

Smyrna, Georgia 30080

City of Smyrna

3180 Atlanta Road

(678) 431-5387 / Community Development

Department of Community Development

Smyrna, Georgia 30080

City of Smyrna

Decision Letter for Rezoning

Dear Mr. Kirk,

This letter is to certify that your application for rezoning was received on March 12, 2020. The request for rezoning was heard on May 17, 2021, at the Mayor and Council meeting. You, as the applicant, requested the following rezoning for the property located at 2400 Lake Park Drive,

Zoning Request: Z21-005 - Rezoning from GC to MU Conditional for the development of 9.73 acres for a mixed-use community, with 277 multi-family units, 10,148 sq. ft. of retail, and 10,897 sq. ft. of co-work space, at a density of 28.5 units per acre.

The Mayor and Council **approved** the rezoning by a vote of 5-1 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 buildings in the development shall include a mixture of elements including; but not limited to: brick, stone, shake, Hardie Plank and stucco. No elevation shall be comprised of 100 percent Hardie Plank siding.
- The retention pond shall be placed and screened appropriately to be unobtrusive to homes 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.
- 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

Mayor - Derek Norton City Council Ward 1 - Glenn Pickens / Ward 2 - Austin Wagner / Ward 3 - Travis Lindley / Ward 4 - Charles Welch Ward 5 - Susan Wilkinson / Ward 6 - Tim Gould / Ward 7 - Lewis Wheaton

> City Administrator - Joe Bennett / City Clerk - Heather Corn / City Attorney - Scott Cochran Municipal Court Judge - Phyllis Gingrey Collins

> > SMYRNA

City of Smyrna

3180 Atlanta Road

Smyrna, Georgia 30080

(678) 431-5387 / Community Development

- 26. Dumpsters shall be positioned so as to prevent visual intrusion from streets, connection points 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.
- family 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.
- - Forty-two inch (42") upper cabinets in the kitchen; iii. Pendant lighting shall be utilized in the in the kitchen area of the units and flushmount LED can lighting shall be used in both the kitchen and dining areas of the
- iv. Bathroom cabinets need to be of equal or similar quality as kitchen cabinets;
- vinyl tile (i.e. not sheet vinyl or VCT);
- All bathrooms shall have tub/shower surrounds with an aesthetic similar to tile; viii. All kitchen and bathroom counter and cabinet tops shall be solid surface granite or
- similar material. Laminate counter tops are prohibited;
- x. All kitchen sinks shall be under-mounted stainless-steel sinks.
- 30. The approximate mixture of unit types shall consist of the following: seventy-seven percent (77%) one bedrooms and twenty-three percent (23%) two bedrooms.
- conditioned upon the development of the property in substantial compliance with the site plan submitted April 2, 2021 and created by Pond and all zoning stipulations above.

Mayor - Derek Norton City Council Ward 1 - Glenn Pickens / Ward 2 - Austin Wagner / Ward 3 - Travis Lindley / Ward 4 - Charles Welch Ward 5 - Susan Wilkinson / Ward 6 - Tim Gould / Ward 7 - Lewis Wheaton

City Administrator - Joe Bennett / City Clerk - Heather Corn / City Attorney - Scott Cochran Municipal Court Judge - Phyllis Gingrey Collins

City of Smyrna

3180 Atlanta Road

Smyrna, Georgia 30080

Smyrna, Georgia 30080

Planner II

City of Smyrna

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.

(678) 431-5387 / Community Development

- A strip of brick pavers or stamped concrete shall be installed on the street at the subdivision entrance for a minimum distance of 20 feet.
- No debris may be buried on any lot or common area.
- 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".
- 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.
- All landscape plans must be prepared, stamped, and signed by a Georgia Registered Landscape Architect for any common areas or entrances.
- 10. All yards and common areas are to be sodded, and landscaped. Irrigate as appropriate.

Special Conditions

City of Smyrna

Date: May 18, 2021

Community Development.

Rear = 20'

- The development shall maintain the following minimum building setbacks from the Mixed Use District: Front -0Side - 0
- 12. The developer shall meet all fire access requirements deemed necessary by the Fire Marshal during construction plan review.
- 13. The developer shall be responsible for any water and sewer improvements deemed necessary by the Public Works Director during construction plan review.
- The developer shall be responsible for any stormwater improvements deemed necessary by the City Engineer.

Mayor - Derek Norton City Council Ward 1 - Glenn Pickens / Ward 2 - Austin Wagner / Ward 3 - Travis Lindley / Ward 4 - Charles Welch Ward 5 - Susan Wilkinson / Ward 6 - Tim Gould / Ward 7 - Lewis Wheaton

> City Administrator - Joe Bennett / City Clerk - Heather Corn / City Attorney - Scott Cochran Municipal Court Judge - Phyllis Gingrey Collins



3180 Atlanta Road

(678) 431-5387 / Community Development

32. The applicant shall be bound to the conceptual elevations submitted on April 2, 2021.

If you have any questions regarding this rezoning, please contact Community Development at

Approval of any change to the elevations must be obtained from the Director of

the roof of the buildings may be screened by parapets and the utility components at ground level may be screened by landscaping.

- 27. The maximum number of residential units shall not exceed 277 Class A amenititzed multi-
- 28. All apartment units shall be maintained in a Class A/First Class manner.
- 29. The multi-family units shall include the following interior finishes:
 - Minimum nine-foot (9') ceilings:

 - v. Sheet vinyl flooring and VCT vinyl flooring shall be prohibited;
 - vi. Tile flooring shall be required in both the kitchen and bathrooms including luxury
- All kitchen counter tops shall be horizon style counter tops; and
- 31. Approval of the subject property for the MU-Conditional zoning district shall be

Mayor - Derek Norton City Council Ward 1 - Glenn Pickens / Ward 2 - Austin Wagner / Ward 3 - Travis Lindley / Ward 4 - Charles Welch Ward 5 - Susan Wilkinson / Ward 6 - Tim Gould / Ward 7 - Lewis Wheaton

City Administrator - Joe Bennett / City Clerk - Heather Corn / City Attorney - Scott Cochran Municipal Court Judge - Phyllis Gingrey Collins

City of Smyrna

3180 Atlanta Road

(678) 431-5387 / Community Development

- 15. Prior to issuance of a Certificate of Occupancy, the applicant shall have the stormwater detention pond maintained per the Blue Book Operations and Maintenance Guidance
- 16. The developer shall provide a sidewalk connection from the development to Cobb Parkway and Lake Park Drive.
- 17. Prior to the issuance of a Land Disturbance Permit the traffic study and site plan shall be reviewed by Georgia Department of Transportation (GDOT).
- 18. The development shall not be gated. The parking deck may use gates to control access.
- 19. The minimum floor area for attached dwelling units, condominium units and other multifamily units may not be less than an average of 653 square feet. (Section 720.9(2) of the Zoning Ordinance).
- The development will include a minimum of 515 parking spaces per the current density shown. A reduction in the residential units caused by unforeseen site constraints would cause a commensurate reduction in parking to be reviewed by the Director of Community Development.
- 21. Parking for the office, commercial, retail and apartments 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.
- 22. The parking deck will provide a decorative brick exterior substantially similar to that shown on the elevations provided on April 2, 2021. Approval of any change to the parking deck exterior must be obtained from the Director of Community Development.
- 23. The applicant shall construct the initial segment of the Mountain to River Trail for pedestrian and bicycle connectivity.
- 24. The applicant will re-stripe the private drive for safety and operational improvements at Cobb Parkway.
- 25. 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

Mayor - Derek Norton City Council Ward 1 - Glenn Pickens / Ward 2 - Austin Wagner / Ward 3 - Travis Lindley / Ward 4 - Charles Welch Ward 5 - Susan Wilkinson / Ward 6 - Tim Gould / Ward 7 - Lewis Wheaton

> City Administrator – Joe Bennett / City Clerk – Heather Corn / City Attorney – Scott Cochran Municipal Court Judge - Phyllis Gingrey Collins

3500 Parkway Lane Suite 500 Peachtree Corners Georgia 30092 Copyright © 2022 by Pond & Company. All rights reserved. No copying or duplication of these documents is allowed without the expressed

written agreement of Pond & Company.

EOR/AOR SEAL



CLIENT INFORMATION

GRUBB PROPERTIES, INC. 4601 PARK ROAD SUITE 450 CHARLOTTE, NC. 28209

PROJECT NAME

LINK LAKE PARK **APARTMENTS**

2400 LAKE PARK DRIVE LAND LOTS 779, 780, 805 & 806. 17TH-DISTRICT CITY OF SMYRNA, COBB COUNTY, GEORGIA

DRAWING ISSUE

DESIGNED BY DRAWN BY: CHECKED BY: SUBMITTED BY: 05/13/2022

SHEET TITLE

PROJECT #

REZONING CONDITIONS

SHEET NUMBER

Know what's **below.**

Call before you dig. **Dial 811** Or Call 800-282-7411

ORIGINAL SHEET SIZE: 22" X 34"