



City of Smyrna

City of Smyrna
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Legislation Details (With Text)

File #: 2021-141 **Version:** 2 **Name:** Zoning Request - Z21-005 - 2400 Lake Park Dr
Type: Zoning **Status:** Passed
File created: 4/6/2021 **In control:** City Council
On agenda: 5/17/2021 **Final action:** 5/17/2021
Title: Public Hearing - Zoning Request - Z21-005 - Allow rezoning from GC to MU for a mixed use development - 9.73 acres - Land Lots 779, 780, 805 and 806 - 2400 Lake Park Drive - 2400 Lake Park Atlanta Office LLC

Sponsors:

Indexes:

Code sections:

Attachments: 1. Issue Sheet 2021-141 Rezoning 2400 Lake Park Drive.pdf, 2. Staff Memo_Z21-005_M&C_V2.pdf, 3. Land Use Map_Z21-005.pdf, 4. Zoning Map_Z21-005.pdf, 5. Application_Z21-005.pdf, 6. Application Supplement_Z21-005-compressed.pdf, 7. Site Plan V2_Z21-005.pdf, 8. Elevation V2_Z21-005.pdf, 9. Traffic Study Report_Z21-005.pdf, 10. School Impact_Z21-005.pdf, 11. Lake Park Rezoning - Parking Analysis_Z21-005.pdf, 12. Floor Plan_Z21-005.pdf, 13. Water_Sewer Impact_Z21-005.pdf

Date	Ver.	Action By	Action	Result
5/17/2021	2	City Council	Approved Item	Pass
4/12/2021	1	Planning and Zoning Commission	Approved	Pass

WARD / COUNCILMEMBER: Ward 2 / Councilmember Wagner

\$ IMPACT: N/A

Public Hearing - Zoning Request - Z21-005 - Allow rezoning from GC to MU for a mixed use development - 9.73 acres - Land Lots 779, 780, 805 and 806 - 2400 Lake Park Drive - 2400 Lake Park Atlanta Office LLC

ISSUE AND BACKGROUND:

Lake Park Drive Atlanta Office LLC is requesting to rezone 9.73 acres at 2400 Lake Park Drive from GC to conditional for the development of 277 multi-family units at a density of 28.5 units per acre, 11,000 of office/co-working space and 10,000 sq. ft. of active/retail space. The applicant is proposing to retain the existing 105,000 sq. ft. building and build a mixed use development in the existing parking area. The Planning and Zoning Board recommended approval by a vote of 7-0 at the April 12, 2021 meeting.

RECOMMENDATION / REQUESTED ACTION: Community Development recommends **approval** of the rezoning from GC and RM-12 to MU-Conditional on 9.73 acres for a mixed use community at a density of 28.5 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 remaining requirements remain applicable.

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.

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 from the Mixed Use District:
 - Front - 0'
 - Side - 0'
 - Rear - 20'
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.
14. The developer shall be responsible for any stormwater improvements deemed necessary by the City Engineer.
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 Document.

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 multi-family units may not be less than an average of 653 square feet. (Section 720.9(2) of the Zoning Ordinance).
20. 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 the roof of the buildings may be screened by parapets and the utility components at ground level may be screened by landscaping.
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.
27. The maximum number of residential units shall not exceed 277 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.
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:
 - 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.
- 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.
- 31. 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 April 2, 2021 and created by Pond and all zoning stipulations above.
- 32. The applicant shall be bound to the conceptual elevations submitted on April 2, 2021. Approval of any change to the elevations must be obtained from the Director of Community Development.