



**Petition No. 201301214, 201301216, 201301219**

**HEARING & MEETING DATES**

Design Review  
Board Meeting  
6/4/13

Neighborhood Meeting  
6/20/13

Planning Commission Hearing  
8/15/13

Mayor and City  
Council Hearing  
9/23/13

**APPLICANT/PETITIONER INFORMATION**

Property Owner  
Barry Teague

Petitioner  
Mark Lowen

Representative  
Mark Lowen

**PROPERTY INFORMATION**

Address, Land Lot,  
and District SW corner of Holcomb Bridge Road and Scott Road, LL 677& 712, First District

Frontage and Area 5.110 acres

Existing Zoning and  
Use FC-A (Fulton County-Annexed); vacant

Overlay Design  
District Riverbanks Campus Overlay Design Guidelines

2030  
Comprehensive  
Plan; Future  
Development Map Holcomb Bridge Road SR 140 Corridor

Proposed Zoning O-P (Office Professional)

**INTENT**

The applicant is requesting a rezoning to O-P (Office Professional) with a conditional use request to allow for a senior living facility/retirement residence.

The applicant is also requesting three variances to the buffer, setback and parking.

**DEPARTMENT OF COMMUNITY DEVELOPMENT RECOMMENDATION**

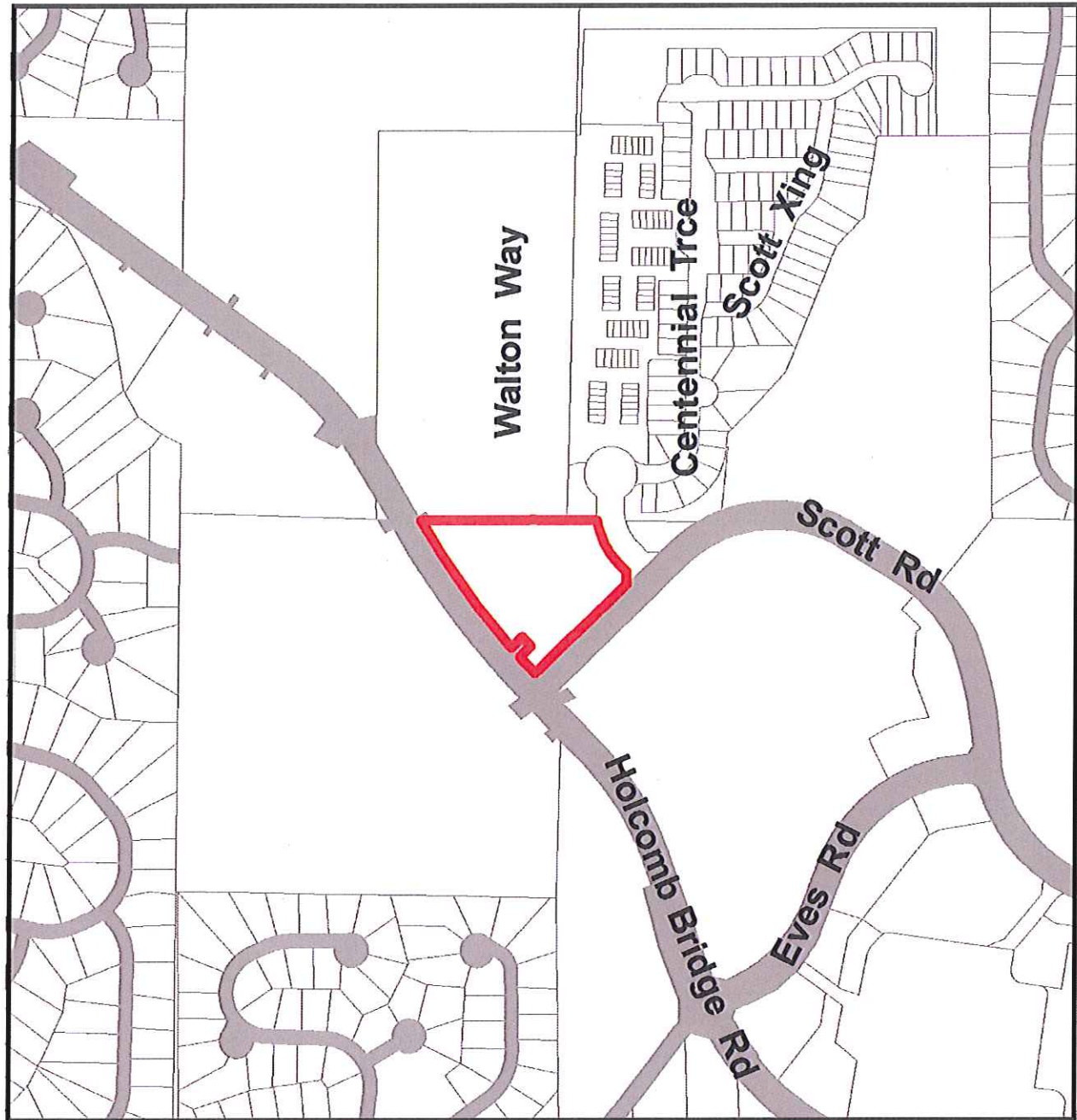
**RZ 201301214, CV201301216 and CU 201301219 - Approval**

**Recommend proposed Unified Development Code designation to O-R (Office Residential)**

### PLANNING COMMISSION RECOMMENDATION


The Planning Commission recommended approval of the rezoning, conditional use and concurrent variances during their August 15, 2013 public hearing with the following conditions.

1. The owner/developer shall develop the subject property in substantial accordance with the site plan stamped "Received August 2, 2013 City of Roswell Community Development Department."
2. A stormwater concept plan, approved by the Public Works Department, shall be completed prior to the submittal for the Design Review Board.
3. The owner/developer must submit a plat to the City of Roswell and it must be recorded prior to the issuance of a Land Disturbance Permit. The plat must clearly identify all buffers, easements and utilities on the property.
4. A landscape buffer plan shall be provided along both the north property line and Centennial Way to be designed to the satisfaction of the neighboring Home Owner's Association in terms of density, character and screening of site lighting of adjacent residences.
5. Construction of the eight (8) parking spaces in the northeast quadrant of the development shall be identified on the Land Development Plan as future parking until such time the owner provides the city with notification and the city gives them authorization to construct them.



1 in = 500 ft

## Location

 500 Walton Way

Map Source: City of Roswell GIS  
Map Created by: Micah Stryker  
Aerial Date: February 2010

Path: \\CORE1\\CommDev\\Community Development\\Micah\\GIS\\Micah\\500 Walton Way\\500 Walton Way Location Map.mxd

Prepared by the City of Roswell Department of Community Development for the Mayor and City Council Hearing on September 23, 2013.



## STAFF RECOMMENDED CONDITIONS

The Community Development Department recommends approval of the rezoning and conditional use for a 130 suite retirement residence. The staff also recommends approval of the concurrent variances to the 40' buffer and 50' setback along the north property line and to increase the parking ratio to allow for .62 spaces per unit. The staff recommends approval with the following conditions.

1. The owner/developer shall develop the subject property in substantial accordance with the site plan stamped "Received September 12, 2013 City of Roswell Community Development Department."
2. A stormwater concept plan, approved by the Public Works Department, shall be completed prior to the submittal for the Design Review Board.
3. The owner/developer must submit a plat to the City of Roswell and it must be recorded prior to the issuance of a Land Disturbance Permit. The plat must clearly identify all buffers, easements and utilities on the property.

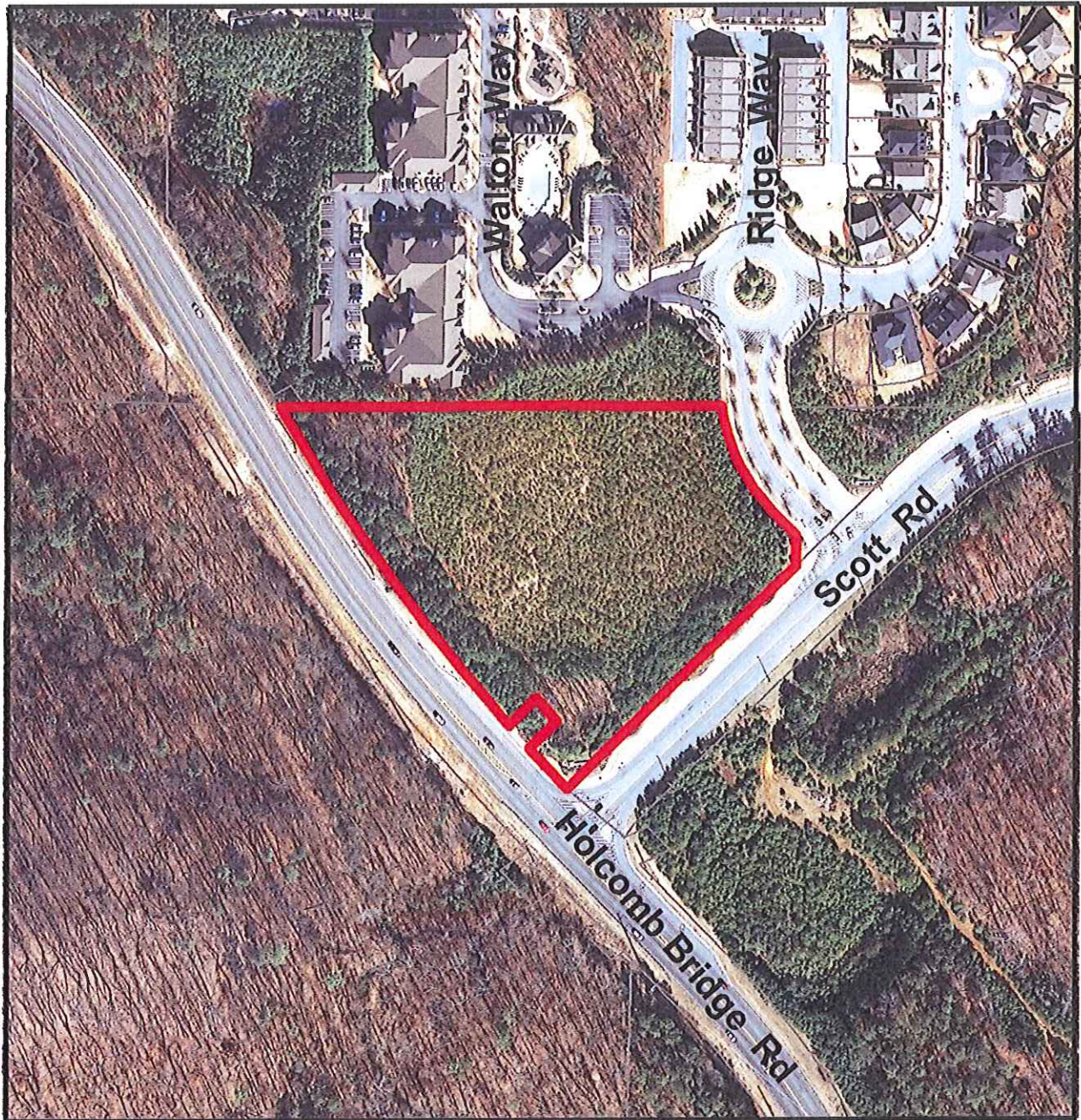
**BACKGROUND**

The property is zoned FC-A (Fulton County- Annexed) and is vacant land.

**EXISTING LAND USE AND ZONING OF ABUTTING PROPERTY**


SUBJECT PETITION 201301214	Requested Zoning	Proposed Use	Land Area (Acres)	Total SF	Density (Square Footage per Acre)
	O-P	Retirement Residence	5.1	115,802 SF	22,706 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-3	Apartments, townhomes and single family homes	76.2 acres	418 (total for all of Walton)	5.4 upa
South	FC-A	Vacant land	41.9 acres	N/A	N/A
East	MPMUD	Vacant land	27.9 acres	N/A	N/A
West	R-3	Apartments, townhomes and single family homes	76.2 acres	418 (total for all of Walton)	5.4 upa





1 in = 200 ft

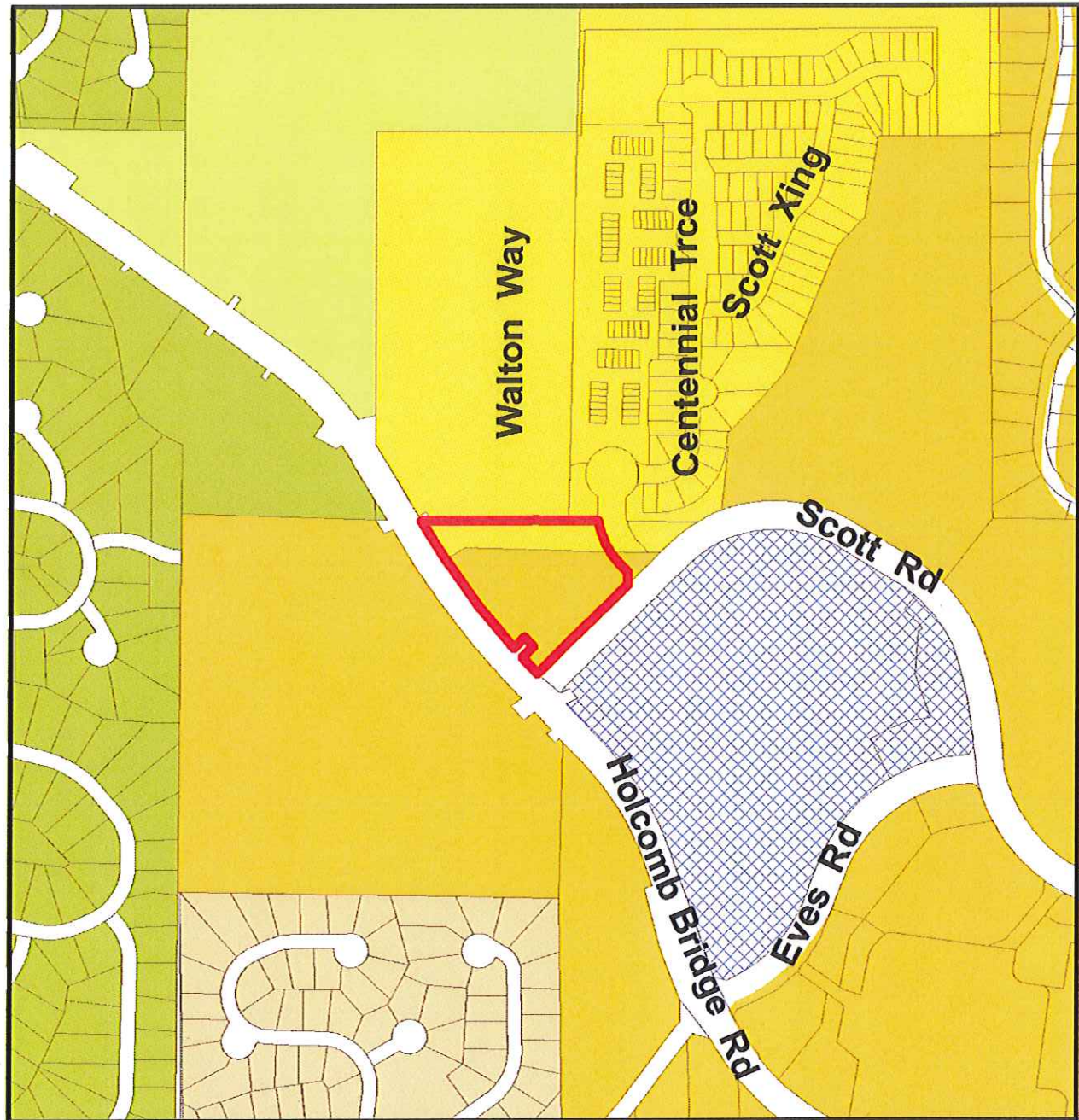
**Aerial**

 500 Walton Way

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

**Aerial Date: February 2010**





1 in = 500 ft

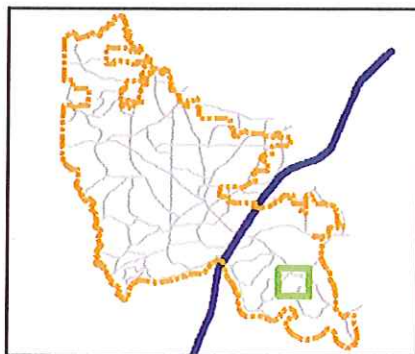
Map Source: City of Roswell GIS  
Map Created by: Micah Stryker

Aerial Date: February 2010

## Zoning

-  500 Walton Way
-  MPMUD - Master Plan Mixed-Use District
-  R-1 - Single-Family Residential District
-  R-3 - Multi-Family Residential District
-  R-4A - Multi-Family Residential District
-  R-5 - Planned Residential District
-  (FC-A) - Fulton County - Annexed





1 in = 400 ft

## Future Land Use

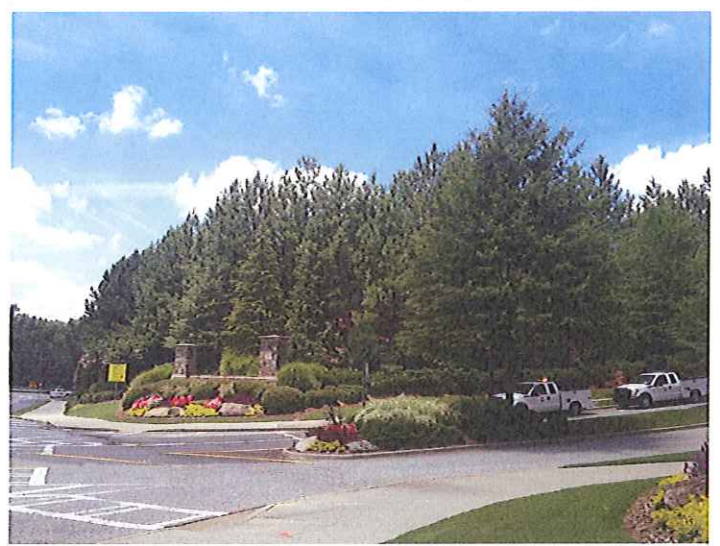
- 500 Walton Way
- Holcomb Bridge Road/SR 140
- Suburban Residential

Map Source: City of Roswell GIS  
 Map Created by: Micah Stryker  
 Aerial Date: February 2010





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 west



View of property to the north



View of property to the south





View of the property



View of the property



View of the property



View of the property



**ROSWELL**  
GA

### NOTICE OF PUBLIC HEARING

**Case No:** RZ-201301214, CV-201301216 &  
CU-201301219

**Petitioner:** Mark Lowen & Kristi Neznanski of  
Lenity Architecture

**Location:** SW corner of Holcomb Bridge & Scott Rds.

**Land Lots:** 677, 712

**Request:** Change in zoning from FC-A (Fulton County - Annexed) to  
O-P (Office Professional) with concurrent variances for buffer,  
setback & parking and a conditional use for the purpose of  
developing an institutional residential living & care facility.

**Public Hearings:**

Neighborhood Mtg. - Room 2208 7:00 p.m.	June 20, 2013
Planning Commission - (Council Chamber) 7:00 p.m.	Aug. 15, 2013
Mayor & City Council - (Council Chamber) 7:00 p.m.	Sept. 23, 2013

**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.roswellga.gov](http://www.roswellga.gov)



## **SITE PLAN ANALYSIS**

The proposed site plan indicates an 115,802 SF three-story building containing 130 suites. The proposed site plan indicates 79 spaces for the site with 8 of those spaces designated as future parking. Section 17.3.4 of Article 17 in the ordinance states one parking space per three beds as the maximum. The applicant is requesting a variance to allow for more parking on the site. The plan also contains two garages for parking on the site.

## **DRB/HPC comments and Design Guidelines**

The applicant went to the Design Review Board on June 4, 2013. The board had the following comments.

1. Is there a plan to maintain a buffer around the walkway?

## **LANDSCAPE PLAN ANALYSIS**

The proposed tree plan indicates that there are no specimen trees located on the subject property. The applicant is proposing to add 48 new overstory trees to the site. Some of the proposed trees are Chinese Elm, Willow Oak, Little Gem Magnolia, Deoder Cedar, Eastern Red Cedar and Laurel Oak.

## **VARIANCE CONSIDERATIONS**

The applicant is requesting three variances with the rezoning and conditional use application. The variances are as follows:

1. A reduction in the 40' buffer and 50' setback along the north property line. This is not adjacent to the existing apartment building. The applicant is proposing a 10' landscaped buffer with a 34' building setback.
2. The applicant is requesting to increase the parking ratio allowed under the ordinance. Section 17.3.4, Minimum and Maximum Onsite Parking Spaces, allows for 1 per 4 beds min. and 1 per 3 beds max. under the nursing home use. The applicant is requesting to have 1 parking space per 2.3 beds.

## DEPARTMENT COMMENTS

City of Roswell Environmental Department	<ul style="list-style-type: none"><li>• Hose bibb with backflow preventer required within 50 feet of dumpster pad for wash down.</li><li>• Show dumpster pad drain connection to sanitary sewer on site plan.</li><li>• Water quality is provided onsite. The detention is provided offsite due to the previous master plan.</li></ul>
City of Roswell Engineering Division	<p>I have reviewed the steep slope analysis that you submitted dated 4-26-13. Here are my comments:</p> <ul style="list-style-type: none"><li>• Mitigation measures should include more than silt fence and matting; although the silt fence at the top of slope is a fine idea. (Temporary matting (Mb) and grassing (Ds2) is required on all slopes in Roswell 3:1 or steeper.)</li></ul> <p>Here are some suggestions for enhanced BMPs:</p> <ul style="list-style-type: none"><li>• Design and maintenance of temporary and / or permanent diversion channels to prevent any runoff from going down the slopes in addition to the matting and silt fence mentioned.</li><li>• Contractor shall have anionic PAM available and onsite for use on any areas draining to a sediment basin if the ground is exposed and significant rain is imminent or a lull in active site work of more than 3 days is expected.</li><li>• Permanent vegetation of slopes 3:1 or steeper consisting of Durable Shrubs and Ground Covers for Permanent Cover in Table 6-5.3. of the Green Book under Ds3.</li><li>• Please provide at least one cross section through the Pacolet soils are. The K factor for PaC2 soil is 0.24 per the Fulton County Soil Survey and will scores 10 Points.</li><li>• Please be sure to note that if any slopes in the Proposed Condition are 25% or greater a steep slope analysis will be required on the proposed plans as well.</li><li>• The good news is that there are no additional buffers required; however, enhanced protection for the steep slopes onsite will be required.</li></ul>
Fiscal Impact	<ul style="list-style-type: none"><li>• The fiscal impact analysis indicates a net revenue of \$220,806 dollars over a 20 year period.</li></ul>
Archaeological	<ul style="list-style-type: none"><li>• An archaeological study was required for this site. A study was done by Edwards Pittman Environmental, Inc. The study indicates that the site is negative for archaeological remains and no archaeological were observed on the ground surface.</li></ul>
City of Roswell Fire Department	<ul style="list-style-type: none"><li>• We have already had a meeting with the owner/developer and discussed many construction issues. A fire flow test is required to determine if there is adequate water available for firefighting. The flow test must be conducted in accordance with the 2006 edition of the International Fire Code.</li></ul>



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City of Roswell Transportation  
Department

- No comment

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Fulton County

- The project is located in the Big Creek Sewer Basin and the anticipated sewer demand is projected to be 14,625 gallons per day.
- The anticipated water demand is projected to be 16,250 gallons per day.

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City of Roswell Arborist &  
Landscape Architect

- Tree density requirement is met
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## CHRONOLOGICAL LISTING OF PLANS SUBMITTED

Original plans submitted on April 26, 2013.

Revised plans submitted on August 2, 2013.

Revised plans submitted on September 12, 2013. - The applicant revised based on Planning Commission's recommendations.

- Added 8 spaces as future parking if needed in northeastern corner of surface lot.
- Added an enhanced buffer planting along the northern property line.
- Added bio-retention areas with associated planting measures.

## STANDARDS OF REVIEW

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### *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 request for O-P (Office Professional) zoning for a retirement residence would be suitable due to the surrounding area. Walton communities with apartments, townhomes and single family homes are currently adjacent to the subject property.

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

The proposed 130 suite retirement residence may not adversely affect the existing use of the adjacent existing properties.

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

The zoning of the property is FC-A (Fulton County-Annexed) and would allow for any of the uses currently allowed under the AG-1 (Agricultural) zoning.

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### *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 use may not cause a burdensome use on the existing streets and transportation facilities, utilities or schools.

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

The 2030 Comprehensive Plan indicates the subject property is located in the Holcomb Bridge Road SR 140 Corridor character area. This area indicates for development of a mix of uses along the corridor to allow for residential to mix with retail and commercial. It is to be low scale, 1 to 3 stories in height. The proposed retirement residence complies with the intent of the 2030 Comprehensive Plan.

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### *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 area along Holcomb Bridge Road is a mix of residential and commercial uses. This corridor shall maintain that mix of uses. This proposed development request may support that mixture of development in this area.

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



The property is currently vacant and it is zoned FC-A (Fulton County-Annexed).

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*8. Existing uses and zoning of nearby property. (See page 5).*

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*9. An explanation of the existing value of the property under the existing zoning and/or overlay district classification.*

An appraisal would be required to determine the existing value of the subject property.

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

The property may be used in accordance with the Fulton County AG-1 zoning; however, the property is located along Holcomb Bridge Road which is a state route. The surrounding developments are a mix of residential uses.

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*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 property value is diminished by the existing zoning classification.

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

An appraisal would be required to determine the value of the property under the proposed O-P (Office Professional) zoning.

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

A retirement residence would not be suitable under the current zoning classification.

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

Under the O-P zoning with a conditional use approval, a retirement residence would be a suitable use.

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

The property has always been undeveloped.

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*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 application does not indicate whether the property owner chose to market it under the current zoning regulations.

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

An O-P (Office Professional) zoning will not create an isolated district. The property to the east is zoned MPMUD which allows for a mix of uses. The proposed rezoning request is residential in nature and the properties to the north are an apartment complex, townhomes and single family homes.

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*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 Holcomb Bridge Road area consists of residential and commercial uses along the corridor. The proposed retirement residence may complement this general area of the corridor.

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*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 retirement residence may not be a deterrent to the value of improvement of the adjacent properties.

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

The applicant must comply with all of the stormwater and engineering requirements. The plans show onsite water quality treatment which include bio-retention areas.

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*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 zoning scheme for the Holcomb Bridge area is to consist of a mix of uses and the proposed retirement residence will add to the mixture of uses along this corridor.

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*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 applicant abuts the northern property line of the existing Walton Apartments and the road entering into the entire Walton Development. The applicant has removed the fire lane from the side near the road and has added buffering along the road to help screen the proposed building from view.

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*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 vacant land further south on Holcomb Bridge Road which has an underlying office and institutional zoning from Fulton County which was approved for office buildings.