



Petition No. 201402071

HEARING & MEETING DATES

Historic Preservation Commission Mtg.	Neighborhood Meeting	Planning Commission Hearing	Mayor and City Council Hearing
August 13, 2014	August 14, 2014	November 18, 2014	December 8, 2014

APPLICANT/PETITIONER INFORMATION

Property Owner	Petitioner	Representative
Creekview Partners, LLC.	Michael Lober	Michael Lober

PROPERTY INFORMATION

Address, Land Lot, and District	285 Atlanta Street, Land Lot 417, First District, Second Section
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Frontage and Area	50' at entrance on Atlanta Street; 3.244 acres
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Existing Zoning and Use	R4-A - Multi-Family Residential (prior zoning ordinance) DR - Downtown Residential (UDC zoning)
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Overlay Design District	Historic District
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2030

Comprehensive Plan; Future Development Map	Historic Area Town Center/Downtown
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Proposed Zoning	Change of conditions related to the site plan
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INTENT

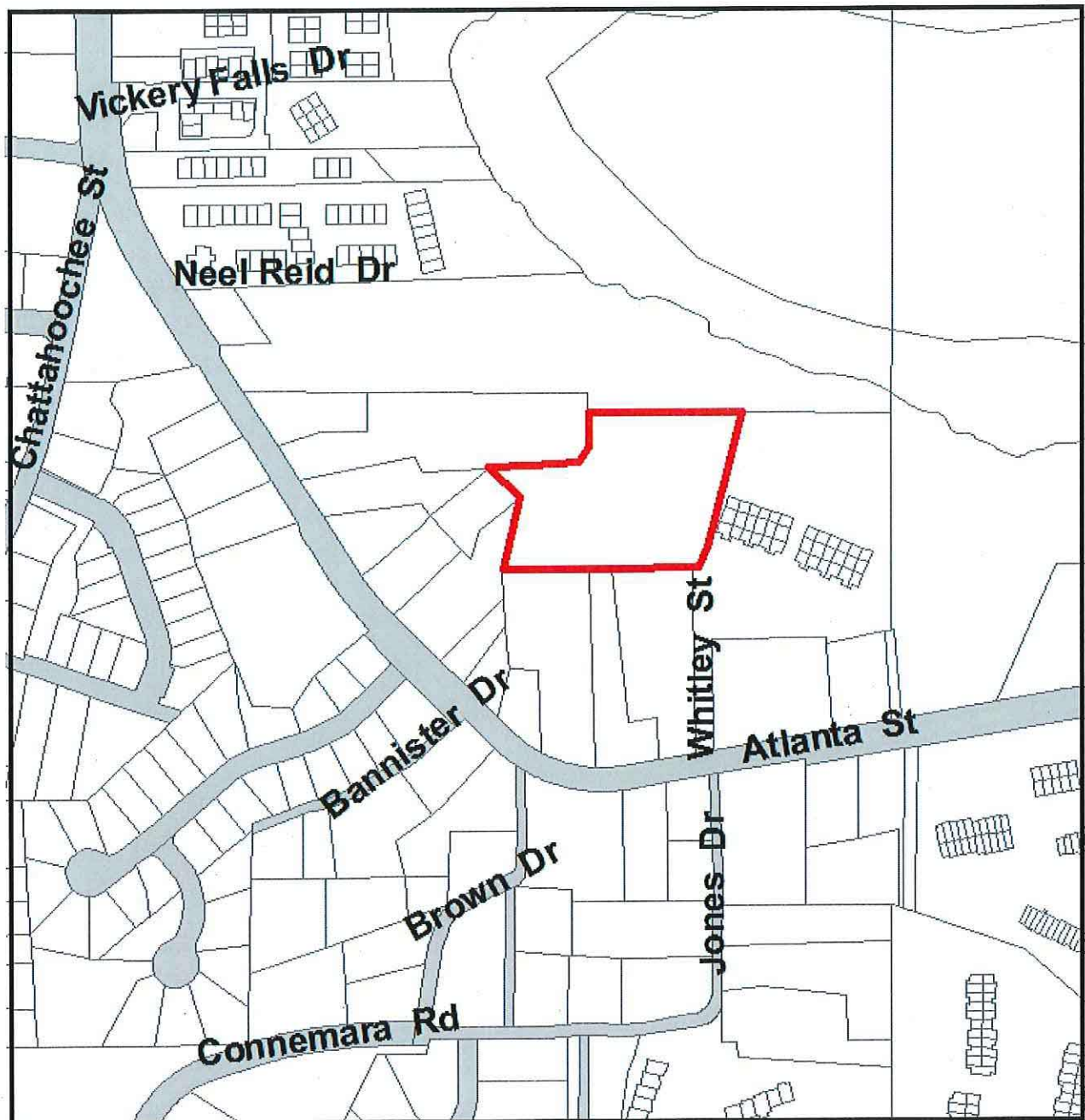
The applicant is requesting a change of conditions to the site plan from the 1999 rezoning.

DEPARTMENT OF COMMUNITY DEVELOPMENT RECOMMENDATION

RZ201402071 - Approval


PLANNING COMMISSION RECOMMENDATION

The Planning Commission will hear this change of conditions request during their November 18, 2014 hearing.



1 in = 300 ft

Location

 Creekside Townhomes

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

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Prepared by the City of Roswell Department of Community Development for the Planning Commission Hearing on November 18, 2014.

STAFF RECOMMENDED CONDITIONS

The Community Development Department recommends approval of the change of conditions from the original 1999 site plan with the following conditions.

1. The owner/developer shall develop the property in substantial accordance with the site plan stamped "Received November 3, 2014 City of Roswell Community Development Department."
2. The number of lots within the development is not guaranteed with the approval of the zoning.
3. A preliminary plat for the property shall be required prior to the issuance of the Land Development Permit.
4. A final plat shall be recorded prior to the certificate of occupancy for each of the townhome buildings.
5. Future access to tie into the round-a-bout as required by the City of Roswell Transportation Department shall be indicated on the preliminary and final plats.

BACKGROUND

The subject property was rezoned in 1999 under RZ99-08 for four condominium buildings with a total of units. The property was rezoned with the following conditions and variances which were approved with the application.

1. The owner/developer shall dedicate sufficient right-of-way to the City of Roswell along the total property frontage along S. Atlanta Street to provide for a right-of-way width of fifty (50) feet from the existing centerline of the roadway as required by the City Engineer. The right-of-way shall be submitted to the Planning and Zoning Administrator prior to the issuance of a development permit.
2. The developer shall install detention facilities for the subject property as required by the Engineering Division Manager.
3. All outdoor lighting for the subject property shall be high pressure sodium and shall be installed so as to prevent direct illumination of adjacent properties.
4. The subject property shall be developed in substantial accordance with the applicants' site plan entitled "Vickery Creek Condominiums-Lofts" by Center Point Engineering stamped "Received February 16, 1999 City of Roswell Community Development Department.
5. A revised site plan incorporating all conditions of zoning shall be submitted to the Planning and Zoning Administrator prior to the issuance of a development permit. This revised site plan shall meet all minimum dimensional requirements of the Roswell Zoning Ordinance with exception of any granted variances.
6. The entrances into the development will meet AASHTO standards for horizontal and vertical site distance and shall have approval from the Georgia Department of Transportation prior to receiving a development permit.
7. The developer shall install period lighting at each entrance.
8. The developer shall install a traffic signal at the southern entrance subject to the approval of the Georgia Department of Transportation and the Roswell Transportation Department. (This condition is not a requirement of zoning.)
9. The developer shall dedicate to the City of Roswell the portion of the property abutting Big Creek a distance of 100' along the stream banks. This property will be for the expansion of the Roswell Trail system.

The variances approved were as follows:

1. The minimum distance between buildings having three stories shall be reduced to 25' in lieu of the required 40'.
2. The number of units will be eight (8) units per acre to allow for a total of sixty-nine (69) units.
3. The height of the buildings will be 45 feet. The maximum height allowed in the H-R (Historic Roswell) district is 35 feet and 40 feet in the R-4A (Multi-Family Residential) district. The variance approved is 10 feet.


EXISTING LAND USE AND ZONING OF ABUTTING PROPERTY

SUBJECT PETITION 201402071	Requested Zoning	Proposed Use	Land Area (Acres)	Number of Units	Density (Square Footage per Acre)
	N/A	Townhomes	3.24 acres	31	
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	DX	Cliff/ vacant land	6.3 acres	Land owned by 453 Atlanta St.	N/A
South	DX and DR	Commercial businesses and vacant land	.71 acres and 1.3 acres; and 1.22 acres	7,550 SF; and 2,637 SF	10,633 SF per acre; 2,028 SF per acre
East	DR	Condominium buildings	3.68 acres	33	9.0 upa
West	DX	Vacant land	1.92 acres; .35 acres and .79 acres	N/A	N/A



1 in = 120 ft

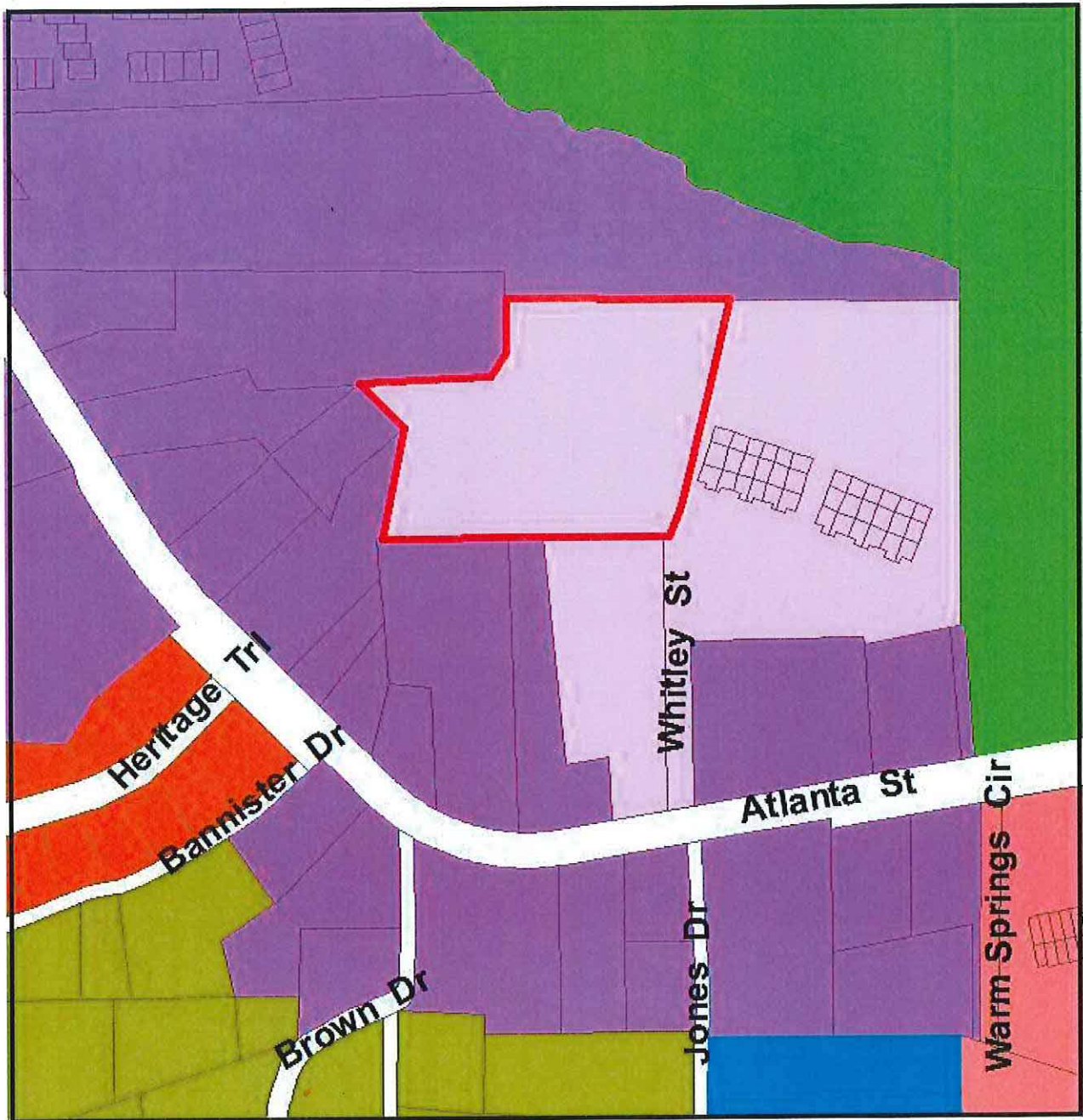
Aerial

 Creekside Townhomes

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

Aerial Date: February 2010

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Zoning



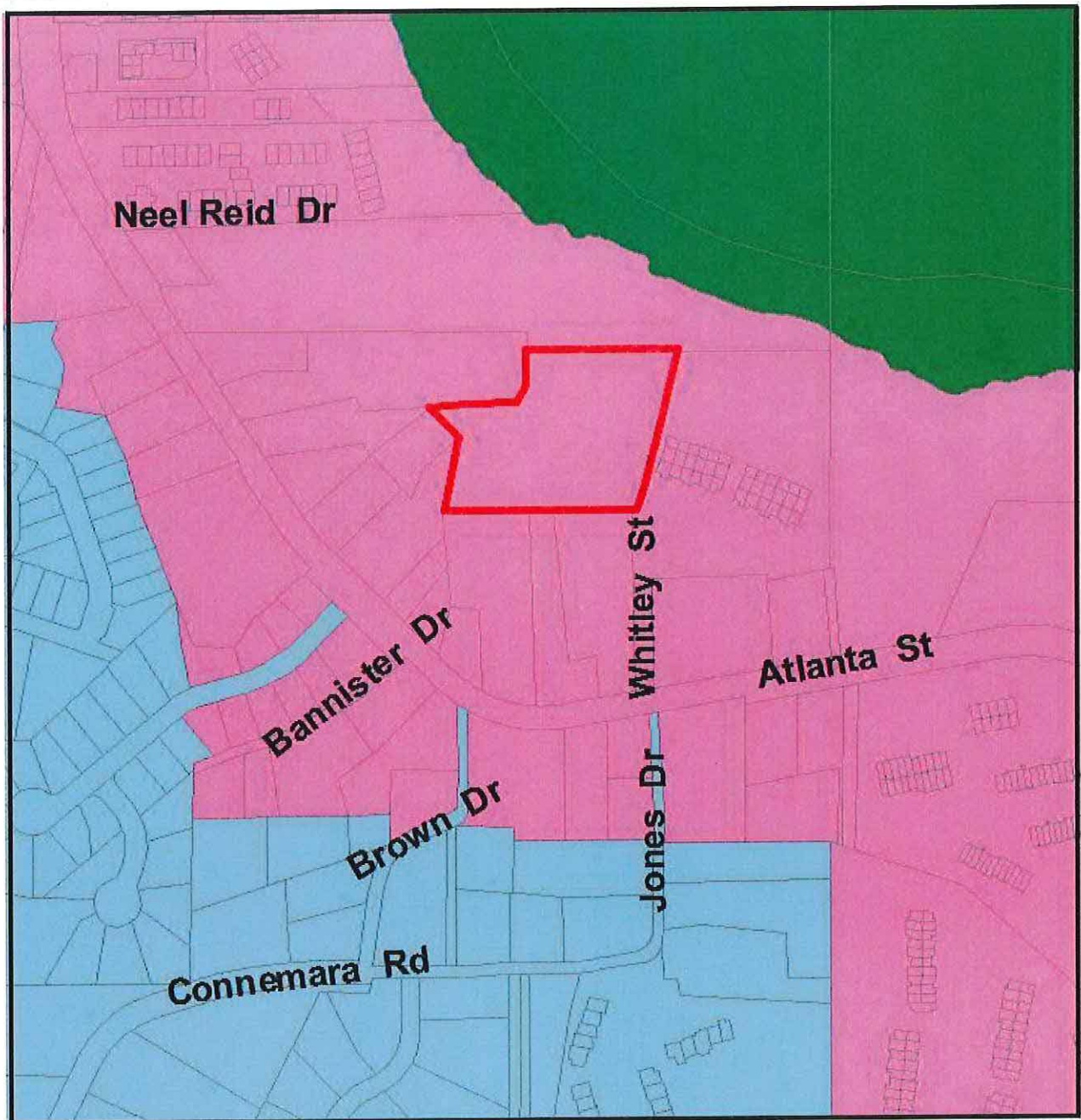
1 in = 200 ft

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

- 1243 & 1247 Canton St
- RS-12 - Single Family Suburban
- RS-6 - Single Family Small lot
- RX - Residential Mixed Use
- DR - Downtown Residential
- DX - Downtown Mixed Use
- OP - Office Park
- CIV - Civic and Institutional
- REC - Parks and Recreation

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Prepared by the City of Roswell Department of Community Development for the Planning Commission Hearing on November 18, 2014.



1 in = 300 ft

Future Land Use

- Creekside Townhomes
- Character Areas**
- Conservation/Greenspace
- Historic Area Town Center/Downtown
- Suburban Residential

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

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Prepared by the City of Roswell Department of Community Development for the Planning Commission Hearing on November 18, 2014.



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 - 201402071

Petitioner: Creekview Partners, LLC

Location: 285 S. Atlanta St.

Parcel ID: 417

Request: The applicant is requesting a Rezoning with a change of condition from Condominiums to Townhomes

Public Hearing: Neighborhood Mtg - August 14, 2014
(Room 220) 7:00 p.m.

Planning Commission - November 18, 2014
(Council Chamber) 7:00 p.m.

Mayor & City Council - December 8th 0, 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

The proposed site plan shows 31 townhomes to be developed on the subject property. The subject property contains 3.24 acres. There are two water quality facilities shown on the plan to assist with the water on the site. The required parking is a minimum of 2 spaces per unit with a maximum of 4 spaces per unit. The proposed site plan indicates 2 spaces per unit for a total of 62 spaces. There are an additional 16 parking spaces shown on the plan for guest parking.

The revised site plan submitted on November 3, 2014 has taken into account comments from the departments and also comments received from the Historic Preservation Commission.

The steep slope analysis has been approved by the City Engineer. The townhomes numbers 1-22 are rear loaded with 23-31 front loaded garages. They have added two water quality facilities. The retaining wall in the rear encroaches into the impervious setback, but the walls do not encroach into the stream buffer area.

DRB/HPC comments and Design Guidelines

The applicant went to the August 13, 2014 Historic Preservation for conceptual review of the proposed site plan. The applicant received the following comments.

1. The site plan should be re-worked to have a better flow for the development.
2. There should be overflow parking to allow for guests.
3. Street trees on vehicular areas are very important to the city and after that any gardens that someone may want to develop.
4. Would the applicant consider a sustainability plan regarding the water quality for the site.
5. All that is seen are garages. Try to be more sensitive in the district and not just have so many garage doors visible along the street down to the townhomes and around it.

LANDSCAPE PLAN ANALYSIS

The site was graded originally to develop the condominium buildings. A tree replacement plan has been proposed for this development. The following trees are shown on the plan; Nuttall Oak, Willow Oak, Japanese Zelkova, European Beach, Yoshino Cherry, Eastern Red Cedar, Eastern Hemlock, and Japanese Cedar. The plan indicates 1.6 acres of open space.

VARIANCE CONSIDERATIONS

No variances were requested.

DEPARTMENT COMMENTS

City of Roswell Environmental
Department

- Compliance with the stormwater ordinance is required.
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City of Roswell Engineering
Division

- Address Steep Slope Analysis Comments provided in email to John Merder on 6-27-14 and 8-27-14. Show additional steep slope buffers and areas of additional measures on the site plans.
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Fiscal Impact

Fulton County Board of
Education

- The Fulton County Schools has reviewed this application and has sent the following information. The estimated new students generated for Roswell North Elementary is 11, for Crabapple Middle School is 4, and for Roswell High School is 9.
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- All dimensions of the roads that will be used for fire apparatus access and turn-around must comply with the 2012 edition of the International Fire Code appendix D.
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City of Roswell Fire Department

- A fire flow test must be conducted to determine if there is adequate water available for firefighting. The test must include a 24 static test and all proposed fire hydrants must be calculated to show available water at 20 PSI residual based on the 24 test. ALL of this information must be provided on the LDP. All fire flows must comply with the appendix B.
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City of Roswell Transportation
Department

- Provide sidewalk connectivity between the proposed townhomes and South Atlanta Street/SR9 sidewalk.
 - The private street "Overland Dr." and the public street "Whitley Street" overlap at several locations. Address conflict at Land Disturbance phase.
 - The following comments/conditions pertain to the future Historic Gateway project. Any question about these comments or the Historic Gateway project should be directed to Rob Dell-Ross: Rdellross@roswellgov.com or 770-594-6292
 - Provide stub for street connectivity with future GDOT Gateway project at the location shown in the provided sketch. Provide a sign at the stub street informing of the future street connectivity.
 - Support and allow connecting a new public street off SR 9 from a multi-lane roundabout at Jones Drive to their circulating roadway near Townhome #13. See attached sketch.
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Fulton County

- Anticipated water demand – 7,830 gallons per day.
 - The property is located within the Big Creek Sewer Basin
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CHRONOLOGICAL LISTING OF PLANS SUBMITTED

Original plans submitted - May 30, 2014

Revised plans submitted - November 3, 2014

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 use for townhomes would be a suitable use in view of the existing development adjacent to the subject property.

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

The proposed request to change from condo to townhome may not adversely affect the usability of adjacent property.

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

The proposed request is to change the conditions from the 1999 rezoning to allow for townhomes instead of the two additional condominium buildings.

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 number of townhome units is the same number as approved within the condo building from 1999.

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

The 2030 Comprehensive Plan designates this area as Historic Town Center/Downtown. Townhomes are allowed uses within the Historic area of the city.

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 property can be developed with the additional two condo buildings. That is allowed by the approval of the 1999 rezoning. The applicant has chosen to develop the property with townhomes. The zoning of the property will not change.

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

The subject property is vacant and it is now zoned Downtown Residential under the Unified Development Code. Prior to the adoption of the UDC, the property was zoned R-4A (Multi-Family Residential).

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 would be needed to determine the existing value of the property. The applicant has indicated that the cost of building the two condo buildings would not be feasible.

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

The property can be used under the existing regulations. This is a change of conditions, not a change in the zoning.

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 be required to determine whether the subject property is diminished by the existing zoning classification.

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

An appraisal would be needed to determine the value of the property regarding the change of conditions.

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

The zoning of the property will not be changing. This is a request to change a condition of zoning.

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

The proposed townhomes are a suitable use under the R-4A (Multi-Family Residential) or the DR (Downtown Residential) zoning.

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

The property was graded to be used for condominium building around the early 2000s, but the developer never built the last two buildings.

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 property is vacant land that was graded in the early 2000s for the development of the condo buildings.

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

There is no change in the zoning; therefore, it will not create an isolated 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 townhome use is a residential use and in keeping with the character and the zoning of the area.

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.

There is no rezoning of the property; it is a change to the approved site plan. The townhomes are an allowed use under the zoning classification.

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

The subject property would be required to meet all of the stormwater standards for the city which would include detention and water quality for site.

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 overall zoning scheme for the property is for residential use. The approved site plan indicated four condo buildings and only two were built. The applicant is requesting to build townhomes instead of the condo buildings.

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.

This is a change to the approved site plan.

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 vacant land in the general area which had the R-4A zoning