



# City of Smyrna

## Issue Sheet

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

File Number: Z24-016

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**Agenda Date:** 01/06/2025

**In Control:** City Council

**File Type:** Zoning Item

**Agenda Section:**

Community Development

**Department: Community Development**

**Agenda Title:**

NO VOTE – Public Hearing - Zoning Request - Z24-016 - Annexation and Rezoning from GC & LI (Smyrna) and & HI (Cobb County) to MU-Conditional for a mixed use development with 295 units at a density of 29 units per acre, and a civic building - Land Lot 491 - 9.8 acres - 1101 Windy Hill Road, 0 Dixie Avenue, 0 Atlanta Road, and 1278 Davis Road - WSE Development LLC.

***Ward 3 Councilmember - Travis Lindley***

**ISSUE AND BACKGROUND:**

The applicant is proposing to demolish the existing church and parking lot to construct the mixed-use development. The proposed mixed use development includes one four-story building, one four-five split level building at the interior of the property, two garage units at the western perimeter, and a two-level parking deck at the northern perimeter. The multi-family units will include a pool, amenity area, and fitness facility. The mixed-use development will house 295 multi-family units at a density of 29 units per acre and 30,000 sq. ft. building for civic uses.

**RECOMMENDATION / REQUESTED ACTION:**

Community Development recommends approval of the rezoning from GC & LI as well as annexation and rezoning from HI (Cobb County) to MU-Conditional on 9.8 acres for a mixed-use development at a density of 29 units per acre, including those variances supported by staff as shown above, with the following conditions:

Standard Conditions

Requirements # 2, 3, 4, 8, 9, 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.



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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 developer inside the subdivision and outside the subdivision adjacent to any public right-of-way consistent with City's requirements 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. The development of any streets (including private) shall conform to the city's standards for public right-of-ways.
6. No debris may be buried on any lot or common area.
7. 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".
8. 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.
9. All landscape plans must be prepared, stamped, and signed by a Georgia Registered Landscape Architect for any common areas or entrances.
10. All yards and common areas are to be sodded, and landscaped. Irrigate as appropriate.

### Special Conditions

11. The development shall maintain the following minimum building setbacks:  
Front – 10'  
Side – 10'  
Rear – 10'
12. The developer shall meet all fire access requirements deemed necessary by the Fire Marshal during construction plan review.
13. The developer shall be responsible for any water and sewer improvements deemed necessary by the Public Works Director during construction plan review.
14. The developer shall be responsible for any stormwater improvements deemed necessary by the City Engineer.



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

16. The maximum number of residential units shall not exceed 295 Class A amenitized multi-family 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.

17. All apartment units shall be maintained in a Class A/First Class manner.

18. The multi-family 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.

19. The approximate mixture of unit types shall consist of the following: seventy percent (70%) one-bedrooms, twenty-seven percent (27%) two-bedrooms, and three percent (3%) three-bedrooms.

20. Allow building height of 66 feet.

21. 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.

22. 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.

23. A five-foot sidewalk and two-foot grass strip shall be installed along the frontage of Dixie Avenue, Windy Hill Road, Davis Drive, and Hillside Drive.



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24. Right-of-way dedication shall be provided on Davis Drive and improved to meet City standards.

25. Right-of-way dedication shall be provided on Hillside Drive and improved to meet Cobb County standards.

26. The parking deck and any retaining wall shall provide a decorative brick exterior where visible from the public right-of-way.

27. A minimum of 472 parking spaces shall be provided for the multi-family units.

28. 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 November 1, 2024 and created by Summit Engineering Consultants Inc. all zoning stipulations above.

29. The applicant shall be bound to the elevations submitted on November 1, 2024 Approval of any change to the elevations must be obtained from the Director of Community Development.