



# City of Smyrna

2800 King Street  
Smyrna, GA 30080  
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## Issue Sheet

File Number: 2016-233

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Agenda Date: 7/18/2016

Version: 1

Status: Agenda Ready

In Control: City Council

File Type: Authorization

Agenda Number: B.

**WARD:** 3

**COMMITTEE:** Community Development

**\$ IMPACT:** N/A

**Agenda Title:**

**Public Hearing** - Zoning Request Z16-007 - Rezoning from LC & GC to MU-Conditional for the development of a new restaurant - 0.142 Acres - Land Lot 452 - Concord Road and Hollis Street - Smyrna Restaurant Concepts, LLC

**ISSUE:** Smyrna Restaurant Concepts, LLC is requesting a rezoning from LC & GC to MU-Conditional for the development of a new 3,500 sq. ft. restaurant. The site plan shows the proposed restaurant pulled up to Concord Road with the main entrance coming off the Concord Road multi-use trail. In addition, the restaurant will have roof-top and patio seating overlooking the linear park. The restaurant will have 166 total seats with 112 seats in the dining areas and 54 seats in the bar area. The proposed building is a one-story building with a roof-top dining/bar area. The building elevations reflect a 4-sided brick architecture. The building elevations have been submitted as part of the rezoning packet.

**BACKGROUND:** None.

**RECOMMENDATION/REQUESTED ACTION:** Community Development recommends **approval** of the rezoning from LC & GC to MU-Conditional with the following conditions of approval:

**Standard Conditions (items 1, 2, 3, 4, 5, 7, 8, 9, 10, 12, 16 and 17 from Section 1201 of the Zoning Ordinance are not applicable)**

1. All utilities within the development shall be underground.
2. No debris may be buried on the subject parcel.
3. 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.

4. All landscape plans must be prepared, stamped, and signed by a Georgia Registered Landscape Architect for any common areas or entrances. There shall be a landscaped front entrance, with monument, indicating the name of the development.

5. All common areas are to be sodded, and landscaped. Irrigate as appropriate.

### **Special Conditions**

6. The development shall maintain the following setbacks:

Front - 0'  
Side - 0'  
Rear - 0'

7. There shall be no bells, whistles, or outdoor loud speakers permitted on site in conjunction with the restaurant.

8. Any proposed dumpsters shall be surrounded by a three-sided brick or stucco enclosure with an opaque gate in the front. The lid of the dumpster shall be made of rubber.

9. Any utility boxes, HVAC components, or accessory components to the commercial building shall be screened from the public right-of-ways and adjoining property owners.

10. Deliveries and trash pick-up shall only be permitted between the hours of 7:00 a.m. and 9:00 p.m.

11. The developer shall install directional sign that directs all delivery trucks to Concord Road.

12. The commercial building shall have entry doors along Concord Road.

13. The following uses shall be prohibited:

- Automotive sales/repair
- Automobile wash service
- Boarding and breeding kennels
- Dry cleaning plants
- Adult Novelty Stores & Adult Entertainment
- Pawnshops
- Check Cashing Stores
- Pool Hall or Arcade
- Service stations
- Coin Operated Laundry

- Composting Facility
- Funeral Homes
- Group Homes
- Shelter for the Homeless
- Tattoo Parlor

14. Approval of the Subject Property for MU--Conditional shall be conditioned upon the development of the property in substantial compliance with the submitted site plan dated 5/13/2016.

15. The applicant shall be bound to the building material and architectural features illustrated on the elevations submitted and dated 5/13/2016. If there is any change to the elevations it must be approved by the Director of Community Development.