



# City of Smyrna

## Issue Sheet

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

File Number: Z23-004

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**Agenda Date:** 12/4/2023

**In Control:** CITY COUNCIL

**File Type:** Zoning Item

**Agenda Section:**  
Formal Business

**Agenda Number:** A.

**Department:** Community Development

**Agenda Title:**

Public Hearing - Zoning Amendment - Z23-004 - Request to modify the currently approved density, site plan, and elevations - Land Lot 690 & 691 - 5.4 acres - 4788 & 4840 Hanson Drive and part of 4838 S Cobb Drive - Jason Lewis

***Ward 7***

**ISSUE AND BACKGROUND:**

The applicant is seeking to modify the site plan, elevations, and density previously approved in Z15-012 in 2015 for the subject property. The applicant is requesting to modify the unit count from 200 to 295, modify the age restrictions, allow modifications to the elevations and site plan. A motion to approve the request failed by a vote of 3-4 at the June 5, 2023, meeting. Therefore, the application will be brought to Mayor & Council for a final vote. Since the June 5, 2023, meeting the applicant has agreed to revise the unit mix of the 295 units, from 50% reserved for occupants aged 55+ to 60%, and 50% of units unrestricted to 40%. Additionally, four units will be set aside for first responders working in Smyrna.

**RECOMMENDATION / REQUESTED ACTION:**

Community Development, the City Engineer and Fire Marshal's Office have met extensively with the applicant regarding the proposed zoning amendment. Staff believes the proposed site plan and building elevations adequately address staff's concerns. Therefore, Community Development recommends approval of the proposed zoning amendment with the following conditions carried over from Zoning Case Z15-012 (changes are highlighted in yellow on the attached staff memo):

**Standard Conditions**

(Requirements #2, 16 and 17 from Section 1201 of the Zoning Code are not applicable)

1. The composition of the buildings in the development shall include mixture of elements including; but not limited to: brick, stone, shake, hardy plank and stucco. No elevation shall be comprised of 100% hardy plank siding. The buildings whose lots abut external roadways shall not be permitted to utilize hardy plank for any elevation facing these roads.
2. There shall be protective covenants on all lots. These protective covenants shall be supplied to the city prior to the issuance of a building permit.
3. The developer shall provide at least 200 square feet of common space per lot or unit. This common space shall be developed with improvements for the residential development such as: gazebos, fountains, recreational/playground equipment or walking trails. The common space shall be

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controlled and maintained by the Homeowners' Association.

4. The detention pond shall be placed and screened appropriately to be unobtrusive to buildings inside and outside the development. The storm water detention plan shall be designed to create at least a 10% reduction in a 2-year to 100-year storm event. The City Engineer shall approve all plans.

5. All utilities within the development shall be underground.

6. 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. A grass buffer with a minimum width of 2' shall be provided between the back of curb and sidewalk. The grass buffer may be waived if it is deemed unnecessary by the City Engineer.

7. The developer shall install a deceleration lane at the entrance for the development. The deceleration lane shall have a minimum length of 150 feet with a 50-foot taper.

8. A strip of brick pavers or stamped concrete shall be installed on the street at the development entrance for a minimum distance of 20 feet.

9. The development of any streets (including private) shall conform to the City's standards for public right-of-ways.

10. No debris may be buried on any lot or common area.

11. 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".

12. The developer will comply with the City's current tree ordinance (unless noted elsewhere). All required tree protection measures shall be adhered to by the developer during construction.



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13. A strip of brick pavers or stamped concrete shall be installed on the street at the development entrance for a minimum distance of 20 feet.
  14. The development of any streets (including private) shall conform to the City's standards for public right-of-ways.
  15. No debris may be buried on any lot or common area.
  16. 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".
  17. The developer will comply with the City's current tree ordinance (unless noted elsewhere). All required tree protection measures shall be adhered to by the developer during construction.
  18. All landscape plans must be prepared, stamped, and signed by a Georgia Registered Landscape Architect for any common areas or entrances.
  19. All yards and common areas are to be sodded, and landscaped. Irrigate as appropriate.

### Special Conditions:

20. The development shall maintain the following setbacks:

#### Two-Story Assisted Living:

Minimum Front – 0'

Minimum Side – 5'

Minimum Rear – 20'

#### Ten Eleven-Story Independent Mixed Use Building:

Minimum Front – 0'

Minimum Side – 5'

Minimum Rear – 20'

#### Four Level Parking Deck:

Minimum Front – 0'

Minimum Side – 0

Minimum Rear - 0



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21. A 10' landscape buffer shall be provided and maintained along the property lines, except where varied by the approved site plan.

22. The applicant shall provide a covered entrance way over the passenger drop off zone at the Assisted Living site. (This condition is eliminated)

23. The site driveway includes a right turn lane a minimum of 50 ft with a 50 ft taper, and a left turn lane a minimum of 50 ft

24. A deceleration lane at the entrance on South Cobb Drive that is a minimum of 150 ft with a 50 ft taper.

25. All access points, including the entrance and access isles, intended for two-way traffic be a minimum of 24 ft wide.

26. A GDOT permit will be required for the improvements on South Cobb Drive/SR 280.

27. A sidewalk (a minimum of 5 ft wide) shall be installed along the frontage of South Cobb Drive.

28. The trash dumpsters shall utilize rubber tops and/or trash compactors be appropriately screened with a three-sided brick enclosure.

29. 60% of the units shall be limited to those persons age 55 and older as defined by the Fair Housing Act as may be amended from time to time. This requirement shall be included in the protective covenants developed for the property.

30. Each unit must be protected by a fire sprinkler system.

31. The proposed development shall conform in substantial compliance to the site plan dated 3/31/2023 for the multi-family facility. Slight deviations to the site plan may be approved by the Community Development Director. Any significant changes to the site plan will require an amendment to this rezoning.



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32. The proposed development shall conform substantially to the conceptual elevations submitted on 3/31/2023 for the multi-family facility. Detailed elevations indicating building materials and colors shall be submitted to Community Development prior to final approval. Slight deviations to the elevations may be approved by the Community Development Director. However, any significant changes to the elevations will require an amendment to this rezoning.

33. If any fence is constructed on the southern property line, it shall be wooden or decorative metal.

34. Decorative metal fencing shall be constructed along the top of all retaining walls providing a structural safety barrier as well as an attractive architectural element.

35. The parking deck shall have an exterior with decorative brick for all elevations visible from public right-of-way.

36. The additional stipulations agreed upon by the applicant in the letter submitted and dated on November 22, 2023.