

# City of Smyrna



2800 King Street  
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## Issue Sheet

File Number: 2016-266

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**Agenda Date:** 8/15/2016

**Version:** 1

**Status:** Agenda Ready

**In Control:** City Council

**File Type:** Authorization

**Agenda Number:** C.

**WARD:** 1

**COMMITTEE:** Community Development

**\$ IMPACT:** N/A

**Agenda Title:**

**Public Hearing** - Zoning Request Z16-011 - Rezoning from GC to GC-Conditional for a new Wendy's restaurant - 0.56 Acres - Land Lot 880 - 2808 Spring Road - WenMarr Management Company

**ISSUE:** WenMarr Management Company, LLC is requesting a rezoning of subject property from GC to GC-Conditional for the redevelopment of the existing Wendy's restaurant at 2808 Spring Road. The subject property is 0.56 acres in size and is zoned GC, which allows restaurant as a permissible use under the zoning category, but due to the number of variances needed to develop the property, the applicant thought it would be more feasible to conditionally rezone the property and bind the property to a specific site plan. Therefore, the applicant is requesting the rezoning of the property from GC to GC-Conditional.

**BACKGROUND:** None.

**RECOMMENDATION/REQUESTED ACTION:** Community Development recommends **approval** of the proposed rezoning from GC to GC-Conditional for the development of a new Wendy's restaurant with the following conditions of approval:

(1) The composition of the commercial buildings in the development shall include a mixture of elements including; but not limited to: brick, stone and stucco. No elevation shall be comprised of 100 percent hardy plank siding.

(2) All utilities within the development shall be underground.

(3) 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 development and outside the development adjacent to any public right-of-way consistent with city's requirements for the extent of the development.

- (4) No debris may be buried on any lot or common area.
- (5) 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.
- (6) All landscape plans must be prepared, stamped, and signed by a Georgia Registered Landscape Architect.
- (7) All yards and common areas are to be sodded, and landscaped. Irrigate as appropriate.
- (8) Dumpsters shall be enclosed with a minimum of six (6) foot high enclosure consistent with architectural style and composition of the main commercial building on three (3) sides with an opaque wooden door. The access side shall remain in a closed position except when the dumpster is being emptied. All dumpsters shall have rubber lids to minimize noise.
- (9) The applicant shall comply with the City's current sign ordinance.
- (10) The developer shall coordinate the landscape plan and sidewalk plan with the Spring Road Improvement Project.
- (11) The proposed crosswalk shall be either brick pavers or stamped concrete.
- (12) The approval of the rezoning to the subject property shall be in substantial conformity to the site plan submitted on June 10, 2016 and created by Harkleroad and Associates.
- (13) The architectural style, composition and treatment of the building shall be in substantial conformity to the rendering/elevation submitted on June 10, 2016. However, should minor modifications be required during the Plan Review process, said modifications shall be subject to the review and approval of the Director of Community Development.