



**Petition No. 201400970 and CV 201400974**

**HEARING & MEETING DATES**

Design Review Board Meeting	Neighborhood Meeting	Planning Commission Hearing	Mayor and City Council Hearing
7/1/14	7/10/14	8/19/14	9/10/14

**APPLICANT/PETITIONER INFORMATION**

Property Owner	Petitioner	Representative
Lehigh Homes	Brendan Walsh	Brendan Walsh

**PROPERTY INFORMATION**

Address, Land Lot, and District	110 Woodstock Street
Frontage and Area	197.20 feet on Woodstock Street; 2.428 acres
Existing Zoning and Use	RS-12 (Single Family Residential); vacant land
2030 Comprehensive Plan; Future Development Map	Suburban Residential
Proposed Zoning	R-TH (Residential Townhouse)

**INTENT**

The applicant is requesting to rezone from RS-12 (Single Family Residential) to R-TH (Residential Townhouse) to develop a 21 unit townhome development.

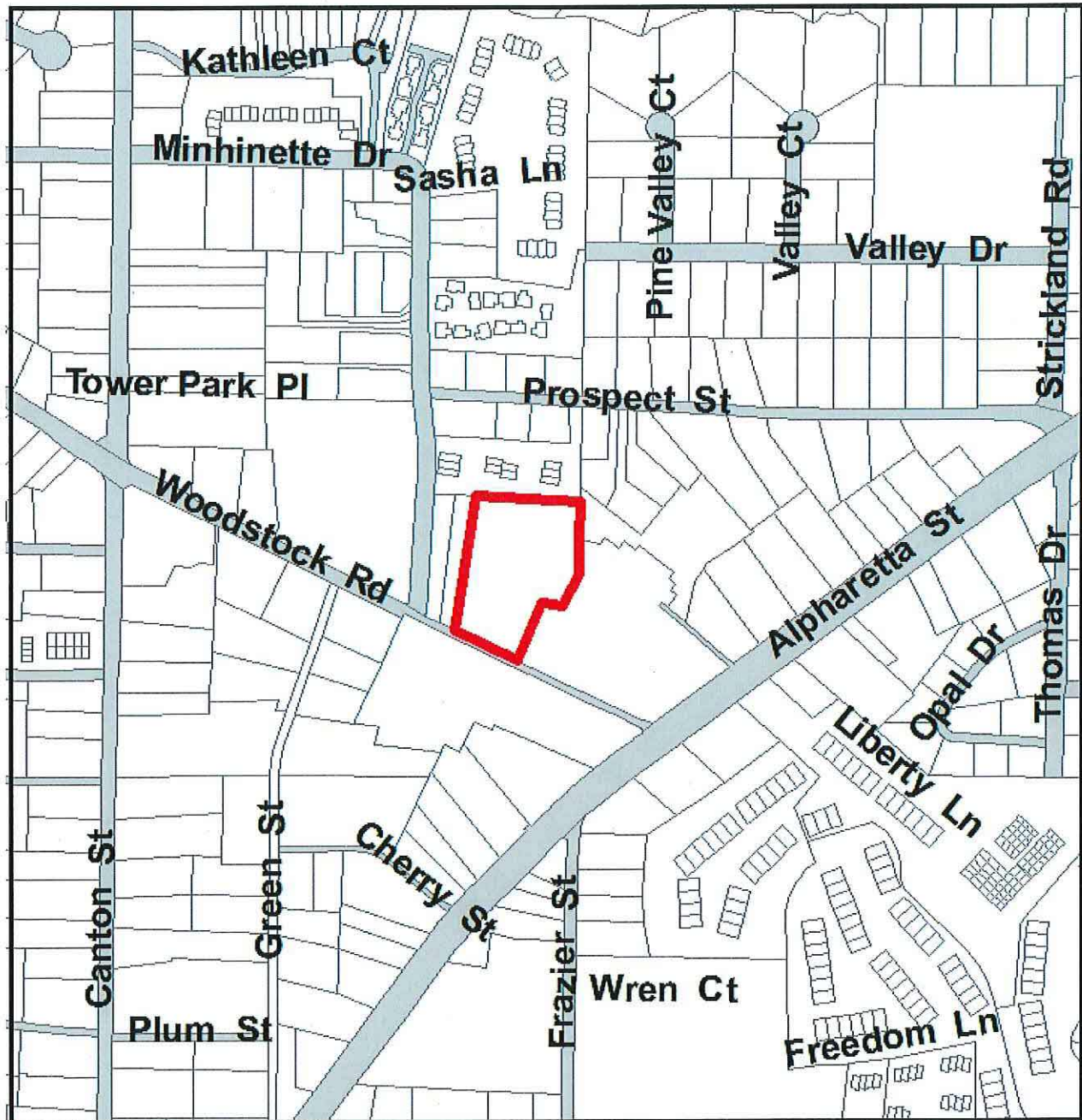
**DEPARTMENT OF COMMUNITY DEVELOPMENT RECOMMENDATION**

**RZ201400970 and CV201400974 – Approval of rezoning; Denial of the concurrent variance to the civic buffer**

### **PLANNING COMMISSION RECOMMENDATION**


The Planning Commission recommended approval of the rezoning for townhomes and recommended approval of the concurrent variance to the civic buffer to section B as shown on the August 7, 2014 site plan.

They recommended denial of the concurrent variance to the civic buffer to sections A, C, D, and E as shown on the August 7, 2014 site plan during their August 19, 2014 hearing.



1 in = 400 ft

## Location

 110 Woodstock St

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

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Prepared by the City of Roswell Department of Community Development for the Mayor and City Council Hearing on September 10, 2014.

## **STAFF RECOMMENDED CONDITIONS**

The Community Development Department recommends approval of the rezoning for townhomes; however, the department recommends denial of the concurrent variance to the civic buffer. The rezoning shall be approved with the following conditions.

1. There is no guarantee that the number of townhome units shown on the rezoning site plan will be achieved.

**BACKGROUND**

The property is zoned RS-12 (Single Family Residential).

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


SUBJECT PETITION 201400970	Requested Zoning	Proposed Use	Land Area (Acres)	Number of Units	Common open space
	R-TH	Townhomes	2.428	21	39%
Location in relation to subject property	Zoning	Use	Land Area (Acres)	Square Footage or Number of Units	Common area/Amenity area
North	R-TH	Townhome development	1.33 acres	10	N/A
South	Civic	Cemetery	3.73 acres	N/A	N/A
East	Civic	Cemetery	5.38	N/A	N/A
West	Civic	City water tank and parking lot	.43 acres	N/A	N/A



1 in = 200 ft

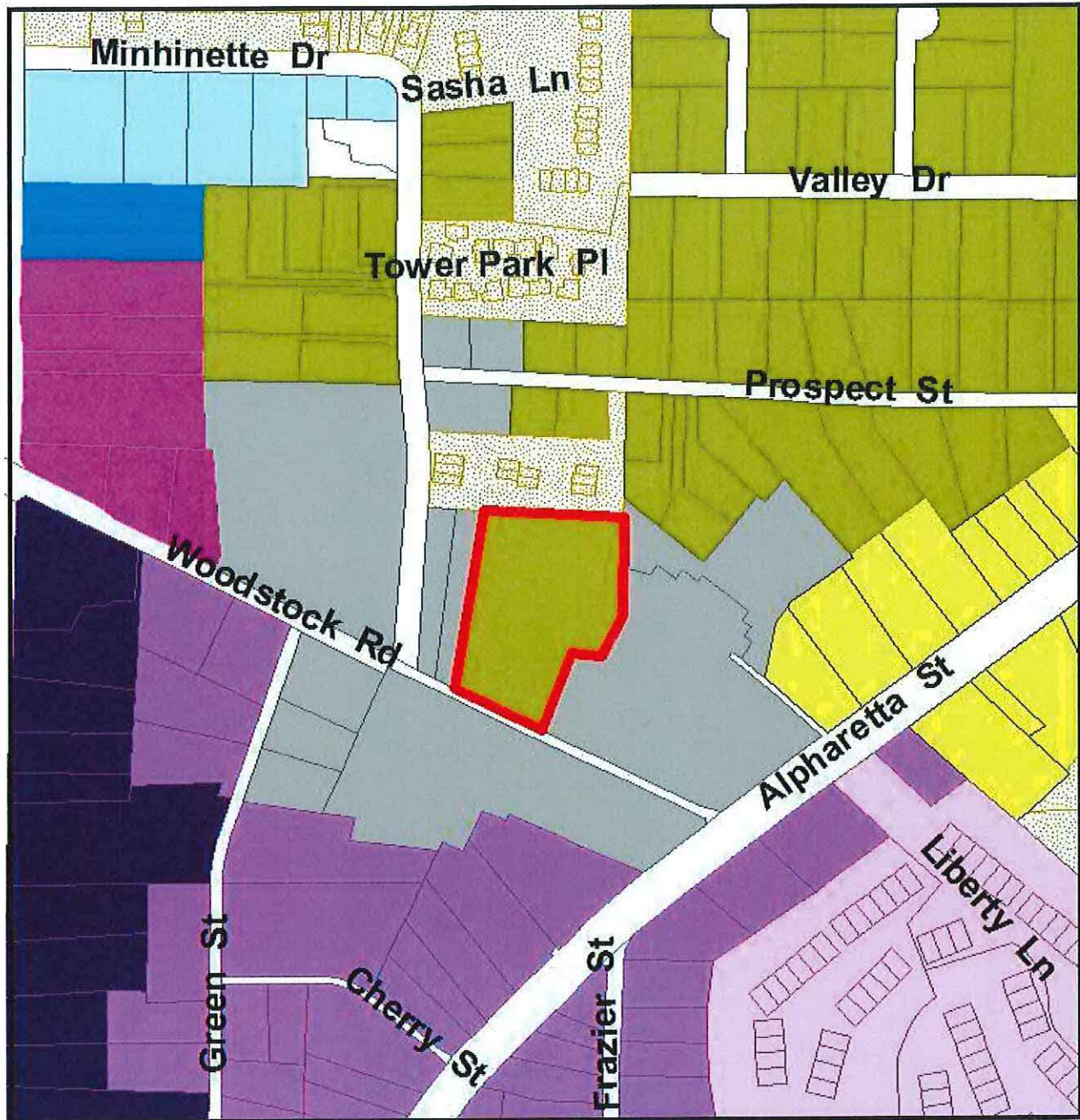
Map Source: City of Roswell GIS  
Map Created by: Micah Stryker

**Aerial**

 110 Woodstock St

Path: M:\Community Development\Recovered\_New\Micah\GIS\Micah\110 Woodstock\110 Woodstock St Zoning Map.mxd

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## Zoning



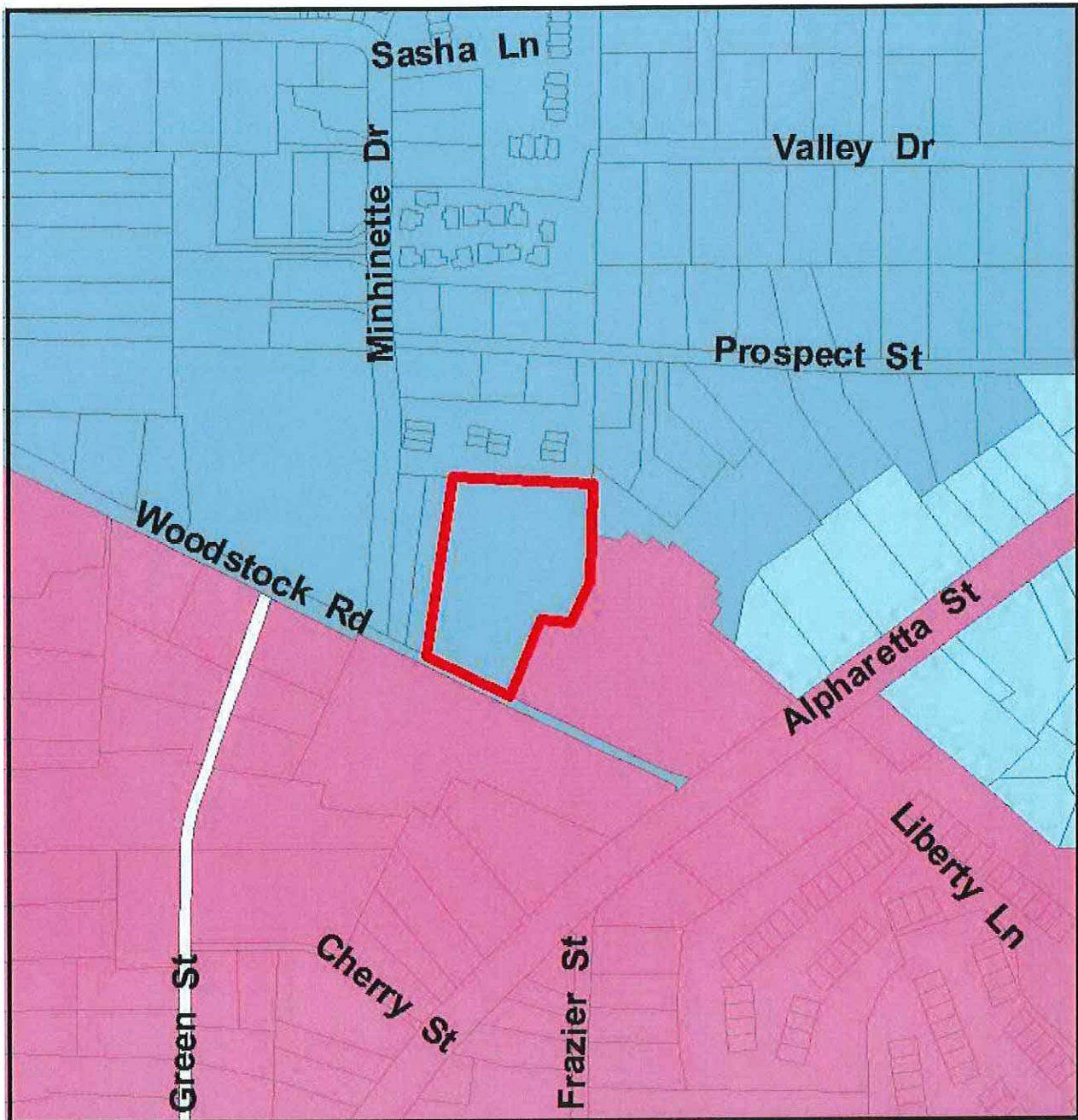
1 in = 300 ft

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

- 110 Woodstock St
- RS-12 - Single Family Suburban
- R-TH - Residential Townhouse
- NX - Neighborhood Mixed Use
- SH - Shopfront Mixed Use
- DR - Downtown Residential
- DX - Downtown Mixed Use
- DH - Downtown House
- OR - Office Residential
- OP - Office Park
- CIV - Civic and Institutional

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1 in = 300 ft

## Future Land Use

- 110 Woodstock St
- Character Areas**
- Highway 9/Alpharetta Highway Corridor Commercial
- Historic Area Town Center/Downtown
- Suburban Residential

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

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Prepared by the City of Roswell Department of Community Development for the Mayor and City Council Hearing on September 10, 2014.



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 north



View of property to the west



View of property to the south

View of the  
property



View of the property



View of the property



View of the property



## NOTICE OF PUBLIC HEARING

Case No: **Rezoning - 201400970**  
**Concurrent Variance 201400974**

Petitioner: **Brendan Walsh / Lehigh Homes**

Location: **110 Woodstock Street**

Land Lot: **411**

Request: **The applicant is requesting a Rezoning with Concurrent Variances from RS - 12 to R - TH for a townhome development**

Public Hearings: **Neighborhood Mtg. - July 10, 2014**  
**(Room 220) 7:00 p.m.**

**Planning Commission - August 19, 2014**  
**(Council Chamber) 7:00 p.m.**

**Mayor & City Council - September 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](http://www.roswellgov.com)**

## **SITE PLAN ANALYSIS FOR THE UDC ZONING**

The proposed site plan indicates a 21 unit townhome development. All of the units are shown on the site plan to be rear-loaded. The site plan indicated the street type as "Residential Yield". The site plan indicates the type D buffer abutting the civic zoned properties. The applicant is requesting a variance to the buffer abutting the civic properties. The subject property abuts civic land on the east, west and south across Woodstock Road. To the east is the Historic Cemetery, and to the west is City owned property with the water tower, cell tower and a parking lot. According to section 10.2.3, Neighborhood Compatibility Buffer chart, a new project proposed for R-TH is required to have a type C/D buffer when abutting civic zoned property.

## **DRB Comments and UDC Design Guidelines**

The Design Review Board heard this item during their July 1, 2014 meeting and had the following comments.

1. Connectivity with the trails.
2. How to make the development relate to the water tower.
3. Possibly move a few units to the north to add a little extra green space along Woodstock Road.

## **LANDSCAPE PLAN ANALYSIS**

The tree survey indicates five specimen trees to be removed from the site for the development. There are also several trees shown on the tree survey which are not located on this property. The tree protection plan lists the trees to be removed and all off-site trees to be lost due to the development. The tree protection plan indicates new landscaping in the buffer area.

## **VARIANCE CONSIDERATIONS**

The applicant is requesting a variance to the buffer that is required between the R-TH zoning and the Civic zoning. The proposed site plan indicates a reduction in the civic buffer shown as A,B,C,D, and E on the plan. The proposed plan indicates the buffer area letter A to be reduced from 40' to 5' for a length of 64.1 feet, buffer area letter B to be reduced from 40' to 8.3' for a length of 197.0 feet, buffer area letter C to be reduced from 40' to 13 feet for a length of 127.3 feet, buffer area letter D reduced from 40' to 30' for a length of 167.6 feet, and buffer area letter E reduced from 40' to a range from 13' to 38' for a length of 182.6 feet.

During adoption of the Unified Development Code, the neighborhood compatibility buffer was established by the Mayor and City Council and the process to reduce a buffer requirement is located in section 13.4.8. Section 13.4.8 of the UDC states that the City Council will not approve a concurrent variance unless there are extraordinary and exceptional conditions or practical difficulties pertaining to the particular piece of property in question because of its size, shape or topography that are not applicable to other properties in the same zoning district.

Criteria A through G under section 13.4.8 of the UDC shall be considered by the City Council when making a determination on the variance request. The criteria are summarized as follows: depriving the rights of the applicant commonly enjoyed by properties in that zoning district, not conferring any special privileges to this property that are denied to other properties, it is in harmony with the UDC and not injurious to the neighborhood, circumstances are not the result of the actions of the applicant, it is the minimum variance that will make possible the proposed use of the land, it does not permit a use or structure that is not permitted by right in that zoning district, and does not reduce the lot size below the minimum lot size allowed.

Letter D of these criteria states that "the special circumstances are not the result of the actions of the applicant," to grant the variance, there would need to be a topographical reason on the property to request the variance.

Therefore, it is only within the authority of the Mayor and City Council to reduce a neighborhood compatibility buffer.

## DEPARTMENT COMMENTS

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City of Roswell Environmental  
Department

- Stormwater concept is approved. Expect comments at LDP submittal.
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City of Roswell  
Engineering

- Provide 20 foot drainage easement for the benefit of City of Roswell for the conveyance of the water tank during maintenance and emergency drawdowns. Provide profile of easement with LDP application.
  - Provide a proposed utility layout for water, sanitary and storm.
  - Provide analysis of downstream channels to 10% point. Address areas where erosion issues are already existing or which may result from this development.
  - Show Sanitary Sewer tie in location and layout for sanitary system.
  - Provide sewer availability letter from Fulton County.
  - Show water mains and sizes in the area and nearest FH.
  - Provide minimum 30 foot inside radius at tee for fire truck turnaround.
  - Locate water quality trenching outside of the overhanging specimen trees and/or CRZ, in as much as possible.
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City of Roswell Fire Department

- The turning radius shall meet the requirements by the International Fire Code appendix D.
  - For LDP submittal, a fire flow test in accordance with the IFC appendix B must be documented and included in the plans. The test must show a 24 hour static test and the total GPM available for firefighting must be based on a 20psi residual. ALL PROPOSED fire hydrants must be calculated and shown on plans.
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City of Roswell Transportation  
Department

- "Woonerf" street section with gateway sign indicating entrance to Woonerf seems more appropriate in urban neighborhood. Transportation recommends the following modified UDC "Residential Yield" street section: 10' travel lane, 2' curb and gutter, 5' verge/tree planting strip; 5' sidewalk; 1' foot utility maintenance strip; (parking where appropriate) for a total 46' private easement along the internal street.
  - Due the lack of maintenance force for the proposed pervious pavers, Transportation recommends that these streets remain private.
  - State in writing the reason the park vehicular connectivity could not be provided.
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- ROW at the proposed entrance on Woodstock Street shall be mitred a minimum 20' or parallel the back of curb in order to accommodate sight distance, traffic signs. etc.
  - Show/annotate the proposed right-of-way distance from Woodstock Street centerline along the site frontage.
- Comments: After receiving the Land Disturbance Permit, obtain right-of-way encroachment permit from Transportation Department utility coordinator John Wooten.
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Fulton County Board of  
Education

- The proposed development may generate between 0 to 8 students for Roswell North Elementary, 0 to 3 students for Crabapple Middle School and 0 to 7 students for Roswell High School. The existing elementary school and high school are over capacity.
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City of Roswell Arborist &  
Landscape Architect

- See landscape plan section
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## CHRONOLOGICAL LISTING OF PLANS SUBMITTED

Original plans submitted – June 3, 2014.

Revised plans submitted – August 7, 2014; The revised plan indicates the residential yield street as requested by Transportation and a downstream analysis was submitted.

## STANDARDS OF REVIEW

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### *1. The zoning map corrects an error or meets the challenge of some changing condition, trend or tract.*

The subject property is surrounded on all sides by different uses than single family detached homes. The property should be zoned for a different use than single family detached due to the surrounding uses.

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### *2. The zoning map amendment substantially conforms with the Comprehensive Plan.*

The 2030 Comprehensive Plan indicates suburban residential for this property. Section 1.2.2 of the 2030 Comprehensive Plan, suburban residential states in the vision/intent for this character area that the area is predominately single family with newer master planned developments providing mixed residential housing types. Based on this section, the proposed development substantially conforms with the Comprehensive Plan.

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### *3. The zoning map amendment substantially conforms with the stated purpose and intent of this Unified Development Code.*

Section 1.1.2 is the stated purpose of the Unified Development Code. The proposed map amendment for R-TH zoning does substantially conform with the items included within this section and with the intent statement from section 3.1.10 of the code.

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### *4. The zoning map amendment will reinforce the existing or planned character of the area.*

The future development map and Comprehensive Plan indicate suburban residential for this property and townhome (single family attached) are a part of the vision and intent for suburban residential with the adjacent uses. This property is in infill tract which should correspond with adjacent uses.

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### *5. The subject property is appropriate for the development allowed in the proposed district.*

The subject property at 110 Woodstock is an appropriate property for a townhome development. An existing townhome development is adjacent to the rear of the subject property. The subject property is surrounded on two sides and across the street by civic zoned property

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### *6. There are substantial reasons why the property cannot be used according to the existing zoning.*

The property is zoned RS-12 which requires single family detached homes on a minimum lot size of 12,000 SF. The closest properties to the subject property also zoned RS-12 are the homes off of Prospect Street. The property can be developed under the RS-12, but due to the surrounding uses and area, it may not be conducive for single family detached homes.

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### *7. There is a need for the proposed use at the proposed location.*

The subject property is located just outside the historic district. The area of the historic district near and around Canton Street has become the most walkable area within the community. A townhome development at this location will add to the urban/walkable area that the city is encouraging for the downtown section of the community.

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*8. The City and other service providers will be able to provide sufficient public facilities and services, including schools, roads, recreation facilities, wastewater treatment, water supply and stormwater facilities, police, fire and emergency medical services, while maintaining sufficient levels of service to existing development.*

The proposed development has been reviewed and comments have been made regarding the proposed project. The city has indicated what will need to be done and any additional requirements that must be met should this project be approved and developed.

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*9. The zoning map amendment will not significantly impact the natural environment, including air, water, noise, stormwater management, wildlife and vegetation.*

The proposed development is required to comply with city standards regarding stormwater management. Any trees that would be removed and replacement trees must meet the tree standards in the code on the subject property. The proposed development may impact the subject property due to its existing vegetation; but may not impact the surrounding properties.

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*10. The zoning map amendment will not have a significant adverse impact on property in the vicinity of the subject property.*

The proposed development of 21 townhomes may not have a significant adverse impact, but it will be placing additional traffic into this area.