



# City of Smyrna

City of Smyrna  
A.Max Bacon City Hall /  
Council Chambers  
2800 King Street  
Smyrna, GA 30080  
770-434-6600  
www.smyrnacity.com

## Legislation Details (With Text)

**File #:** 2020-237      **Version:** 5      **Name:** Zoning Request\_Z20-008\_Jonquil/Spring Rd  
**Type:** Authorization      **Status:** Tabled  
**File created:** 6/25/2020      **In control:** City Council  
**On agenda:** 9/21/2020      **Final action:** 9/21/2020  
**Title:** Public Hearing - Zoning Request - Z20-008 - Rezoning from GC & RM-12 to MU for the development of 105 multi-family units 15,100 sq. ft. of retail at a density of 35.8 units per acre - 2.93 acres - Land Lot 594 & 631 - 2930 - 2968 Jonquil Drive, 1650 Spring Road, and 1639 Corn Road, The Woodbery Group, LLC. - Tabled Indefinitely at request of applicant

**Sponsors:**

**Indexes:**

**Code sections:**

**Attachments:** 1. Issue Sheet 220-237 Woodbery Group LLC..pdf, 2. Martin, Rusty 09-04-2020 Continuance.pdf, 3. Martin, Rusty 08-10-2020 (continuance until September).pdf, 4. Saff Memo\_Z20-008\_M&C\_V2.pdf, 5. Site Plan V2\_Z20-008.pdf, 6. Zoning Vicinity Map\_Z20-008.pdf, 7. Land Use Map\_Z20-008.pdf, 8. Arborist Report\_Z20-008.pdf, 9. Hydrology Study\_Z20-008.pdf, 10. 07-14-2020 revised stipulation letter\_Z20-008.pdf, 11. Revised Stip Letter\_Z20-008.pdf, 12. Spring Rd & Jonquil Dr Application\_Z20-008.pdf, 13. TRAFFIC IMPACT STUDY\_Z20-008.pdf, 14. Tree Plan Pg1\_Z20-008.pdf, 15. Tree Plan Pg2\_Z20-008.pdf, 16. Legal Ad\_Z20-008.pdf

Date	Ver.	Action By	Action	Result
9/21/2020	4	City Council	Tabled Indefinitely	Pass
8/17/2020	3	City Council	Tabled	Pass
7/20/2020	2	City Council	Tabled	Pass
6/29/2020	1	Planning and Zoning Commission	Approved	
6/29/2020	1	Planning and Zoning Commission	Denied	Pass

**WARD / COUNCILMEMBER:** Ward 2 / Councilmember Wagner

**\$ IMPACT:** N/A

**Public Hearing** - Zoning Request - Z20-008 - Rezoning from GC & RM-12 to MU for the development of 105 multi-family units 15,100 sq. ft. of retail at a density of 35.8 units per acre - 2.93 acres - Land Lot 594 & 631 - 2930 - 2968 Jonquil Drive, 1650 Spring Road, and 1639 Corn Road, The Woodbery Group, LLC. - ***Tabled Indefinitely at request of applicant***

### **ISSUE AND BACKGROUND:**

Woodbery Group LLC is requesting to rezone 2.93 acres of assembled properties along Spring Rd, Jonquil Dr, Corn Road, from GC to MU-Conditional for the development of 105 multi-family units at a density of 35.8 units per acre. The applicant is proposing to demolish the existing structures to build a mixed use development.

Proposed development will consist of 105 multi-family units spread across 2 buildings. The buildings range in between 40 and 65 units. Among the 105 multi-family units, 70% will be one-bedroom or studio units, 25% will be two-bedroom units, and 5% will be three-bedroom units. A total of 7 of the units will be made available to equals or families whose incomes are no greater than the Area Median Income. The building along Spring

will incorporate 10,800 sq. ft. of retail space and 4,300 sq. ft. of commercial space to accommodate the community's amenities (cybercafé, fitness area, leasing office, etc.).

Proposed development will be accessed by a right-in and right-out connection to Spring Road and full access on Jonquil Dr and Corn Road. The proposed development will have 136 total parking spaces. Guest and parking is spread throughout the community, and an additional 9 parallel parking spaces will be located on I Drive.

There will be one storm water detention facilities planned for the community which will be located underground in parking area to the south.

Planning Board recommended to deny the request by a vote of 4-1 at the June 29, 2020 meeting.

**RECOMMENDATION / REQUESTED ACTION:** Community Development recommends **approval** of the rezoning from RM-12 to MU-Conditional on 2.93 acres for a mixed use community at a density of 35.9 units per acre, including variances supported by staff as shown above, **with the following conditions:**

**Standard Conditions**

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

The composition of the homes in a residential subdivision 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. 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.
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.

## **I Conditions**

11. The development shall maintain the following minimum building setbacks for Building #100:
  - Front - 5' (Spring Road)
  - Side - 5' (Jonquil Drive)
  - Side - 30' (West)
  - Rear - N/A'
12. The development shall maintain the following minimum building setbacks for Building #200:
  - Front - 10'
  - Side - 10'
  - Rear - 30'
13. The developer shall meet all fire access requirements deemed necessary by the Fire Marshal during construction plan review.
14. The developer shall be responsible for any water and sewer improvements deemed necessary by the Public Works Director during construction plan review.
15. The developer shall be responsible for any stormwater improvements deemed necessary by the City Engineer.
16. The developer shall provide a sidewalk connection from the development to the Spring Road sidewalk.
17. The development shall not be gated.
18. The minimum floor area for attached dwelling units, condominium units and other multi-family units may not be less than an average of 900 square feet. (Section 720.9(2) of the Zoning Ordinance).
19. Parking for the restaurants, 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.
20. 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.
21. 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.
22. The maximum number of residential units shall not exceed 105 Class A amenitized multi-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.
23. All apartment units shall be maintained in a Class A/First Class manner.

24. 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 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 and VCT 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 stainless-steel sinks.
25. The approximate mixture of unit types shall consist of the following: seventy percent (70%) one bedrooms; twenty-five percent (25%) two bedrooms; and five percent (5%) three bedrooms.
26. A total of 7 of the units will be made available to individuals or families whose incomes do not exceed the Area Median Income and the rents for said units shall not exceed 33% of the tenants' income. The Work Force requirement shall stay in effect for five units for a duration of five years, and two units for a duration of seven years.
27. 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 July 14, 2020 and created by Eberly and Associates and all zoning stipulations above.
28. The applicant shall be bound to the elevations submitted on July 14, 2020. Approval of any change to the elevations must be obtained from the Director of Community Development.
29. The additional stipulations agreed upon by the applicant in the letter submitted and dated on July 14, 2020. If there should be a discrepancy between the stipulations in the July 14, 2020 letter and the stipulations stated above, the stipulations stated above shall apply.