



Petition No. RZ10-05, CV10-01 and CU10-03

HEARING & MEETING DATES			
Design Review Board Meeting 5/4/10	Neighborhood Meeting 5/20/10	Planning Commission Hearing 8/17/10	Mayor and City Council Hearing 9/13/10
APPLICANT/PETITIONER INFORMATION			
Property Owners Ramco-Gershenson, Inc,	Petitioner Core States Group	Representative Ed Wizner	
PROPERTY INFORMATION			
Address, Land Lot, and District	2925 Holcomb Bridge Road Land Lots 825 & 832, 1 st District		
Frontage and Area	9.71 acres		
Existing Zoning and Use	O/P (Office Professional District)		
Overlay District	Riverbank Campus Overlay District		
2027 Comprehensive Future Land Use Map Designation	O/P (Office Professional)		
Proposed Zoning	C-3 Conditional (Highway Commercial District) and O/P (Office Professional)		
INTENT			

The applicant, Ramco-Gershenson Inc., is requesting to subdivide and rezone a portion (3.53 acres) of the 9.71 acre tract, located at 2925 Holcomb Bridge Road, from O/P (Office Professional District) to C-3 (Highway Commercial District) Conditional with variances in order to construct a Mr. Clean Car Wash, Tide Dry Cleaner and Daycare Center. The remaining 6.18 acres will remain O/P and kept in perpetuity as a conservation area. The subject property is located on the South side of Holcomb Bridge Road between Steeplechase Drive and Nesbit Ferry Road.

DEPARTMENT OF COMMUNITY DEVELOPMENT RECOMMENDATION

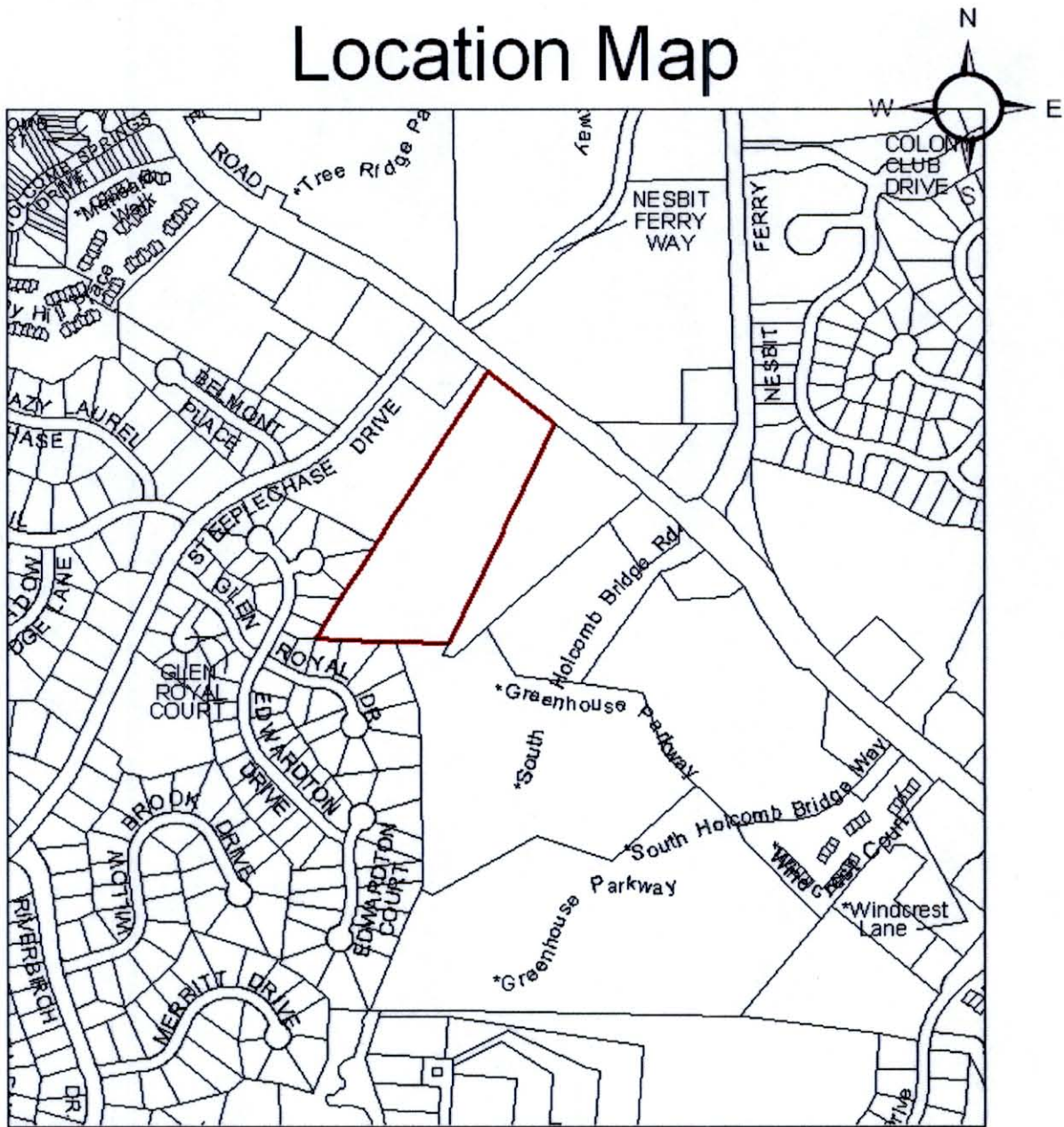
RZ10-05, CV10-01 and CU10-03 - Denial

PLANNING COMMISSION RECOMMENDATION

The Planning Commission will hear this case during their regularly scheduled August 17, 2010 public hearing.

The Planning Commission recommended denial of this application, RZ10-05, CV10-01 and CU10-03 during their August 17, 2010 hearing.


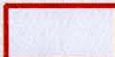
Location Map



1 inch = 561 feet



Legend

-  Parcels
-  RZ10-05

STAFF RECOMMENDED CONDITIONS

It is recommended that this application for rezoning RZ10-05, concurrent variance CV10-01 and conditional use CU10-03 be denied. Should the Mayor and City Council approve this rezoning, it shall be approved with the following conditions:

1. A plan in accordance with the August 2, 2010 plan must be submitted and approved by the City of Roswell Transportation Department and GDOT prior the issuance of an LDP.
2. The approved traffic light at this location must be installed and operational prior to the issuance of a Certificate of Occupancy for any of the proposed uses.
3. The owner/developer shall pay \$30,000 to the City of Roswell for future installation of adaptive traffic signal control system at the intersection prior to the issuance of a land development permit.
4. The owner/developer shall install CCTV traffic monitoring camera(s) as part of the traffic installation project. The video monitoring system must provide the capability of viewing at the least, the back of traffic queue on all four approaches to the intersection. The technology for the proposed video detection system must be approved by GDOT and the City of Roswell Transportation Department and installed prior to the issuance of a Certificate of Occupancy for any of the proposed uses.
5. A division plat must be submitted and recorded with both the City of Roswell and Fulton County prior to the issuance of an LDP.
6. A conservation easement agreement and/or a separate deed for the 6.18 acres (as shown on the approved site plan) must be submitted and recorded with both the City of Roswell and Fulton County prior to the issuance of an LDP.

Variations/Conditional Uses:

1. Conditional Use to operate a car wash within a C-3 zoning district.
2. Variance to reduce the minimum required play area for a day care from 27,000sf to 8,000sf.
3. Variance to reduce the minimum landscape strip along the southern property line of Parcel 1 from 5 feet to 0 feet.

BACKGROUND

The subject property was annexed into the City of Roswell in December 1999 as a part of the Eastside annexation. At that time, the property was owned and occupied by the Holcomb Bridge Baptist Church and was zoned AG-1 (Agricultural). On April 14, 2003, the Mayor and City Council adopted a new zoning ordinance, whereby a new zoning classification was added entitled FC-A (Fulton County-Annexed).

In 2003, an application was made by the Trustees of Holcomb Bridge Baptist Church/Peter DeBenedictis to rezone the tract from FCA to C-3 in order to build a convenience store with gas pumps, a restaurant and three (3) two-story office buildings. On May 3, 2004, the Mayor and City Council approved and amended their rezoning request from FCA to O/P (Office-Professional District) with the following conditions:

1. The proposed site shall be restricted to office use at a density of 10,000 square feet per acre.
2. A revised site plan incorporating all conditions of zoning approval shall be submitted with the applicant's Design Review Board application.
3. An undisturbed area of 3.1 acres as indicated on the site plan received April 2, 2004 shall be preserved. There shall be no land disturbance of any kind in the undisturbed area.
4. The owner/developer shall provide additional landscaping to the parking lot area as approved by the Roswell Landscape Architect and City Arborist.
5. The owner/developer shall eliminate parking spaces in the rear of the site to save the two (2) twenty-four (24") inch specimen oak trees located along the stream buffer as required by the City of Roswell Landscape Architect and City Arborist.
6. The owner/developer shall install five (5) foot sidewalks with a two (2) foot grass strip along the entire parcel frontage with a thirty (30) foot curb and gutter as required by the Roswell Department of Transportation and the Georgia Department of Transportation.
7. The owner/developer shall provide interparcel access from the storage spot development as required by the Roswell Transportation Department.
8. The project shall comply with the Riverbanks Campus Design Guidelines.

In 2004, a lawsuit was filed in Superior Court against the City of Roswell by Ramco-Gershenson, Inc., et al. During the settlement, a set of plans, dated April 13, 2005, were agreed upon that included 8 office buildings (48,000 square feet), a bank (6,000 square feet) and a 3.1 acre conservation area adjacent to Horseshoe Bend.

In 2007, the applicant filed a secondary rezoning request (RZ07-15) from O/P to R-3 (Multi-Family Residential District) and O/P that revised the previous proposal to include two office buildings along the Holcomb Bridge Road frontage and 37 townhomes in the rear. However, this application was withdrawn by the applicant on December 17, 2007.

As such, the plans approved during the settlement agreement, dated April 13, 2005 are still in effect and have been attached with this report. The applicant would be permitted to develop the land under these approved plans.

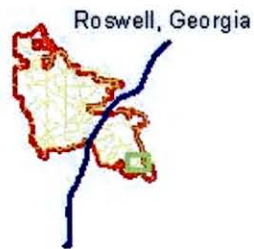
EXISTING LAND USE AND ZONING OF ABUTTING PROPERTY

SUBJECT PETITION RZ10-05	Requested Zoning	Proposed Use	Land Area (Acres)	Number of Units	Density (Square Footage per Acre)
	C-3	C-3	9.71	NA	2,188 SF per acre
Location in relation to subject property	Zoning	Use	Land Area (Acres)	Square Footage or Number of Units	Density (Square Feet or Units Per Acre)
North	FCA	Holcomb Center Shopping Center	12.85	107,053 SF	8,331 SF per acre
South	FCA	Horseshoe Bend Subdivision	895.5	3,331 units	3.72 units per acre
East	FCA	Pike Nursery	4.94	19,675 SF	3,973 SF per acre
West	FCA	Storage Facility	5.65	64,670 SF	11,446 SF per acre

Aerial Map



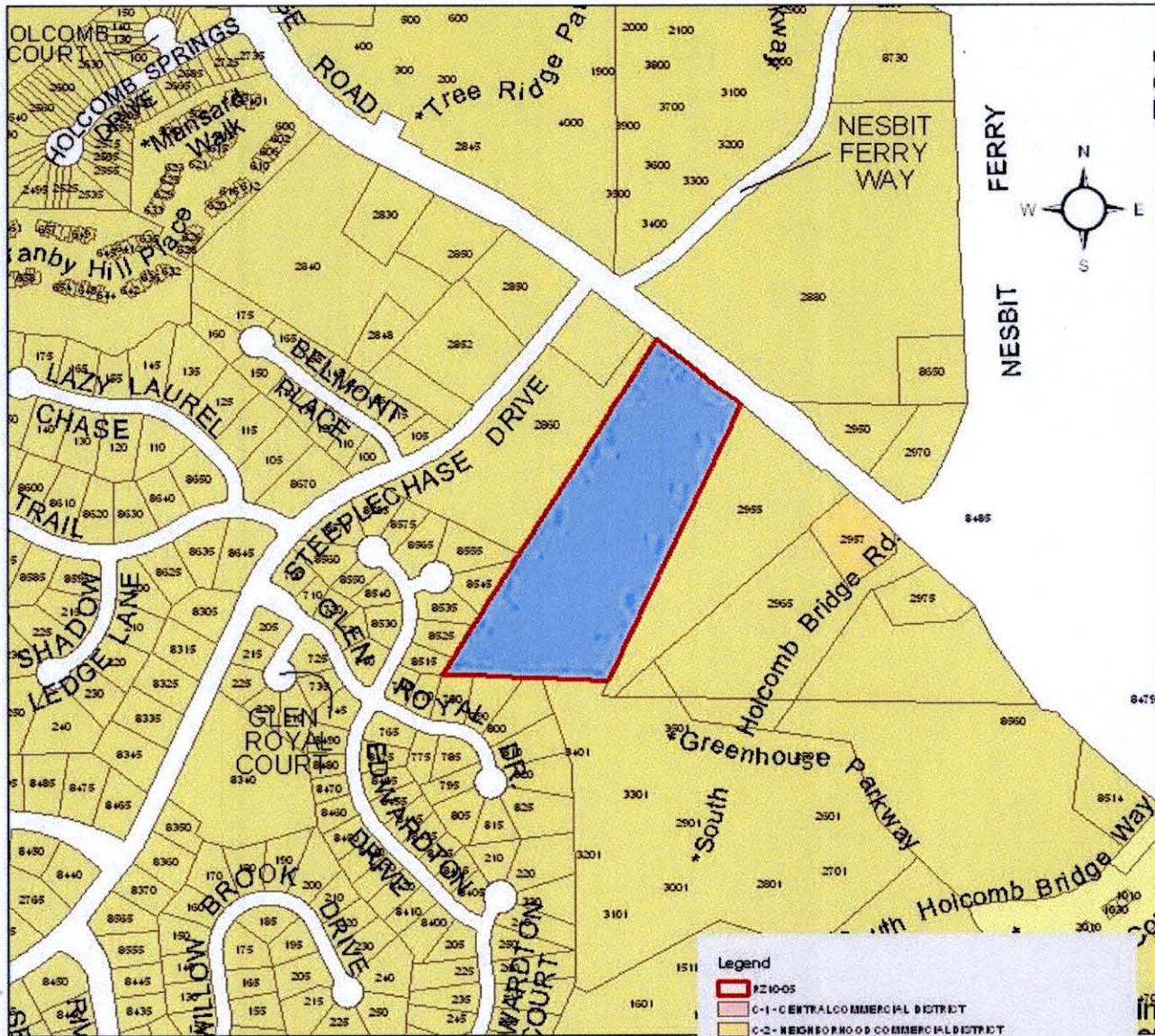
1 inch = 456 feet



Legend

 RZ10-05

Zoning Map

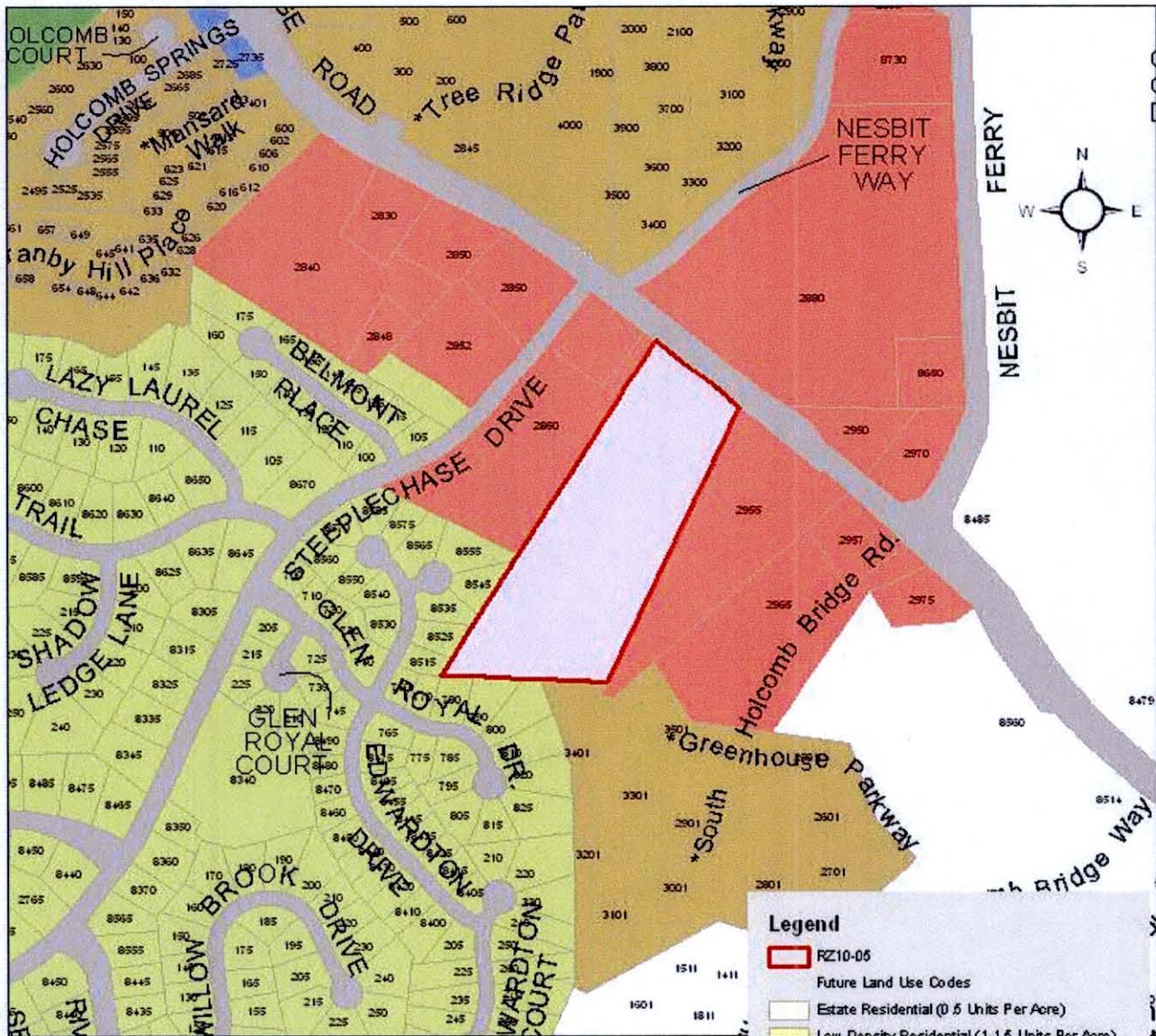


1 inch = 456 feet



Legend	
[Red outline]	RZ10-05
[Light pink]	C-1 - CENTRAL COMMERCIAL DISTRICT
[Light orange]	C-2 - NEIGHBORHOOD COMMERCIAL DISTRICT
[Red]	C-3 - HIGHWAY COMMERCIAL DISTRICT
[Light yellow]	R-1 - SINGLE FAMILY SUBURBAN RESIDENTIAL DISTRICT
[Yellow]	R-2 - SINGLE FAMILY RESIDENTIAL DISTRICT
[Light green]	(FC-A) - FULTON COUNTY - ANNEXED
[Light purple]	H-R - HISTORIC ROSWELL DISTRICT
[Light blue]	11 - OFFICE AND BUSINESS DISTRIBUTION DISTRICT
[Blue]	MP/MD - MASTER PLAN MIXED-USE DISTRICT
[Dark blue]	O-P - OFFICE PROFESSIONAL DISTRICT
[Dark blue]	OC/MS - OFFICE COMMERCIAL MULTI-USE MIXED USE DISTRICT
[Light yellow]	PV - PARKWAY VILLAGE
[Light yellow]	R-1 - SINGLE FAMILY RESIDENTIAL DISTRICT
[Light yellow]	P-1-PV - SINGLE FAMILY RESIDENTIAL DISTRICT/PARKWAY VILLAGE
[Light yellow]	R-2 - SINGLE FAMILY RESIDENTIAL DISTRICT
[Light yellow]	R-3 - MULTI-FAMILY RESIDENTIAL DISTRICT
[Light yellow]	R-4 - MULTI-FAMILY RESIDENTIAL DISTRICT
[Light yellow]	R-4A - MULTI-FAMILY RESIDENTIAL DISTRICT
[Light yellow]	R-5 - PLANNED RESIDENTIAL DEVELOPMENT DISTRICT
[Light yellow]	P-PUD - RESIDENTIAL PLANNED UNIT DEVELOPMENT
[Light yellow]	R-TH - FLEXIBLE TO WHOMEVER USE DISTRICT MULTI-FAMILY

Future Land Use Map



1 inch = 456 feet



Legend	
	RZ10-05
	Future Land Use Codes
	Estate Residential (0.5 Units Per Acre)
	Low Density Residential (1-1.5 Units Per Acre)
	Suburban Residential (2-2.5 Units Per Acre)
	Medium Density Residential (3-5 Units Per Acre)
	High Density Residential (5-8 Units Per Acre)
	Office/Professional
	Office Campus
	Neighborhood Commercial
	General Commercial
	Light Industry/Showroom/Wholesale
	Transport/Comm/Utility
	Public/Institutional
	Parks/Recreation/Open Space
	Water
	Undevelopment
	Roads



View of property from Holcomb Bridge



View of property from Holcomb Bridge



View of property from Holcomb Bridge



View of entry to rear of property from Holcomb Bridge



View of the periphery of front lot



View of the periphery of front lot



View of the periphery of front lot



View of the periphery of front lot



View of back lot



View of back lot



View of back lot



View of Self Storage facility from Stream bank



View of Studio Movie Grill



View of Studio Movie Grill



View of TJ's Sports Bar and Grill



View of McDonald's



View of Storage Facility



View of Pike Nursery



NOTICE OF REZONING

Petition No: RZ10-05, CV10-01, CU10-03
 Petitioner: Ramco-Gershenson, Inc.
 Location: 2925 Holcomb Bridge Rd.
 Land Lot: 825 & 832

Request: Change zoning of O-Pc (Office Professional) to O-P (Office Professional) & C-3 (Hwy. Commercial) with a Conditional Use for a drycleaners, carwash and daycare facility

Public Hearings: Neighborhood Mtg. - May 20, 2010 (Room 220) 7:30 p.m.

Planning Commission **Aug. 17, 2010**

(Council Chamber) 7:30 p.m.

Mayor & City Council **Sept. 13, 2010**

(Council Chamber) 7:00 p.m.

Location: ROSWELL CITY HALL,
38 HILL STREET, ROSWELL, GA

For more information contact the Planning & Zoning Office, 38 Hill St., Ste. G-30, Roswell, GA (770) 641-3774 or www.roswellgov.com

08/02/2010 10:07

SITE PLAN ANALYSIS

The applicant is proposing to rezone 9.71 acres, located at 2925 Holcomb Bridge Road between Steeplechase Drive and Nesbit Ferry Road, from O/P (Office-Professional District) to C-3 (Highway Commercial District) and O/P in order to construct a car wash, dry cleaner and daycare center. The applicant is proposing to subdivide the property into four parcels: Parcel 1 includes a proposed 2,950 square foot Tide Dry Cleaner and contains 0.65 acres; Parcel 2 includes a proposed 5,983 square foot Mr. Clean Car Wash with a 1,133 square foot oil and lube service station on 1.42 acres; Parcel 3 includes a proposed 10,000 square foot Day Care Center on 1.46 acres; and Parcel 4 includes an intermittent stream and 6.18 acres of proposed undisturbed conservation area. Parcels 1, 2 and 3 are proposed for rezoning to C-3, while Parcel 4 is proposed to remain zoned O/P and be deeded as a conservation area in perpetuity for this purpose.

The subject property is surrounded on 3 sides by commercial uses. To the north of the subject property is the Holcomb Center Shopping Center that includes the Studio Movie Grill and TJ's Sports Bar and Grill. Adjacent to the subject property to the east is Pike Nursery and to the west is the Extra Space Storage facility. Further West at the Steeplechase Drive intersection is the entrance to the Horseshoe Bend subdivision. Horseshoe Bend subdivision abuts the subject property to the south and along the southwestern corner.

The site plan also indicates two proposed entrances for this development from Holcomb Bridge Road. The first entrance has a right in/right out with a raised island. The secondary entrance is located across from the Holcomb Center shopping center. The proposed traffic light for this location was approved by GDOT. However, the change in development type has necessitated another traffic study. A traffic study was submitted to the Roswell Transportation Department on June 29, 2010. After review by the Transportation Department, it was determined to be incomplete. The applicant revised the traffic study and resubmitted on July 28, 2010.

This proposed signalized entrance will be the primary entrance for the Day Care center which also shows inter-parcel access with Pike Nursery next door. The mode of traffic flow shows a small circular loop with pickup and drop off access located under the portico at the buildings entrance.

In addition, the applicant is requesting a variance to reduce the size of the play area from 27,000sf to 8,000sf based on the City's requirement of 150sf of play area per child. The State requires that the outdoor area must be equal to 100sf times one third (1/3) of the center's licensed capacity for children. In a letter dated May 3, 2010, Children of America stated that their prototypical school is licensed for 180 children and that they would limit the number of children on the playground to 40 at any one time. Based on state regulations, the minimum playground area must be 6,000sf. While the applicant does not meet the City's minimum requirements, it exceeds the State's requirements.

Staff has also identified the need for one additional variance: A variance to reduce the minimum landscape strip along the southern property line of Parcel 1 from 5 feet to 0 feet.

DRB/HPC comments and Design Guidelines

Peter Frawley (Landscape Architect), Ed Wizner (VP, Ramco Gershenson) and Rob Gibbons (civil engineer, Core States) made a presentation to the Design Review Board during their regularly scheduled May 4th public meeting. The following is a summary of those minutes:

John Carruth stated that the Design Review Board is the first body to see this and they are only to provide commentary, no approval tonight. Ed Wisner presented the rezoning application. He is going to give a 20 second introduction of Ramco and then he is going to turn it over to the two gentlemen that are going to talk specifically about what they are doing here: Peter Frawley and Rob Gibbons.

Kevin Caldwell expressed his concern with the proximity of the detention pond to the child care or proposed day care center and asked if the detention pond could be moved further back into the site. Rob Gibbons explained that it may be physically impossible due to buffer constraints but that they would try.

Roberto Paredes expressed his concern with the traffic flow as it relates to the daycare. He said that the flow seems confused as it relates to peak time drop off and pick up. Mr. Gibbons explained that a traffic signal is planned in front of this location that will serve the Studio Movie Grill and shopping center across the street as well as this development. This entrance will be the main drive for the daycare which is designed as a loop. Parents will drop their kids off under the portico located at the entrance and then drive back out to the light.

Neal Gasaway asked if the applicant had any drawings. Rob Gibbons pointed out that the architecture for the Tide dry cleaners is basically brick with the base being totally brick. The base of the tower is stacked stone and then there is an EIFS parapet and a green standing seam roof on the top. It is kind of a new concept as they have a double lane for the service area, drop off and pick up. Kevin Caldwell stated that it looks like they need a little more work on the elevation than they do on their site plan. It looks like they are mixing a lot of different things that maybe are not supposed to be mixed. John Carruth stated that the DRB will have another opportunity to review the elevations after the rezoning has been heard by the Mayor and City Council. This is just a preliminary review and comment.

Rob Gibbons presented the daycare elevation. This is a prototype. It does not have the portico. The one on the applicant's site will have the portico. The Tide and Mr. Clean are single story structures and this is a two-story. It is behind them so it will have a little more presence from the road.

LANDSCAPE PLAN ANALYSIS

The tree plan indicates that ten specimen trees are to be removed from the site which is 41.7 density units or 47 new trees. The tree replacement/landscape plan indicates 56 new trees of 4" caliper size as recompense for the specimen trees being removed.

VARIANCE CONSIDERATIONS

The applicant would need the following variances and/or conditional use permits in order to develop the property as proposed:

1. The applicant is requesting a conditional use on this property in order to operate the Mr. Clean Car Wash. Section 6.5.3 of the zoning ordinance requires a conditional use permit to operate a car wash within a C-3 zoning district.
2. The applicant is also requesting a concurrent variance from Section 10.16 of the zoning ordinance to reduce the size of the required playground for the daycare from 150 square feet of outdoor play area per child to 75 square feet per child, per a letter dated May 3, 2010 from Children of America. The letter states that the industry standard is 75 square feet per child; where the State's requirement for outdoor play area is 100 square feet per child. The following are the State of GA Requirements for Day Care Centers:

Section 591-1-1-.26 Playgrounds.

- (1) *Size.* For centers first licensed after March 1, 1991, the center shall provide or have ready access to an outdoor play area. The minimum size of the outdoor area must be equal to one hundred (100) square feet times one third (1/3) of the center's licensed capacity for children.
- (2) *Playground Occupancy.* At least one hundred (100) square feet shall be available for each child occupying the outside play area at anyone time. Groups of children may be rotated if necessary so that one hundred (100) square feet per child is provided at all times.
- (3) *Location.* Playgrounds shall be adjacent to the center or in an area which can be reached by a safe route or method approved by the Department. Except in school-age centers, the playground shall have shaded areas.
- (4) *Fence or Approved Barriers.* Playgrounds shall be protected from traffic or other hazards by a four (4) foot or higher secure fence or other barrier approved by this Department. Fencing material shall not present a hazard to children and shall be maintained so as to prevent children from leaving the playground area by any means other than through an approved access route. Fence gates shall be kept closed except when persons are entering or exiting the area.
- (5) *Playground Surfaces.* Except in school-age centers, the playground shall have a surface suitable for varied activities. Hard surfaces, such as gravel, concrete, or paving shall not exceed one-fourth (1/4) of the total playground area.
- (6) *Equipment.* Playground equipment shall provide an opportunity for the children to engage in a variety of experiences and shall be age appropriate. For example, toddlers shall not be permitted to swing in swings designed for school-age children. The outdoor equipment shall be free of lead-based paint, sharp corners and shall be regularly maintained in such a way as to be free of rust and splinters that could pose significant safety hazard to the children. All equipment shall be arranged so as not to obstruct supervision of children.
- (7) *Anchoring of Certain Equipment and Fall Zones.* Climbing and swinging equipment shall be anchored and have a resilient surface beneath the equipment. The fall-zone from such equipment must be adequately maintained by the center to assure continuing resiliency.
- (8) *Safety and Upkeep of Playground.* Playgrounds shall be kept clean, free from litter and free of hazards, such as but not limited to non-resilient surfaces under the fall-zone of play equipment, rocks, exposed tree roots and exposed sharp edges of concrete or equipment.

Authority O.C.GA 20-1A-1

Based on a letter dated May 3, 2010 from Children of America stating that they are licensed for 180 children and that they would limit the number of children on the playground to 40. Based on the State's "one hundred (100) square feet times one third (1/3) of the centers licensed capacity for

children" requirement, a minimum of 6,000sf of outdoor play area is required.

3. A variance to reduce the minimum landscape strip along the southern property line of Parcel 1 from 5 feet to 0 feet. Section 6.5.3(Table 6.2) requires a minimum of 5 foot landscape strip along side property lines for any non-residential or multi-family use.

DEPARTMENT COMMENTS

City of Roswell Environmental Department

Provide preliminary hydrology information.

City of Roswell Engineering Division

1. Provided state waters has not been located on Water Resource map; City of Roswell shall qualify and classify stream segment.
2. Verify sanitary sewer access from adjacent parcel. Proposed sewer access conflicts with out building of adjacent property.
3. Provide easement agreements for interparcel access.
4. Clarify parcel 4 current and future use; conservation easement shall remove future development opportunities.
5. Site access and required improvements shall be approved by GDOT.
6. Site plans depict buildings canopy within front BSL and Landscape strips.
7. Provide storm and detention pond easements.

Fiscal Impact

A fiscal impact study was done for the rezoning proposal. The model assumed complete construction in Fiscal Year 2011. The fiscal impact analysis indicates the proposal would result in service costs exceeding revenue for years 2012-2032.

Archaeological

NA

City of Roswell Fire Department

Applicant must conduct a fire flow test to determine if there is adequate water available for firefighting. The flow test must be in compliance with the 2006 edition of the international Fire Code and appendices B, C and D. Depending on the available water and the type of construction, a sprinkler system may be required.

City of Roswell Transportation Department

1. The Developer shall pay \$30,000 to the City for future installation of adaptive traffic signal control system at the intersection. As part of the City's corridor ATMS project, adaptive signal control will be installed on all critical and closely spaced intersections. The ATMS project does not have enough funds to add any more locations to it. The construction for that project is scheduled to begin in June 2012. The \$30,000 will be used at that time to install the adaptive control system at Holcomb Center intersection.
2. The Developer shall install CCTV traffic monitoring camera(s) as part of the traffic signal installation project. The video monitoring system must provide the capability of viewing at the least, the back of traffic queue on all four approaches to the intersection. The developer must also provide the capability of being able to view the CCTV feed at the existing City Traffic Control Center at Hembree. That capability will require at least some off site fiber optic splices. The technology to be used must be approved by the City in advance.
3. The technology for proposed video detection system must be approved by GDOT since they will be responsible for repair and maintenance of the video detection system.

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4. Back plates must be installed with traffic signal heads for all four approaches.
 5. Provide "right turn must turn right" signs on all deceleration lanes turning onto side streets.
 6. As part of the traffic signal installation, the contractor must implement basic traffic signal timings and coordination timing plans in conjunction with the existing signal timings at adjacent signalized intersections. The City will provide the data on existing signal timings on adjacent intersections upon request.
 7. Coordinate all work within Holcomb Bridge Rd/ SR 140 right-of-way with the Georgia Dept. of Transportation (GDOT). All required GDOT permit(s) shall be acquired and copies submitted to the City of Roswell Transportation Dept. prior to issuance of a Land Disturbance Permit (LDP)
 8. The proposed deceleration lanes along Holcomb Bridge Road/ SR 140 must meet GDOT standards (i.e. Curb line radius, taper and storage lengths, width, pavement section, etc.)
 9. The proposed raised median along Holcomb Bridge Rd/ SR 140 would have to be approved by GDOT. Show the entire length of the proposed raised median and label its width.
 10. Show/Label each travel lane width along HBR/SR 140 before and after the proposed raised median. Differentiate existing striping from proposed striping.
 11. Highlight/Shade all additional asphalt pavement necessary due to the proposed raised median and the deceleration lanes.
 12. Address drainage (i.e. improvements necessary due to the proposed raised median, etc.)
 13. Show profile of the 2 proposed driveways. Ensure that storm water flow is maintained within the right-of-way to prevent/minimize flooding of Holcomb Bridge Rd/SR 140.
 14. Provide pedestrian connectivity from Holcomb Bridge Rd/ SR 140 to the Dry Cleaner and the Day Care.
 15. Show a minimum 500 feet of the existing roadway conditions along HBR/SR ENCOMPASS 3.4 PAGE NUMBER: 3 140 on either side of the site. Show all striping, curb and gutter, side streets/driveways, traffic signal, etc.
 16. Show documentation granting encroachment permit or easement on the adjacent parcel to the east (Pike's Nursery) for the proposed interparcel access and the new driveway access.
 17. Stripe the proposed 2 driveways exit similar to the proposed striping at the existing driveway on the west in order to prevent/reduce weaving.
 18. Additional improvements may be required, pending completion/revision of the required traffic impact study.
 19. If feasible, provide interparcel easement with the existing parcel to the west.

Georgia Department of
Transportation

A traffic signal permit was approved on July 18, 2007 for the intersection of SR 140/Holcomb Bridge Road at the Holcomb Center in the City of Roswell.

City of Roswell Arborist &
Landscape Architect

Ten specimen trees are being removed; however, the tree replacement/landscape plan indicates recompense for the specimen trees.

CHRONOLOGICAL LISTING OF PLANS SUBMITTED

Original Plans submitted on April 12, 2010. Revised Site Plan submitted August 2, 2010. The revised plan relocated the vacuums for the car wash out of the front setback.

STANDARDS OF REVIEW

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 request may be suitable given the surrounding commercial uses. However, the O-P zoning has reasonable economic value on this site.

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

The proposed use may adversely affect the existing or surrounding properties.

3. *Whether the property to be affected by the zoning proposal may have reasonable economic use as currently zoned.*

The subject property is presently zoned O-P (Office Professional) and has a reasonable economic use as zoned.

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

The proposed development is located on Holcomb Bridge Road which is a heavily used arterial road. The applicant is proposing to install a signalized light that will coordinate with the shopping center across the street. The proposal may not cause an excessive burdensome use of existing streets, transportation facilities, utilities or schools.

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

The Future Land Use Map identifies the subject property as suitable for Office/Professional uses, which are developments predominately occupied by establishments that provide a service as opposed to the sale of goods or merchandise, located in low intensity setting in one-or two-story buildings. The proposed C-3 zoning would not be consistent with this designation.

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.*

The surrounding properties facing Holcomb Bridge Road are all used commercially. Across from the proposed rezoning request is the Studio Movie Grill, which recently opened and is located with the Holcomb Center Shopping Center. Given the surrounding uses, the proposed request may be suitable to the area.

7. *Existing use(s) and zoning of subject property.*

The subject property is currently zoned O/P (Office Professional District) and is vacant.

8. Existing uses and zoning of nearby property. (See page 6).

The subject property is surrounded on 3 sides by commercial uses. To the north of the subject property across Holcomb Bridge Road is the Holcomb Center Shopping Center that includes the Studio Movie Grill and TJ's Sports Bar and Grill. Adjacent to the subject property to the east is Pike Nursery and to the west is the Extra Space Storage facility. Further West at the Steeplechase Drive intersection is the entrance to the Horseshoe Bend subdivision. Horseshoe Bend subdivision abuts the subject property along the south and southwest corner.

9. An explanation of the existing value of the property under the existing zoning and/or overlay district classification.

The subject property is zoned O-P (Office Professional) and is vacant. The applicant has indicated that the existing value of the property is distressed due to the O-P zoning; however, an appraisal would need to be completed to make this determination.

10. Whether the property can be used in accordance with the existing regulations.

The property is zoned O-P (Office Professional) for an office development and can be developed in accordance with existing regulations. The applicant has indicated that it would be difficult to construct the approved O-P plan.

11. The extent to which the property value of the subject property is diminished by the existing zoning district and/or overlay district classification.

The applicant has indicated that they have tried to market it for office use since 2005.

12. The value of the property under the proposed zoning district and/or overlay district classification.

The proposed C-3 zoning request would allow for commercial uses to be developed; however, the property is zoned O-P for an office development

13. Suitability of the subject property under the existing zoning district and/or overlay district classification for the proposed use.

The proposed use for a car wash and dry cleaners are not suitable under the O-P zoning. A day care facility would not be permitted by right in the O-P zoning, it is a conditional use. The proposed uses are not suitable under the current O-P zoning.

14. The suitability of the subject property under the proposed zoning district and/or overlay district classification.

The proposed commercial development uses for the day care, dry cleaners and car wash are suitable uses under the C-3 zoning classification.

15. The length of time the property has been vacant or unused as currently zoned.

The applicant has indicated that the subject property has been vacant for 6 years.

16. A description of all efforts taken by the property owner(s) to use the property or sell the property under the existing zoning district and/or overlay district.

The applicant has indicated that the property has been on the market for 6 years and has not had a buyer.

17. The possible creation of an isolated zoning district unrelated to adjacent and nearby districts.

The proposed rezoning request would not create an isolated zoning district.

18. Possible effects of a change in zoning or overlay district map, or change in use, on the character of a zoning district or overlay district.

The proposed C-3 rezoning would not have an effect on the character of the area. The surrounding area along Holcomb Bridge Road contains commercial uses. The proposed request would be consistent with those commercial uses.

19. Whether the proposed zoning map amendment or conditional use approval will be a deterrent to the value or improvement of development of adjacent property in accordance with existing regulations.

The proposed zoning request would not be a deterrent to the value of adjacent and nearby commercial developments.

20. The possible impact on the environment, including but not limited to, drainage, soil erosion and sedimentation, flooding, air quality and water quality.

The applicant is proposing to dedicate in perpetuity 6.18 acres of natural open space with this project. The conservation easement would contain the stream and its buffers.

21. The relation that the proposed map amendment or conditional use bears to the purpose of the overall zoning scheme, with due consideration given to whether or not the proposed change will carry out the purposes of these zoning regulations.

The proposed zoning change may not carry out the purposes of the zoning regulations, because the area is presently slated for development related to O-P uses.

22. The consideration of the preservation of the integrity of residential neighborhoods shall be considered to carry great weight. In those instances in which property fronts on a major thoroughfare and also adjoins an established residential neighborhood, the factor of preservation of the residential area shall be considered to carry great weight.

The applicant is proposing to leave 6.18 acres undisturbed adjoining the Horseshoe Bend Subdivision. This will allow for substantial buffering between the proposed commercial uses and the needs of nearby residents.

23. The amount of undeveloped land in the general area affected which has the same zoning or overlay district classification as the map change requested.

There does not appear to be any undeveloped or available land within the immediate vicinity of the proposed development that is presently zoned C-3 (Highway Commercial).
