

CITY OF SMYRNA

COMMUNITY DEVELOPMENT DEPARTMENT

MEMORANDUM

To: Mayor and Council

From: Russell Martin, AICP, Community Development Director
Joey Staubes, ACIP, Planner II

Date: June 9, 2021

CC: Joe Bennett, City Administrator
Planning and Zoning Board

RE: ANNEXATION & REZONING CASE Z21-002 – 2800 & 2810 Spring Rd

Applicant: RASS Associates LLC

Existing Zoning: NS & OI (County)

Titleholder: RASS Associates LLC

Proposed Zoning: MU-Conditional

Size of Tract: 8.7 Acres

Location: 2800 & 2810 Spring Rd

Contiguous Zoning:

Land Lot: 880 & 881

| | |
|-------|-------------|
| North | GC |
| South | ROW |
| East | GC (County) |
| West | GC, OI & TS |

Ward: 1

Access: Spring Rd & Spring Hill Pkwy

Hearing Dates:

Existing Improvements: Commercial & Office Uses

| | |
|-------------------|---------------|
| P&Z | June 14, 2021 |
| Mayor and Council | July 19, 2021 |

Proposed Use:

Development of mixed-use community with 300 multi-family units, 188 hotel rooms, and 37,500 sq. ft. of commercial at a density of 34.5 units per acre.

Staff Recommendation:

Community Development recommends approval of the zoning request from **NS & OI (Cobb)** to **MU with conditions**.

Planning Board: Recommends approval by a vote of 5-0 at the June 14, 2021 meeting.



PROJECT DESCRIPTION

RASS Associates LLC is requesting to annex and rezone 8.7 acres at 2800 Spring Road from NS & OI (Cobb County) to MU-Conditional (Mixed Use) for the development of 300 multi-family units, 188 hotel rooms, and 37,500 sq. ft. of commercial at a density of 34.5 residential units per acre.

The proposed development will consist of 300 multi-family units spread across a 5-story building with basement levels. The building will include a mixture of studio, one-bedroom, two-bedroom, and three-bedroom units. There will be 53 studio units, 140 one-bedroom units, 91 two-bedroom units, and 16 three-bedroom units. The units will range in size from 567 sq. ft. to 1,350 sq. ft. at an average of 811 sq. ft. The multi-family building will include clubhouse/leasing area, a fitness room, and pool. There will be a seven-level parking deck with 546 spaces at a ratio of 1.82 spaces per unit.

The development includes a hotel with 188 rooms. The hotel will be a full-service eight-story building. The hotel will include a restaurant, conference room, roof-top terrace area, and a separate parking deck. The hotel parking deck will include 317 spaces.

The development will include a total of 37,500 sq. ft. of commercial/retail space. A 16,908 sq. ft. and 11,050 sq. ft. building will be adjacent to Spring Road. Both buildings will be oriented to face Spring Road and a central plaza area separating the two buildings. A separate 8,985 sq. ft. commercial building will be adjacent to the multi-family building, separated from the multi-family by a pocket park. A 600 sq. ft. jewel box commercial area will be oriented inside the pocket park. The commercial buildings adjacent to Spring Road will provide 61 parking spaces, and an additional 8 parallel spaces are adjacent to the multi-family building. In total, the development will provide 924 spaces.

The development proposal includes two right in/right out access drives on Spring Road with a right in/right-out access drive on the east and west drives, and a full-access drive on Spring Hill Parkway for vehicular access. A deceleration lane will be provided for the eastern drive on Spring Road.

The development will provide access for pedestrian access by future elevated crossings across Spring Rd and I-285 in accordance with the LCI Plan. The two elevated crossings will have connectivity by a 10-12 ft. sidewalks internal to the development. Spring Road will have a 15 ft. sidewalk, grass strip, and an internal sidewalk to provide a buffer from Spring Rd and allow outdoor seating. The commercial/retail, hotel, and multi-family uses within the development will all be accessible by sidewalks and crosswalks internal to the development. A CobbLink connection already exists at the development on Spring Road with pedestrian access to the development.

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.

Applicant Response:

"The applicant proposes the redevelopment of the Subject Property for a Mixed-Use project consisting of Hotel, Retail, Apartments, and Professional Offices. The zoning proposal will permit a use that is suitable in view of the use and development of adjacent and nearby properties. The proposal promotes the idea of a live, work, play and new urbanistic development which follows the recommendations of the Spring Road Corridor LCI Master Plan."

****The applicant's response above was not modified since the site plan has been revised to remove the professional offices.****

Staff Analysis:

The applicant is proposing the development of the subject property for 300-unit multi-family building, 188 hotel rooms, and 37,500 sq. ft. of commercial/retail at a density of 34.5 units per acre. The adjoining property to the east is zoned GC (Cobb County), NS (Smyrna), and is occupied by commercial uses. The adjoining property to the south is adjacent to I-285. The adjoining property to the west is zoned GC, OI, and TS and is occupied by a hotel and retail uses. The adjoining properties to the north are zoned GC and are occupied by commercial and retail uses. Given the description of the development patterns surrounding the subject property, the proposed use and development of the subject property will be suitable in view of use and development of adjacent and nearby properties. The proposed development will serve as an appropriate catalyst for redevelopment along the Spring Road Corridor.

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

Applicant Response:

"The zoning proposal will not adversely impact the existing use or usability of adjacent or nearby properties. The proposed development is a unified Mixed-Use plan and is preferable to a multiplicity of separate uses and developments. The Annexation and Rezoning proposal incorporates appropriate uses adjacent to major transit corridors consisting of I-285, I-75, and Cobb Parkway."

Staff Analysis:

The proposed development is surrounded by hotel, and commercial uses, with access to several transit corridors. The zoning proposal will consolidate several parcels into one cohesive mixed-use development. The existing uses would not be negatively impacted by the proposed mixed-use 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.

Applicant Response:

"The Subject Property does not have a reasonable economic use as currently zoned (NS in the city and OI in Cobb County). The Cobb County tract zoned O&I is a deteriorated and vacant office park (Emerson Center) which was built in 1972. 2800 Spring Road, which is the NS tract located in the City is a mostly vacant strip center built in 1982. The strip mall currently has two (2) tenants with month to month leases.

Staff Analysis:

The subject parcel has limited economic use as currently zoned. The property is an assemblage that currently retains the Cobb County zoning district of OI (Office Institutional) & NS (Neighborhood Shopping) in the city. To annex the county portion and assemble the properties for one mixed use development the rezoning is necessary.

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.

Applicant Response:

"The proposed redevelopment is not expected to cause burden to the existing street network or transportation facilities. Based upon information provided by the Cobb County Water System adequate sewer capacities are available. In fact, the redevelopment of the Subject Property will not result in uses which will cause excessive or burdensome use of existing streets, transportation facilities, or schools."

Staff Analysis:

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 Spring Hill Parkway.

Based upon information provided by the Public Works Director, sanitary sewer is available through the City's public sanitary sewer system within the right-of-way of Spring Hill Parkway.

The City has not received any information from the Cobb County School Board with respect to the impacts of the proposed development on the school system. The applicant believes the proposed development will have minimal impact on enrollment due to their market demographics. The applicant does believe the proposed project will have a positive impact on school tax revenue and school SPLOST revenue.

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

Applicant Response:

"The Rezoning is in conformity with the City's Future Land Use Plan, which indicates the Subject Property has a future land use designation of Regional Activity Center (City & County). The proposed MU Zoning District is an appropriate use under the RAC designation. There will be no change required to the FLUM for this Rezoning. Additionally, the proposal is consistent with the land use recommendations of the Spring Road LCI Master Plan for mixed-use along the southern portion of the Spring Road Corridor. Moreover, the Annexation and Rezoning proposal meets all of the components of mixed use developments by providing a plan which includes commercial, residential and office uses."

Staff Analysis:

The subject property is within the Cobb County RAC (Regional Activity Center) land use designation. The applicant is requesting to annex the property with a City land use designation of RAC (Regional Activity Center). The MU zoning district is an appropriate zoning district 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.

Applicant Response:

"The proposed design will allow for substantive interaction between uses. RASS's proposal constitutes suitable use of the Subject Property which will not adversely affect adjacent properties and which will be beneficial to the City of Smyrna. The redevelopment of the Subject Property will encourage other mixed use developments within this sub-area of the City and of Cobb County."

Staff Analysis:

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 subject property, as follows:

"The South Spring [area] will complement surrounding development with uses such as office, high density residential and local retail/services. Office is envisioned to front Cobb Parkway and I-285 for better visibility and exposure."

Per the description of the area around the subject property in the LCI study, the proposed development meets the stated land uses, development patterns, and housing types for the area.

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.

Applicant Response:

"The proposed redevelopment of the Subject Property will enhance the architectural standards and aesthetics especially when considering the properties are primarily vacant and aged. The redevelopment of the Subject Property will precipitate additional and appropriate commercial, retail, restaurant, office and residential development in this area. The proposed development will be consistent with the attached architectural renderings/elevations."

Staff Analysis:

The proposed development of the subject property under the zoning proposal will 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.

Applicant Response:

"The proposed development will not create a nuisance or be incompatible with existing uses in the area. In fact, the uses as proposed are compatible with existing uses in the area; the RAC designations of the City and County; is consistent with the LCI Master Plan; and, are compatible with existing uses in the area particularly in consideration of Truist Park & the Battery and forthcoming enhancements to the Cumberland Center/Mall Area."

Staff Analysis:

The zoning proposal will not create a nuisance nor be incompatible with existing uses in the area. The zoning proposal is a mixed use development with residential and commercial uses in an area that is already dense with respect to residential and commercial 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.

Applicant Response:

"The zoning proposal meets a majority of the rezoning requirements for the MU zoning district. The Applicant is seeking the following Variances: a reduction in the rear setback of the proposed residential area from the required 40 feet to 35 feet, an increase in building height from the maximum allowance of 66 feet and five stories to 95 feet and eight stories."

Staff Analysis:

The zoning proposal will positively 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 most of the zoning requirements of the MU zoning district, but not all of them. The applicant is seeking the following variances from the Zoning Ordinance:

1. Reduction of the rear setback from 100' to 35';
2. Increase in building height from 66' to 95';
3. Increase in density from 25 units per acre to 34.5 units per acre;
4. Allow reduction of average unit size from 900 sq. ft. to 811 sq. ft.

PROJECT ANALYSIS

Zoning Review

Community Development has reviewed the proposed plan against the zoning requirements of the MU (Section 720 and Article X of the Zoning Ordinance) with regards to setbacks, building height and building separations. The zoning proposal meets a majority of the zoning requirements of the MU zoning district standards have been applied. Mixed Use Development of the zoning ordinance encourages the unified and harmonious development of land and buildings under a comprehensive plan, rather than under the conventional lot-by-lot regulations, in order to provide flexible building and land use arrangements; integrate various compatible uses; cluster development to minimize public facilities, utilities, and service costs; protect environmentally critical areas; and to preserve and secure needed open and recreational space.

The applicant is seeking the following variances from Section 720 & 802 of the Zoning Ordinance:

1. Allow increase in building height from 66' to 95'. (Section 802).
2. Allow increase in density from 25 to 34.5 units per acre (Section 720).
3. Allow reduction of average unit size from 900 sq. ft. to 811 sq. ft.

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 variance from Section 717 of the Zoning Ordinance:

1. Reduction of the minimum rear setback from 100' to 35' (Section 717.162(a)).

Community Development is **supportive** of the requested variances because the proposed development plan is in-line with density, building heights, and setbacks proposed in the master plan developed for the area in the Spring Road LCI Study.

Traffic Study Review

The applicant has submitted a traffic impact study completed by Kimley Horn for the proposed development that analyzes the impacts of the proposed development on surrounding transportation infrastructure. The development proposal includes two right in/right out access

drives on Spring Road and a full-access drive on Spring Hill Parkway. The traffic impact study analyzed the impacts to the following intersections:

- Spring Road at Campbell Road
- Spring Road at Sports Avenue
- Spring Road at Cumberland Boulevard
- Cobb Parkway at Spring Road
- Cumberland Boulevard at Spring Hill Parkway

The traffic impact study provides a trip generation analysis of the proposed development versus the uses allowed under the current development. The trip generation analysis is based off the rates and equations published in the 10th edition of the Institute of Transportation Engineers (ITE) Trip Generation Report. Table 4 on page 12 of the traffic impact study provides the trip generation for the proposed development.

| Table 4: Project Trip Generation Summary | | | | | | | | |
|--|--------------------------------|-----------|---------------|-------|--------------|------|--------------|------|
| ITE Code | Land Use | Density | Daily Traffic | | AM Peak Hour | | PM Peak Hour | |
| | | | Enter | Exit | Enter | Exit | Enter | Exit |
| 221 | Multifamily Housing (Mid-Rise) | 350 units | 953 | 953 | 30 | 87 | 90 | 57 |
| 310 | Hotel | 188 rooms | 848 | 848 | 53 | 36 | 59 | 56 |
| 820 | Shopping Center | 27,958 SF | 528 | 528 | 16 | 10 | 51 | 56 |
| Total Gross Trips | | | 2,329 | 2,329 | 99 | 133 | 200 | 169 |
| Mixed-Use Reductions | | | -106 | -106 | -3 | -3 | -26 | -26 |
| Pass-by Reductions | | | -161 | -161 | -0 | -0 | -14 | -14 |
| Total Net Trips | | | 2,062 | 2,062 | 96 | 130 | 160 | 129 |

The traffic impact study also provides a future traffic analysis for base year 2022 and horizon year 2032 for both the “No-build” and “Build” conditions. The “No-build” conditions provide an assessment on how traffic will operate in the study horizon year without the site being developed as proposed, with projected increases in through traffic volumes due to normal annual growth. The future “No-build” volumes consist of the existing traffic volumes plus increases for annual growth of through traffic. The annual growth in traffic volume was based on GDOT recorded traffic volumes for the last three years. The annual growth in traffic volume is also calculated in the “Build” scenario. Table 6 below provides the results of the future traffic analysis. The project is not projected to have any significant impact on Level of Service for the intersections studied.

| Table 6: Horizon Year Level-of-Service Summary | | | | | | |
|--|---------|-----------------------|---|----------|--|-----------|
| LOS (Delay in Seconds) | | | | | | |
| Intersection | Control | Approach/ Movement | Projected 2032 (Horizon Year) No-Build | | Projected 2032 (Horizon Year) Build | |
| | | | AM Peak | PM Peak | AM Peak | PM Peak |
| 1. Spring Road at Campbell Road | Signal | Overall | C (34.8) | C (28.1) | D (36.1) | C (30.1) |
| 2. Spring Road at Sports Avenue/Aldi Driveway | Signal | Overall | A (1.8) | A (2.7) | A (1.8) | A (2.7) |
| 3. Spring Road at Cumberland Boulevard | Signal | Overall | D (37.4) | F (94.2) | D (43.5) | F (107.1) |
| 4. Cobb Parkway (SR 3) at Spring Road | Signal | Overall | E (74.9) | E (66.2) | E (78.8) | E (71.8) |
| 5. Cumberland Boulevard at Spring Hill Parkway | Signal | Overall | A (2.4) | A (3.8) | A (4.9) | A (4.5) |
| 6. Spring Road at Site Driveway W | RIRO | NB | | | D (31.4) | C (21.4) |
| 7. Spring Road at Site Driveway E | RIRO | NB | | | D (30.2) | C (20.3) |
| 8. Spring Road at Site Driveway S | TWSC | SB | | | B (10.7) | B (10.9) |
| | | EBL | | | A (8.0) | A (8.0) |

The intersection at Spring Road and Cumberland Blvd are projected to have a failing level of service in both the No-Build and Build conditions in the PM peak hours. In order for the failing intersection to maintain Level of Service E the following operational improvements should be considered:

1. Provide an additional east bound right-turn channelized lane under yield control; maintain existing free-flow divided lane.
2. Provide a southbound right-turn overlap phase; restrict eastbound U-turn movement

The city is requesting the following access management and system improvements to improve both operational safety and traffic facilitation at the nearby intersections:

1. A right in/right out driveway with one lane entering the site and one lane exiting the site on Spring Road at Driveway West.
2. A right in with deceleration lane and right out driveway with one lane entering the site and one lane exiting the site on Spring Road at Driveway East.
3. A full access movement driveway at the existing curb cut on Spring Hill Pkwy.

The development currently has transit connectivity via route 25 along Spring Road which connects with the Cumberland Transfer Station. Should any transit improvements be necessary for the bus stop on Spring Road, the applicant will be responsible.

Stormwater Management Review

The applicant is proposing two below ground stormwater management facilities for the development. The City Engineer takes no exception to the stormwater management concept as shown. The design submitted during 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 no streams or stream buffers on the site. The site does have typography challenges within the development. The project has been developed with those concerns in mind to maintain pedestrian connections between the separate uses without severe changes in grade.

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 Spring Hill Pkwy.

Adequate sanitary sewer capacities are available in the area to accommodate the development associated with the rezoning; installation is the responsibility of the developer. Sanitary Sewer is located within the right-of-way of Spring Hill Pkwy.

Fire Marshal Review

The Fire Marshal's office has reviewed the current site plan and in general believes that it meets the Fire Code requirements for fire truck access and building separation requirements. The

applicant will have to provide a fire truck turn analysis during the permitting process to verify maneuverability through the site. The Fire Marshal's office will also require the buildings to have a fire sprinkler system.

Planning Review

Spring Road LCI Study

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 subject property was specifically addressed in the LCI Study, as well as the Smyrna Plaza area to the north, and the Base Line pedestrian connection. The LCI study also 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 South Spring [area] will complement surrounding development with uses such as office, high density residential and local retail/services. Office is envisioned to front Cobb Parkway and I-285 for better visibility and exposure. Development is recommended to follow transit oriented development (TOD) guidelines, high density and mixed use. A parking deck is incorporated in the center of the site, which could be shared between all uses and the transfer station."

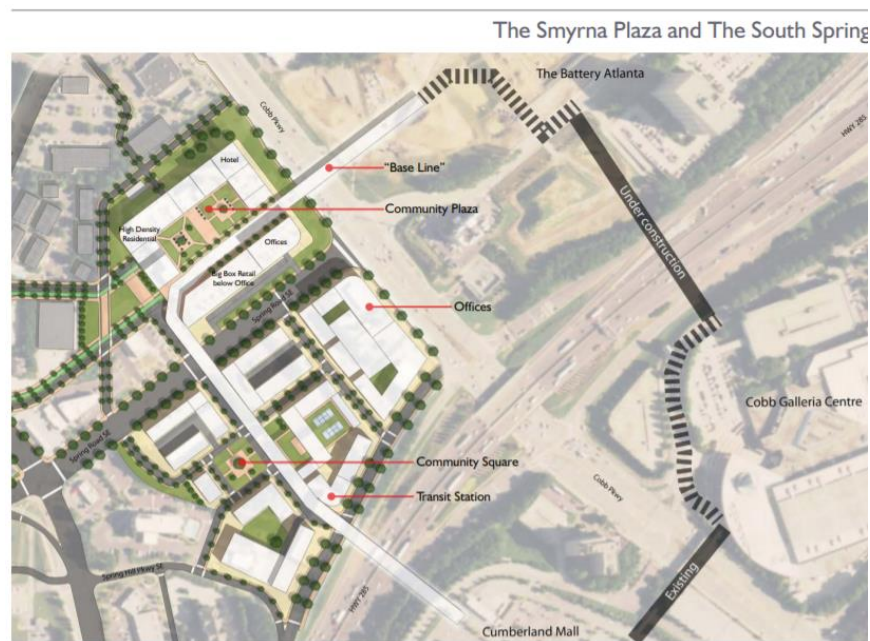


Figure 4.3c: Proposed Smyrna Plaza and South Spring Development
Refer Figure 4.1i

The area to the north of the development referred to as Smyrna Plaza was also envisioned in the study and a grade separated pedestrian connection was proposed, referred to as The Base Line. The Base Line is described as "a seamless pedestrian/bicycle connection and potentially a transit loop that provides a grade separated bridge and plaza system that connects The Battery Atlanta, the Galleria Centre Convention Complex, Cumberland Mall, redevelopment areas on both the south side of Spring Road and on the north side of Spring Road (The Smyrna Plaza and The South Spring). This grade separated loop provides safe access for pedestrians/cyclist/shuttles by bridging over five major auto corridors, twice over I-285, twice over Cobb Parkway and once over Spring Road".

The proposed plan has incorporated the Base Line into the development and will provide a connection point for a pedestrian overpass across Spring Road and a future overhead connection across I-285 at the parking garage level B2.



2040 Comprehensive Plan

In addition, the proposed zoning meets the following goals and policies laid out in the City's Comprehensive Plan:

Housing

- Goal 1 – Protect and preserve established residential neighborhoods.
 - Policy 1.1 Ensure adequate buffering and screening in order to protect residential neighborhoods from negative impacts of adjacent incompatible development.
 - Policy 1.2 Ensure that infill housing development is compatible with surrounding established neighborhoods.
- Goal 3 – Encourage the development of a range of housing choices in order to meet market demand and allow residents to remain in Smyrna across different life-cycle stages.
 - Policy 3.1 Encourage the construction of affordable and accessible housing in order to accommodate the growing senior population.
 - Policy 3.2 Encourage housing opportunities for young families, as well as “empty nester” households.
 - Policy 3.3 Encourage housing opportunities to ensure those who work in Smyrna have the option of living within the City.
 - Policy 3.7 Support equal housing opportunities for all persons.

Economic Development

- Goal 6 – Promote continued economic development within downtown and other activity centers as vibrant mixed-use center for residential, government, office, retail and entertainment activities.
 - Policy 6.1 Support higher-intensity housing within and adjacent to activity centers in conformity with the Future Land Use Map.

Land Use

- Goal 8 – Protect natural resources and sensitive environmental features from encroachment by development.
 - Policy 8.4 Consider environmental sensitivity of steep slopes and ridgelines when making land use and site plan decisions.
 - Policy 8.6 Encourage opportunities for compact development supportive of open space preservation.
 - Policy 8.7 Maintain development regulations that protect and preserve environmentally sensitive features.
- Goal 13 – Encourage an efficient, equitable, and compatible distribution of land uses.
 - Policy 13.1 Support a broad range of land uses within the city.

- Policy 13.2 Encourage an appropriate transition of type and scale between established neighborhoods and activity centers.
- Policy 13.6 Coordinate land use planning with transportation improvement programs.
- Goal 15 – Encourage infill development and redevelopment that has a positive impact on existing neighborhoods and activity centers.
 - Policy 15.2 Ensure that infill development is compatible with surrounding neighborhoods and activity centers.

Quality of Life

- Goal 20 – Provide lifestyle amenities that improve the “quality of life” in Smyrna.
 - Policy 20.4 Provide a variety of recreational opportunities including both active, organized recreation, as well as areas for passive recreation (e.g. nature preserves, walking trails).
- Goal 21 – Ensure that community facilities and services are adapted to meet the changing needs of Smyrna's diverse population.
 - Provide facilities and services for the growing population of senior citizens.

The City and County's Future Land Use Map designates the subject property as Regional Activity Center, which allows for the most intensive development. The proposed development is compatible with the Regional Activity Center future land use designation. The County has reviewed the annexation in accordance with House Bill 489 (Cobb County/City of Smyrna Intergovernmental Agreement) and has issued a letter of non-objection to the requested annexation and rezoning.

STAFF RECOMMENDATION

Community Development recommends **approval** of the annexation and rezoning from NS & OI (County) to MU-Conditional on 8.7 acres for a 300-unit multi-family building at a density of 34.5 units per acre, hotel with 188 rooms, and 37,500 sq. ft. of commercial/retail. The rezoning meets many goals and policies in the Comprehensive Plan and Spring Road LCI, which serve to support housing diversity in the area and provide a catalyst to future development. Community Development recommends approval including those variances supported by staff as shown above, **with the following conditions**:

Standard Conditions

Requirements # 2, 4, 8, 9, 16 and 17 from Section 1201 of the Zoning Code are not applicable. The following requirements remain applicable.

1. The composition of the development 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 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.
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. The development of any streets (including private) shall conform to the City's standards for public right-of-ways.
6. No debris may be buried on any lot or common area.
7. 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".
8. 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.
9. 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

11. The development shall maintain the following setbacks for Non-Residential:
Front – 0'
Side – 0'
Rear – 20'
12. The development shall maintain the following setbacks for Residential:
Front – 20'
Side - 15'
Rear – 35'
13. The maximum building height shall be 95'.
14. All apartment units shall be maintained in a Class A/First Class manner.

15. The multi-family units shall include the following interior finishes:
 - i. Minimum nine-foot (9') ceilings;
 - ii. 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 flush-mount LED can 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 and VCT vinyl flooring shall be prohibited;
 - vi. Tile flooring shall be required in both the kitchen and bathrooms including luxury vinyl tile (i.e. not sheet vinyl or VCT);
 - vii. 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;
 - ix. All kitchen counter tops shall be horizon style counter tops; and
 - x. All kitchen sinks shall be under-mounted stainless-steel sinks.
16. The maximum multi-family units shall be 300 units.
17. The average unit size shall be 811 sq. ft.
18. The developer shall provide a right in/right out access at both access drives on Spring Road.
19. The developer shall provide a deceleration lane for the eastern access drive on Spring Rd.
20. The developer shall provide a full access drive on Spring Hill Pkwy.
21. Minimum roadway length shall be 24' from curb of street, or back of sidewalk, or 22' from alleyways.
22. The developer shall be responsible for any transit improvements for the bus stop on Spring Road.
23. The roads and utility infrastructure within the community shall be private and shall be maintained by the HOA.
24. The developer shall meet all fire access requirements deemed necessary by the Fire Marshal during construction plan review.
25. The developer shall be responsible for any water and sewer improvements deemed necessary by the Public Works Director during construction plan review.
26. The developer shall be responsible for any stormwater improvements deemed necessary by the City Engineer.

27. The developer shall make a sidewalk connection from the development to Spring Road and Spring Hill Pkwy.
28. The developer shall provide and dedicate property to the city for the landing areas of the pedestrian bridges for Spring Road and I-285 in accordance with the LCI Plan.
29. The developer shall provide a pedestrian connection from the multi-family garage.
30. The gating of the private roads shall be prohibited.
31. The applicant shall be bound to the multi-family building and parking deck elevations submitted on 7/8/2021. Approval of any change to the elevations must be obtained by the Director of Community Development.
32. The applicant shall be bound to the hotel elevations submitted 12/11/2020. Approval of any change to the elevations must be obtained from the Director of Community Development
33. The applicant shall be bound to the retail elevations submitted on 12/11/2020. Approval of any change to the elevations must be obtained from the Director of Community Development
34. Approval of the subject property for the MU-Conditional zoning district shall be conditioned upon the development of the property in substantial compliance with the site plan submitted 5/4/2021 and created by Kimley Horn and all zoning stipulations above.

Subject Property





Adjacent Properties

