

PLANNING COMMISSION

RECOMMENDED CONDITIONS_06202024

RZM2024-00016

Approval of a CMU (Community Mixed-Use District), subject to the following enumerated conditions:

1. To restrict the use of the property as follows:
 - A. Multifamily and townhouse residential dwellings, dwelling units, and accessory structures. Multifamily dwelling units shall be limited to a maximum of one hundred ninety-four (194) dwelling units. Townhouse dwelling units shall be limited to a maximum of thirty-three (33) dwelling units.
 - B. The development shall be in general accordance with the submitted site plans and architectural renderings provided by the applicant, with changes necessary to meet zoning and development regulations. Any changes shall be subject to review and approval by the Director of Planning and Development.
 - C. Final site plans, landscape plans and building elevations shall be subject to review and approval of the Director of Planning and Development prior to the issuance of development or building permits.
 - D. The standard multifamily residential section of the development shall be a gated community, with automated card access gates at all entrances/exits. The access gate system is required to always be maintained and functional, with any required repairs to be made within one week.
 - E. Garages shall be provided for a minimum of 15% of the standard multifamily units (29 garage units). Garage units shall be limited to the interior of the development.
 - F. In the event of residential tenant eviction, any belongings of the tenant shall be placed on a portion of the subject property that is not visible from a public right-of-way unless otherwise required by Law.

2. To satisfy the following site development considerations:

- A. Provide a 30-foot-wide building setback adjacent to all right-of-way, including SR 316.
- B. Natural vegetation shall remain on the property until the issuance of a development permit.
- C. New billboards or oversized signs shall be prohibited.
- D. Outdoor storage shall be prohibited.
- E. Lighting shall be contained in cut-off type luminaries and shall be directed in toward the property so as not to shine directly into adjacent properties or rights-of-way.
- F. Compactor/dumpsters shall be screened by a 100% opaque brick or stacked stone wall with an opaque metal gate enclosure. Compactor/dumpster enclosure shall be a minimum of 10 feet in width and 30 feet in length Hours of dumpster pick-up shall be limited to between 7:00 a.m. and 7:00 p.m.
- G. No tents, canopies, temporary banners, streamers, or roping decorated with flags, tinsel, or other similar material shall be displayed, hung or strung on the site. Yard signs or bandit signs, sign-walkers or sign-twirlers shall be prohibited.
- H. Peddlers and/or parking lot sales shall be prohibited.
- I. The owner shall repaint or repair any graffiti or vandalism within 72 hours of notice from the City.
- J. Maximum multifamily building height shall be 70 feet.
- K. The required parking ratio for the multifamily section of development shall be 1.62 spaces per unit.
- L. The required parking ratio for the townhouse section of development shall be 4 spaces per unit.
- M. Building setbacks off internal streets or driveways shall be in general accordance with the submitted site plans and architectural renderings, and otherwise subject to review and approval of the Director of Planning and Development.

3. To abide by the following requirements, dedications and improvements:

- A. The developer shall dedicate at no cost to the City a twenty-foot (20 ft.) wide multiuse trail easement adjacent to the existing gas pipeline easement as shown on the submitted “Zoning Site Plan,” titled “Hurricane Shoals Rd @ Belmont Dr. A Master Planned Residential Development” prepared for “McKinely Homes,” prepared by “Planners & Engineers Collaborative + (PEC),” dated March 27, 2024. The dedicated 20-foot multiuse trail easement shall consist of a pedestrian path measuring a minimum ten-foot (10 ft.) to twelve-foot (12 ft.) in width.
 - B. The 20-foot easement and pedestrian path shall be permitted and constructed prior to the issuance of a Certificate of Occupancy related to the construction of any multifamily and townhouse-family dwellings or dwelling units, subject to the stipulation that the CO shall not be withheld based on the City’s inability to deliver necessary right-of-way or easements for trail construction or for delays in permitting from GDOT.
 - C. Developer shall be responsible for obtaining permission from the Gas provider for construction. All design and construction shall be approved by the City Engineer.
4. The following variances are requested:
- A. A variance from the Zoning Ordinance, Article 1 – Districts, Section 102.9 – CMU Community Mixed-Use District, Subsection B. Land Use Mix, Table 1., Residential Uses – Maximum Percentage of Gross Land Area – Residential Uses to allow an increase of the maximum percentage of Residential Uses from seventy-five percent (75 %) to one hundred percent (100 %).
 - B. A variance from the Zoning Ordinance, Article 1 – Districts, Section 102.9 – CMU Community Mixed-Use District, Subsection B. Land Use Mix, Table 1., Residential Uses – Maximum Percentage of Gross Land Area – Residential Uses to allow the elimination of the minimum percentage of Civic/Institutional Uses from fifteen percent (15 %) to zero.
 - C. A variance from the Zoning Ordinance, Article 1 – Districts, Section 102.9 – CMU Community Mixed-Use District, Subsection B. Land Use Mix, Table 1., Residential Uses – Maximum Percentage of Gross Land Area – Residential Uses to allow the elimination of the minimum percentage of Commercial/Retail, Light Industrial or Office Uses from fifteen percent (15%) to zero.

- D. A variance from the Zoning Ordinance, Article 1 – Districts, Section 102.9 – CMU Community Mixed-Use District, Subsection B. Land Use Mix, Table 1., Residential Uses – Maximum Percentage of Gross Land Area – Residential Uses to allow the elimination of the minimum percentage of Commercial/Retail, Light Industrial or Office Uses from fifteen percent (15%) to zero.
- E. A variance from the Zoning Ordinance, Article 1 – Districts, Section 102.9 – CMU Community Mixed-Use District, Subsection B. Land Use Mix, Table 2., Housing Options to allow the elimination of a. Single-family detached dwellings on large lots (at least 9,500 sq. feet).
- F. A variance from the Zoning Ordinance, Article 1 – Districts, Section 102.9 – CMU Community Mixed-Use District, Subsection B. Land Use Mix, Table 2., Housing Options to allow the elimination of a. Single-family detached dwellings on mid-size lots (7,500-9,499 sq. feet).
- G. A variance from the Zoning Ordinance, Article 1 – Districts, Section 102.9 – CMU Community Mixed-Use District, Subsection B. Land Use Mix, Table 2., Housing Options to allow the elimination of a. Single-family detached dwellings on large lots (4,500-7,499 sq. feet).
- H. A variance from the Zoning Ordinance, Article 1 – Districts, Section 102.9 – CMU Community Mixed-Use District, Subsection C. Lot Development Standards, Table 1., Project Area Standards – Minimum Front Setback to allow the elimination of minimum front yard setback (adjacent to Hillcrest Green Drive from five to fifteen feet (5-15 ft.) to zero.
- I. A variance from the Zoning Ordinance, Article 1 – Districts, Section 102.9 – CMU Community Mixed-Use District, Subsection C. Lot Development Standards, Table 1., Project Area Standards – Minimum Front Setback to allow the elimination of minimum front yard setback (adjacent to S.R. 316, U.S. Hwy 20) from five to fifteen feet (5-15 ft.) to thirty feet (30 ft.).
- J. A variance from the Zoning Ordinance, Article 4 – Buffers, Section 403 – Buffers Table – to allow a fifty percent (50%) reduction of minimum buffer requirements between dissimilar zoning classifications (CMU and RS-150) (adjacent to Dogwood Lane) from fifty feet (50 ft.) to twenty-five feet (25 ft.).