

**11-0406**  
**CU11-04**  
**THE COMMUNITY CHURCH**  
**1560 Old Alabama Road**  
**Land Lot: 612**

Brad Townsend stated that this was a request to use an existing bank building for a church. It is commercially or office zoned completely all surrounding this location. It is approximately 1.1 acres, it is zoned O-P and it would require a conditional use for the church. Staff has one condition.

Cheryl Greenway asked if there were any questions for Brad Townsend. Cheryl Greenway stated that she does not think she saw any comments about the need for sidewalks or ramps. Is that an issue for handicap access? Townsend stated that the bank already complies with ADA. It all complies.

Bryan Chamberlain stated that in the presentation it was referenced a couple of times that under the 2030 plan there seemed to be an attempt by the city of Roswell to move churches out of, development of new churches out of residential. He stated that he was not aware of that. He asked Brad Townsend to address that.

Townsend stated that he was not sure what Chamberlain was referencing.

Cheryl Greenway stated that if it will help, in the applicants' forms that they filled out they cited that that was one of the reasons they felt this was a good move. Townsend clarified that was in their application and analysis. Greenway stated that was correct.

Bryan Chamberlain stated that it appeared in item 13 in the analysis for proposed conditions, conditional use of property. Brad Townsend stated that this was the language within the 2025 plan, which is being re-drafted with the city's 2030 comprehensive plan. The language is not as strong in the proposed plan but this is the current language that they are under until they adopt their new 2030 plan. Townsend thinks it is more an indication to churches going into established residential neighborhoods. There is always the conflict of them expanding beyond what they normally start out as and become impacting on the residential neighborhoods that exist.

Joe Piontek clarified that they were using the existing building. They are not changing the building or building out the drive through ramps or anything? Brad Townsend stated that was correct. Piontek pointed out that he believes that there are at least five other churches on that street. Down the street there is the Church of the Savior, there is a Greek Orthodox Church, there is another church, so it is certainly not without precedent to put a church on that street.

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Cheryl Greenway stated that if she is correct, aren't they really just kind of moving across the street? Brad Townsend stated that was correct. They are in the shopping center across the street.

Hearing no further questions from the Commission Cheryl Greenway asked the applicant to come forward and please state his name and address.

Patrick Sofarovich presented the application. He resides at 188 15<sup>th</sup> Street, Atlanta, GA. He is representing the New Community Church in their request for approval of the conditional use application that would allow the church to occupy the property at 1560 Old Alabama Road. Formerly this was a Branch Bank building and has sat vacant for several years since the Branch Bank decided to pack up and move out. Currently it is zoned as O-P, which is Office-Professional, which allows for a church as a conditional use. The property is surrounded by high-traffic office and retail right now.

To the northeast there is an office/retail development. Directly east, across the street there is a strip center where the church currently resides for its services. That retail strip center encompasses a large big box \_\_\_\_\_ store and behind that is the Home Depot that is further down on Holcomb Woods Parkway. To the southwest and southeast there is some office as well as two large retail strip centers as well.

To give the Planning Commission a little background on the New Community Church, which is making this request, the church has been an invested member in the community for over 10 years now. They originally located at the site where the Atlanta Academy is currently located and they now reside in the strip center across the street on Old Alabama. They have been an active participant in many of the area schools and fire department, local businesses. As a reference for that the applicant has provided staff with two letters of recommendation from two of the schools in the area, the Atlanta Academy and Esther Jackson Elementary. Given that the New Community has been located within the neighborhood for over 10 years and is surrounded by the retail and office, they don't really feel that a move to this new location would have any adverse affects upon the neighborhood. But they believe that approving this application would allow them to remain an involved member of the community. The applicant asked the Commission for their approval.

Cheryl Greenway asked if there were any questions for the applicant.

Cheryl Greenway stated that she saw some numbers in the application, but how many members are there in the church now. Patrick Sofarovich stated that there is an average of 50-60 members on the weekends. Greenway asked if Sofarovich feels that is going to give them adequate parking space. Sofarovich stated that he did. Greenway asked if the applicant will be making any changes to the inside of the building. The applicant stated that they will. It has the old plan

as a bank. They are going to leave it pretty much as it is but they have to add a bathroom and just clear out one or two walls for the sanctuary, nothing major.

Cheryl Greenway thanked Sofarovich. She asked if there were any other questions. There were none. She asked if there was anyone in the audience that would like to speak in favor of the applicant. No one came forward. She asked if there was anyone who would like to speak in opposition to the applicant. For the record, no one came forward.

Greenway asked if there were any remaining questions.

Cheryl Greenway asked Brad Townsend one more question. On the department comments she is confused by the city of Roswell Fire Department having that the building will have to comply with the 2000 Edition of the Life Safety Code.

Brad Townsend stated that was a standard fire department requirement. When the building was built, it was built as an office building so to meet the fire department requirements for an assembly location they would have to come in...he is not sure that they would actually have to do anything but the fire marshal is just clarifying that it is now changing occupancy so the assembly requirement may change a door to swing out instead of swinging in or something like that. But that is what Paul Piccarilli is recommending. Before the applicant would be issued the business license, Piccarilli would go to the location and determine if there would need to be any changes at that time.

Cheryl Greenway asked if that needs to be part of the Planning Commission's recommendation or is that just kind of automatic. Brad Townsend stated that it was a code requirement. Greenway stated that she just wanted to make sure it was not implying that something was built before the sprinkler systems or anything of that nature. So there would not be any big problem there. Brad Townsend stated that was correct.

Cheryl Greenway thanked Brad Townsend and asked if there were any other questions.

Harvey Smith guessed that with the same train of thought with the DOT, the sidewalk is already in, right? Brad Townsend stated that was correct. Smith clarified that there were no other exterior improvements. Townsend stated that was correct. Smith stated that they made the comment anyway. Townsend stated that the DOT is covering themselves if there would have been sidewalk requirements, but there are none needed.

Sidney Dodd asked Brad Townsend if the vault has been removed from the interior. Townsend stated that it had not. Dodd stated that they are dealing with a lot of banks that are fairly actual real estate now and...Townsend stated that he thinks it is going to be used for a nursery. Dodd stated that it was funny that

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Townsend should say that because there is an insurance issue with the vault being closed with children in close proximity. He thought Townsend was stealing his thunder but that is an actual issue? Townsend stated that the applicant has to make sure that they take the hinges out. Dodd agreed that they would take the hinges off or something to that extent to ensure the safety. Townsend stated That the building department as well as the fire marshal will make sure that is taken care of once the use it as an assembly location.

Cheryl Greenway asked if there were any other questions from the Commission.

Bryan Chamberlain asked just as a point of curiosity more than anything, what is the purpose of staff's condition. Brad Townsend stated just to tie it to the site. That is the legal description of the property so when one gives a conditional use it is to that location and that is the survey that references the property. That is why staff ties it to that piece of property. So there is no question as to what is getting the actual use because this church will be there, they may sell in three years to a different congregation, the use is to the property not to New Community Church.

Sidney Dodd stated that then the zoning would actually be OP-Conditional. Brad Townsend stated that was correct. Dodd stated that would be to alert all properties that there is a conditional use that is tied to the property. Brad Townsend stated that was correct.

Cheryl Greenway asked if they stayed there for a few years and grew and decided to move somewhere else, another church could come in there without having to get any approval again. There is not a time limit on that one. Brad Townsend stated that was correct.

Cheryl Greenway stated that if there were no further questions she would close the public section. She asked if there were any comments or did she hear a motion.

### **Motion**

Joe Piontek made a motion that the Planning Commission approve CU11-04 for a conditional use of an O-P zoning.

Cheryl Greenway asked Piontek if he was including the condition listed by the city. Piontek stated that he was, given the condition listed by the city.

Harvey Smith seconded the motion. The motion passed unanimously.

### **TEXT AMENDMENT**

**11-0345**

**RZ11-07**



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