

APPLICATION FOR REZONING TO THE CITY OF SMYRNA

Type or Print Clearly

(To be completed by City)

Ward: _____

Application No: _____

Hearing Date: _____

APPLICANT: The Woodbery Group LLC

Name: David Woodbery

(Representative's name, printed)

Address: 4794 Rebel Trail, Sandy Springs, GA 30327

Business Phone: 404-849-4832 Cell Phone: 404-849-4832 Fax Number: NA

E-Mail Address: David@wwcompany.com

Signature of Representative: _____

TITLEHOLDER

Name: EJ DRIVE LLC

(Titleholder's name, printed)

Address: 4794 Rebel Trail, Sandy Springs, GA 30327

Business Phone: 404-849-4832 Cell Phone: 404-849-4832 Home Phone: NA

E-mail Address: david@wwcompany.com

Signature of Titleholder: _____

(Attach additional signatures, if needed)

(To be completed by City)

Received: _____

Heard by P&Z Board: _____

P&Z Recommendation: _____

Advertised: _____

Posted: _____

Approved/Denied: _____

ZONING REQUEST

From R-15 to GC
Present Zoning Proposed Zoning

LAND USE

From MODR to CAC
Present Land Use Proposed Land Use

For the Purpose of Commercial Use

Size of Tract 0.667 ac

Location 2979 & 2989 Jonquil Drive
(Street address is required. If not applicable, please provide nearest intersection, etc.)

Land Lot (s) 631 District 17

We have investigated the site as to the existence of archaeological and/or architectural landmarks. I hereby certify that there are no X there are ____ such assets. If any, they are as follows:

(To be completed by City)

Recommendation of Planning Commission:

Council's Decision:

CONTIGUOUS ZONING

North: R-15

East: R-15

South: R-15

West: GC

CONTIGUOUS LAND USE

North: CAC

East: MODR

South: MODR

West: CAC

INFRASTRUCTURE

WATER AND SEWER

A letter from Frank Martin, Director of Public Works Department is required stating that water is available and the supply is adequate for this project.

A letter from Frank Martin, Director of Public Works Department is required stating that sewer is available and the capacity is adequate for this project.

- If it is Cobb County Water, Cobb County must then furnish these letters.

Comments:

TRANSPORTATION

Access to Property? Jonquil Drive

Improvements proposed by developer? The conversion of two vacant structures into commercial businesses.

Comments:

ZONING DISCLOSURE REPORT

Has the applicant* made, within two years immediately preceding the filing of this application for rezoning, campaign contributions aggregating \$250 or more or made gifts having in the aggregate a value of \$250 or more to the Mayor or any member of the City Council or Planning and Zoning Board who will consider this application? Yes

If so, the applicant* and the attorney representing the applicant* must file a disclosure report with the Mayor and City Council of the City of Smyrna, within 10 days after this application is filed.

Please supply the following information, which will be considered as the required disclosure:

The name of the Mayor or member of the City Council or Planning and Zoning Board to whom the campaign contribution or gift was made: Derek Norton

The dollar amount of each campaign contribution made by the applicant* to the Mayor or any member of the City Council or Planning and Zoning Board during the two years immediately preceding the filing of this application, and the date of each such contribution: \$3000 in December of 2021

An enumeration and description of each gift having a value of \$250 or more by the applicant* to the Mayor and any member of the City Council or Planning and Zoning Board during the two years immediately preceding the filing of this application: None

Does the Mayor or any member of the City Council or Planning and Zoning Board have a property interest (direct or indirect ownership including any percentage of ownership less than total) in the subject property? No

If so, describe the natural and extent of such interest: _____

ZONING DISCLOSURE REPORT (CONTINUED)

Does the Mayor or any member of the City Council or Planning and Zoning Board have a financial interest (direct ownership interests of the total assets or capital stock where such ownership interest is 10% or more) of a corporation, partnership, limited partnership, firm, enterprise, franchise, association, or trust, which has a property interest (direct or indirect ownership, including any percentage of ownership less than total) upon the subject property?

No

If so, describe the nature and extent of such interest:

Does the Mayor or any member of the City Council or Planning and Zoning Board have a spouse, mother, father, brother, sister, son, or daughter who has any interest as described above?

No

If so, describe the relationship and the nature and extent of such interest:

If the answer to any of the above is "Yes", then the Mayor or the member of the City Council or Planning and Zoning Board must immediately disclose the nature and extent of such interest, in writing, to the Mayor and City Council of the City of Smyrna. A copy should be filed with this application**. Such disclosures shall be public record and available for public inspection any time during normal working hours.

We certify that the foregoing information is true and correct, this 4th day of January, 2022.


(Applicant's Signature)

(Attorney's Signature, if applicable)

Notes

* Applicant is defined as any individual or business entity (corporation, partnership, limited partnership, firm enterprise, franchise, association or trust) applying for rezoning action.

** Copy to be filed with the City of Smyrna Zoning Department and City Clerk along with a copy of the zoning application including a copy of the legal description of the property.

REZONING ANALYSIS

Section 1508 of the Smyrna Zoning Code details nine zoning review factors which must be evaluated by the Planning and Zoning Board and the Mayor and Council when considering a rezoning request. Please provide responses to the following using additional pages as necessary. **This section must be filled out by the applicant prior to submittal of the rezoning request.**

1. Whether the zoning proposal will permit a use that is suitable in view of the use and development of adjacent and nearby property.

The proposed rezoning will permit a use that is suitable with the use and development of

adjacent and nearby properties. There are properties adjacent and nearby which have the same use as the proposed zoning.

2. Whether the zoning proposal or the use proposed will adversely affect the existing use or usability of adjacent or nearby property.

The proposed rezoning will not adversely impact the existing use or usability of adjacent or nearby properties. The proposed is consistent with uses along the street and neighborhood and will be a benefit by making the street consistent in use.

3. Whether the property to be affected by the zoning proposal has a reasonable economic use as currently zoned.

The property has been vacant residential property for years because almost all of the other properties along Jonquil are commercially zoned or commercial in use.

REZONING ANALYSIS (CONTINUED)

4. Whether the zoning proposal will result in a use which will or could cause an excessive or burdensome use of existing streets, transportation facilities, utilities or schools.

The proposed rezoning will not result in adverse impact on City infrastructure.

5. Whether the zoning proposal is in conformity with the policy and intent of the land use plan.

The zoning proposal does not confirm with the current land use plan but does conform with the vast majority of the actual land use occurring on the street and nearby properties.

6. Whether there are other existing or changing conditions affecting the use and development of the property which give supporting grounds for either approval or disapproval of the zoning proposal.

There are existing and changing conditions that positively support the proposal. The existing conditions include the property adjacent to the north is an auto garage and across the street there is a new commercial development that gives more momentum to this area attracting more investment and businesses to the street and area in general.

REZONING ANALYSIS (CONTINUED)

7. Whether the development of the property under the zoning proposal will conform to, be a detriment to or enhance the architectural standards, open space requirements and aesthetics of the general neighborhood, considering the current, historical and planned uses in the area.

Approving the commercial zoning will allow for improvements to be made to the structures that will upgrade the standards and appearance of the property.

8. Under any proposed zoning classification, whether the use proposed may create a nuisance or is incompatible with existing uses in the area.

The proposed zoning does not create a nuisance or is incompatible with the existing uses in the area. The zoning compliments the area uses.

9. Whether due to the size of the proposed use, in either land area or building height, the proposed use would affect the adjoining property, general neighborhood and other uses in the area positively or negatively.

The size of the property of the proposed zoning is small but it will positively affect the general neighborhood by upgrading the property bring investment to area.