



City of Smyrna

Issue Sheet

A Max Bacon
City Hall
2800 King Street
Smyrna, GA 30080

File Number: Z23-005

Agenda Date: 8/21/2023

In Control: City Council

File Type: Zoning Item

Agenda Section:

Community Development

Agenda Number: A.

Department: Community Development

Agenda Title:

Public Hearing - Z23-005 - Rezoning from HI to MU-Conditional for a mixed use development with 390 multi-family units, and 5,500 sq. ft. of commercial use, at a density of 13.92 units per acre - Land Lot 284 - 28.01 acres - 6324 & 6330 Riverview Road - Brand Properties LLC

Ward 7 Councilmember - Kathy Young

ISSUE AND BACKGROUND:

Brand Properties LLC. is requesting to rezone 28 acres of assembled properties along Riverview Road from HI (Heavy Industrial) to MU-Conditional for the development of a mixed-use development, which includes 390 multi-family units at a density of 13.92 units per acre and 5,500 sq. ft. of commercial space. The subject property is currently occupied by industrial uses and was recently annexed from Cobb County. The Planning & Zoning Board voted to approve by a vote of 6-0 at the July 10, 2023 meeting.

RECOMMENDATION / REQUESTED ACTION:

.Community Development recommends approval of the rezoning from HI to MU-Conditional on 28 acres for a mixed-use development at a density of 13.9 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 following requirements remain applicable.

1. The composition of the mixed-use building 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 Z23-005 July 5, 2023 Page 9 of 13 developer inside the subdivision and outside the subdivision adjacent to any public right-of-way consistent with City's requirements



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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. No debris may be buried on any lot or common area.

6. 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".

7. 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.

8. All landscape plans must be prepared, stamped, and signed by a Georgia Registered Landscape Architect for any common areas or entrances.

9. All yards and common areas are to be sodded, and landscaped. Irrigate as appropriate. Special Conditions

10. The development shall maintain the following minimum building setbacks: Mixed Use Building Minimum: Front – 0' Side – 0' Rear – 20' Mixed Use Building Maximum: Front – 20' Side – 50' Multi-family Building Minimum: Front – 20' Side – 15' Rear – 40'

11. The developer shall meet all fire access requirements deemed necessary by the Fire Marshal during construction plan review.

12. The developer shall be responsible for any water and sewer improvements deemed necessary by the Public Works Director during construction plan review.

13. The developer shall be responsible for any stormwater improvements deemed necessary by the City Engineer.

14. The developer shall provide an 8' bike lane, 8' sidewalk and 6' grass strip on the eastern frontage of Riverview Road.

15. The developer shall provide a 5' sidewalk and 2' grass strip on the western frontage of Riverview Road.

16. The developer shall provide deceleration lanes, or large turn radius, on River View Road for both entrances on the western side of River View Road. Final design to be determined in plan review.

17. The developer shall provide an all-way stop analysis be provided during plan review to determine if stop signs are warranted at the intersection of River View Road and southern full-access driveway.

18. The developer shall provide right-of-way dedication on Riverview Road to be a minimum of 40 ft from the roadway centerline.

19. 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.

20. 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.

21. The minimum floor area for attached dwelling units, condominium units and other residential units may not be less than an average of 900 square feet. (Section 720.9(2) of the Zoning Ordinance).



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22. Parking for the commercial and residential 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.

23. The maximum number of residential units shall not exceed 390 Class A amenitized residential 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.

24. All residential units shall be maintained in a Class A/First Class manner.

25. The residential units shall include the following interior finishes: i. Minimum nine-foot (9') ceilings; ii. Forty-two inch (42") upper cabinets in the kitchen; iii. Decorative lighting fixtures 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 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.

26. Allow building height of up to 66 feet.

27. The developer shall develop the park area on the eastern side of Riverview Road and dedicate it to the city upon completion.

28. The developer shall coordinate with Trust for Public Lands to complete connection to the Riverview Trail extension.

29. 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 August 7, 2023 and created by Pond all zoning stipulations above.

30. The applicant shall be bound to the elevations submitted on June 6, 2023. Approval of any change to the elevations must be obtained from the Director of Community Development.