

**APPLICATION FOR REZONING
TO THE CITY OF SMYRNA**

Type or Print Clearly

(To be completed by City)

Ward: _____

Application No: _____

Hearing Date: _____

APPLICANT: Arris Holdings

Name: Parke Lammerts
(Representative's name, printed)

Address: 3340 Peachtree Rd, Ste 1600, Atlanta, GA 30326

Business Phone: 404-504-8773 Cell Phone: 404-452-9189 Fax Number: 404-504-8771

E-Mail Address: plammerts@corepropertycapital.com

Signature of Representative: 

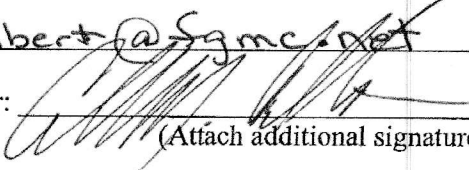
TITLEHOLDER

Name: TABAS LLLP
(Titleholder's name, printed)

Address: 6000 Lake Forrest Dr., Suite 100, Atlanta, GA 30328

Business Phone: 404-252-6111 Cell Phone: 404-538-3128 Home Phone: _____

E-mail Address: albert@sgmc.net

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: _____

**APPLICATION FOR REZONING
TO THE CITY OF SMYRNA**

Type or Print Clearly

(To be completed by City)

Ward: _____

Application No: _____

Hearing Date: _____

APPLICANT: Arrio Holdings

Name: Parker Lammers
(Representative's name, printed)

Address: 3340 Peachtree Rd., ste 1600, Atlanta, GA 30326

Business Phone: 404-504-8770 Cell Phone: 404-452-9989 Fax Number: 404-504-8771

E-Mail Address: plammers@corepropertycapital.com

Signature of Representative: 

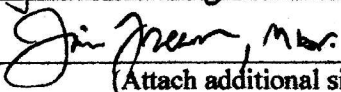
TITLEHOLDER

Name: Freeman Family W LP
(Titleholder's name, printed)

Address: 879 Pickens Ind. Dr. Marietta, GA 30062

Business Phone: 770-794-2500 Cell Phone: _____ Home Phone: _____

E-mail Address: jf@atlgu.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: _____

**APPLICATION FOR REZONING
TO THE CITY OF SMYRNA**

Type or Print Clearly

(To be completed by City)

Ward: _____

Application No: _____

Hearing Date: _____

APPLICANT: Arrix Holdings

Name: Parker Lammers
(Representative's name, printed)

Address: 3340 Peachtree Rd., ste 1600, Atlanta, GA 30326

Business Phone: 404-504-8770 Cell Phone: 404-452-9989 Fax Number: 404-504-8771

E-Mail Address: plammers@corepropertycapital.com

Signature of Representative: 

TITLEHOLDER

Name: James E. Freeman Estate
(Titleholder's name, printed)

Address: 879 Pickens Ind. Dr. Marietta, GA 30062

Business Phone: 770-794-0500 Cell Phone: _____ Home Phone: _____

E-mail Address: jf@atlga.com

Signature of Titleholder: Jim Freeman, Executor
(Attach additional signatures, if needed)

(To be completed by City)

Received: _____

Heard by P&Z Board: _____

P&Z Recommendation: _____

Advertised: _____

Posted: _____

Approved/Denied: _____

**APPLICATION FOR REZONING
TO THE CITY OF SMYRNA**

Type or Print Clearly

(To be completed by City)

Ward: _____

Application No: _____

Hearing Date: _____

APPLICANT: Arrix Holdings

Name: Parker Lammers
(Representative's name, printed)

Address: 3340 Peachtree Rd., ste 1660, Atlanta, GA 30326

Business Phone: 404-504-8770 Cell Phone: 404-452-9889 Fax Number: 404-504-8771

E-Mail Address: plammers@corepropertycapital.com

Signature of Representative: 

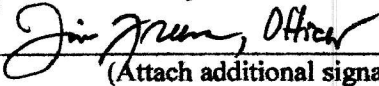
TITLEHOLDER

Name: Allgood 75 Industrial Prop. Inc.
(Titleholder's name, printed)

Address: 879 Pickens Ind. Dr. Marietta, GA 30062

Business Phone: 770-794-0500 Cell Phone: _____ Home Phone: _____

E-mail Address: jt@atlegu.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 GC to MU
Present Zoning Proposed Zoning

LAND USE

From Community Activity Center (CAC) to CAC
Present Land Use Proposed Land Use

For the Purpose of Mixed-use development

Size of Tract 6.923 acres

Location Northeastern corner of S Cobb Drive and Oakdale Road
(Street address is required. If not applicable, please provide nearest intersection, etc.)

Land Lot (s) 751 & 752 District 17th

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: RM-12 (Cobb County)

East: RM-12 (Cobb County), R-20 (Cobb County) & RAD (City of Smyrna),

South: TS (City of Smyrna)

West: R-12 (Cobb County), R-20 (Cobb County) & GC (City of Smyrna)

CONTIGUOUS LAND USE

North: NAC (Cobb County)

East: MDR (Cobb County) & MEDR (City of Smyrna)

South: CAC (City of Smyrna)

West: HDR (Cobb County), IC (Cobb County) & LDR (City of Smyrna)

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:

The property is serviced by Cobb County Water & Sewer. Attached is a letter from Chris Duggan stating that the County as adequate capacity for the proposed development.

TRANSPORTATION

Access to Property? The property has direct access from S Cobb Drive and Oakdale Road.

Improvements proposed by developer? The development of a Class A+ mixed use development consisting of 173 multifamily units and 8,500 sf of commercial space. Improvements to the streetscape on S Cobb Dr. and Oakdale Rd., as well as any improvements required by the City of Smyrna City Council, Planning & Zoning and/or Public Works Department.

Comments:

The property is located within a Community Activity Center and the proposed uses are consistent with the 2040 Comprehensive Plan.

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?

NO

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:

N/A

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:

N/A

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:

N/A

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:

N/A

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:

N/A

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:

N/A

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 13th day of October, 2021



(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 development is suitable in relation to the adjacent and nearby properties. The neighboring properties consist of medium density residential, apartments and commercial uses, which align with the uses proposed in the rezoning. The corresponding uses in the immediate area surrounding the property consists of apartments to the east and west and commercial to the west and south.

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

The rezoning proposal will not have an adverse effect on the on the existing nearby properties. The proposed development does not abut any of the adjacent properties and is surrounded by public roads to the east, west and south and vacant land to the north. The nearby properties consist of primarily high and medium density residential and commercial uses.

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

The property is currently zoned GC and does not have a reasonable economic use based on current market conditions for commercial development costs and leasing, as well as site topographic challenges.

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 a use that will cause an excessive or burdensome use of existing streets, transportation facilities, utilities or schools.

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

The zoning proposal is in conformity with the policy and intent of the Comprehensive Plan and the Future Land Use Map. The subject property is identified as a Community Activity center, which supports mixed-use development as an appropriate land use. The CAC designation also identifies MU as a corresponding zoning in the Comprehensive Plan.

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 affecting the use and development of the property that support the approval of the proposed rezoning. Recent market conditions have resulted in a dramatic slowdown in retail and commercial development, as evidenced by large shopping center and office vacancies. The current GC zoning would not support a viable commercial development in the current economic environment. The proposed zoning would be the highest and best use and would align with the intent of the comprehensive plan.

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.

The rezoning proposal will enhance the architectural standards and will improve the aesthetics of the general neighborhood. The applicant will coordinate with the City of Smyrna on design and will comply with all architectural guidelines.

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 classification of MU will not create a nuisance and is compatible with the existing uses in the area. The classification is consistent with the surrounding uses and complies with corresponding zoning recommendations for the CAC Future Land Use in the Comprehensive Plan.

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 proposed use will have a positive impact on the general neighborhood and will aesthetically improve this corridor of S Cobb Drive by bringing Class A+ residential and commercial to the area via mixed-use development.
