

**APPLICATION FOR ZONING AMENDMENT  
TO THE CITY OF SMYRNA**

*Please Type or Print Clearly*

(To be completed by City)

**Ward:** \_\_\_\_\_

**Application No:** \_\_\_\_\_

**Hearing Date:** \_\_\_\_\_

**APPLICANT:** Integrity Engineering & Development Services, Inc.

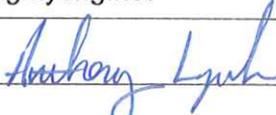
Name: Anthony Lynch

(Representative's name, printed)

Address: 3615 Braselton Hwy, Suite 201, Dacula, GA 30019

Business Phone: 678-546-0446 Cell Phone: 770-301-3649 Fax Number: \_\_\_\_\_

E-Mail Address: anthony@integrityeng.net

Signature of Representative: 

**TITLEHOLDER:**

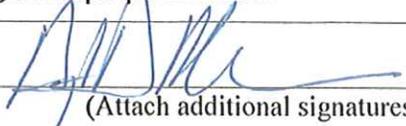
T-L Smyrna LLC, a Delaware limited liability company by its manager, Tri-Land  
Name: Properties, Inc

(Titleholder's name, printed)

Address: One East Oak Hill Dr, Suite 302 Westmont, IL 60559

Business Phone: 708-531-8210 Cell Phone: 708-558-3712 Home Phone: \_\_\_\_\_

E-mail Address: hrobinson@trilandproperties.com

Signature of Titleholder:  Executive Vice-President  
(Attach additional signatures, if needed)

(To be completed by City)

Received: \_\_\_\_\_

Heard by P&Z Board: \_\_\_\_\_

P&Z Recommendation: \_\_\_\_\_

Advertised: \_\_\_\_\_

Posted: \_\_\_\_\_

Approved/Denied: \_\_\_\_\_

**ZONING:**

**GC - General Commercial Conditional**

Present Zoning

**LAND USE:**

**Vacant out-parcel - Proposed McDonald's**

Present Land Use

For the Purpose of **Proposed McDonald's restaurant**

Size of Tract **1.07 AC**

Location **3240 South Cobb Dr, Smyrna, GA**

(Street address is required. If not applicable, please provide nearest intersection, etc.)

Land Lot (s) **380** District **17**

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

**N/A**

**DESCRIPTION OF PROPOSED ZONING AMENDMENT:**

**1. Allow for installation of monument sign at standard code height and SF (8-ft tall, 32 SF)**

**2. Parking variance to allow reduction in parking requirement for the proposed restaurant. Parking Req'd = 52.2 spaces (1/75 SF GFA). Parking Provided = 43 spaces (1/91 SF GFA)**

**3. Allow the drive thru side of the building to face South Cobb Drive and the front of the building to face the main entrance of the shopping center.**

**CONTIGUOUS ZONING**

North:  \_\_\_\_\_

East:  \_\_\_\_\_

South:  \_\_\_\_\_

West:  \_\_\_\_\_

**CONTIGUOUS LAND USE**

North:  \_\_\_\_\_

East:  \_\_\_\_\_

South:  \_\_\_\_\_

West:  \_\_\_\_\_

**INFRASTRUCTURE**

**WATER AND SEWER**

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

A letter from Scott Stokes, 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:

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**TRANSPORTATION**

Access to Property? \_\_\_\_\_

Property access will be via the internal driveway openings provided in The Crossings at Four Corners shopping center. The shopping center is accessed via multiple existing driveways to S. Cobb Dr and Concord Rd.

Improvements proposed by developer? \_\_\_\_\_

No transportation improvements are proposed. The site will tie to existing driveway connections.

Comments:

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**ZONING DISCLOSURE REPORT**

Has the applicant\* made, within two years immediately preceding the filing of this application for zoning amendment, 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 who will consider this application?

No

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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 to whom the campaign contribution or gift was made:

None

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

None

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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 during the two years immediately preceding the filing of this application:

None

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Does the Mayor or any member of the City Council have a property interest (direct or indirect ownership including any percentage of ownership less than total) in the subject property?

No

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If so, describe the natural and extent of such interest: N/A

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**ZONING DISCLOSURE REPORT (CONTINUED)**

Does the Mayor or any member of the City Council 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**

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If so, describe the nature and extent of such interest:           **N/A**

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

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**No**

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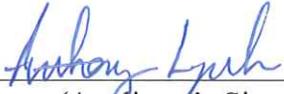
If so, describe the relationship and the nature and extent of such interest:   **N/A**

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If the answer to any of the above is "Yes", then the Mayor or the member of the City Council 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 11 day of December, 2013.

  
\_\_\_\_\_  
(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 zoning 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.

## ZONING AMENDMENT ANALYSIS

Section 1508 of the Smyrna Zoning Code details nine zoning review factors which must be evaluated by the Mayor and Council when considering a zoning amendment 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 zoning amendment 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 use is suitable in view of the approved uses for The Crossings at Four Corners shopping center. The proposed monument sign meets the code requirements for all GC zoned properties throughout the City. The proposed on-site parking shown will be adequate for the use. Also, the proposed orientation of the building is such that the front of the restaurant faces the signalized intersection.

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

There will be no adverse affects on the usability of adjacent or nearby properties. All nearby uses are similar in nature.

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

The zoning proposal is meant to enhance the existing zoning by allowing the development to have a free standing monument sign, a reduction in the parking requirement, and the proposed building to face the main entrance of the shopping center.

**ZONING AMENDMENT 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 zoning proposal will not cause an excessive or burdensome use of existing streets, transportation facilities, utilities or schools. The site was designed for at least two separate uses (2 separate out-parcels) but is being consolidated into one use for the purposes of the development. For this reason, there should be a smaller impact on these items than was originally planned for.

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

The land use plan designates the proposed area as mixed use. The proposed use and associated amendments are in conformity with this 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 no existing or changing conditions that give supporting grounds for either approval or disapproval.

**ZONING AMENDMENT 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 development will enhance these characteristics of the neighborhood. McDonald's standard construction types offer very appealing architectural standards on the buildings and signs. A reduction in the parking requirement will allow for more green space on the site.

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 use and development thereof will not cause a nuisance to the area in any way.

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 and height of the proposed use and all associated appurtenances will be similar in nature to other surrounding properties.