



**Petition No. CU12-03**

HEARING & MEETING DATES			
Design Review Board Meeting	Neighborhood Meeting	Planning Commission Hearing	Mayor and City Council Hearing
N/A	10/16/12	10/16/12	11/14/12
APPLICANT/PETITIONER INFORMATION			
Property Owner	Petitioner	Representative	
Malon Mimms	Rebecca Odom	Rebecca Odom	
PROPERTY INFORMATION			
Address, Land Lot, and District	1050 Northfield Court, Land Lots 558 and 592, First District, Second Section		
Frontage and Area	581.69 total frontage; 4.8 acres		
Existing Zoning and Use	I-1c (Office Business Distribution District)		
Overlay District	Citywide Design Guidelines		
2030 Comprehensive Plan; Future Development Map	This site is located in the Industrial/Flex character area.		
Proposed Zoning	Conditional use request to allow for a dance studio		
INTENT			

The applicant is requesting a conditional use to allow for a dance studio.

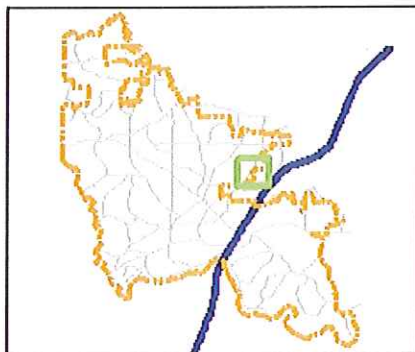
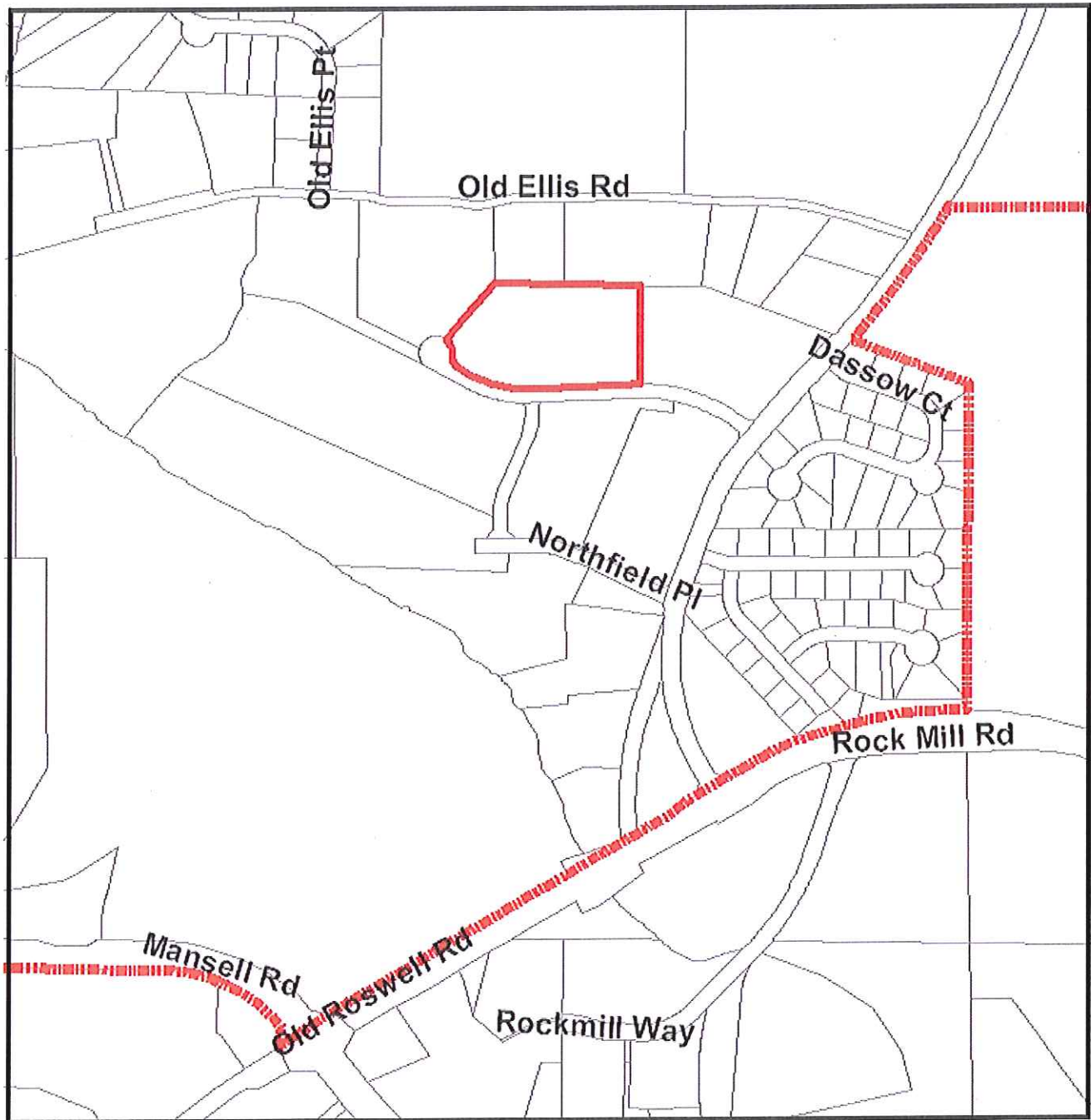
**DEPARTMENT OF COMMUNITY DEVELOPMENT RECOMMENDATION**

**CU12-03 - Approval**

## PLANNING COMMISSION RECOMMENDATION

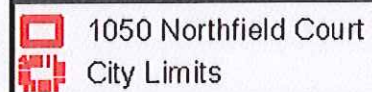
The Planning Commission recommended approval during their October 16, 2012 public hearing with the following condition:

1. To the survey stamped "Received September 6, 2012 City of Roswell Community Development Department" showing the outline of the suite.



1 in = 500 ft

## Location



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

Path: W:\Core1\Community Development\Micah\GIS\Micah\1050 Northfield Court\1050 Northfield Ct Location.mxd

Aerial Date: February 2010

#### **STAFF RECOMMENDED CONDITIONS**

It is recommended that this application for conditional use CU12-03 for a dance studio be approved with the following condition:

1. To the survey stamped "Received September 6, 2012 City of Roswell Community Development Department" showing the outline of the suite.



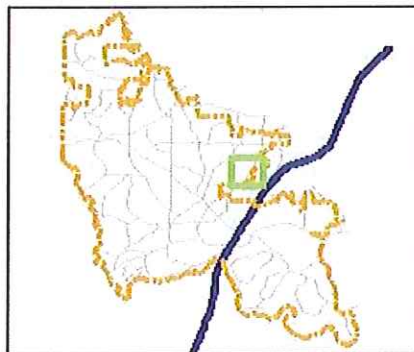
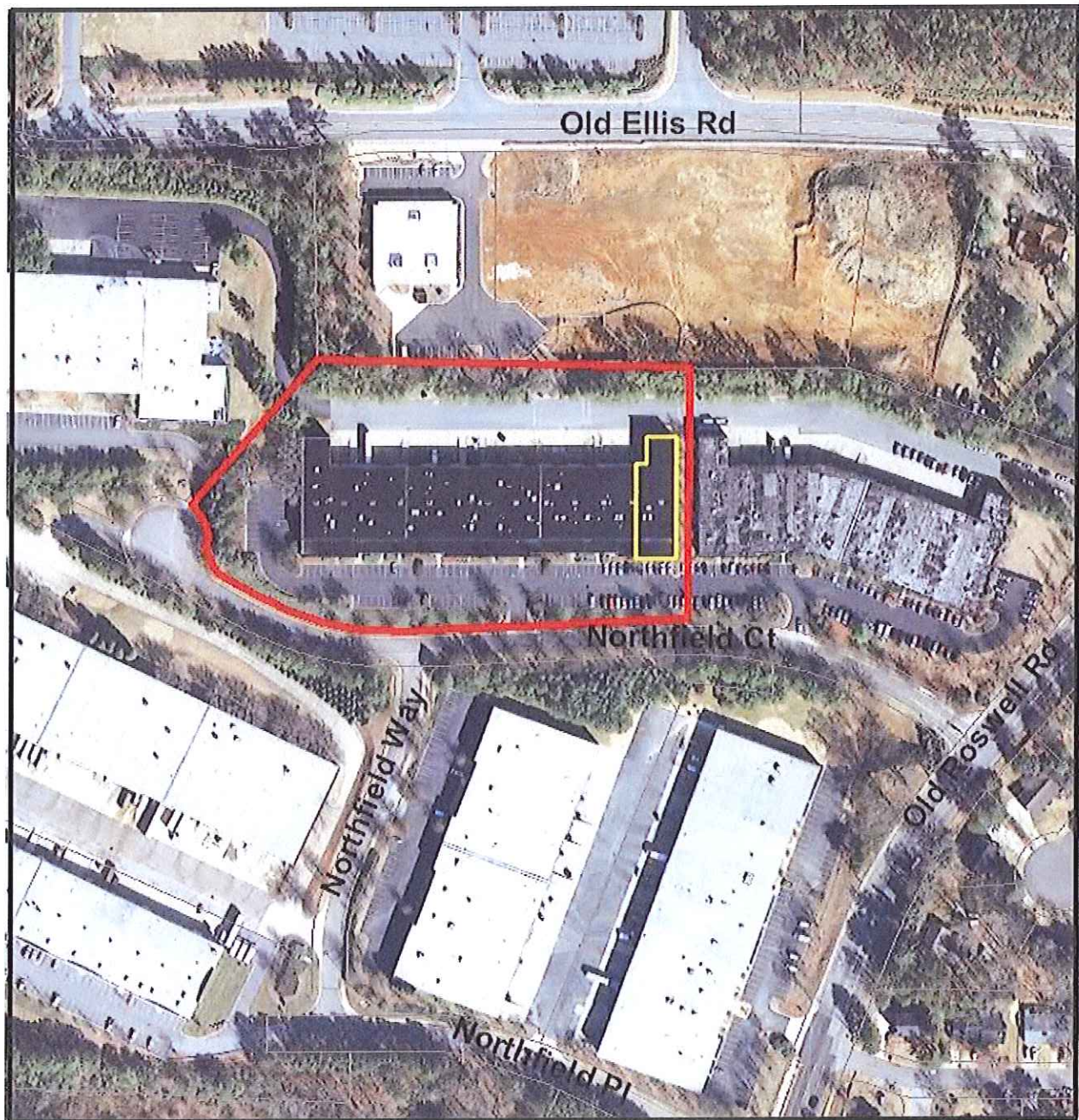
**BACKGROUND**

The property was rezoned in 1980 to I-1 (Light Industrial) under the RZ80-13 rezoning petition.

**EXISTING LAND USE AND ZONING OF ABUTTING PROPERTY**

SUBJECT PETITION CU12-03	Requested Zoning	Proposed Use	Land Area (Acres)	Number of Units	Density (Square Footage per Acre)
	NA	Dance Studio	4.8	NA	NA
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	I-1	Office/Warehouse; and vacant land	1.6 acres; and 3.4 acres	10,645 SF	6,653 SF per acre
South	I-1	Office/Warehouse	10.2 acres and 3.9 acres	150,103 SF; and 60,000 SF	14,716 SF per acre; and 15,385 SF per acre
East	I-1	Office/Warehouse	4.8 acres	54,600 SF	11,375 SF per acre
West	I-1	Office/Warehouse	4.7 acres	203,301 SF	43,255 SF per acre





1 in = 200 ft

**Aerial**

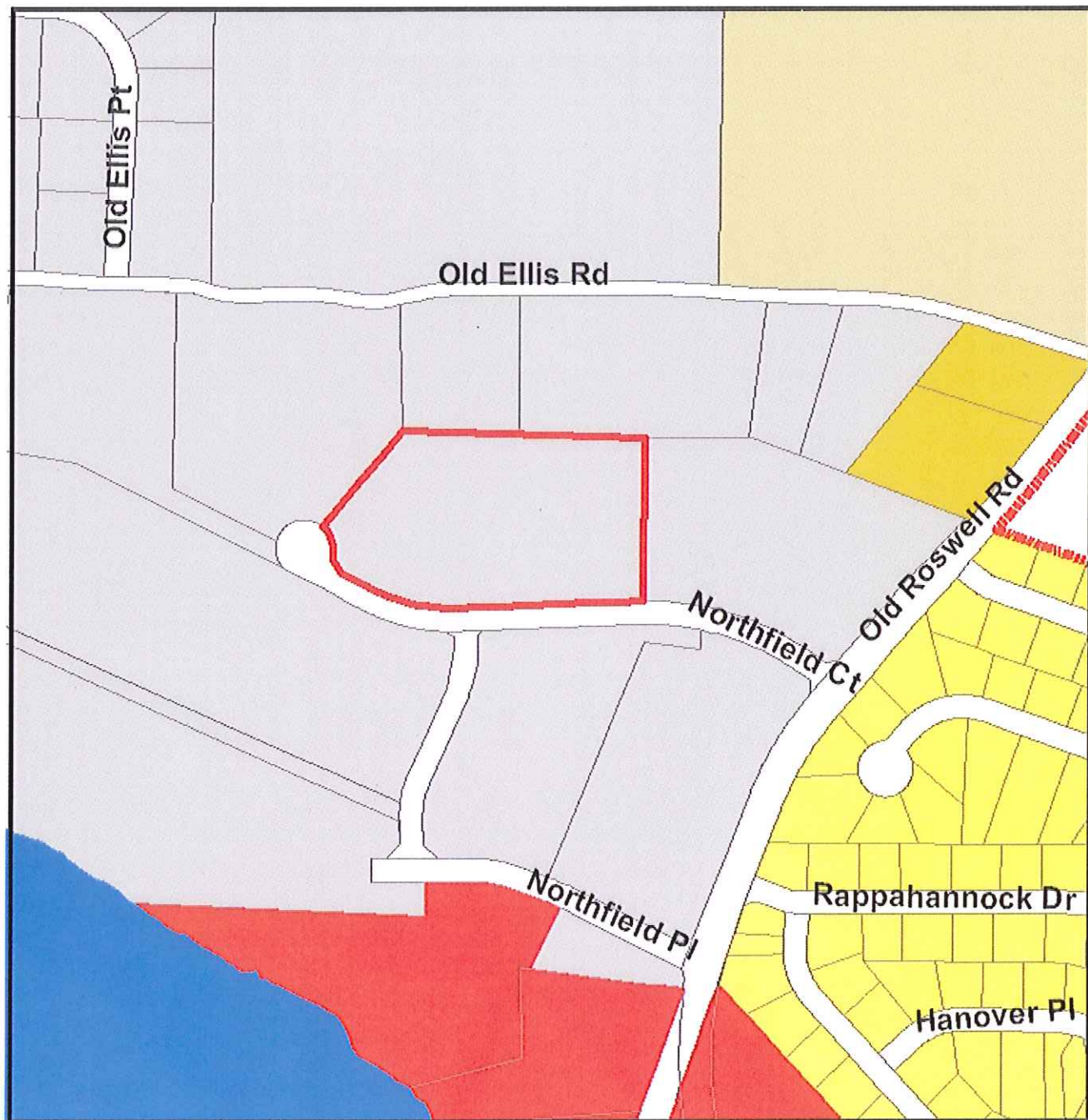
- Suite 400
- 1050 Northfield Court

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

**Aerial Date: February 2010**

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1 in = 300 ft

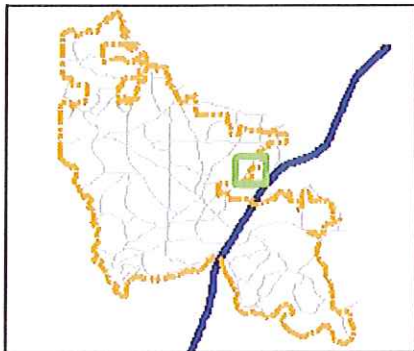
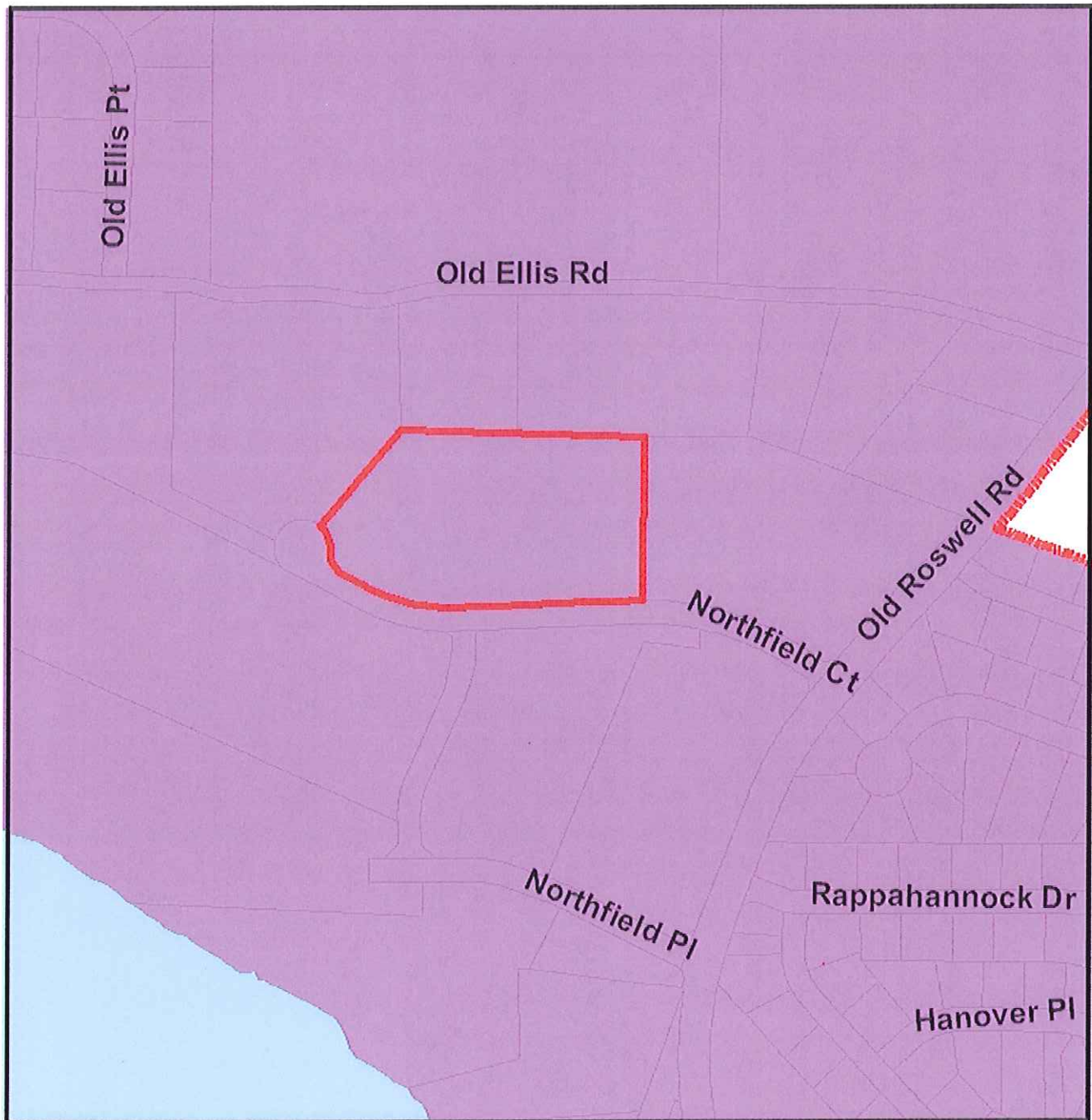
Aerial Date: February 2010

## Zoning

	1050 Northfield Court
	City Limits
City of Roswell Zoning Districts	
	C-3 - Highway Commercial District
	OCMS
	I-1 - Office and Business Distribution District
	R-1 - Single-Family Residential District
	R-4 - Multi-Family Residential District
	(FC-A) - Fulton County - Annexed






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

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1 in = 300 ft

## Future Land Use

-  1050 Northfield Court
-  City Limits
-  Character Areas
-  Highway 9/Alpharetta Highway Corridor Commercial
-  Industrial/Flex

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

Path: \\Core1\od\Community Development\Micah\GIS\Micah\1050 Northfield Court\1050 Northfield Ct Future Land Use.mxd

Aerial Date: February 2010





View of property



View of property



View of the side of the property



View of the property





View of property to the east



View of property to the south



View of property to the west



View of property to the north





View of the property



View of the property



View of the property and homes across street



View of the property





## NOTICE OF PUBLIC HEARING

Petition No: Conditional Use - CU12-03  
Petitioner: Malon D. Mimms Company LLC  
Location: 1050 Northfield Court, Ste. 400  
Land Lot: 592, 558  
Request: Conditional Use request for the purpose of using a suite in the existing facility for a dance studio.

Public Hearings: Neighborhood Mtg. - October 16, 2012  
(Council Chamber) 6:30 p.m.

Planning Commission - October 16, 2012  
(Council Chamber) 7:00 p.m.

Mayor & City Council - November 14, 2012  
(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](http://www.roswellgov.com)



#### **SITE PLAN ANALYSIS**

The applicant is requesting to use a tenant space in an existing building in the I-1 district for a dance studio. The square footage of the building is 65,146 SF. The tenant space contains 8,871 square feet. The applicant indicated that they will hold classes in the late afternoon/evenings during the week and on Saturdays to eliminate any traffic or parking concerns. This proposed use falls under the School for the Arts classification related to parking. The parking required for this use is 30 spaces. The site contains ample parking for this use.

#### **DRB/HPC comments and Design Guidelines**

Not applicable

#### **LANDSCAPE PLAN ANALYSIS**

Not applicable

#### **VARIANCE CONSIDERATIONS**

Not applicable

## DEPARTMENT COMMENTS

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City of Roswell Environmental  
Department

- No Comment
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City of Roswell Engineering  
Division

- No Comment
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Fiscal Impact

Not applicable

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Archaeological

Not applicable

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City of Roswell Fire Department

- This type of a business will be a change of occupancy from an office/warehouse to a Public Assembly. Architectural plans will be required to show that the space is in compliance with all applicable Life Safety Codes. This will include the stairs, guardrails and handrails out of the rear of the building.
  - Conditional Use is not an issue with me as long as the plans have been submitted and approved for the intended use and the space is in compliance with the applicable Codes.
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City of Roswell Transportation  
Department

- No Comment
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Georgia Department of  
Transportation

- Not applicable
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City of Roswell Arborist &  
Landscape Architect

- No Comment
-



## CHRONOLOGICAL LISTING OF PLANS SUBMITTED

Original plans submitted on September 6, 2012.

## 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 requested conditional use is a suitable use within this area.

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

The proposed request may not adversely affect the existing use of the adjacent and nearby properties. The uses in the area are mainly office and business distribution which should not be affected by the proposed use.

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

The property may have a reasonable economic use as currently zoned. This conditional use does not change the zoning district.

*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 conditional use for a dance studio will not cause a burdensome use on the existing streets, transportation facilities, utilities or the schools.

*5. Whether the zoning proposal is in conformity with the policies and intent of the 2030 Comprehensive Plan.*

The vision and intent of the industrial/flex character area will be for it to continue to function as an office and business distribution district. The uses will be flexible allowing for transitions to new uses as the economic demand changes. The proposed conditional use for a dance studio will meet the intent of the 2030 Comprehensive Plan to allow the area to continue to function as an employment center.

*6. Whether there are 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 request is for a conditional use for a dance studio will not change the zoning of the property.

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

The property is zoned I-1c (Office Business Distribution District) and the existing building contains different tenants.

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

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

Not required for a conditional use.

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

Not required for a conditional use.

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

Not required for a conditional use.

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

Not required for a conditional use.

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

The proposed use of a dance studio is suitable under the existing zoning district and classification.

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

Not required for a conditional use.

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

Not required for a conditional use.

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*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.*

Not required for a conditional use.

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

Not required for a conditional use.

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*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 change in use may not negatively impact the character of the zoning district

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*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 conditional use may not be a deterrent to the value or improvement of development of adjacent property in accordance with existing regulations.

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*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 conditional use is not for an addition in building or grading area and therefore may not negatively impact drainage, soil erosion and sedimentation, flooding, air quality 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 proposed conditional use may continue to carry out the purposes of the overall zoning scheme and zoning regulations.

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*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.*

There is no residential zoning abutting this property.

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*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.*

Not required for a conditional use.