



Petition No. RZ 201403094 and CU 201403096

HEARING & MEETING DATES

Design Review Board Meeting	Neighborhood Meeting	Planning Commission Hearing	Mayor and City Council Hearing
N/A	September 11, 2014	October 21, 2014	November 10, 2014

APPLICANT/PETITIONER INFORMATION

Property Owner	Petitioner	Representative
R. Wayne Lamar	R. Wayne Lamar	R. Wayne Lamar

PROPERTY INFORMATION

**Address, Land Lot,
and District** Coleman Road and Marietta Highway; : Land Lots 233, 234 and 270, First District

Frontage and Area 769.52' on Marietta Highway and 622.49' on Coleman Road; 10.6 acres

**Existing Zoning and
Use** NX (Neighborhood Mixed Use) and RS-30 (Single Family Estate)

2030

**Comprehensive
Plan; Future** Suburban Residential

Development Map

Proposed Zoning NX (Neighborhood Mixed Use)

INTENT

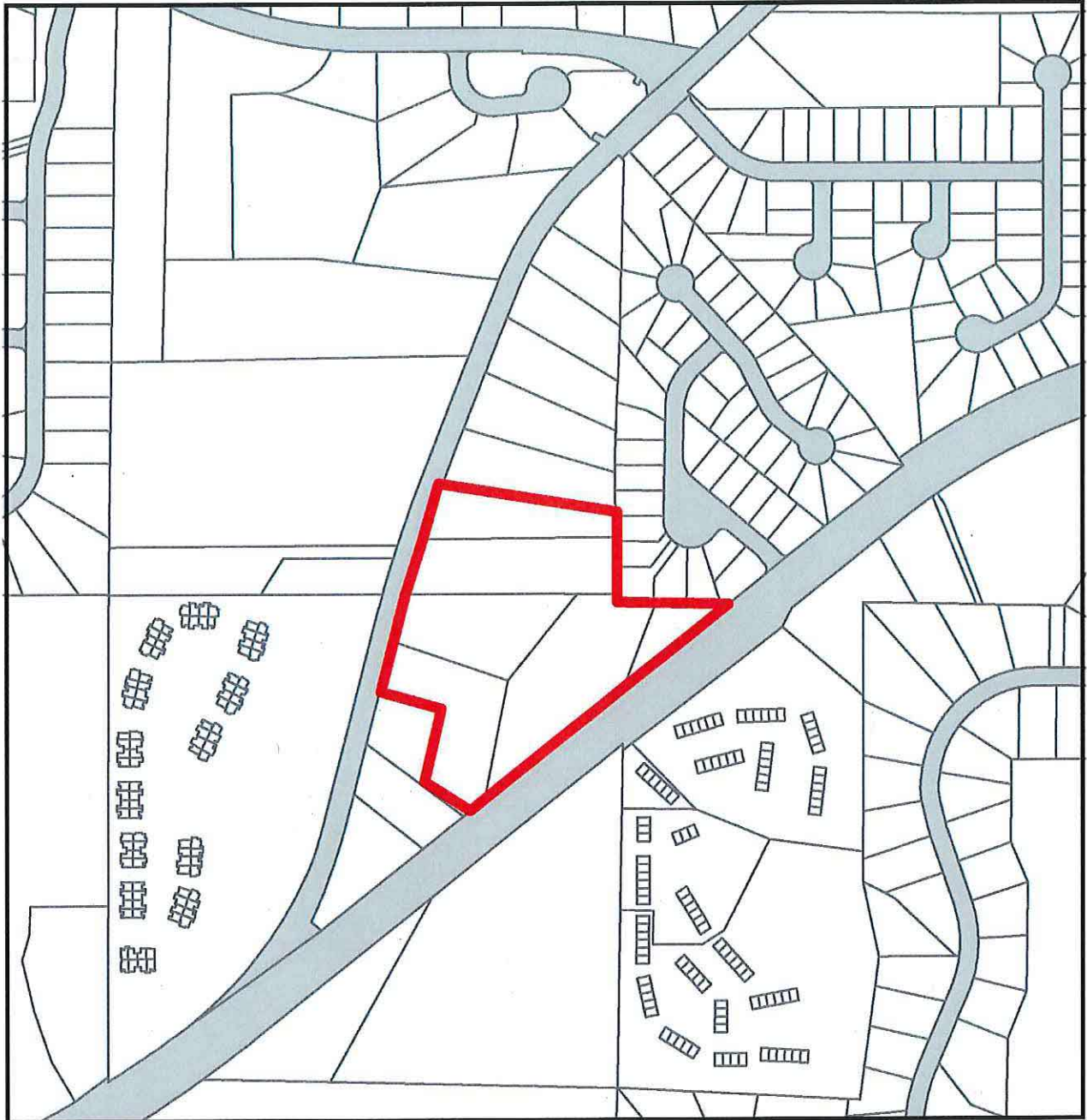
The applicant is requesting to develop a single family subdivision under the NX (Neighborhood Mixed Use) zoning and is requesting to rezone two RS-30 properties to NX which will add to the subdivision. A conditional use is required for single family to be allowed under the NX zoning.

DEPARTMENT OF COMMUNITY DEVELOPMENT RECOMMENDATION

RZ 201403094 - Approval and CU 201403096 - Approval

PLANNING COMMISSION RECOMMENDATION

The Planning Commission will hear this case during their regularly scheduled October 21, 2014 hearing.



1 in = 400 ft

Location



1010 & 1020 Coleman Rd

STAFF RECOMMENDED CONDITIONS

The Community Development Department recommends approval of the rezoning from NX (Neighborhood Mixed-Use) and RS-30 (Single Family Estate) to NX (Neighborhood Mixed Use) with a conditional use to allow for a single family development with the following conditions.

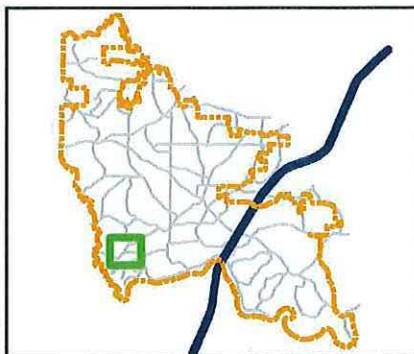
1. The owner/developer shall develop the property in substantial accordance with the site plan stamped "Received October 7, 2014 City of Roswell Community Development Department".
2. A preliminary plat must be completed prior to the submittal of the Land Development Permit.
3. A final plat must be completed and recorded.
4. There is not guarantee that the number of lots indicated may be achieved due to compliance with all city regulations.
5. The owner/developer shall install a deceleration lane into the development from Marietta Highway/SR 120 as required by the Roswell Department of Transportation and the Georgia Department of Transportation.
6. The owner/developer shall provide sidewalk along the entire Coleman Road frontage as approved by the Roswell Department of Transportation.
7. In lieu of the bike lane and left turn lane, the owner/developer shall dedicate 6' of right-of-way along the entire Coleman Road frontage as required by the City of Roswell Transportation Department.
8. The owner/developer shall provide right-of-way/ stub for future connectivity to the northern parcel as required by the Roswell Transportation Department.

BACKGROUND

The property is zoned NX (Neighborhood Mixed Use) and RS-30 (Single Family Estate).

EXISTING LAND USE AND ZONING OF ABUTTING PROPERTY

SUBJECT PETITION 201403094	Requested Zoning	Proposed Use	Land Area (Acres)	Number of Units	Common open space
	NX	Single family homes	10.594 acres	36	N/A
Location in relation to subject property	Zoning	Use	Land Area (Acres)	Square Footage or Number of Units	Common area/Amenity area
North	RS-30 and RS-9	Single family homes	1.38 acres; 1.67 acres	1 home; 7 homes	N/A
South	NX	Commercial uses	2.83 acres	3,200 SF	N/A
East	RTH and NX	Townhomes and Commercial (Kroger)	16.06 acres; 10.5 acres	205 units; 50,670 SF	N/A
West	RS-30, RS-18 and RM-2	Vacant land, single family homes, and condos	10.5 acres; 2.34 acres; 14.3 acres	2 SF homes; condos	N/A

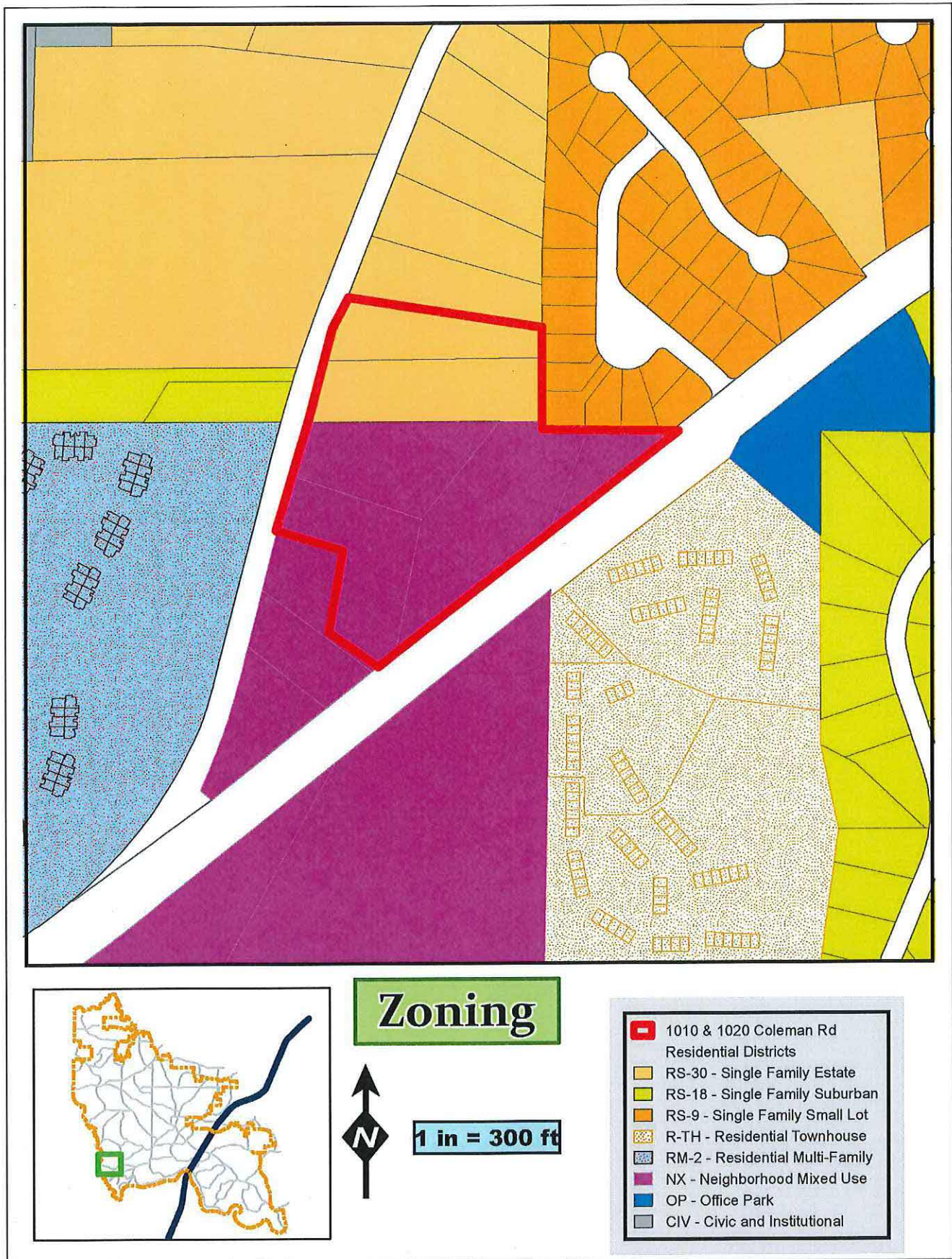


1 in = 200 ft

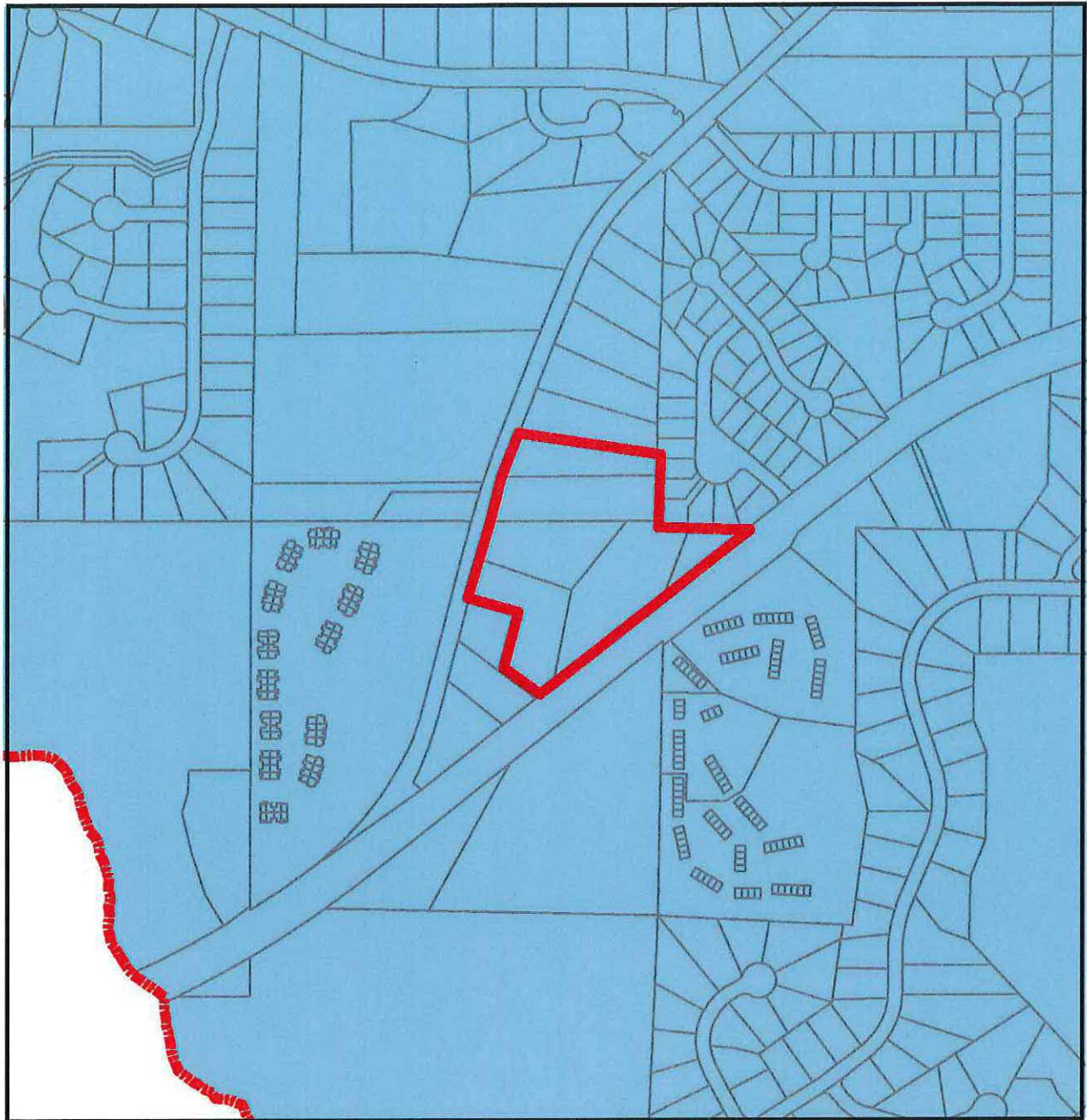
Aerial

1010 & 1020 Coleman Rd

Aerial Date: February 2010






Path: M:\Community Development\Recovered_New\Micah\GIS\Micah\Future Maps For Jackie\1010 & 1020 Coleman Rd\1010 & 1020 Coleman Rd - Zoning.mxd



1 in = 500 ft

Future Land Use

-  1010 & 1020 Coleman Rd
-  City Limits
- Character Areas**
-  Suburban Residential



View of the property



View of the property



View of the property



View of the property



View of property to the east



View of property to the north



View of property to the west



View of property to the south



View of the property



View of the property



View of the property



View of the property



NOTICE OF PUBLIC HEARING

Case No: Rezoning - 201403094
 Conditional Use - 201403096

Petitioner **R. Wayne Lamar**

Location: **Marietta Highway / Coleman Rd.**

Land Lots: **233/234**

Request: The applicant is requesting a Rezoning to NX with a Conditional
 Use for Single Family Detached homes

Public **Neighborhood Mtg. - September 11, 2014**
Hearings: **(Room 220) 7:00 p.m.**

Planning Commission - October 21, 2014
 (Council Chamber) 7:00 p.m.

Mayor & City Council - November 10, 2014
 (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 FOR THE UDC ZONING

The proposed site plan indicates 36 single family homes on the 10.5 acre site. The proposed site plan has larger lots abutting the RS-30 zoned properties ranging from 10,068 SF to 13,704 SF, with smaller lots fronting Marietta Highway ranging from 7,200 SF to 12,577 SF and the remainder 22 lots are 9,000 SF or larger. The proposed plan indicates a Type D buffer abutting the RS-9 and RS-30 zoned properties. The site plan shows access from both Coleman Road and Marietta Highway meeting the request from both the Fire Department and the Transportation Department.

DRB Comments and UDC Design Guidelines

Not applicable

LANDSCAPE PLAN ANALYSIS

The tree planting plan indicates 7 specimen trees to be removed from the site and 12 specimen trees to remain on the site. The proposed plan shows 21 Red Maple, Willow Oak and Chinese Elm trees to be added to the site.

VARIANCE CONSIDERATIONS

No variances were requested with the rezoning and conditional use request.

DEPARTMENT COMMENTS

City of Roswell Environmental
Department

- This does not appear to be enough area devoted to stormwater treatment. Lots will most likely be lost.

City of Roswell
Engineering

- Reference the approved steep slope analysis by date and company and include the limits of additional measures per the approved analysis.
- All design and construction shall comply with the City Standard Construction Specifications.
- Provide 20 foot minimum easements for storm sewer that conveys off site runoff.
- Ensure that planting plans account for overhead lines so that trees will not require pruning by the utility companies.
- Provide 20 foot minimum easements for sanitary sewer line.
- Adjust building lines to reflect the easements. Ensure that buildable area remains.
- Address storm drainage, curb and gutter, sidewalk along Coleman Road frontage.
- Indicate where offsite drainage areas enter the site with area in acres.
- A drainage easement may be required to discharge bypass drainage as a point source across adjacent Polatty property. Regardless, at LDP design, a level spreader to dissipate the discharge and return it to sheet flow condition.

City of Roswell Fire Department

- A fire flow test in accordance with the International Fire Code – 2012 Edition, appendix B is required. The test must include a 24 static pressure test to determine the lowest available amount of water. The existing and proposed water hydrants must be calculated based on the 24 static test to determine the total GPM available in each hydrants 20 PSI residual pressure. All of this test documentation must be included on the land disturbance plans.

- Incorporate GDOT permits in Land Disturbance permit (LDP).
- Coordinate work within Coleman Road right-of-way with a proposed 52-lots residential development on the opposite side of Coleman Rd.
 - Show access to lots 1 and lot 34. Per section 19.2.7(c) “Lots shall have no direct access to major streets (or limited access Hwys). Show a 10’ no vehicular access easement along Coleman Rd and Marietta Hwy/SR 120 frontages, measured from the right-of-way lines. That is, No lot shall have direct access/driveway on Coleman Road or Marietta Hwy/SR 120.
- Provide sidewalk along the entire Coleman Road frontage as per City of Roswell code.
- In lieu of bike lane and left turn lane, the applicant shall dedicate 6’ right of way along the entire Coleman Road frontage. (The final right-of-way shall be a minimum 36’ from the Coleman Road centerline along the entire site frontage.)
- The internal streets are labeled “residential Yield”. Incorporate the UDC “residential Yield” section to the plan.
- UDC “sensitive section”, a section with no curb and gutter, could be used along Coleman Road frontage.
- Per City of Roswell Standards Construction Regulations section 2.1.6.A “Driveways are not to be installed closer than 10 feet to a catch basin measured along the gutter line from the centerline of catch basin to the nearest edge of the driveway (extended). No catch basins will be allowed within the driveway turning radius”
- Provide a sight distance study for the proposed intersections on Coleman Road and Marietta Hwy/SR 120. (i.e. horizontal and vertical sight distance sketches as per AASHTO). (No parking, trees or tall landscapes that would constitute an obstruction to the intersection sight distance, shall be placed or left in the intersection sight triangle).
- Provide stub for future vehicular connectivity to adjacent parcel on the north. Provide sign informing of the future vehicular connectivity.
- Annotate all proposed cul-de-sac dimensions (i.e. 50' pavement radius, 61' right-of-way radius)
- Due the connectivity between Coleman Road and Marietta Hwy/SR 120, Transportation recommends that the proposed streets be "public"
- Prior to issuance of a land Disturbance Permit, a maintenance bond will be required for improvements within the City of Roswell right-of-way.
- Address drainage at land disturbance submittal.
- At Land Disturbance, Provide a signing and markings plans (section 2.2.5.). Provide a summary table of quantity and types of all proposed traffic signs. The proposed traffic signs will be installed by City of Roswell forces and paid for by the owner/developer. Contact Mike Elliott for details melliott@roswellgov.com and [770-594-6245](tel:770-594-6245)

City of Roswell Transportation
Department

Fulton County Board of
Education

- No comments were received.

City of Roswell Arborist &
Landscape Architect

- Comply with UDC section 11.4.7 Street Tree planting.
- Comply with UDC section 10.2.4 – Buffers – Type D, provide specified planting plan.
- Discrepancy in the total specimen trees to be removed between the chart and on the site plan, 7 and 10 respectively, please clarify.
- Indicate which option will be used for recompense: trees or fee, or some combination of each to total the recompense units.

CHRONOLOGICAL LISTING OF PLANS SUBMITTED

Original plans submitted – August 5, 2014

Revised plans submitted - October 7, 2014 - reduced the number of lots and made the lot sizes larger.

STANDARDS OF REVIEW

1. The zoning map corrects an error or meets the challenge of some changing condition, trend or tract.

The UDC zoning on most of the subject property is NX (Neighborhood Mixed Use). The two parcels at 1010 and 1020 Coleman Road are zoned RS-30 (Single family estate). Single family under NX requires conditional use approval. The zoning request utilizes the opportunity within the Unified Development Code to develop single family homes.

2. The zoning map amendment substantially conforms with the Comprehensive Plan.

The request to rezone to NX (Neighborhood Mixed Use) may not conform with the Comprehensive Plan due to this area being shown as suburban residential on the 2030 Comprehensive Plan; however, part of the subject property is currently zoned NX and the request is for single family homes which meets the intent of the suburban residential character area.

3. The zoning map amendment substantially conforms with the stated purpose and intent of this Unified Development Code.

The proposed zoning to NX (Neighborhood Mixed Use) which allows for small lots does substantially conform to the purpose and intent of the Unified Development Code. The purpose in section 1.1.2 states the UDC is intended to “promote and protect the public health, safety and welfare of the citizens of Roswell, ensure the vision set forth in the Comprehensive Plan is implemented, promote environmental, economic and social sustainability, protect the physical environment, historic character and natural resources, preserve, protect, and enhance the employment base, promote development patterns that support safe, effective and multi-modal transportation options and provide a system for the development of lands and accurate recording of land titles.”

4. The zoning map amendment will reinforce the existing or planned character of the area.

The planned character of the area within the 2030 Comprehensive Plan shows suburban residential which by requesting to develop single family homes as a conditional use within the existing NX zoning and requesting the rezoning from RS-30 to NX for also for single family does assist the suburban residential character for this area.

5. The subject property is appropriate for the development allowed in the proposed district.

Other than the two RS-30 parcels, the remainder of the subject property is currently zoned NX (Neighborhood Mixed Use). This classification allows for a variety of uses (retail and office) which are permitted by right. Single family homes are not allowed by right under the NX zoning, they must be approved as a conditional use by the Mayor and City Council.

6. There are substantial reasons why the property cannot be used according to the existing zoning.

The property is zoned NX (Neighborhood Mixed Use) and RS-30 (Single Family Estate). There is no reason by the property cannot be used in accordance with the existing zoning classifications.

7. There is a need for the proposed use at the proposed location.

There have never been any large commercial developments that would work on this corner. A residential use is a better utilization of the property and fits in with the abutting single family properties.

8. The City and other service providers will be able to provide sufficient public facilities and services, including schools, roads, recreation facilities, wastewater treatment, water supply and stormwater facilities, police, fire and emergency medical services, while maintaining sufficient levels of service to existing development.

The proposed site plan has ingress and egress from both Marietta Highway and Coleman Road this allows both Fire and Transportation to have access through the site for public services. All stormwater must comply with the city regulations.

9. The zoning map amendment will not significantly impact the natural environment, including air, water, noise, stormwater management, wildlife and vegetation.

The proposed development must comply with all city ordinances regarding stormwater. Most of the subject property is zoned NX which would allow for certain commercial uses by right; so with a single family subdivision, the natural environment may be more protected than with a commercial development.

10. The zoning map amendment will not have a significant adverse impact on property in the vicinity of the subject property.

The proposed development will have an impact on the traffic along Coleman Road; however, with proper mitigation and addressing traffic concerns, the development may not have a significant adverse impact to the surrounding area.

Conditional use questions – Section 13.4.7 letter C

1. The use is allowed as a conditional use in the respective zoning district (see Article 3 through 7).

Single family is indicated as a conditional use within article 4 of the unified development code.

2. The use complies with the applicable specific use standard listed in Article 9, if any, without the granting of a variance.

There are no use standards in Article 9 for single family homes.

3. The use is compatible with adjacent uses in terms of location, scale, site design, hours of operation and operating characteristics.

The single family homes are compatible with the homes located within the subdivisions fronting on Marietta Highway. The single family development is not compatible with the existing commercial uses located on the corner of Coleman Road and Marietta Highway.

4. Any adverse impacts resulting from the proposed use in the affected area will be effectively mitigated or offset.

The proposed development will be required to comply with all city codes and regulations. Any impacts are required to be mitigated through the development process.

5. The City and other service providers will be able to provide sufficient public facilities and services including schools, roads, recreation facilities, wastewater treatment, water supply and stormwater facilities, police, fire and emergency medical services, while maintaining sufficient levels of service to existing development.

The proposed site plan has ingress and egress from both Marietta Highway and Coleman Road this allows both Fire and Transportation to have access through the site for public services. All stormwater must comply with the city regulations