



Petition No. 201400051 and CV 201400070

HEARING & MEETING DATES			
Design Review Board Meeting 2/4/14	Neighborhood Meeting 2/18/14	Planning Commission Hearing 2/18/14	Mayor and City Council Hearing 3/10/14
APPLICANT/PETITIONER INFORMATION			
Property Owners Ken Orkin	Petitioner Ramin Roohi	Representative Bradley Riffel	
PROPERTY INFORMATION			
Address, Land Lot, and District	10469, 10471, and 10473 Alpharetta Street; Land Lot 466, First District		
Frontage and Area	307.03 feet on Alpharetta Street; 422.25 feet on Horton Drive		
Existing Zoning and Use	C-3 (Highway Commercial) Vacant buildings UDC zoning - CX (Commercial Mixed Use)		
Overlay District	Midtown Design District		
2030 Comprehensive Plan; Future Development Map	Highway 9/Alpharetta Highway Commercial Corridor		
Proposed Zoning	N/A - Conditional Use request		
INTENT			

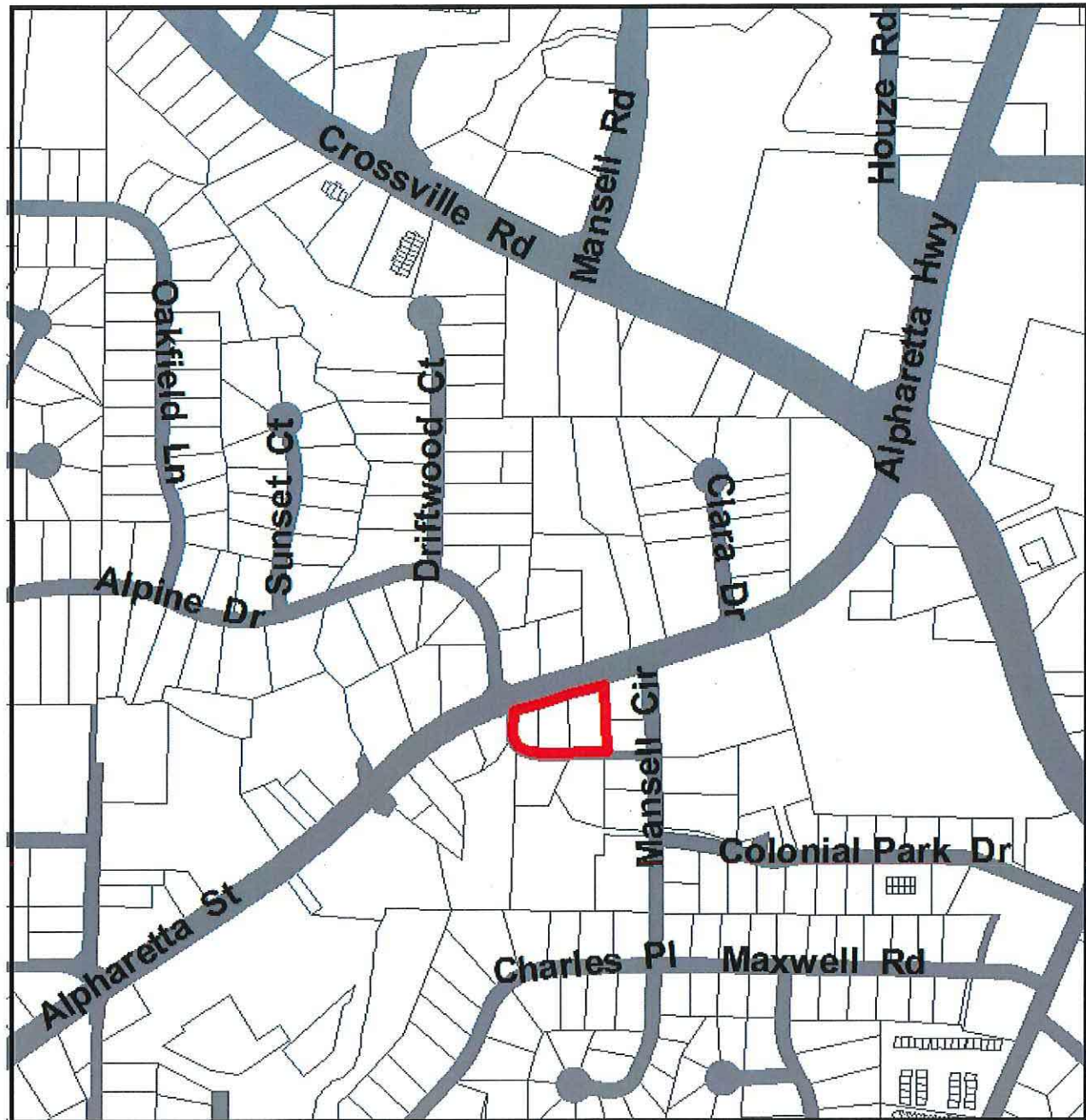
The applicant is requesting a conditional use to allow for a used automobile establishment. The applicant is also requesting a concurrent variance with the conditional use request. The variance is for a reduction in the landscape strip on the eastern side of the property along Horton Drive.

DEPARTMENT OF COMMUNITY DEVELOPMENT RECOMMENDATION

201400051 and 201400070 - Approval


PLANNING COMMISSION RECOMMENDATION

The Planning Commission recommended denial of the conditional use and concurrent variances request during their regularly scheduled February 18, 2014 public hearing.



1 in = 500 ft

Location

 10469, 10471 & 10473 Alpharetta Hwy

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

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STAFF RECOMMENDED CONDITIONS

It is recommended that this application for conditional use for an auto establishment be approved. It is recommended the concurrent variance for the reduction of the landscape strip be approved. The conditional use shall be approved with the following conditions.

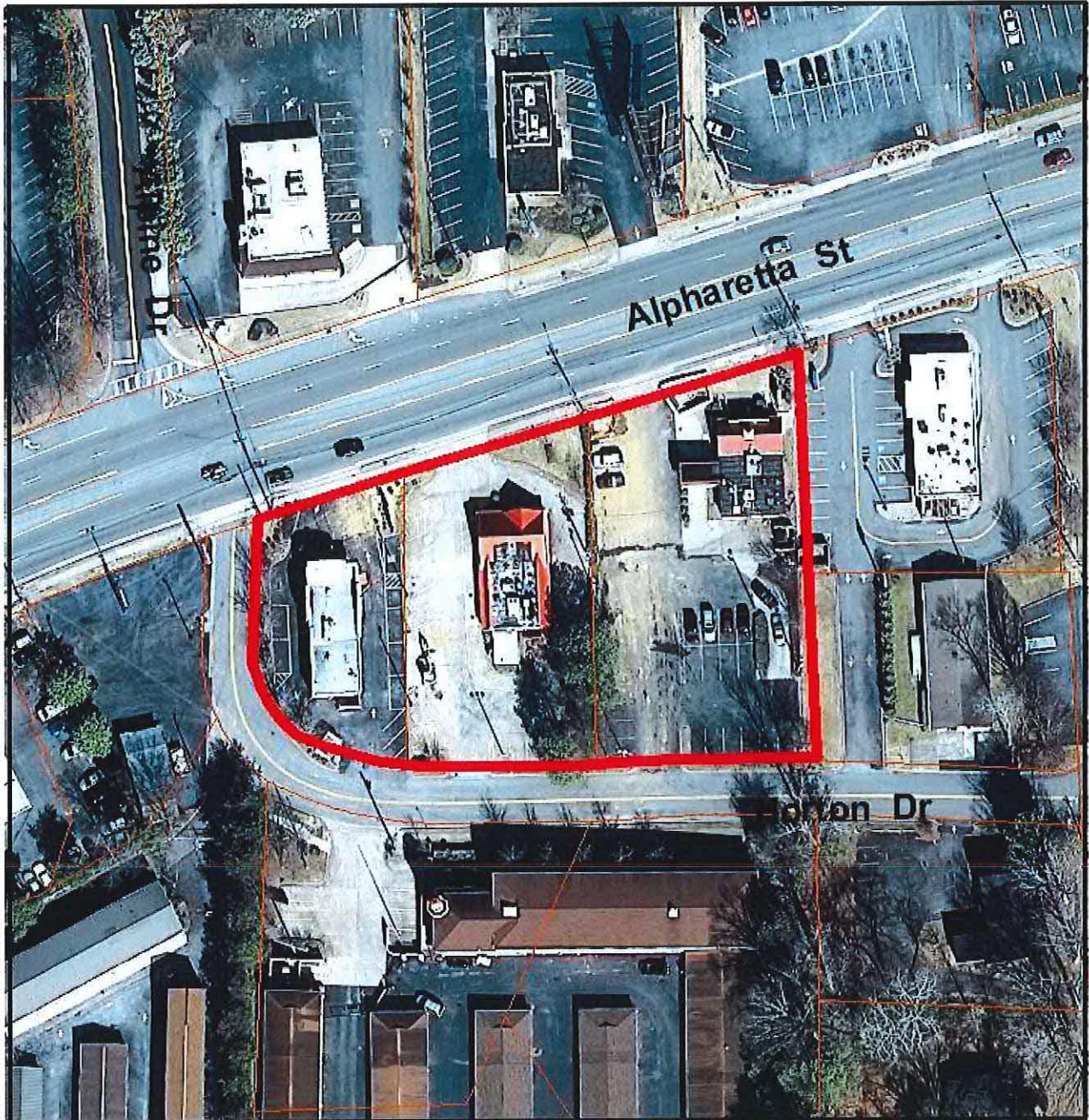
1. The project shall be developed in accordance with the site plan stamped "Received February 27, 2014 City of Roswell Community Development Department."
2. All existing ground signs shall be removed prior to a certificate of occupancy.
3. There will be no certificate of occupancy until after the demolition of the two buildings proposed to be removed as indicated on the plan.
4. The reconfiguration of the parking lot area will require a Land Development Permit.

BACKGROUND

The property is zoned C-3 (Highway Commercial). The subject property contains three (3) buildings which are currently vacant.

EXISTING LAND USE AND ZONING OF ABUTTING PROPERTY


SUBJECT PETITION 201400051	Requested Zoning	Proposed Use	Land Area (Acres)	Number of Units	Density (Square Footage per Acre)
	N/A	Used Auto Establishment	0.75 acres	N/A	3,175 SF per acre
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	C-3/CX	Restaurant and retail	1.26 acres	5,037 SF	3,997 SF per acre
South	I-1/IX	Mini storage warehouses	5.2 acres	65,805 SF	12,270 SF per acre
East	C-3/CX	Office	0.81 acres	2,408 SF	2,973 SF per acre
West	C-3/IX	Used car establishment	0.31 acres	240 SF	774 SF per acre



1 in = 80 ft

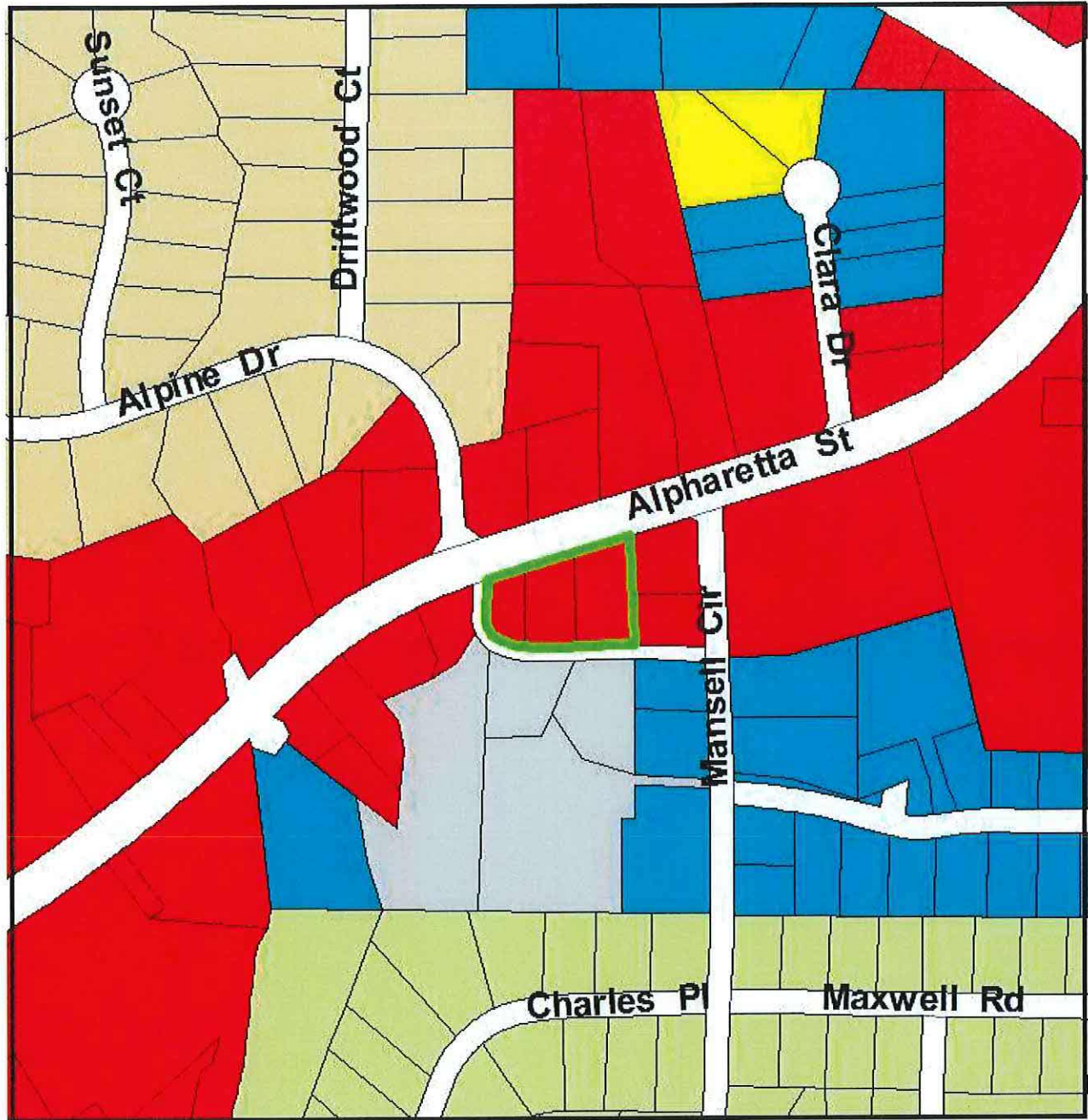
Aerial Date: February 2010

Aerial

 10469, 10471 & 10473 Alpharetta Hwy

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

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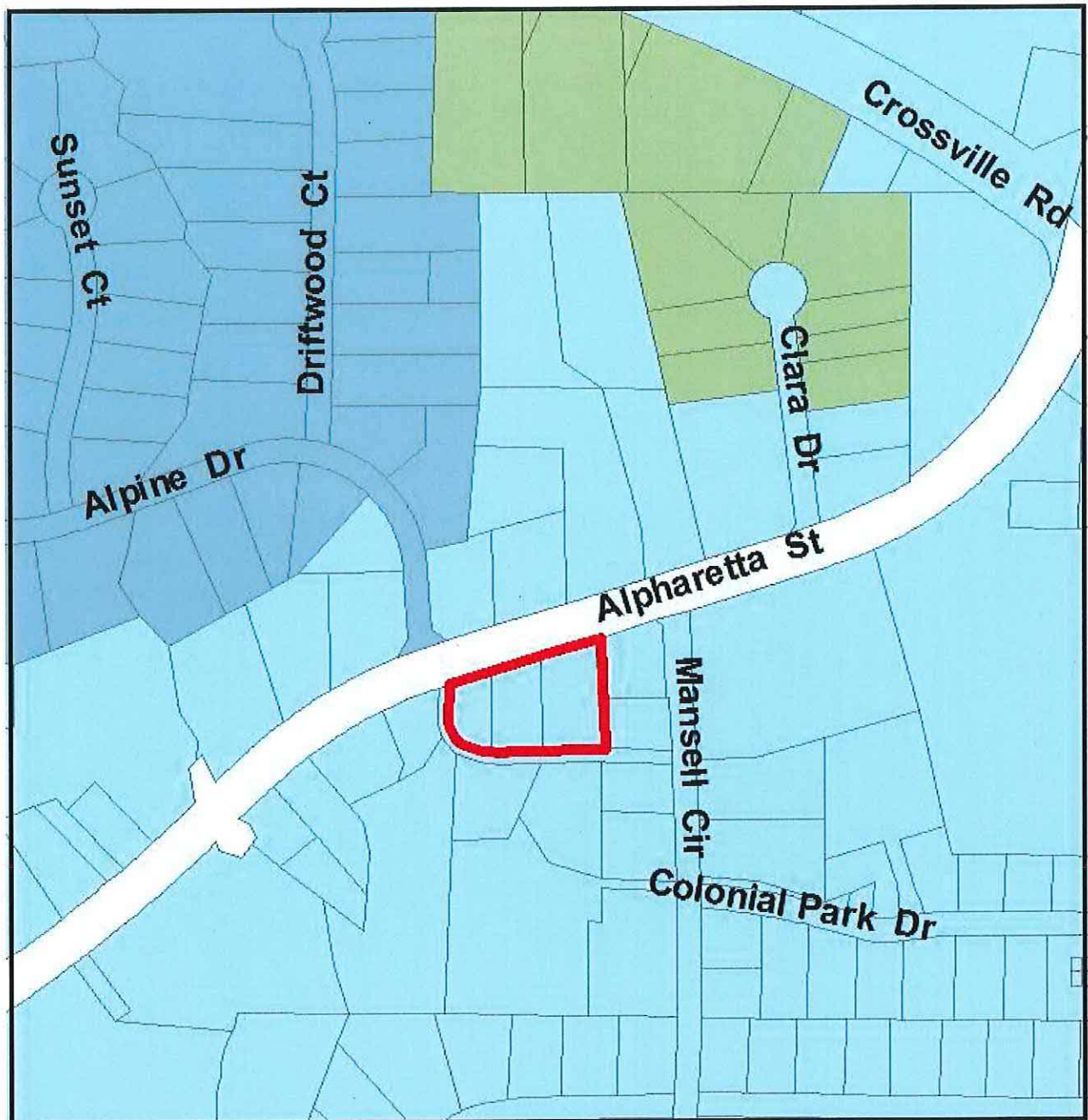


Zoning



1 in = 300 ft





- 10469, 10471 & 10473 Alpharetta Hwy
- C-3 - HIGHWAY COMMERCIAL DISTRICT
- I-1 - OFFICE AND BUSINESS DISTRIBUTION DISTRICT
- O-P - OFFICE-PROFESSIONAL DISTRICT
- R-1 - SINGLE-FAMILY RESIDENTIAL DISTRICT
- R-2 - SINGLE-FAMILY RESIDENTIAL DISTRICT
- R-4 - MULTI-FAMILY RESIDENTIAL DISTRICT



1 in = 300 ft



Future Land Use

-  10469, 10471 & 10473 Alpharetta Hwy
-  Highway 9/Alpharetta Highway Corridor Commercial
-  Parkway Village District Overlay
-  Suburban Residential

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



View of property



View of property



View of the property



View of the property



View of property across Alpharetta Street



View of property to the east



View of property to the south



View of across Horton Drive



View of the property



View of the property



View of the property



NOTICE OF PUBLIC HEARING

Case No: **Conditional Use 201400051**
Concurrent Variance 201400070

Petitioner: **Roswell Auto Imports**

Location: **10469, 10471, 10473, Alpharetta St.**

Land Lots: **466**

Request: **A request for a Conditional Use and Concurrent Variance for the purpose of using the facility as an auto dealership**

Public Hearings: **Neighborhood Mtg. - Feb. 18, 2014**
(Room 220) 6:30 p.m.

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

Mayor & City Council - March 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

The site plan indicates keeping one of the existing structures, which will be renovated and an addition will be added. The remaining existing vacant buildings are to be removed from the property. The existing structure to remain contains 1,761 square feet and the proposed addition for a two car service bay is 620 square feet. The site plan is indicating a total of 71 parking spaces with 66 of them for inventory and the remainder for customers and employees.

DRB/HPC comments and Design Guidelines

The Design Review Board heard this item during their February 4, 2014 meeting and had the following comments.

1. Can this conform to the new code requirements?
2. The bollards would be a concern for this site. These need to be reworked.
3. The addition is right at the street and there is little green space along the southwest corner.
4. It is difficult to address the site plan as shown.
5. Look at the UDC guidelines and review article 4, Corridors and Nodes Districts.

LANDSCAPE PLAN ANALYSIS

The landscape plan proposes six (6) shade trees to be located on the site. The landscape plan shows e new trees along the frontage of Alpharetta Street and three along the new eastern property line. The landscape plan shows new plants within the parking area and understory plants to be added to the site. There are also trees being saved on the west side of the property along Horton Drive and in the southern corner of the property.

VARIANCE CONSIDERATIONS

The applicant is requesting one variance with the conditional use request.

1. The applicant is requesting a variance to reduce the required ten (10) foot landscape strip along Horton Drive to a five (5) foot landscape strip.

DEPARTMENT COMMENTS

City of Roswell Environmental Department	<ul style="list-style-type: none">• Dumpster pad drain is required to be connected to the sanitary sewer.• This site is not a good candidate for redevelopment using existing conditions curve numbers because there is flooding downstream of site on Hog Waller creek.• This site would trigger the "full" stormwater ordinance requiring compliance with detention and water quality.
City of Roswell Engineering Division	<ul style="list-style-type: none">• Demolition Permits for all tracts will require a Land Disturbance Permit prior to issuance.• Ensure that relocated dumpster, fencing and/or structure addition will not interfere with sight distance at driveway onto Horton.• A dumpster pad with a sanitary drain will be required.• Provide inter-parcel access easement between Tract 1 and Tract 2.• Identify trees type and size for both saved and proposed trees for DRB application.• Include site lighting plan, photometrics and details with LDP application• Show aisle widths and parking space dimensions.• Show loading space and routes (e.g. auto-turn) for trucks to maneuver through the site.
Archaeological	<ul style="list-style-type: none">• No comment
Fulton County Department of Health Services	<ul style="list-style-type: none">• All plans indicating the number and location of outside refuse containers along with typical details of the pad and approach area be submitted for review and approval.• All existing structures to be demolished must be inspected by a certified pest control operator.
City of Roswell Fire Department	<ul style="list-style-type: none">• All construction or alteration of any building will have to comply with the currently adopted Code for Life Safety and Fire Prevention.
City of Roswell Transportation Department	<ul style="list-style-type: none">• Verify sight distance for left turn out on Horton drive is adequate. Provide sketches.• Consider inter-parcel connectivity with Tract 2.• Verify the existing driveways accommodate delivery trailer. Provide Auto-turn sketches.
Fulton County Department of Water Resources	<ul style="list-style-type: none">• Anticipated water demand – 239 gallons per day• Anticipated sewer demand – 216 gallons per day; located within the Big Creek Sewer Basin
City of Roswell Arborist & Landscape Architect	<ul style="list-style-type: none">• Specify replacement trees that meet minimum size requirements, 3" caliper overstory, and 2" understory minimum.• A tree removal permit is required for all trees 3-inch caliper or greater, if lot is 1-acre or more.• See Article 16 – Landscaping includes specifics on screening, buffer and landscape strips, dumpsters, parking area landscaping, landscape strips

adjacent to street right-of-way requirements, monument sign planting etc.

- Tree save area along Horton Drive appears unrealistic based on location of proposed privacy fence.

- Provide tree density calculations for the purposes of complying with minimum required tree density (30 units per acre). Includes single family lots one acre or greater.

- Specify planting schedule with proposed tree species (botanical and common), quantity, size, spacing, and any special notes.

CHRONOLOGICAL LISTING OF PLANS SUBMITTED

Plans submitted – January 7, 2014.

Revised plans submitted – February 27, 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.

Currently, there are used auto dealerships along Alpharetta Highway. Within the surrounding vicinity, there is an existing used auto establishment across Horton Drive.

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

The adjacent properties are commercial, office and industrial uses (mini-storage). The proposed used auto establishment may not adversely affect the adjacent properties.

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

The property is currently vacant and zoned C-3 (Highway Commercial) This is not a rezoning of the property. The property will contain the CX (Commercial Mixed Use) zoning once the UDC is in effect.

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 subject property is located on Alpharetta Street which is an existing major thoroughfare through the city.

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

The subject property is located in the Highway 9/ Alpharetta Highway Commercial Corridor character area of the 2030 Comprehensive Plan. The vision and intent of this character area indicates that new development in the southern portion will follow the vision established by the Midtown Roswell LCI, which is to create a mixed-use, pedestrian friendly corridor and activity center that builds a better sense of community.

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.

There are a number of used car establishments along Alpharetta Highway. A mini-storage facility, retail, office and restaurant and a used car establishment are located within the vicinity.

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

The subject property is zoned C-3 (Highway Commercial) and contains three vacant buildings. The zoning under the Unified Development Code is CX (Commercial Mixed Use).

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.

Not required for a conditional use.

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

Not required for a conditional use.

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.

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

Not required for a conditional use.

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

A conditional use is a "use that would not be appropriate generally or without restriction throughout the particular zoning district and is not automatically permitted by right within a zoning district, but which, if controlled as to number, area, location or relation to the neighborhood, maybe found to be compatible and approved by the governing body within a particular zoning district as provided in certain instances by this ordinance."

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

Not required for a conditional use.

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

Not required for a conditional use.

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.

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

Not required for a conditional use.

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 request is for a conditional use and would not change the zoning.

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 an existing used car establishment located to the west of the site across Horton Drive and there are additional used car establishments along Alpharetta Highway.

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 development would be required to comply with all standards related to drainage, water quality, soil erosion and sedimentation as required by the city.

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 of the property is currently C-3 (Highway Commercial). A used car establishment is not a permitted use by right in this zoning district. The Unified Development Code zoning for this property is CX (Commercial Mixed Use) district.

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 subject property is not adjacent to any residential zoning.

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.