

**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: The Ardent Companies

Name: Neville Allison
(Representative's name, printed)

Address: 2100 Powers Ferry Blvd. Atlanta, GA 30319

Business Phone: 770-450-8796 Cell Phone: 678-223-8978 Fax Number: _____

E-Mail Address: nallison@Theardentcompanies.com

Signature of Representative: 

TITLEHOLDER:

Name: TAC BW Lot 1, LLC, TAC BW Lot 2, LLC, TAC AW Lot 3, LLC
(Titleholder's name, printed)

Address: 2100 Powers Ferry Blvd. Atlanta GA 30319

Business Phone: 770-450-8796 Cell Phone: 678-223-8978 Home Phone: _____

E-mail Address: nallison@Theardentcompanies

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:

Conditional MU
Present Zoning

LAND USE:

Mixed use (MU)
Present Land Use

For the Purpose of A residential development consisting of townhomes + Single family
Size of Tract 63.88 acres Houses

Location An Assembly of Properties on both sides of Riverview Rd. Between
(Street address is required. If not applicable, please provide nearest intersection, etc.) Vet. Memorial Hwy + Dickerson
Also known as Riverview Landing Dist.

Land Lot (s) 61, 171, 172, 173, 175, 176, 289 District 18th

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:

DESCRIPTION OF PROPOSED ZONING AMENDMENT:

This modification is to increase the number of
townhome lots from ~~298~~²³³ units to 305 units.
And to decrease the number of S.F. units
from 68 units to 63 units. The total
increase of units is from 298 units to 368
units. The apartment section of Riverview is
not part of this application.

CONTIGUOUS ZONING

North: HI (Cobb County)
East: Chattahoochee River
South: HI & R-20 (Cobb County)
West: RAD Conditional (City of Smyrna)

CONTIGUOUS LAND USE

North: Industrial Compatible (IC - Cobb County)
East: Chattahoochee River
South: Industrial Compatible (IC - Cobb County)
West: Industrial Compatible (IC - Cobb County) & MDR (City of Smyrna)

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:

Attached are comments from the Cobb County Water System regarding the availability of
and accessibility to water and sewer to the site contained in the original rezoning analysis
regarding Z-28 (Cobb County - 2010).

TRANSPORTATION

Access to Property? Via Riverview Road, Nichols Drive, Dickerson Drive and interior streets.

Improvements proposed by developer? A mixed residential development consisting of approximately
63 single family detached homes, ³⁰⁵ attached town-homes,

Comments:

The Apartment section of Review remains
unchanged & is not part of this application.

With the exception of one small pod, C2, the
use & product type in each pod is remaining the
same.

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

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:

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:

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:

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?

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

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

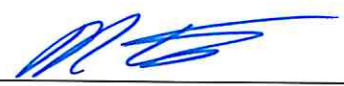
If so, describe the nature and extent of such interest:

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?

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 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 10th day of May, 2018.



(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.

See Attached.

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

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

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.

See Attached.

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

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.

See Attached

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

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.

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

The use is not changing from its current zoning. Residential development (multifamily) is currently under development at Riverview Landing. So, yes this development is suitable in the view and use of the development of adjacent and nearby property

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

The zoning amendment will not have an adverse effect on adjacent or nearby properties. In fact, developing the subject property as a unified residential development is preferable to a multiplicity of separate developments and rezonings. Master-planning the subject property into one comprehensive residential development reduces the potential problems in the future regarding drainage, access, the utilities, infrastructure issues, etc,. The rezoning proposal incorporates recreational uses along the Chattahoochee River.

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

Because of market trends the property does not have a reason, viable economic use as currently zoned. The amendment will allow more diverse and affordable product to be built at Riverview, capturing more of the market demand that exists in Smyrna, particularly for the first-time homebuyer.

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

The rezoning proposal will not result in a use which would cause an excessive or burdensome use of existing streets, transportation facilities, utilities, or schools. Those opinions are supported by the previous comments issued by the City of Smyrna's professional staff. In fact the improvements that the developer is installing on the existing streets will greatly benefit the surrounding community and improve current conditions.

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

The rezoning proposal is in conformity with the policy and intent of the City of Smyrna's land use plan. Additionally the rezoning proposal is consistent with the policy and intent of the City's future land use map and seeks to accomplish the following: enhance connectivity, reconnect to the river, enhance recreational opportunities; emphasize cultural and historical resources; create a community-friendly character; develop a strong sense of identity; and enhance this sub-area of the city within which the subject is situated.

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

There are exiting and changing conditions affecting this use and development of the subject property which gives supporting grounds for approval the rezoning proposal. Moreover, the proposal constitutes a suitable use for the property which will not adversely affect the adjacent properties and will be beneficial to the City of Smyrna as the development of a strategic expansion of the city's boundaries. Further, as home prices in the metro Atlanta area and the city of Smyrna continue to rise, affordability continues to be a growing issue. By decreasing the lot sizes and adding more units at Riverview, the proposed product will help fill this much needed gap in the market.

- 7.) Whether the development of the property under the zoning proposal will confirm 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 zoning modification will enhance the architectural standards, open space requirements, and aesthetics of the general neighborhood considering the current historical and planned uses in the area.

- 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 is very similar to the present zoning classification with both constituting mixed use developments and with the current proposal only increasing the for sale residential portion from 298 lots, to 378 lots. Therefore, the uses proposed will not create a nuisance and are not incompatible with the existing uses in the area particularly in consideration of the inordinate buffering and spacing between the existing industrial used and the proposed mixed residential development.

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

The proposed uses positively affect the development along the Riverview road corridor and will encourage other compatible mixed use residential projects within the sub-area of the City. Further, the reduction in lot and home size, will allow a more affordable product to be built, helping the first-time homebuyer, and general affordability for new construction within Smyrna.