



# City of Smyrna

City of Smyrna  
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## Issue Sheet

File Number: Z22-011

Agenda Date: 12/5/2022

Version: 2

Status: Agenda Ready

In Control: City Council

File Type: Rezoning

Agenda Number: C.

**WARD / COUNCILMEMBER:** Ward 6 / Mayor Pro Tem/Councilmember Gould

**\$ IMPACT:** N/A

### Agenda Title:

**Public Hearing** - Zoning Request - Z22-011 - Allow a rezoning from R-15 to NS for an 8,000 sq. ft. retail business - 0.91 acres - Land Lot 700 - 3410 Atlanta Road - Grow Smyrna.

***This item will be tabled to the January 17, 2022 Mayor and Council meeting at the request of staff.***

***Ward 6 / Mayor Pro Tem/Councilmember Gould***

### **ISSUE AND BACKGROUND:**

Grow Smyrna is requesting a rezoning from R-15 (Residential) to NS-Conditional (Neighborhood Shopping) for the ability to develop an 8,000 sq. ft. retail building for Neighborhood Feed & Seed. The subject property is zoned R-15 and is vacant, however it was formerly occupied with a single-family home. The applicant is requesting to rezone the property to NS-Conditional to allow a zoning district that permits small retail uses. The Planning & Zoning Board voted to approve the request by a vote of 6-1 at the November 14, 2022 meeting.

**RECOMMENDATION / REQUESTED ACTION:** Community Development recommends **approval** of the rezoning from R-15 to NS-Conditional at 3410 Atlanta Road with the following conditions:

### **Standard Conditions**

**Requirements # 1, 2, 3, 4, 5, 8, 9, 10, 12, 16 and 17 from Section 1201 of the Zoning Code are not applicable. The following requirements remain applicable.**

1. All utilities within the development shall be underground.
2. 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.
3. No debris may be buried on any lot or common area.
4. 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.
5. All landscape plans must be prepared, stamped, and signed by a Georgia Registered

Landscape Architect for any common areas or entrances.

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

**Special Conditions**

7. The development shall maintain the following setbacks:  
Front - 50'  
Side - 10'  
Rear - 30'
8. The developer shall meet all fire access requirements deemed necessary by the Fire Marshal during construction plan review.
9. The developer shall be responsible for any water and sewer improvements deemed necessary by the Public Works Director or Cobb County Water System during construction plan review.
10. The developer shall provide right-of-way dedication along both Atlanta Road if required for the sidewalk to be located on public property.
11. Additional easements may be required if any portion of private property is within the sight distance triangle.
12. Existing vegetation within the sight distance triangle shall be removed.
13. The development shall provide a 10' landscape buffer on all sides that adjoin single-family property, except the Atlanta Road frontage will shall provide a 15' landscape buffer.
14. A double row of trees shall be planted along the western property line.
15. Any wall visible from the right-of-way shall have decorative screening.
16. The access on Atlanta Road shall include crosswalk striping, ADA ramp, and stop bar at the entrance.
17. Any repair or replacement of the sidewalk on Atlanta Road shall be a minimum width of 10 feet.
18. There shall be no bells, whistles, or outdoor paging systems permitted on-site.
19. 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.
20. 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.
21. Deliveries and trash pick-up shall only be permitted between the hours of 7:00 a.m. and 9:00 p.m.
22. The commercial building shall have entry doors along Atlanta Road.

23. Signage shall be installed on the subject property to identify overflow parking locations.
24. Pedestrian safety signage shall be installed to make customers aware of pedestrians as they are leaving the business.
25. Provide a 5' sidewalk along the north side of Belridge Drive from the neighborhood entrance to the driveway of the pool parking area.
26. The following uses shall be prohibited on subject property:
- ☐ Automobile service station
  - ☐ Emission and inspection station
  - ☐ Package store
  - ☐ Vape Sales or Smoke shop
27. Approval of the subject property for the NS zoning district shall be conditioned upon the development of the property in substantial compliance with the site plan submitted 11/10/2022 and created by Paul Lee Consulting Engineering Associates, Inc. and all zoning stipulations above.
28. The applicant shall be bound to the elevations submitted on 9/27/2022. Approval of any change to the elevations must be obtained from the Director of Community Development.