



Petition No. RZ11-06, CV11-01

HEARING & MEETING DATES

Design Review Board Meeting 5/3/11	Neighborhood Meeting 5/19/11	Planning Commission Hearing 6/21/11	Mayor and City Council Hearing 7/11/11
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APPLICANT/PETITIONER INFORMATION

Property Owners Robert Legg	Petitioner Robert Legg	Representative Don Rolader
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PROPERTY INFORMATION

Address, Land Lot, and District	913 Forrest Street Land Lot 425, First District, Second Section
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Frontage and Area	100 feet on Forrest Street; 0.4675 acres
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Existing Zoning and Use	R-2 (Single Family Residential)
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Overlay District	Citywide Design Guidelines
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2025 Comprehensive Future Land Use Map Designation	Office-Professional
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Proposed Zoning	O-P (Office Professional)
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INTENT

The applicant is requesting to rezone the property from R-2 to O-P for an office use. The applicant is also requesting two concurrent variances.

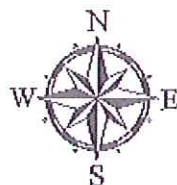
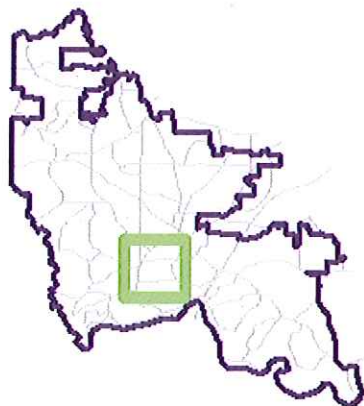
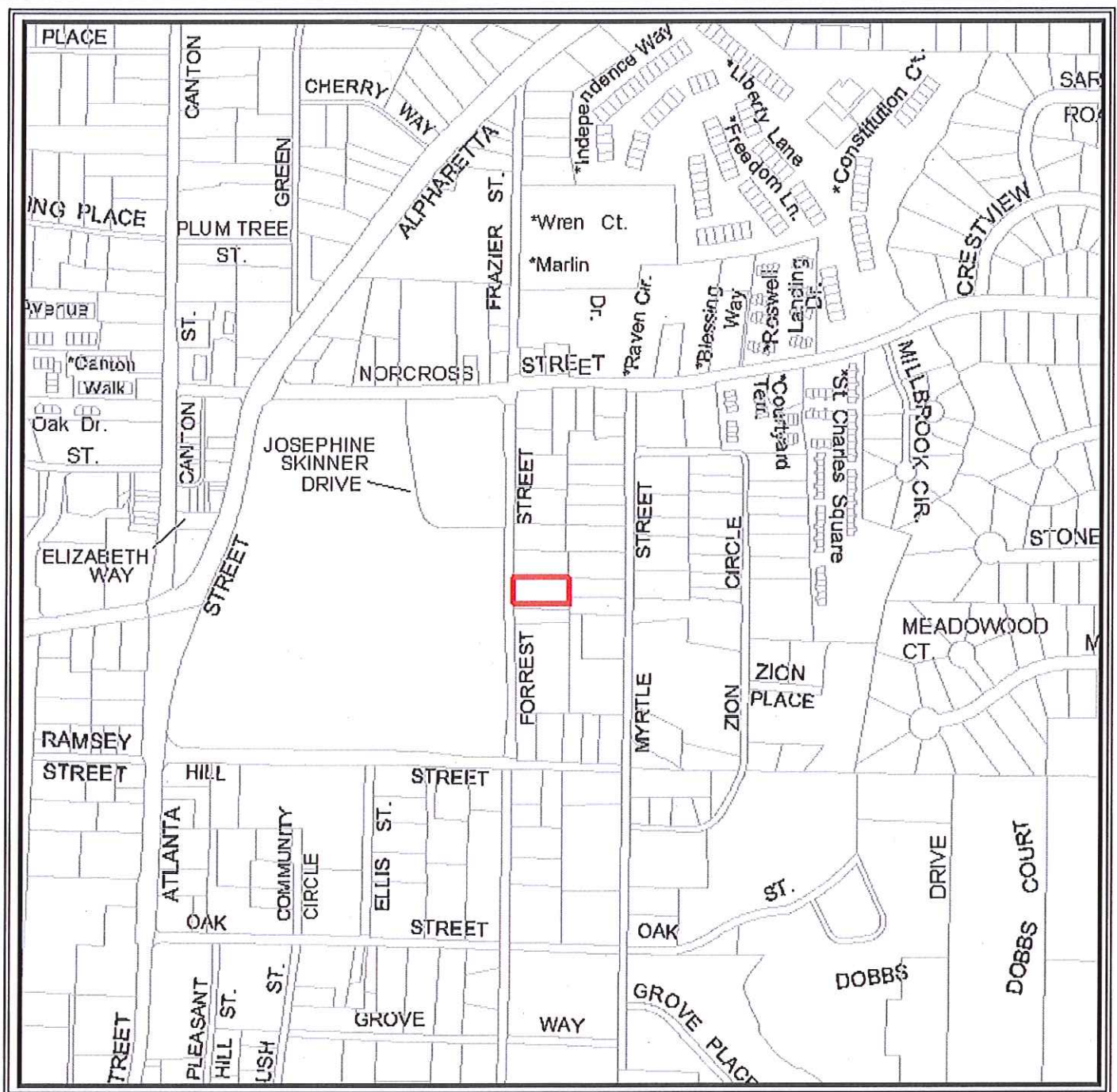
1. To reduce the building setback from 50' to 40' on the northern boundary and from 50' to 20' on the southern boundary.
2. To reduce the buffer requirement from 40' to 10' on the northern boundary and from 40' to eight feet on the southern boundary.

DEPARTMENT OF COMMUNITY DEVELOPMENT RECOMMENDATION

RZ11-06 and CV11-01 - Approval

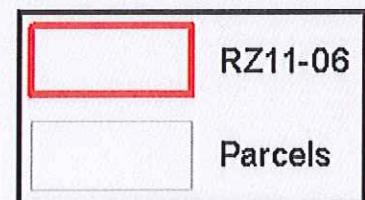
PLANNING COMMISSION RECOMMENDATION

The Planning Commission recommended approval of the rezoning and all variances during their June 21, 2011 public hearing with the one staff condition.



1 inch = 500 feet

LOCATION MAP



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STAFF RECOMMENDED CONDITIONS

It is recommended that this application for rezoning RZ11-06 and concurrent variance CV11-01 be approved. Should the Mayor and City Council approve this rezoning, it shall be approved with the following condition:

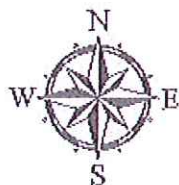
1. The old curb cut must be closed, re-graded and sodded and the parking space shown must be moved to the rear parking area.

BACKGROUND

The subject property is zoned R-2 (Single Family Residential).

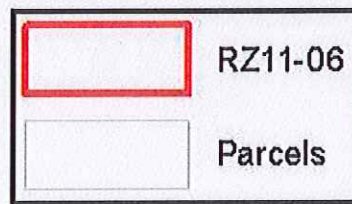
EXISTING LAND USE AND ZONING OF ABUTTING PROPERTY

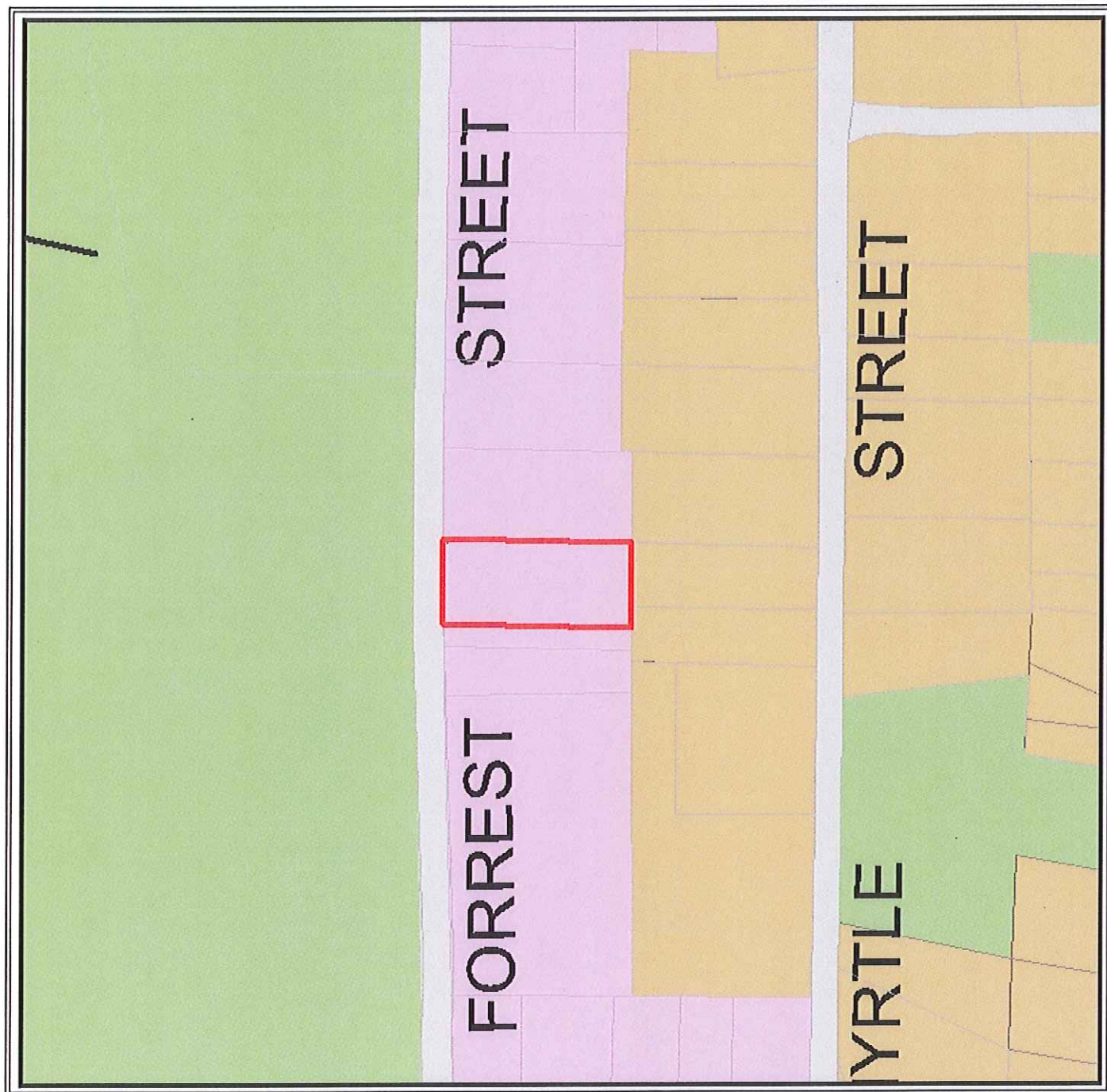
SUBJECT PETITION RZ11-06	Requested Zoning	Proposed Use	Land Area (Acres)	Number of Units	Density (Square Footage per Acre)
	O-P	Office	0.4675 acres	one	2.1 units per acre (2,609 SF per acre)
Location in relation to subject property	Zoning	Use	Land Area (Acres)	Square Footage or Number of Units	Density (Square Feet or Units Per Acre)
North	R-2	Single Family home	0.49 acres	one	2.0 units per acre
South	R-2	Vacant land	0.12 acres		
East	R-2	Vacant (house was demolished)	0.34 acres		
West	C-1/HR	Cultural Arts Center/City Complex	29 acres (entire site)	21,000 SF	



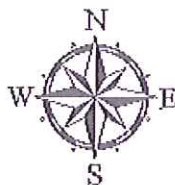
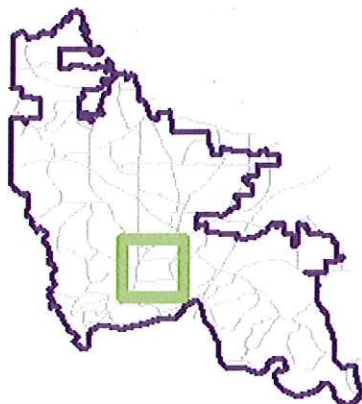
1 inch = 150 feet

AERIAL MAP





FUTURE LAND USE MAP



1 inch = 150 feet



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View of property from Cultural Arts Center



View of front of property



View of the back of the structure



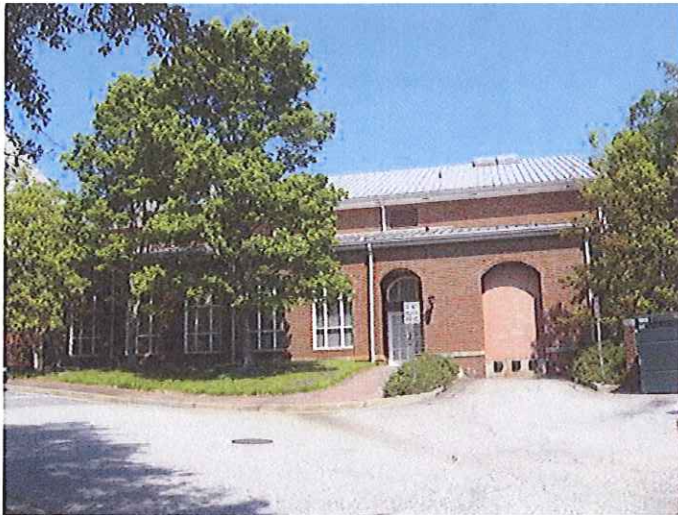
View of the south side of the house



View of the vacant land to the south



View of the vacant land to the south



View of the back of the Cultural Arts Center (property to the west)



View of the rear portion of the property to the north



View of property to the north



View of the Cultural Arts Center (property to the west)



View of property to the east on Myrtle Street



View of the rear of the subject property lot



SITE PLAN ANALYSIS

The proposed site plan indicates an existing structure containing 1,220 square feet which is presently zoned R-2 (Single Family Residential). The applicant is requesting to change the zoning to O-P (Office Professional) to allow for an office use at this location. The applicant is required to add a five foot (5') brick sidewalk along Forrest Street per the City Code. The required parking for the office is a minimum of 4 parking spaces with a maximum of 5 spaces.

DRB/HPC comments and Design Guidelines

This rezoning request was heard by the Design Review Board during their May 3, 2011 meeting. The board had comments regarding the handicap parking ramp, landscaping, buffer area and parking.

LANDSCAPE PLAN ANALYSIS

The landscape plan shows that no specimen trees are to be impacted with this proposed rezoning request. The required tree density units for the site are 14.02 units. The existing tree density units are 190.4 units. The site complies with tree density. The proposed plan shows new Virginia Pines, Japanese Cryptomeria, Nellie R. Stevens Holly, Gold Rain tree and Emerald Green Arborvitae.

VARIANCE CONSIDERATIONS

The applicant is requesting several variances with the rezoning application.

1. A reduction in the building setback from 50 feet to 40 feet along the northern boundary.
2. A reduction in the building setback from 50 feet to 20 feet along the southern boundary.
3. A reduction in the buffer requirement from 40 feet to 10 feet along the northern boundary.
4. A reduction in the buffer requirement from 40 feet to 8 feet along the southern boundary

DEPARTMENT COMMENTS

City of Roswell Environmental Department	<ul style="list-style-type: none">●Provide a concept for how the stormwater ordinance will be satisfied. Please schedule a concept meeting with PW/Env.
City of Roswell Engineering Division	<ul style="list-style-type: none">●Parking Space(s) shall not be located so that vehicles back into or out of parking space onto or from the public ROW.●Provide ESPCP in compliance with GASWCC checklist.●Driveway , driveway apron and sidewalk shall comply with COR Construction Standards.●Comply with Section 7.2, Post development stormwater ordinance.
Fiscal Impact	NA
Archaeological	NA
City of Roswell Fire Department	<ul style="list-style-type: none">●A building permit to change the occupancy from residential to commercial will be required. The building must meet the 2000 edition of the Life Safety Code.
City of Roswell Transportation Department	<ul style="list-style-type: none">●Per City of Roswell standard, section 2.1.6.A, property with frontage of 200 feet or less, shall only have 1 driveway. The proposed 24' asphalt drive should be deleted.●Provide, along Forrest St. frontage, 2' grass strip and 5' brick sidewalk. Dedicate right-of-way as necessary to encompass the entire sidewalk along Forrest Street plus a minimum one foot.●Provide sight distances for the existing driveway and a certification that the sight distances are adequate.●The LDP plans, when submitted, shall include all necessary construction details. Such as, the City of Roswell detail for sidewalk crossing at driveway, brick paver details, GDOT A3 or later ADA ramps detail, GDOT A1 driveway detail, etc.●After issuance of the Land Disturbance Permit, obtain right-of-way Encroachment permit from Transportation Department utility coordinator John Wooten
Georgia Department of Transportation	NA
City of Roswell Arborist & Landscape Architect	<ul style="list-style-type: none">●Show critical root zone (CRZ) circles for trees 24" dbh or greater. Indicate on Tree Protection Plan no specimen trees to be removed.

CHRONOLOGICAL LISTING OF PLANS SUBMITTED

Original Plans submitted on April 5, 2011.

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.

There are several properties along Forrest Street which are currently zoned O-P (Office Professional). The proposed request would be suitable due to the other existing offices and its proximity to the Cultural Arts Center which is a part of the City Hall complex.

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

The proposal may not adversely affect the existing use of adjacent and nearby properties as there is vacant land to the south of this location and the Cultural Arts Center to the west. There is one single family home that is located to the north of the property which abuts an existing office building.

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

The property may have reasonable economic use as currently zoned for single family residential. However, there are existing office uses along Forrest Street.

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 request for an office use may not cause an excessive or burdensome use of existing streets, transportation facilities, utilities or schools.

5. Whether the zoning proposal is in conformity with the policies and intent of the land use plan.

The Future Land Use Map indicates office-professional as the future designation for this property. The entire block along Forrest Street has a future designation of office-professional.

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 several other offices located along Forrest Street and the property is located across from the Cultural Arts Center.

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

The subject property is zoned R-2 (Single Family Residential) and has been used as a single family home.

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 have to be completed to determine the existing value of the property.

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

The property is zoned as residential for single family and can be used in accordance with the existing regulations.

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 applicant has indicated in the application that the property has less value as residential; but a determination would have to be done by an appraiser.

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

An Appraisal would have to be completed to determine the value of the property under the proposed O-P (Office Professional) zoning classification.

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

The property can be used as residential; however, several properties are currently zoned office professional along Forrest Street. This property is located just across from the back of the Cultural Arts Center.

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

There are several properties along Forrest Street currently zoned office professional which allows for the suitability of the property.

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

The applicant indicated on the application that the property has been vacant for approximately two years.

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 applicant has indicated in the application that the property has been vacant for two years and on the market.

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

There are several properties along Forrest Street that are currently zoned O-P (Office Professional) and are being used as offices.

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 character of the area is a mix of uses currently. The proposed request for an office would have a minimal change on the existing 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.*

The request for office use may be an improvement to the value of the adjacent property due to the several other office uses in the vicinity and the existing Cultural Arts Center located to the west.

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

The structure is existing; however, a parking area will be added to the property. The property must comply with Article 7 of the City Code regarding drainage, soil erosion and sedimentation and flooding.

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 rezoning may be consistent with the overall zoning scheme for the area since the future land use plan indicated office professional for this area in the future.

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 property abuts residential on the north, south and east sides. The property on the south is vacant land. The applicant is requesting variances to the setbacks and buffers along the north and south property lines. The variances are being requested because the structure is existing.

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 undeveloped land in the general area that is zoned O-P (Office Professional).