

Petition No. RZ12-08 and CV12-03

HEARING & MEETING DATES			
Design Review Board Meeting N/A	Neighborhood Meeting 1/17/13	Planning Commission Hearing 2/19/13	Mayor and City Council Hearing 3/11/13
APPLICANT/PETITIONER INFORMATION			
Property Owners Bank of North Georgia	Petitioner JEH Homes, LLC	Representative Don Rolader	
PROPERTY INFORMATION			
Address, Land Lot, and District	1580 Old Alabama Road; Land Lots 611 and 612; First District		
Frontage and Area	494.16 feet of frontage on Old Alabama Road; 16.2 acres		
Existing Zoning and Use	R-3 (Multi-Family Residential)		
Overlay District 2030	Riverbanks Campus District		
Comprehensive Plan; Future Development Map	GA 400/Holcomb Bridge Node		
Proposed Zoning	Not applicable - Site Plan Amendment only		
INTENT			

This is a site plan amendment to an approved rezoning plan for the Old Alabama Road Townhomes. The applicant is requesting to change from townhomes with a common wall to townhomes exclusively attached by an arbor. The applicant is also requesting two variances with this request. Staff has determined that a variance is needed for lot coverage also.

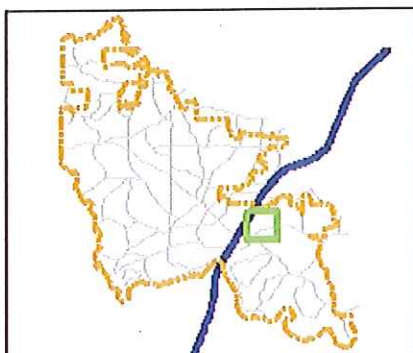
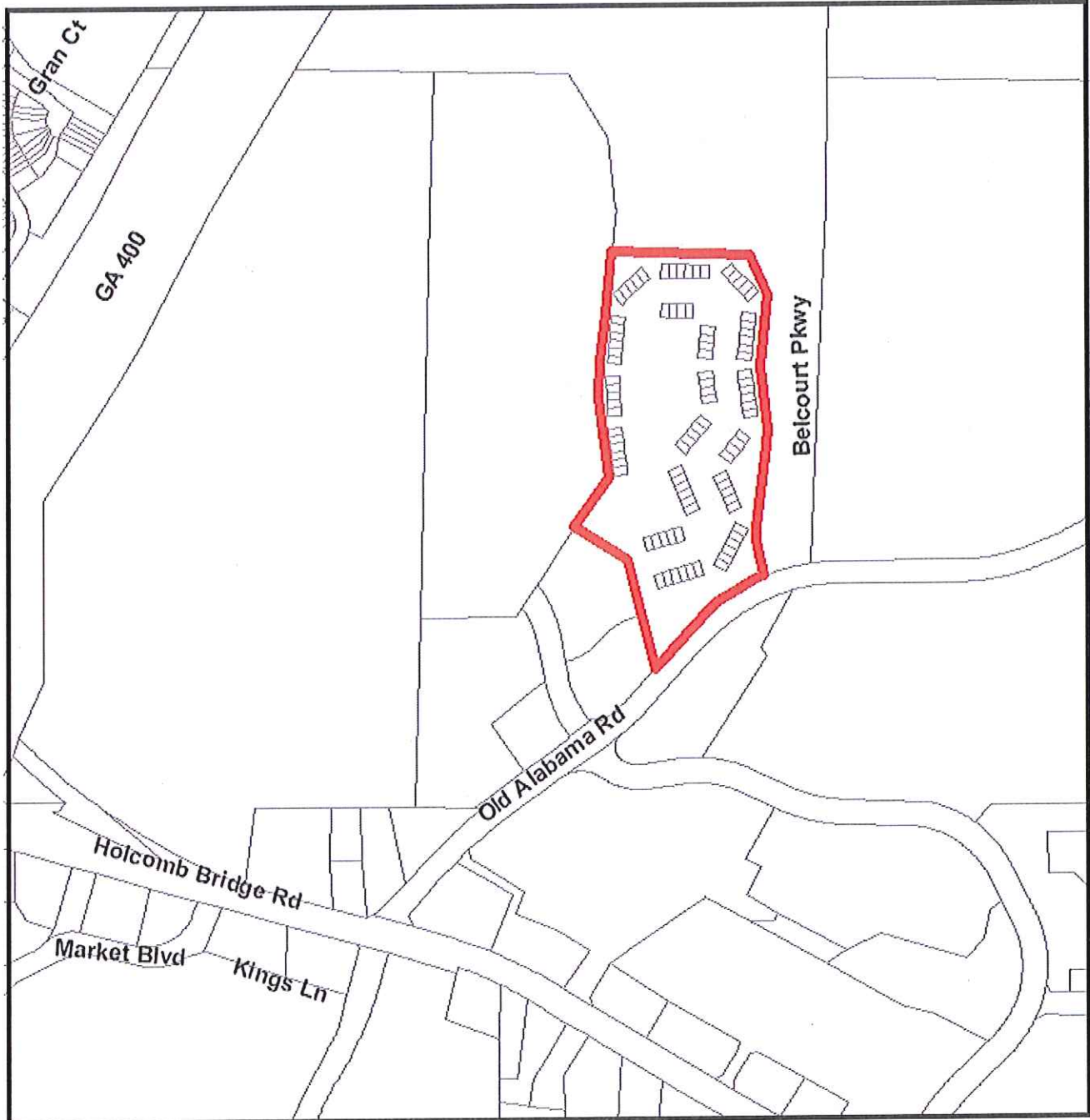
DEPARTMENT OF COMMUNITY DEVELOPMENT RECOMMENDATION

RZ12-08 and CV12-03 - Approval -Site Plan Amendment and all variances

PLANNING COMMISSION RECOMMENDATION


The Planning Commission recommended approval of the site plan amendment and the front setback variance during their February 19, 2013 public hearing with the following conditions.

1. The three staff conditions.
2. Delete condition number 2.
3. A 5' sidewalk or less to be located on the inner loop of the development. A beauty strip shall also be included.
4. The owner/developer shall provide for pedestrian access to the future Big Creek Parkway. The access shall be shown on the preliminary and final plats.



1 in = 500 ft

Location

 1580 Old Alabama Rd

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

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Aerial Date: February 2010

STAFF RECOMMENDED CONDITIONS

The Community Development Department recommends approval of this site plan amendment request and the variance requests for the reduction in the front setback from 30 to 10 feet and for the removal of the sidewalks and for the lot coverage not to exceed 50% on each lot with an overall 25% for the entire site with the following conditions.

1. The owner/developer shall develop the property in accordance with the site plan stamped "Received February 20, 2013 City of Roswell Community Development Department." (**Revised drawing showing sidewalk added to the development**).
2. ~~The owner/developer shall incorporate a secondary access as required by the Fire Marshal. This access shall be shown on the preliminary plat and final plat.~~ **Deleted**
3. A preliminary plat for the property shall be required prior to the issuance of a Land Development Permit.
4. A final plat shall be recorded prior to the sale of any homes.

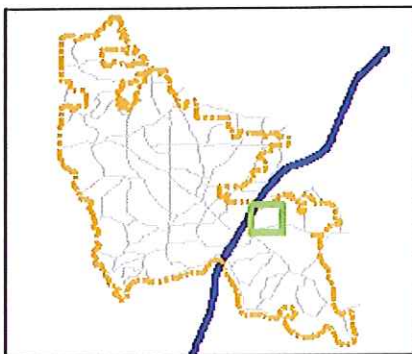
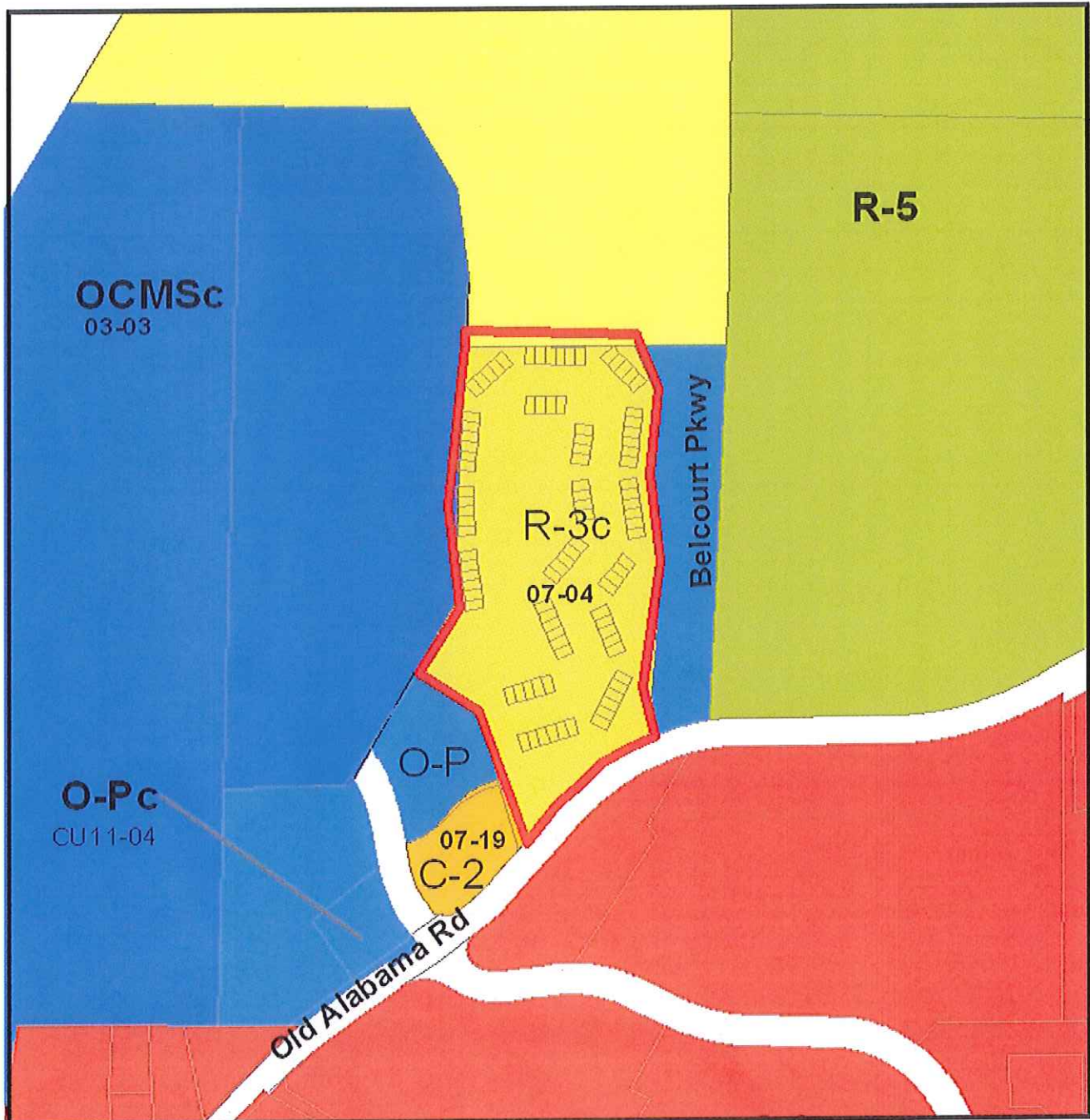
BACKGROUND

The property was zoned R-3 (Multi-Family Residential) in 2007 due to a lawsuit settlement. The following conditions were placed on the property.

1. The owner/developer shall develop the property in accordance with the site plan prepared by Bilson & Associates stamped "Received February 6, 2007 City of Roswell Community Development Department," or as approved by the Design Review Board and consistent with these recommended conditions.
2. The owner/developer shall install a 2-hour fire barrier in each unit as required by the Roswell Fire Department.

EXISTING LAND USE AND ZONING OF ABUTTING PROPERTY

SUBJECT PETITION RZ12-08	Requested Zoning	Proposed Use	Land Area (Acres)	Number of Units	Density (Square Footage per Acre)
	N/A Site Plan Amendment	Single family attached	16.2	81	5 units 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	R-4	Belcourt Apartments	72 acres	350	4.9 upa
South	C-3	Vacant land	2.95 acres	N/A	N/A
East	O-P	Belcourt Apartment entrance	72 acres	350	4.9 upa
West	O-P & C-2	Office and retail	1.6 acres; 2.3 acres and 96.6 acres	18,000 SF; 19,800 SF and 200.983 SF	11,250 SF upa; 8,608 SF upa; and 2,080 SF upa



1 in = 400 ft

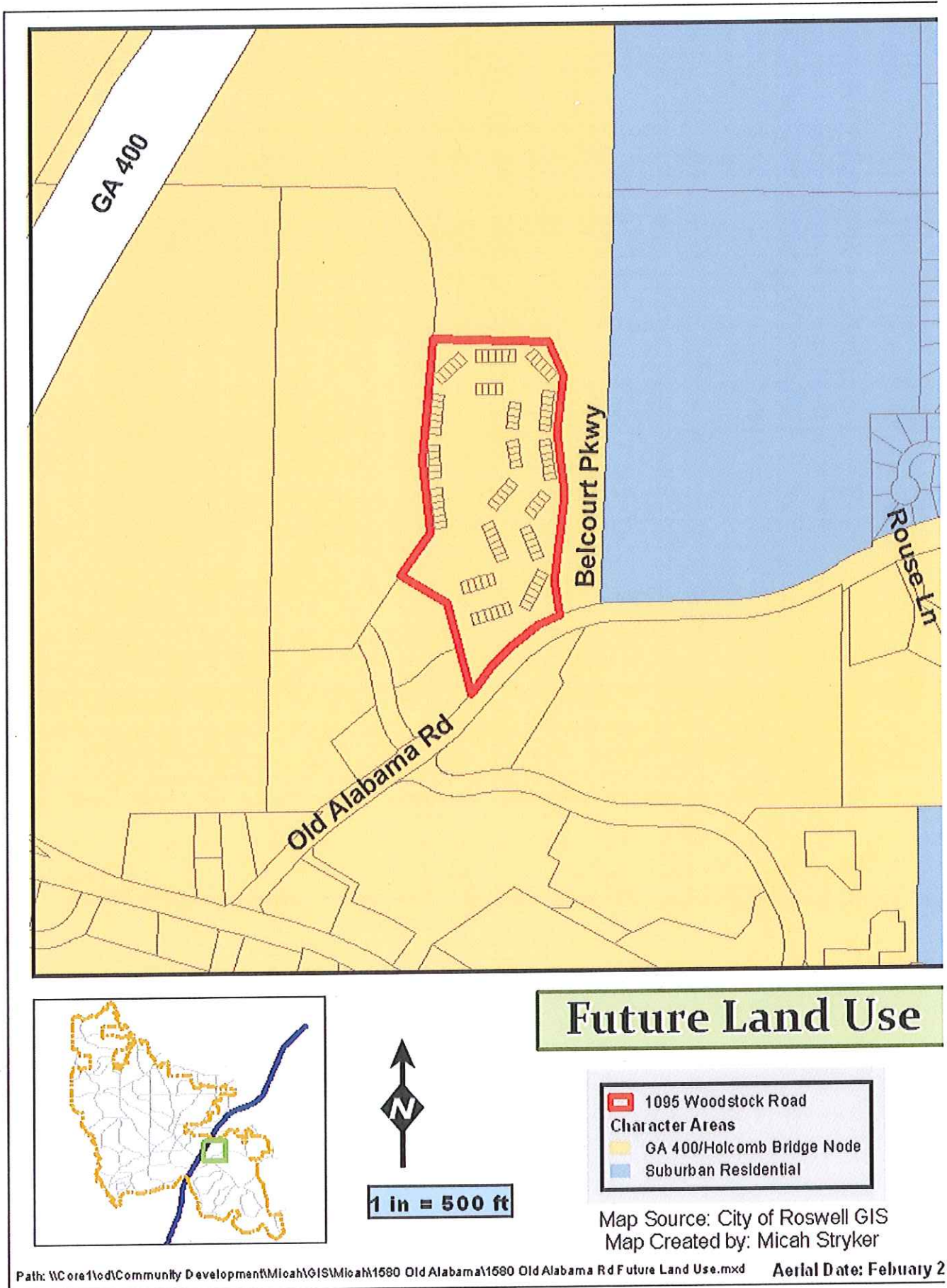
Zoning

- 1580 Old Alabama Rd
- C-2
- C-3 - Highway Commercial District
- O-P - Office - Professional District
- OCMS - Office - Commercial Mid-story Mixed Use District
- R-3 - Medium-Family Residential District
- R-4 - Medium-Family Residential District
- R-5 - Planned Residential District

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

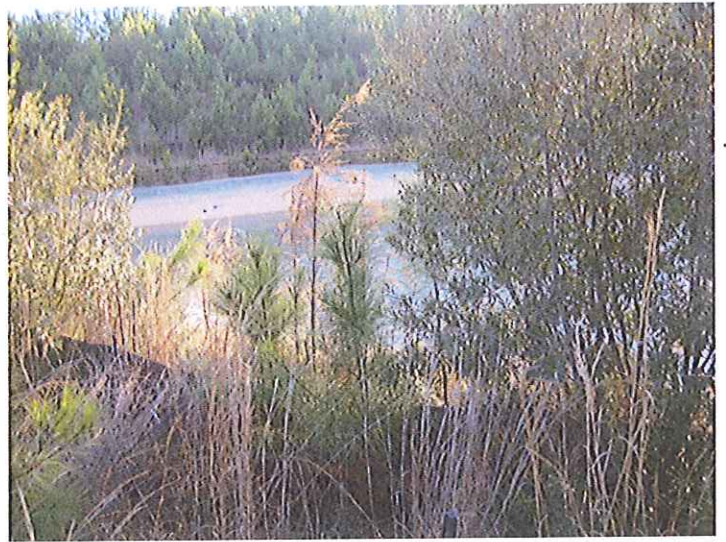
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Aerial Date: February 2010





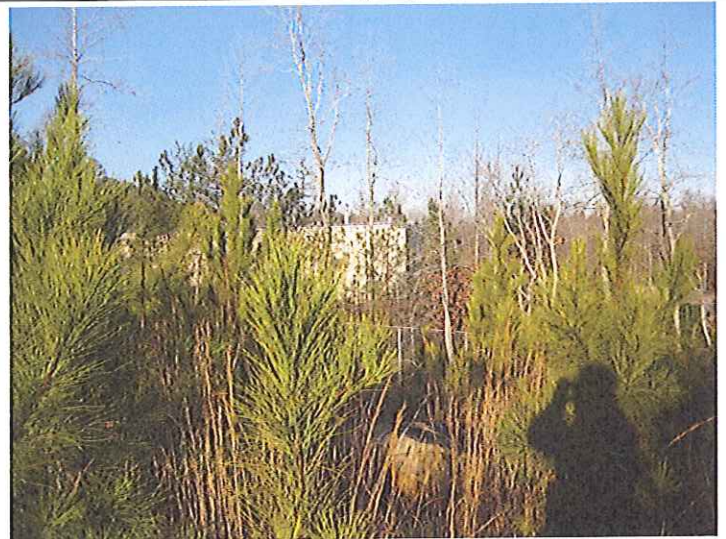
View of property



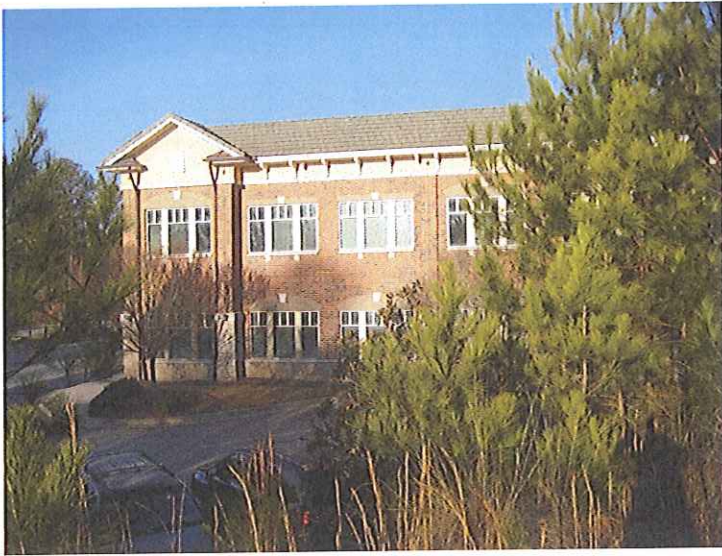
View of property



View of the property



View of the property



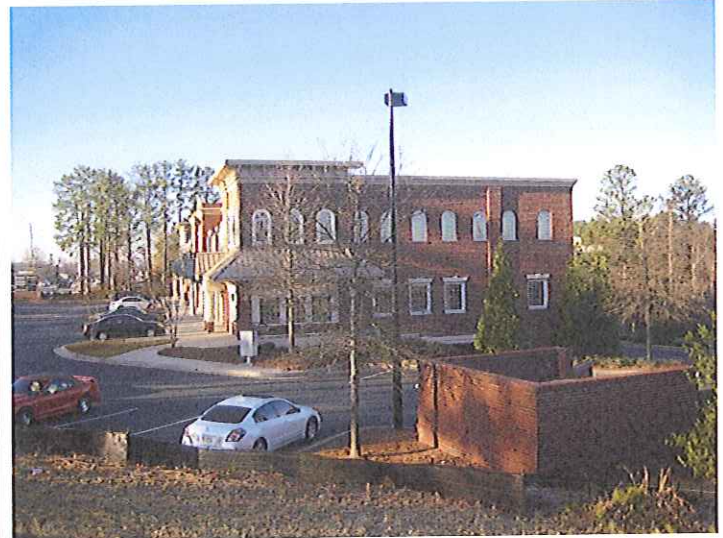
View of surrounding property



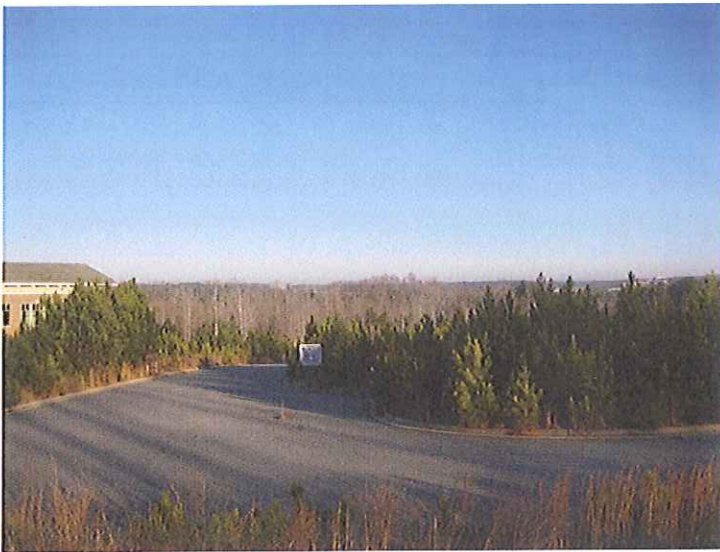
View across Old Alabama Road



View of surrounding property



View to the west



View of the property



View of the property



View of the property

ROSWELL
CITY

NOTICE OF PUBLIC HEARING

Petition No: **Rezoning - RZ12-08 &
Concurrent Variance - CV12-03**

Petitioner: **JEH Homes, LLC**

Location: **1580 Old Alabama Rd.**

Land Lot: **611, 612**

Request: **Site Plan Amendment with Concurrent
Variance to front setback and sidewalk.**

Public Hearings: **Neighborhood Mtg. - January 17, 2013
(Room 220) 7:00 p.m.**
**Planning Commission - February 19, 2013
(Council Chamber) 7:00 p.m.**
**Mayor & City Council - March 11, 2013
(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) 641-3701 or www.roswellgov.com

SITE PLAN ANALYSIS

The proposed site plan amendment indicates 81 lots. The homes are proposed to be attached by an arbor. The roads and detention ponds are existing. There is an amenity area with a pool also indicated for the community. The maximum lot coverage in the R-3 zoning district is 25%. The applicant will meet the 25% lot coverage over the entire site, but will need a variance for each individual lot. Some of the lots depending on the model home will need to exceed the 25% lot coverage for the lot, but will not exceed 50%.

DRB/HPC comments and Design Guidelines

Not applicable

LANDSCAPE PLAN ANALYSIS

The proposed site plan indicates that the property will meet the open space requirements.

VARIANCE CONSIDERATIONS

The applicant is requesting two variances with this revised site plan amendment.

1. The first variance is a request to section 18.1.7 (b) in order to not have any sidewalks in the development. The applicant is requesting this variance in order to reduce the impervious area within the community and to provide a more aesthetic appearance to the streetscape.
2. The second variance is a request to reduce the front setback from the required 30 feet to 10 feet with a minimum of 15 feet to the face of the garage.
3. A variance is needed for lot coverage up to 50% on the lots; however, the overall site will meet the 25% maximum.

DEPARTMENT COMMENTS

City of Roswell Environmental
Department

- If commercial dumpster service is required for any common structure/clubhouse, provide detail for dumpster pad and enclosure.
- Provide stormwater as-built for ponds and BMP facilities. Contact water resources engineer for requirements.

City of Roswell Engineering
Division

- Parking spaces should have their own drive and not require backing into the road. Discuss whether this is appropriate in this type of development.
- Show Sanitary Sewer easements on lots 25-26 and as needed on other lots e.g. 78 and 62.
- Note that on lots 5 and 25, no structure should be built within 40 feet of an open drain. These lots may not be buildable as-is.
- A LDP will be required indicating show the proposed grading and ESPCP. Contact the city engineer to discuss scope of work and whether the applicant should prepare documents as a primary or tertiary permittee.
- Provide 20' private drainage easements across the rear of lots 26-32, 33-36, 5 from open space, 4-1, and 62-63/61.
- Grading should allow for a 10' area between toe of slopes and limits of disturbance for silt fence installation and sediment storage.
- Provide proof of maintenance for 7 existing crystal stream units or have them inspected and provide a report on them.
- Provide updated attachment A for the Stormwater BMP covenant listing the current responsible person.
- May an arbor be built across a drainage easement, e.g. at lots 25/26, and 44-45; or will the lots need to be separated by open space.
- The stormwater as-built should be analyzed for the proposed conditions.
- Address sediment ponds/plunge pools as related to safety and mosquito control below outlet headwalls. Additionally, engineer will need to design and install an appropriately lined channel on lot 5 to carry water off-site from HW 30 without ponding or erosion.
- All outfalls shall be examined by the engineer for stability and redesigned or stabilized as needed.
- Consider a fire access road between lots 32 and 33 to Belcourt Parkway.

Fiscal Impact

Archaeological

Not required.

City of Roswell Fire Department	<ul style="list-style-type: none"> • The applicant will have to provide a current fire flow test in accordance with the 2006 edition of the International Fire Code, appendix B to determine if there is adequate water available for firefighting and to be sure that all aspects of the water system are operational. • In accordance with the 2006 edition of the International Fire Code appendix D, section D107.1 Developments of one or two family dwellings, where the number of dwelling units exceeds 30, shall be provided with separate and approved fire apparatus access roads and shall meet the requirements of section D104.3. D104.3 states that when two access roads are required, they shall be placed a distance apart equal to not less than 1/2 the length of the maximum overall diagonal dimension of the property or area to be served, measured in a straight line between accesses. • NOTE: The previous development was not required to provide the separate road due to the number of homes and that they would have 1 hour fire partitions, which would make them multi-family, thus the requirement does not apply.
City of Roswell Transportation Department	<ul style="list-style-type: none"> • Change the text "45' private street" to "private street". • Provide sidewalk as per the City of Roswell standard manual section 2.2.4; which is 5' wide with 5' grass buffer measured from the back of curb along both sides of the proposed private street. Provide appropriate GDOT ADA ramps at each sidewalk crossing. • Dedicate a minimum 12' access easement for pedestrian connectivity with the future City of Roswell Big Creek trail project. The best location for that easement would be anywhere between lots 23 to lots 32. • Label the dimension of the proposed Right-of-way from the existing back of curb, along Old Alabama Road frontage. If necessary, dedicate additional right-of-way to achieve a minimum 14' right-of-way from the existing back of curb to accommodate the City of Roswell Dept. future trail, as per the Transportation Roswell loop Master Plan.
City of Roswell Arborist & Landscape Architect	<ul style="list-style-type: none"> • Provide Landscape/Tree Replacement Plan at LDP phase.
Fulton County	<ul style="list-style-type: none"> • Anticipated water demand is 270 gallons per day - total demand is 21,870 gallons per day. The sewer basin is Big Creek. Anticipated sewer demand is 19,683 gallons per day.

CHRONOLOGICAL LISTING OF PLANS SUBMITTED

Original plans submitted on December 4, 2012.

Revised site plan submitted on February 20, 2013 – the applicant responded to the Planning Commission's comments related to the sidewalk and provided a detail as to where he would place the sidewalk in this development.

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.

This is a site plan amendment. The zoning of the property is currently R-3 (Multi-Family Residential) and the zoning will not change.

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

The site plan amendment for attached residential homes will not adversely affect the existing properties. The zoning will remain R-3.

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

The zoning of the property will not change with this site plan amendment request.

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 streets within the development have already been built; the site plan amendment may not cause a burdensome use on the existing streets, facilities or utilities.

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

The 2030 Comprehensive Plan indicates that this property is located within the GA 400/Holcomb Bridge Node character area. Since it is a site plan amendment only, it is in compliance.

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.

This is a site plan amendment. There will be no change to the zoning of the property.

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

The property is zoned R-3 (Multi-Family Residential). The roads and detention ponds have been built, but the property is vacant.

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.

The zoning of the property will not change. An appraisal would be needed to determine the existing value of the subject property.

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

This is a site plan amendment only; the property can be used in accordance with the existing R-3 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.

The existing zoning is R-3 and that will not change with this request.

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

The zoning of the property will not change with this site plan amendment request. An appraisal would be needed to determine the value of the subject property.

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

The proposed attached residential homes are suitable under the existing R-3 zoning since this is a site plan amendment change only.

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

There is no change to the zoning. The requested change to the use is suitable under the R-3 zoning.

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

The property was zoned R-3 in 2007 under rezoning RZ07-04.

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 existing R-3 zoning will not change with this site plan amendment.

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

The site plan amendment will not change the zoning; therefore, it will not create an isolated zoning 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 zoning of the property will not change with this proposed site plan amendment.

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 attached homes will fit with the surrounding uses.

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

The roads and detention ponds currently exist on the property.

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 site plan amendment will not change the overall zoning scheme of the development. The request is to change the number of units from 94 to 81 and each home will be on its own lot of record.

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 request for the site plan amendment change does not affect the existing residential in the area.

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.

This is not a request for a map change; it is a request for a site plan amendment.