

Petition No. RZ12-09 and CV12-04

HEARING & MEETING DATES			
Design Review Board Meeting 1/3/13	Neighborhood Meeting 1/17/13	Planning Commission Hearing 2/19/13	Mayor and City Council Hearing 3/25/13
APPLICANT/PETITIONER INFORMATION			
Property Owners Prime Interest Inc.	Petitioner Marty Orr	Representative Ken Wood	
PROPERTY INFORMATION			
Address, Land Lot, and District	Pine St. @ Chattahoochee St.; Land Lot 382, First District		
Frontage and Area	50.03 feet on Chattahoochee St. and 348.19 feet on Pine St.; 3.38 acres		
Existing Zoning and Use	R-2 (Single Family Residential)		
Overlay District	Citywide Design Guidelines		
2030 Comprehensive Plan; Future Development Map	Suburban Residential		
Proposed Zoning	R-THA (Fee Simple Townhouse District)		
INTENT			

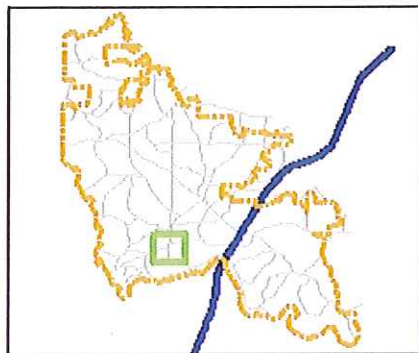
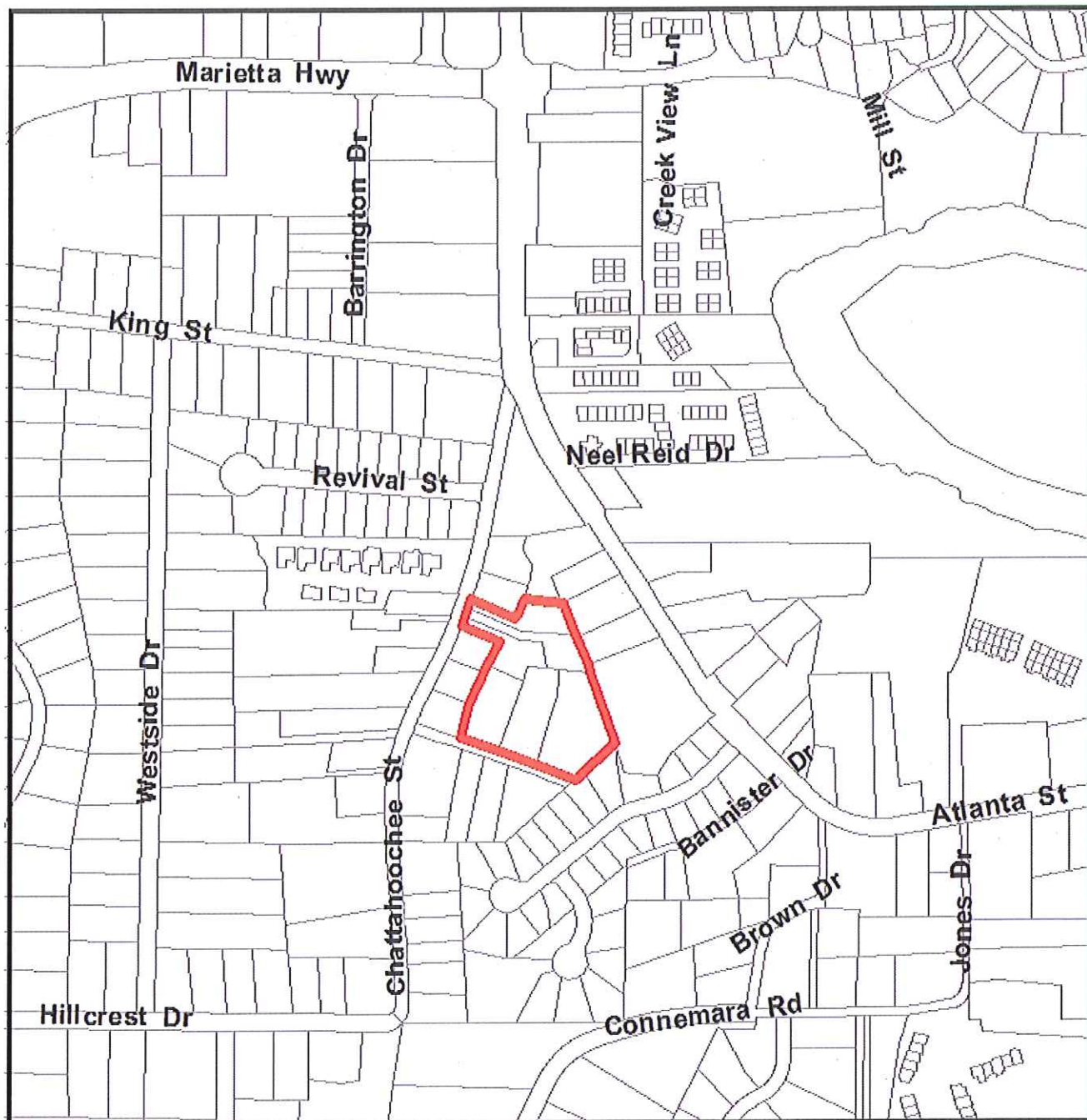
The applicant is proposing 16 attached residential homes on the site. The applicant has also requested variances with this application.

DEPARTMENT OF COMMUNITY DEVELOPMENT RECOMMENDATION

RZ12-09 and CV12-04 Approval of rezoning; approval of variances to front setback, setback and buffer, and lot coverage.


PLANNING COMMISSION RECOMMENDATION

The Planning Commission recommended denial of the rezoning and concurrent variances during their February 19, 2013 public hearing.



1 in = 400 ft

Location

 Property Location

Map Source: City of Roswell GIS
Map Created by: Micah Stryker

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Aerial Date: February 2010

STAFF RECOMMENDED CONDITIONS

The Community Development Department recommends approval of the rezoning request and variance requests with the following conditions.

1. The owner/developer shall develop the property in accordance with the site plan stamped "Received March 1, 2013 City of Roswell Community Development Department"
2. The garages for the homes must be used for cars only. This must be specified in the Home Owner Association Documents.
3. The front of each home must sit at the 5' front setback line.
4. The signage for the development must be located on its own parcel. This must be specified in the Home Owner Association Documents.
5. A preliminary plat for the property shall be required prior to the issuance of a Land Development Permit.
6. A final plat shall be recorded at the completion of each of the separate blocks built.
7. There shall be a 10' no access easement along Pine Street. This shall be shown on the preliminary and final plats.
8. ~~Lots 1,6,7,8, and 9 shall provide a 20' buffer and a 25' setback. (Deleted due to revised 3-1-13 site plan)~~
9. ~~Lots 1,2, 3, and 4 shall move 20' to the west to allow for the proper setback and sight distance for lot 4 (Deleted due to revised 3-1-13 revised site plan).~~

TRANSPORTATION RECOMMENDATION

Although not a condition, Transportation strongly recommends that the developer reserve 50' of right-of-way for future street connectivity.

BACKGROUND

The property has always been zoned R-2(Single Family Residential).


EXISTING LAND USE AND ZONING OF ABUTTING PROPERTY

SUBJECT PETITION RZ12-09	Requested Zoning	Proposed Use	Land Area (Acres)	Number of Units	Density (Square Footage per Acre)
	N/A Site Plan Amendment	Townhomes (attached residential)	3.38 acres	16	4.7 upa
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	R-2	Single family home	.29 acres	One	3.4 upa
South	R-2 & HR	Single family homes	2.52 acres	6 homes	2.38 upa
East	C-2 & C-3	Businesses in Historic District and vacant property	3.65 acres	Buildings on 3 lots	9,350 SF per acre
West	R-2 & R-3	Single and Multi- family homes	1.32 acres	5 homes	3.78 upa



1 in = 100 ft

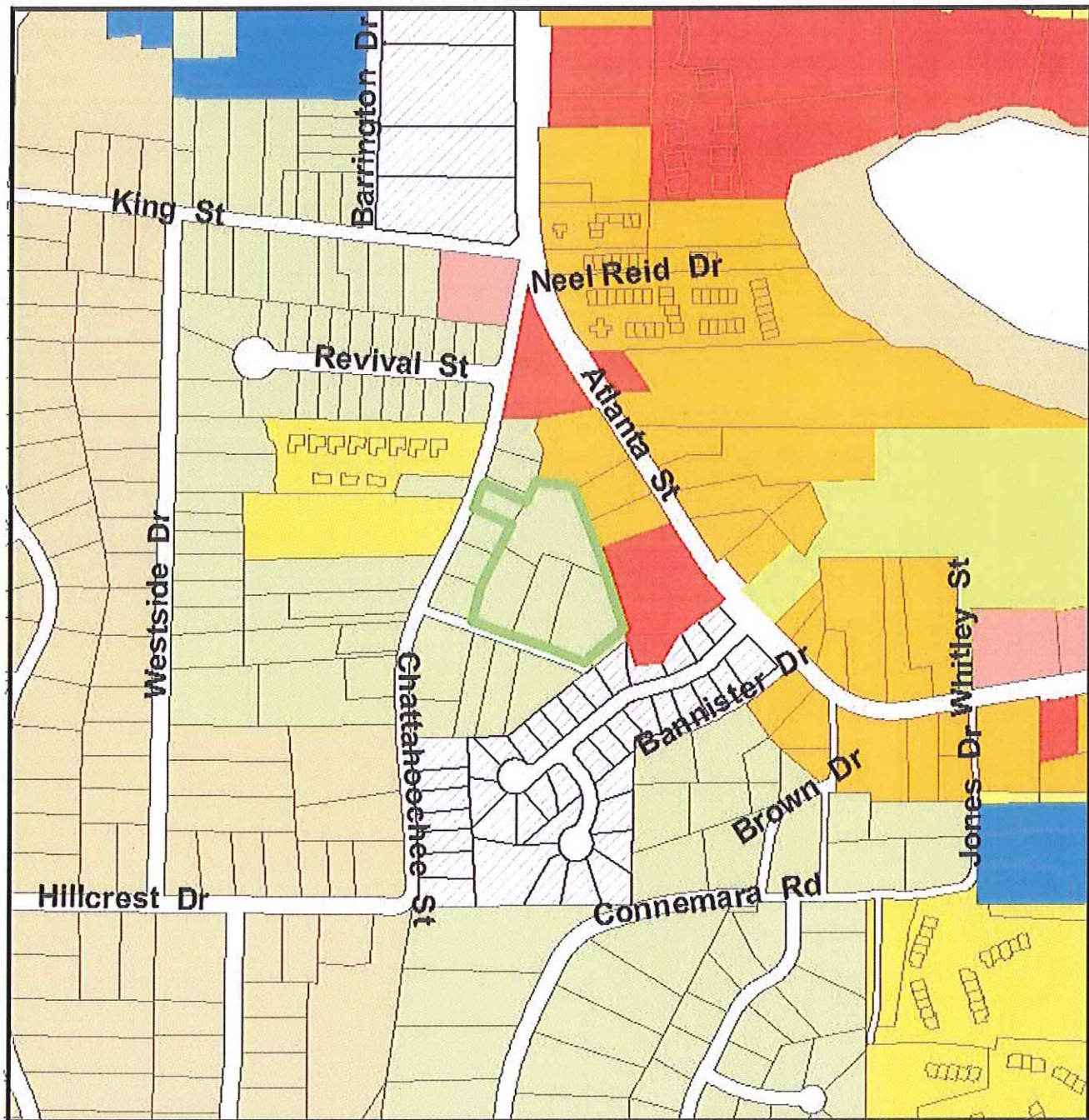
Aerial

 Property Location

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Zoning



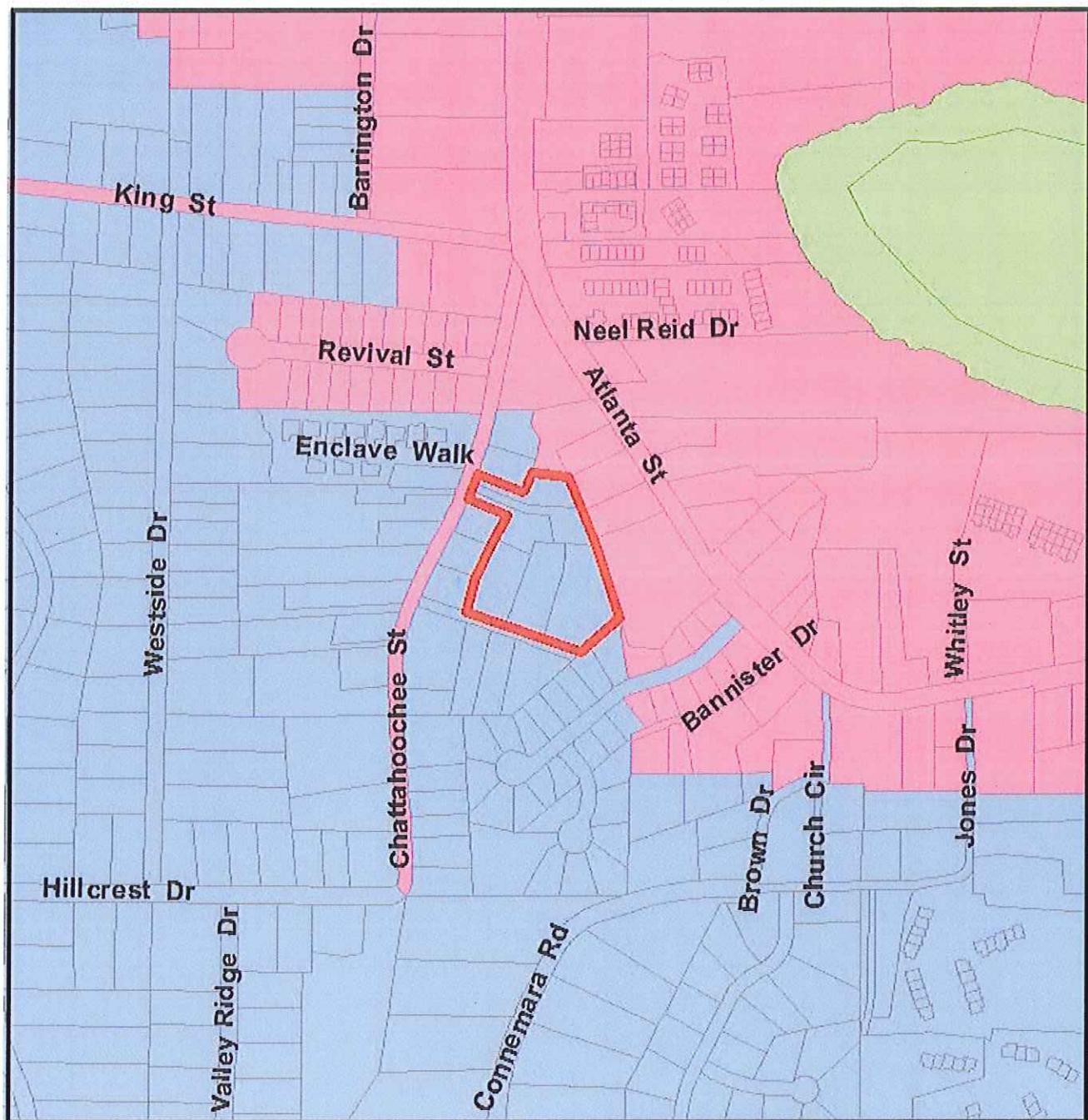
1 in = 400 ft

Map Source: City of Roswell GIS
Map Created by: Micah Stryker

- Property Location
- C-1 - Central Commercial District
- C-2 - Neighborhood Commercial District
- C-3 - Highway Commercial District
- O-P - Office - Professional District
- H-R - Historic Roswell District
- R-1 - Single-Family Residential District
- R-2 - Single-Family Residential District
- R-3 - Multi-Family Residential District
- R-4 - Multi-Family Residential District
- R-4A - Multi-Family Residential District




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Aerial Date: February 2010



1 in = 400 ft

Future Land Use

-  Property Location
- Character Areas**
-  Conservation/Greenspace
-  Historic Area Town Center/Downtown
-  Suburban Residential

Map Source: City of Roswell GIS
Map Created by: Micah Stryker

Path: \\Core1\cd\Community Development\Micah\GIS\Micah\Chattahoochee @ Pine\Chattahoochee at Pine Future Land Use Map Aerial Date: February 2010



View of property



View of property



View of the property



View of the property



View across Chattahoochee St.



View across Pine St.



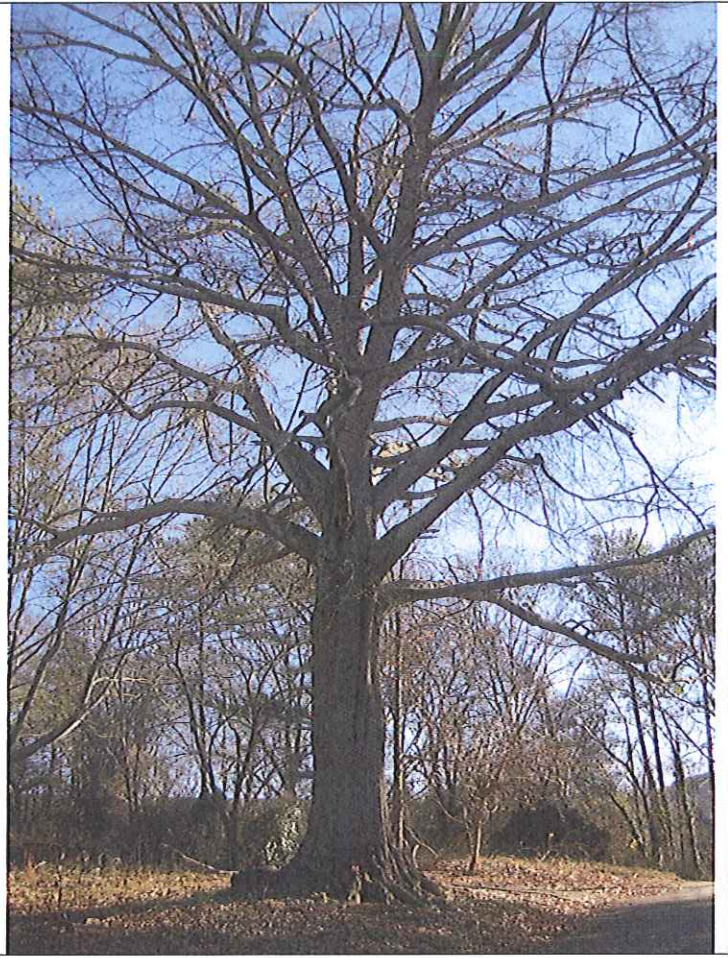
View of surrounding property



View of surrounding property



View of the property



View of the property



View of the property



NOTICE OF PUBLIC HEARING

Petition No: **Rezoning - RZ12-09 &
Concurrent Variance - CV12-04**

Petitioner: **Prime Interest, Inc. / Marty D. Orr**

Location: **Pine St. @ Chattahoochee St.**

Land Lot: **382**

Request: **R-2 (Single-Family Medium Density) to
R-THA (Fee Simple Townhomes Medium
Density) with concurrent variances to
setback, buffer and lot coverage.**

Public Hearings:	Neighborhood Mtg. -	January 17, 2013
	Planning Commission -	February 19, 2013
	(Council Chamber) 7:00 p.m.	
	Mayor & City Council -	Mar. 25, 2013 2013
	(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

SITE PLAN ANALYSIS

The site plan indicates 16 attached residential homes on 3.38 acres which is 4.7 units per acre. Each home is located on it's own lot of record. The site plan proposes a new street to be created from Chattahoochee Street to Pine Street. Although the proposed development is surrounded by single family homes, duplexes and commercial, there are two existing neighborhoods within the vicinity of this proposal. The Enclave at Chattahoochee is a single family detached condominium development and Azalea Point is a subdivision with minimum lot sizes at 6,000 SF.

DRB/HPC comments and Design Guidelines

The Design Review Board reviewed this item during their January 3, 2013 meeting. The board had the following comments:

1. What attachment is being used between the homes?
2. Review some other developments related to their layouts, i.e. Crabapple Point and Palisades.
3. Create some type of community space; instead of the open space by unit number 5.
4. No visitor parking.
5. Likes the rear entry homes.
6. Rework the plan to put all of the open space together.
7. Should there be a turnaround on the alley?

LANDSCAPE PLAN ANALYSIS

The tree plan shows five specimen trees to be removed and there are two specimen trees being saved on the property. The landscape plans proposes a mixture of Elm and Maple to be used as the street trees for the development.

VARIANCE CONSIDERATIONS

The applicant is requesting the following variances with the proposed rezoning.

1. The applicant is requesting a variance to the front yard setback from a major and minor street. A major street requires a 50' front setback and a minor street requires a 30' front setback. The applicant is requesting that the front setback be 5'.
2. The second variance is for a setback reduction abutting the R-2 zoned property from the required 50' setback to a 25' setback.
3. The third variance is for a buffer reduction abutting the R-2 zoned property from the required 40' buffer to a 20' buffer.
4. The final variance is for an increase in the lot coverage on each lot from the required 40% to 50%.

DEPARTMENT COMMENTS

City of Roswell Environmental Department	<ul style="list-style-type: none">• A stormwater concept meeting is strongly encouraged.• It does not appear that the existing layout will provide adequate space to comply with the stormwater ordinance.• An additional lot may be required to be dedicated to stormwater infrastructure.
City of Roswell Engineering Division	<ul style="list-style-type: none">• Provide 10' no access easement along Pine Street frontage.• Provide sidewalk and landscape strip along Pine Street frontage.• Water Resources Map indicates state waters in the vicinity of the small ditch and 18" RCP. Delineate state waters and contact the plans reviewer for delineation confirmation.• Provide Steep Slope and Erodible Soils Evaluation per Section 7.3.4.17 of the city code and approval of the evaluation by the city engineer.• Open space and stormwater management BMPs including filter strips should be on separate lots of record.• Obtain Stormwater Concept approval prior to LDP submittal.• LDP and NPDES State General Permit will be required.• HOA must be created for maintenance of stormwater BMPs and private alleyway.
Fiscal Impact	<ul style="list-style-type: none">• The fiscal impact analysis indicates that the city over the next 20 years will receive a net revenue of \$114,269.000 for this project.
Archaeological	Not required.
City of Roswell Fire Department	<ul style="list-style-type: none">• The applicant must conduct a fire flow test to determine if there is adequate water available for firefighting. The test must be conducted in accordance with the 2006 edition of the International Fire Code and appendix B. The test will have to calculate all of the proposed fire hydrants to determine water availability at 20PSI residual.• Fire hydrants must be provided in accordance with the IFC and appendix C.
City of Roswell Transportation Department	<ul style="list-style-type: none">• Provide appropriate GDOT ADA ramps at each sidewalk crossing.• Provide turn around at the end of the proposed alley, as per section 2.1.7.B of the City of Roswell standard manual.• Dedicate 50' right-of-way for interparcel connectivity with adjacent parcel on the east, which is the parcel adjacent to lots 11 and 12. Interparcel connectivity is address in section 2.1.1.General, paragraph 4 of the City of Roswell manual. The plan is to eventually extend that connectivity to South Atlanta Street\ S.R.9.• Provide the profile of the proposed streets.• Provide a summary table for the geometric centerline data of the proposed streets (i.e. Angle of intersection with Chattahoochee St and Pine St., Radius of the Horizontal curves, bearing and distance, etc.) See sections 2.1.4 and 2.1.5 of the City of Roswell standard manual for information on the geometric characteristics requirements of residential street.

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- Label each curb line radius of the proposed driveways.
 - Show/Label the right-of-way distance from Chattahoochee St and Pine St centerlines, along the site frontages.
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City of Roswell Arborist &
Landscape Architect

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- See street tree guidelines 15.4.4 (d) for spacing.
 - Maple and Elm trees are a medium to large size tree and should be spaced 30-40 or 50-70 feet on center.
 - See Section 15.4.3 (g) for minimum replacement tree size and height. Overstory trees shall be 3" min. caliper.
 - Revise and provide detailed tree replacement plan at LDP submittal.
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Fulton County

- Anticipated total water demand – 4,320 gallons per day. This project is within the City of Roswell water service jurisdiction.
 - Sewer is Big Creek – anticipated sewer demand – 1,888 gallons per day.
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CHRONOLOGICAL LISTING OF PLANS SUBMITTED

Original plans submitted on December 4, 2012.

Revised plans submitted on February 8, 2013. – Added sidewalk from lot 8 to Chattahoochee St. Provided a 30' rear setback on lots 12-14. Expanded the stormwater area next to lot one.

Revised site plan submitted on March 1, 2013. – Changed the plan to show the 20' side corner setback for lot 4, and the 20' buffer and 25' setback for lots 1,5,6,7 and 8. Also indicated a request for 50% lot coverage.

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 property is surrounded by single family homes, commercial businesses and duplexes. The attached residential homes would be suitable with the existing surrounding uses.

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

The proposed rezoning may not adversely affect the existing use of the homes and businesses adjacent to this property.

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

The property is zoned R-2 (Single Family Residential) and it has reasonable economic use as currently 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 site plan indicates a new road between Chattahoochee and Pine Streets with an additional 16 dwelling units. The proposed development may not cause a burdensome use on the transportation facilities or utilities.

5. Whether the zoning proposal is in conformity with the policies and intent of the future development plan.

The 2030 Comprehensive Plan indicates this property to be used for Suburban Residential. "By 2030, this character area continues to foster stable, established suburban neighborhoods, building on the existing mix of housing types. These neighborhoods are predominately single family, with newer, master planned developments providing mixed residential housing types (single family attached, detached, and limited multi-family.)" The proposed rezoning complies with the intent of the 2030 Comprehensive 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.

Over the years, several new residential development with smaller lot sizes and condo style homes have been built and are a more appropriate type of residential development in this transitional area.

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

The zoning of the property is R-2 (Single Family Residential) and the property is currently vacant.

8. Existing uses and zoning of nearby property. (See page 5).

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

An appraisal of the property would be required in order to determine the existing value of the subject property.

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

The property is zoned R-2 (Single Family Residential) and can be used in accordance with the R-2 zoning regulations.

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

An appraisal would have to be completed to determine whether the property is diminished by the existing R-2 zoning.

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

An appraisal would have to be completed to determine whether the property is diminished by the existing R-2 zoning.

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

The existing R-2 zoning would not allow for attached residential homes. The R-2 zoning is for single family detached residential and the lot sizes must be a minimum of 12,000 SF.

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

The R-THA zoning does allow for attached residential homes. The proposed rezoning would be suitable under the R-THA zoning.

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

The applicant has stated in the application that they do not know how long the property has been vacant.

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 stated in the application that they do not know if the property owner attempted to sell the property under the existing R-2 zoning classification.

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

The R-THA zoning will not create an isolated zoning district due to the existing zonings currently surrounding the site. There is C-2/HR and C-3/HR abutting the property on the east and across Chattahoochee Street is R-3 zoned property.

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 area consists of single family homes, duplexes, and condo homes. The property also backs up to commercial uses along Atlanta Street.

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 existing regulations for this property fall under the R-2 zoning requirements which require a minimum lot size of 12,000 SF. There are many of properties around the proposed rezoning that are zoned R-2; however, there are also commercial properties located to the rear and multi-family zoned properties in the vicinity. The proposed request may be an improvement to the development of the area.

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

The proposed project would be required to meet all stormwater regulations related to drainage, erosion and water quality.

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 existing zoning is R-2. The proposed zoning is R-THA. Both of these zonings fall into the Suburban Residential character area of the 2030 Comprehensive Plan. Transitions of use between commercial corridors and single family adjacent neighborhoods are to be done by design controls. The design section under the Suburban Residential character area indicates that "new development will be compatible with adjacent existing character with similar densities and lot sizes," and "infill transitions appropriately scale new development to eliminate impacts to existing surrounding stable neighborhoods (buffers, open space and landscaping.)"

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 staff has supported a variance for a 20' buffer and 25' setback behind lots 1,5,6, 7 and 8 in order to move lots 1-4, twenty feet to meet the side corner setback for lot 4.

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 is no R-THA zoning in the area of the requested map change.