30. Allow building height of 66 feet.

31. The parking deck shall provide a decorative brick exterior where visible from the put right-of-way.

32. The loading area shall be screened through the use of solid brick walls, latticework, trees or shrubbery.

33. A maximum of 73 parking spaces shall be included in the development.

34. Eliminate requirement for parking spaces in excess of the required minimum to be por concrete or grasscrete.

35. A driveway curb cut on an arterial street shall be allowed.

36. Approval of the subject property for the MC Conditional zoning district shall be conditioned upon the development of the property in substantial compliance with the site plan submitted October 14, 2022 and created by Doulgerakis Consulting Engineers, Inc. all zoning stipulations above.

37. The applicant shall be bound to the elevations submitted on October 14, 2022. Approval of any change to the elevations must be obtained from the Director of Community Development.

38. The applicant shall receive approval by the Urban Design Commission of architectural pla and building materials prior to the issuance of building or land disturbance permit.