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December 4, 2020

VIA EMAIL

Mr. Russell Martin, AICP, Director
Community Development Department
City of Smyrna
3180 Atlanta Road
Smyrna, GA 30080

Re: Application of Shamrock Building Systems, Inc. to Rezone a 1.5 Acre Tract from NS to GC (No. Z20-0015)

Dear Rusty:

As you know, this firm represents Shamrock Building Systems, Inc. ("Shamrock") concerning the above-captioned Application for Rezoning which was submitted to the City of Smyrna on November 13, 2020. Shamrock's Application is scheduled to be heard and considered by the Planning Commission on December 14, 2020 and, thereafter, the Application is scheduled to be heard and considered for final action by the Mayor and City Council on January 19, 2021.

The property at issue ("Subject Property") consists of the former Ameris/Highland/Commercial Bank building which is located on the south side of Concord Road, west of Dunn Street (1298 Concord Road). The property consists of an approximate 1.5 acre tract which is situated within a sub-area of the City of Smyrna which is adjacent to office, institutional, retail commercial and residential uses and which is presently zoned in the Neighborhood Shopping ("NS") Zoning District. Shamrock seeks a Rezoning of the Subject Property in order to relocate its Corporate Headquarters and to utilize the building and re-purpose it to accommodate its operations. As is evidenced from the attached photographs, the building is aesthetically pleasing, well-kept and fit for the purposes sought by Shamrock.

While this Application has been pending we have, of course, interfaced with the City's professional staff and have had discussions with area business and property owners. In that regard, Shamrock has authorized the submission of this letter which contains the following stipulations/conditions which shall become conditions and a part of the grant of the requested Rezoning and binding upon the Subject Property thereafter:

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1. The stipulations and conditions set forth herein shall replace and supersede in full any and all prior stipulations and conditions in whatsoever form which are currently in place concerning the property which constitutes the subject matter of the above-captioned Application for Rezoning.
2. The Rezoning of the Subject Property shall be from NS to General Commercial (“GC”) in substantial conformity to the As-Built Plan which was filed concurrently with the Application for Rezoning, a copy which is attached.
3. The Subject Property shall be utilized as Shamrock’s new Corporate Headquarters and repurposed from a bank building to Shamrock’s operations.
4. The architectural style and composition of the building shall remain in substantial conformity to the existing, as-built architecture and will continue to comply with the City of Smyrna’s regulations and guidelines under its as-built circumstances.
5. Shamrock agrees to utilize the existing ground-based, monument-style signage consistent with the architectural style and composition of the building as shown in the attached photographs.
6. Additional lighting (if any) shall be environmentally sensitive and constructed so that it is as unobtrusive as possible.
7. All setbacks and buffer areas may be penetrated for purposes of detention, utilities, fire prevention, life-safety and stormwater management, as long as such encroachments satisfy City of Smyrna regulations.
8. In lieu of listing applicable requests for concurrent as-built variances under the GC district, this project shall be stipulated as “site plan-specific” and shall remain in substantial conformity to the site plan, the within stipulations/conditions and the regulations applicable to the building’s original construction.

However, if the footprint/floor plans are expanded or changed, the Community Development Director shall retain the authority to review and to administratively revise.

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9. The following uses shall be prohibited:
- a. Video arcades and game parlors;
 - b. Adult-themed book and novelty stores;
 - c. Automotive sales, repair or service facilities;
 - d. Movie theaters;
 - e. Gas stations and convenience stores with gas sales;
 - f. Fast-food establishments;
 - g. Pawn shops;
 - h. Automotive wash services;
 - i. Boat sales and repairs;
 - j. Boarding and breeding kennels;
 - k. Dry cleaning plants;
 - l. Farm equipment sales and service;
 - m. Lumber, hardware and other building material establishments;
 - n. Mobile home and travel trailer sales;
 - o. Motorcycle sales and service;
 - p. Check cashing establishments;
 - q. Taxi stands and/or station terminals for bus and/or passenger services;
 - r. Tattoo parlors;

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- s. Pool or billiard hall;
- t. Massage parlors; and,
- u. Package stores.

10. The Community Development Director shall have the authority to approve minor modifications to these stipulations/conditions, the architecture, the site plan and the overall proposal as it proceeds through the Plan Review Process and thereafter.

Shamrock's proposal is to utilize this former bank building for the purposes of its new Corporate Headquarters. This will permit a use which will be less intense than the former bank on the site. Shamrock is requesting this Rezoning to the GC Zoning District for this use only which constitutes a use which is allowable within a Neighborhood Activity Center ("NAC") as depicted on the City's Future Land Use Map ("FLUM"). For all of these reasons, Shamrock submits that this Rezoning proposal is entirely appropriate from a land use planning perspective.

Please do not hesitate to contact me should you have any questions or need any additional information or documentation prior to the formulation of the Zoning Analysis and Staff Recommendations. With kind regards and best wishes for the holiday season, I am

Very truly yours,

SAMS, LARKIN & HUFF, LLP



Garvis L. Sams, Jr.

gsams@samslarkinbuff.com

GLS, Jr./dls
Attachments

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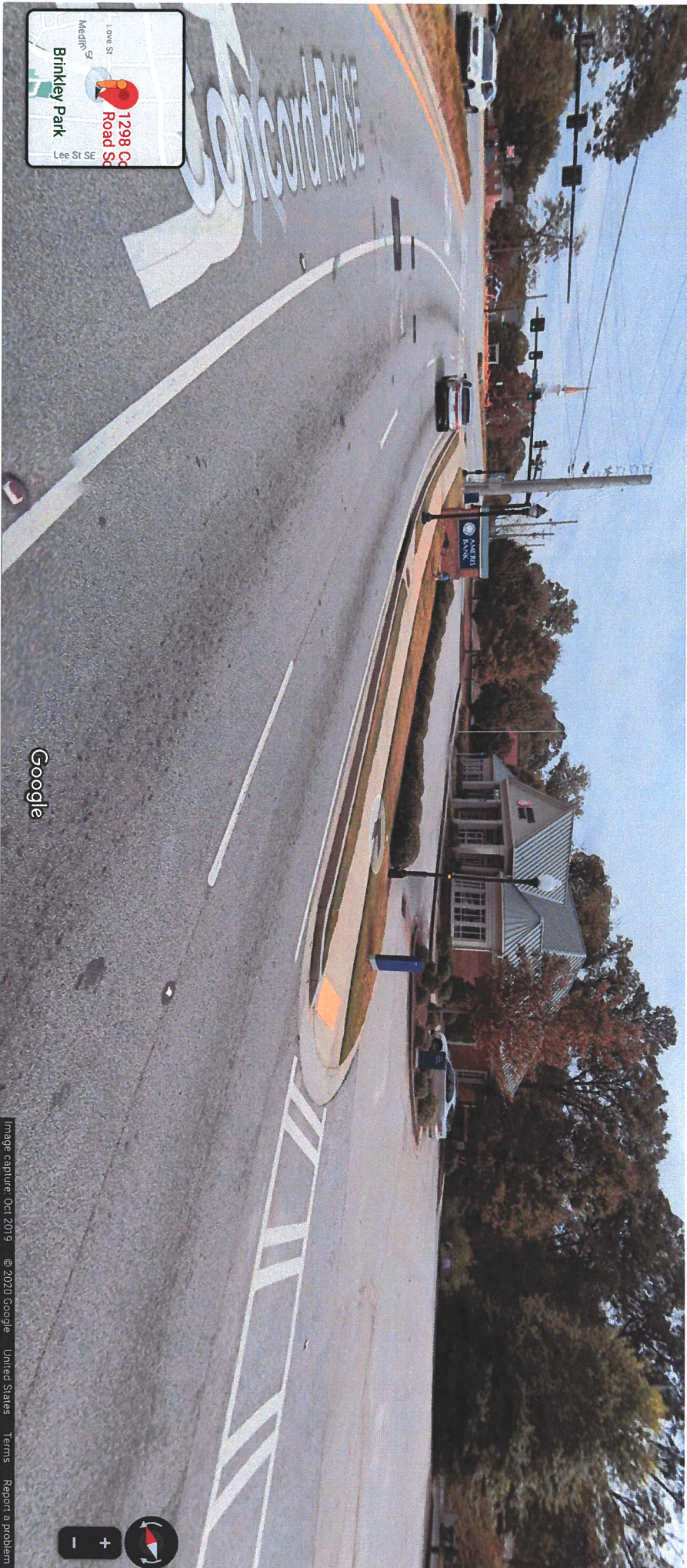
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cc: Honorable Derek Norton, Mayor (via email w/attachments)
Members, Smyrna City Council (via email w/attachments)
Chief Joseph Bennett, Interim City Administrator (via email w/attachments)
Members, City of Smyrna Planning Commission (via email w/attachments)
Ms. Heather Peacon-Corn, City Clerk (via email w/attachments)
Scott A. Cochran, Esq., City Attorney (via email w/attachments)
Mr. Kevin Moore, P.E., City Engineer (via email w/attachments)
Mr. Frank Martin, Director of Public Works (via email w/attachments)
Ms. Ashley White, Assistant City Engineer (via email w/attachments)
Mr. Timothy Grubaugh, Deputy Fire Marshall (via email w/attachments)
Mr. Joey Staubes, AICP, Planner II (via email w/attachments)
Mr. Seamus Burke, President, Shamrock Building Systems, Inc. (via email w/attachments)
Mr. Joseph Burke, Design Build-General Contractor, Shamrock Building Systems, Inc. (via email w/attachments)



1298 Concord Road SE
Brinkley Park
Lee St SE
Medina St
L one St

Google

