



# City of Smyrna

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## Issue Sheet

File Number: 2016-334

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Agenda Date: 8/15/2016

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Status: Agenda Ready

In Control: City Council

File Type: Zoning

Agenda Number: D.

**WARD:** 3

**COMMITTEE:** Community Development

**\$ IMPACT:** N/A

**Agenda Title:**

Public Hearing - Zoning Request Z16-013 - Modification to currently approved site plan and building elevations - 1.9 Acres - Land Lot 490 - Southeast corner of the intersection of Windy Hill Road and Belmont Place - Halpern Enterprises, Inc.

**ISSUE:** Halpern Enterprises, Inc. is requesting a zoning amendment to modify the currently approved site plan and building elevations for the Belmont Hills redevelopment project. The applicant is proposing the following changes:

- 1.Modification of the undeveloped section (Phase II) of POD A. The applicant is proposing to eliminate the proposed 18,000 sq. ft. of commercial/retail and build a two-story 31,600 sq. ft. medical office building;
- 2.Approval for the modification of the building elevation. The applicant has provide renderings of the new medical office building; and
- 3.Approval of a new monument sign for the medical office building.

**BACKGROUND:** The City of Smyrna originally rezoned the Belmont Hills project on January 20, 2009 from GC & R-15 to Mixed Use - Conditional. The approved project was a mixed use development providing a variety of uses, including; retail shops, restaurants, office space, independent living senior housing, luxury apartments, condominiums, townhomes and single-family detached housing. The approved development was planned to have a maximum of 127,088 square feet of commercial space and a maximum of 902 residential units. As part of the initial rezoning, the applicant provided a zoning plan, building elevations and street cross-sections. The rezoning was approved based on the specific zoning plan, elevations and street cross sections, along with several zoning conditions. If any of these items were to significantly change the applicant would have to come back to Mayor and Council for approval of the changes.

The overall mixed use project has been amended several times to deal with changes in the location of the multi-family use, the street designs, and the single-family detached development. The Mayor and Council approved the first amendment to the plan on October 15, 2012 to relocate the

multi-family development from Pod C to Pod F and redesign the street cross-sections within the development. The second amendment to the plan occurred on April 15, 2013 to address the development schedule of the access roads between the development pods. The last amendment to the plan occurred on February 17, 2014 to allow the combination of Pods C & D for the development of a single-family subdivision. Since the last amendment, the applicant has completed the first phase of Pod A (the retail pod), the multi-family development on Pod F, and has started construction on the homes in the single-family subdivision on Pods C & D. Phase II of Pod A and Pod B are the remaining portions of the project yet to be developed.

**RECOMMENDATION/REQUESTED ACTION:** Community Development recommends **approval** of proposed zoning amendment with the following conditions carried over from Rezoning Cases Z08-006, Z12-005, Z13-007 and Z14-006 and several additional conditions (highlighted in yellow)

1. The rezoning is subject to the stipulations agreed upon by the applicant in the letter submitted and dated January 20, 2009 by Kevin Moore with Moore, Ingram, Johnson and Steele, LLP.
2. The approval of the zoning amendment shall be in substantial conformity to the zoning plan submitted on August 10, 2012, titled Belmont Zoning Plan and created by Halpern Enterprises, Inc. (Replace stipulation #2 in the letter above.)
3. The approval of the zoning amendment shall be in substantial conformity to the road cross sections submitted on August 10, 2012, titled Belmont Road Sections and created by Halpern Enterprises, Inc. (Replace stipulation #A (4) in the letter above.)
4. The approval of the zoning amendment and the development of Pods "C" and "D" shall be in substantial conformity to the site plan submitted on January 17, 2014, titled "Belmont Hills Pods C and D" and created by Ridge Planning and Engineering.
5. The approval of the zoning amendment and building elevations for the homes in Pods "C" and "D" shall be in substantial conformity to the building elevations submitted on January 17, 2014, titled "David Weekly Homes at Belmont Hills" and created by Caldwell & Cline Architects and Designers.
6. The minimum floor area for the homes in Pods "C" and "D" shall be 1,500 square feet.
7. The approval of the zoning amendment and the development of Pod "A" shall be in substantial conformity to the site plan submitted on August 4, 2016, titled "Belmont Hills Medical Office Building" and created by Lyman Davidson Dooley, Inc.
8. The approval of the zoning amendment and building elevations for the medical office building in Pod "A" shall be in substantial conformity to the building elevations submitted on August 4, 2016, titled "Belmont Hills Medical Office Building" and created by Lyman Davidson Dooley, Inc.
9. The applicant shall be allowed a second monument sign along Windy Hill Road with maximum sign area of 60 sq. ft. and maximum sign height of 12'.

