



### RZ-23-10

Rezoning Application

Status: Active

Submitted On: 12/8/2023

### Primary Location

940 CONCORD RD SE

SMYRNA, GA 30080

### Owner

The First United Methodist

Church Of, Smyrna Georgia

Inc

940 CONCORD RD SE

Smyrna, GA 30080

### Applicant

J. Kevin Moore

770-795-5032

w7@mijs.com

Emerson Overlook, Suite 100

326 Roswell Street

Marietta, GA 30060

## Applicant Information

**Full Name (i.e., First and Last Name, or Name of Entity):\***

STNL Development, LLC

**Street Address:\***

8150 Corporate Park Drive, Suite 110

**City:\***

Cincinnati

**State:\***

Ohio

**Zip Code:\***

45242

**Email Address:\***

bchester@stnldevelopment.com

**Phone Number:\***

(513) 438-5150 (main); (513) 503-7510 (Direct)

**Are you the titleholder of the subject property?\***

No

## Titleholder Information

**Full Name (i.e. First and Last Name, or Name of Entity):\***

The First United Methodist Church of Smyrna, Georgia, Inc.

**Street Address:\***

1315 Concord Road, S.E.

**City:\***

Smyrna

**State:\***

GA

**Zip Code:\***

30080

**Email Address:\***

ksudduth@smyrnafumc.org

**Phone Number:\***

(770) 436-4108

## Property Information

**Parcel ID:\*** 

17045201010

**Property Address:\*** 

940 Concord Road

**Present Zoning:\***

R-15

**Present Future Land Use:\***

MEDR - Medium Density Residential

## Development Information

<b>Proposed Use of Property:*</b>	<b>Floor Area in Sq Ft of Building(s):*</b>
Commercial	18447
<b>Property Acreage:*</b>	<b>Proposed Zoning:*</b>
0-5 acres	LC
<b>Proposed Density:*</b>	<b>Are you seeking a Future Land Use Change?*</b>
Commercial or Mixed Use	Yes
<b>Proposed Future Land Use:*</b>	<b>Is Rezoning a Development of Regional Impact?*</b>
NAC - Neighborhood Activity Center	No

### Project Description:\*

Applicant proposes the demolition of the existing structure and the construction of two new structures. One structure will be a veterinarian clinic, and the second structure will be a daycare facility.

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## Rezoning Analysis

### Number 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 development of a veterinarian clinic and daycare. The Subject Property is currently zoned to the R-15 zoning category despite being developed and used previously for a non-residential use (a Church). Adjacent properties are likewise developed and used for non-residential or commercial purposes; except the adjacent east property which is used residentially. The proposed development under the LC category for the uses sought is compatible and suitable with adjacent and nearby commercial properties and offers low impact uses to adjacent residences.

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

The proposal will not adversely affect nearby properties. The proposed development for low impact businesses, such as veterinarian clinic and daycare, will not cause disruption to or in any way adversely affect any nearby commercial properties or residences located in close proximity to the Subject Property. The proposed uses offer locally sought services with very little impact to area residences due to the requirements of applicable City Ordinances.

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

The current R-15 zoning category does not provide any reasonable economic viability. The Property is not sufficiently large to develop under the existing R-15 category. The Property is adjacent to a very intense commercial activity area, which is not compatible with the existing R-15 zoning.

**Number 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 have an excessive or burdensome impact on existing facilities and infrastructure.

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

The proposed use is not in conformity with the existing Medium High Density Residential Land Use Plan designation; however, the proposed uses and requested LC zoning category provide a much needed and far better transition in land use and zoning to adjoining residential properties.

**Number 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.\***

Rezoning of the Property to the proposed LC zoning classification to allow for the veterinarian clinic and daycare would allow for a better transitional use than higher density residential as suggested by the Future Land Use Plan. Changing road and commercial conditions at the nearby intersection of Concord Road and South Cobb Drive have resulted in far more intense commercial uses and therefore, the proposed uses provide better transition and less impact to adjacent or nearby residences.

**Number 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.\***

Architectural standards in the immediate vicinity will be upheld, and even enhanced, by the proposed development.

**Number 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 development is neither a nuisance nor incompatible considering the surrounding commercial uses and developments. Additionally, the proposed uses would provide convenient, needed uses for community residents.

**Number 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 development would positively affect the area and surrounding properties as it would be less intense than maximizing uses allowed in the adjacent commercial properties and as suggested by the Future Land Use Plan. The architecture and design of the proposed structures will be aesthetically pleasing, complying with the City's development standards and guidelines. The overall effect will be virtually none on adjacent commercial businesses. Residential uses will have minimal impact due to the nature of the proposed uses.

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## Acknowledgement

### Applicant Signature\*

- ✓ STNL Development, LLC, by William Chester, Senior Vice President/Principal  
Dec 8, 2023