



Petition No. 201402072

HEARING & MEETING DATES

Historic Preservation Commission Mtg. August 13, 2014	Neighborhood Meeting August 14, 2014	Planning Commission Hearing November 18, 2014	Mayor and City Council Hearing December 8, 2014
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APPLICANT/PETITIONER INFORMATION

Property Owner	Petitioner	Representative
Creekview Partners, LLC.	Michael Lober	Michael Lober

PROPERTY INFORMATION

Address, Land Lot, and District	285 Atlanta Street, Land Lot 417, First District, Second Section
Frontage and Area	65.73' on Atlanta Street; 1.228 acres
Existing Zoning and Use	C-2/HR (Neighborhood Commercial/Historic Roswell) – prior zoning ordinance DR – Downtown Residential – UDC zoning
Overlay Design District	Historic District
2030 Comprehensive Plan; Future Development Map	Historic Area Town Center/Downtown
Proposed Zoning	Conditional use request to allow for mixed use development

INTENT

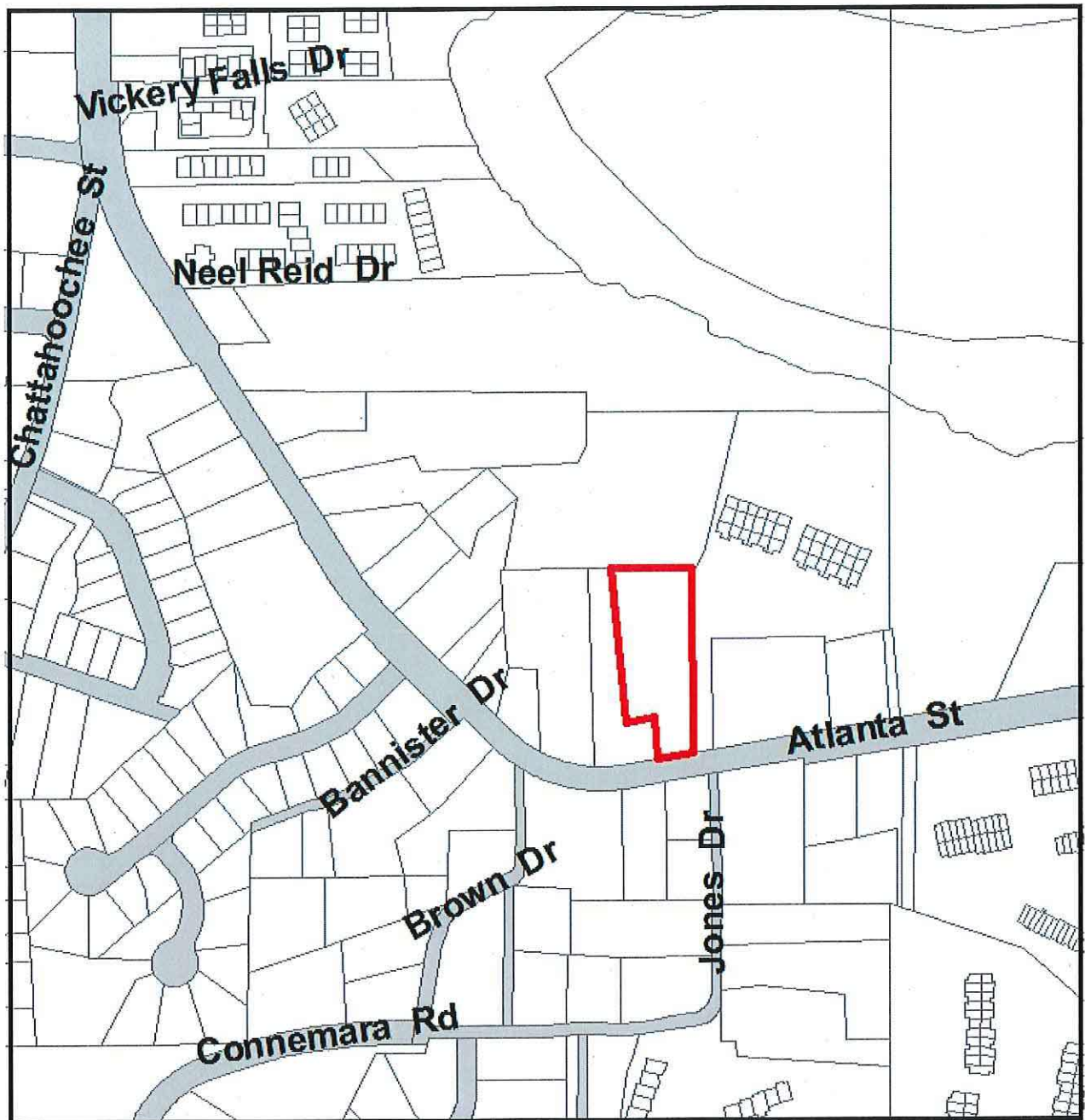
The applicant is requesting a conditional use for a mixed use development of residential and retail under the C-2 zoning under section 10.36 of the Zoning Ordinance.

DEPARTMENT OF COMMUNITY DEVELOPMENT RECOMMENDATION

CU 201402072 - Approval


PLANNING COMMISSION RECOMMENDATION

The Planning Commission will hear this item during their November 18, 2014 hearing.



1 in = 300 ft

Location

 Creekside Mixed Use

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 Planning Commission Hearing on November 18, 2014.

STAFF RECOMMENDED CONDITIONS

The Community Development Department recommends approval of the conditional use request for the mixed use development with the following conditions.

1. The owner/developer shall develop the property in substantial accordance with the site plan stamped "Received November 3, 2014 City of Roswell Community Development Department."
2. A preliminary plat shall be completed prior to the issuance of a Land Development Permit.
3. A final plat shall be completed prior to the certificate of occupancy for each of the buildings.
4. The owner/developer shall dedicate 10' of right-of-way along Atlanta Street as required by the Roswell Transportation Department.
5. The access off of Atlanta Street into the development shall remain open until the round-a-bout is completed. At that time, the owner/developer shall close that access and have access from the round-a-bout into the development.

BACKGROUND

The property was zoned C-2/HR prior to the Unified Development Code. The UDC zoning on the property is DR (Downtown Residential).


EXISTING LAND USE AND ZONING OF ABUTTING PROPERTY

SUBJECT PETITION 201402072	Requested Zoning	Proposed Use	Land Area (Acres)	Number of Units	Density (Square Footage per Acre)
	N/A	Retail and townhomes	1.228 acres	19 units and 4,000 SF of commercial	Meets Article 10.36 of Zoning Ordinance
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-4A (DR – UDC)	Residential condos and vacant land	3.6 acres and 3.2 acres	33 units	9.0 upa
South	C-2 (DX – UDC)	Commercial	0.23 acres	1,506 SF	6,548 SF per acre
East	C-1 (DX – UDC)	Vacant building	1.39 acres	3,200 SF and 3,080 SF	4,518 SF per acre
West	C-2 (DX – UDC)	Commercial uses	0.7 acres	7,550 SF;	10,633 SF per acre



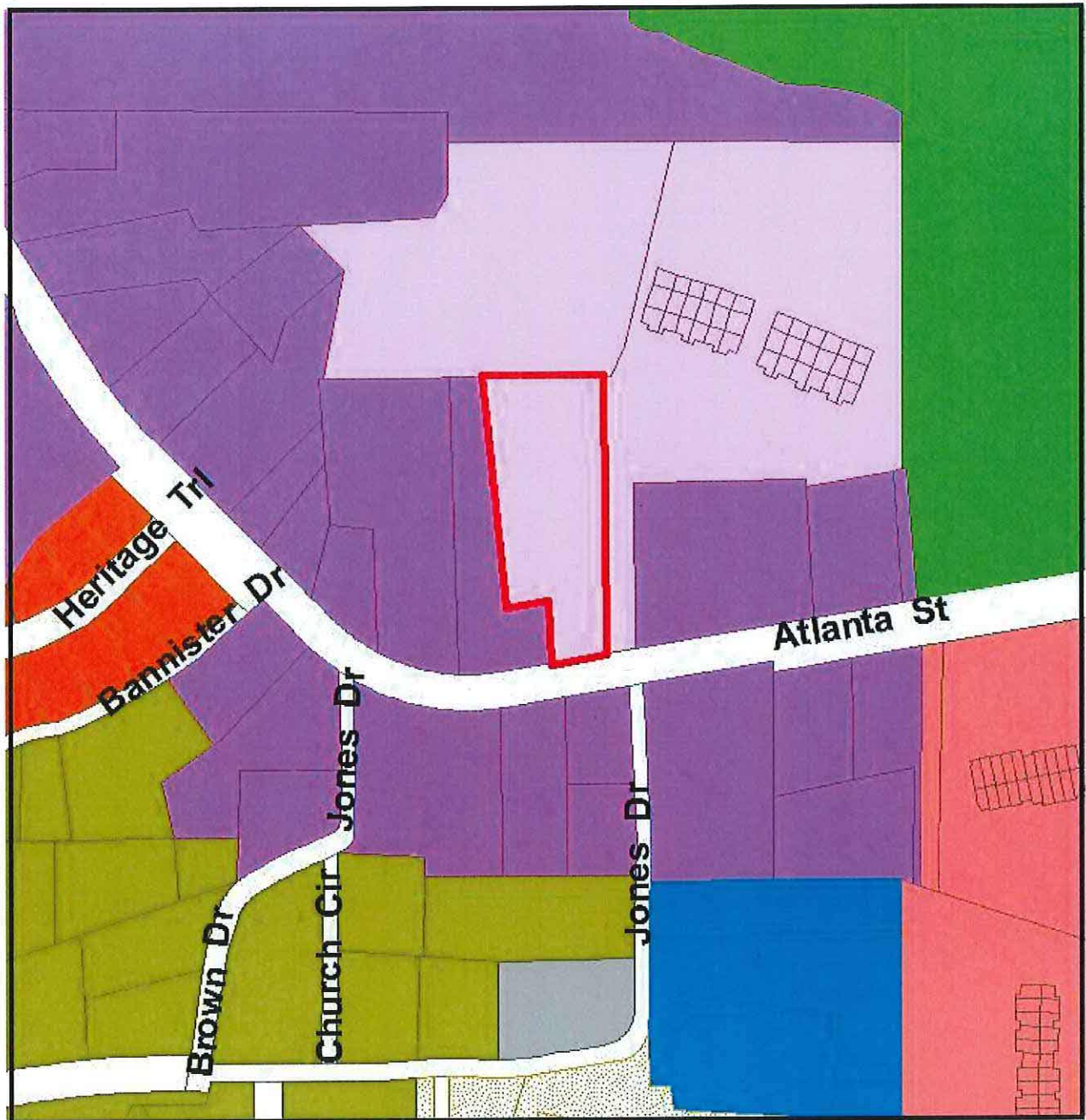
1 in = 100 ft

Aerial

 Creekside Mixed Use

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

Path: M:\Community Development\Recovered_New\Micah\GIS\Micah\Creekside Mixed Use\Creekside Mixed Use Aerial Map.mxd Date: February 2010



Zoning



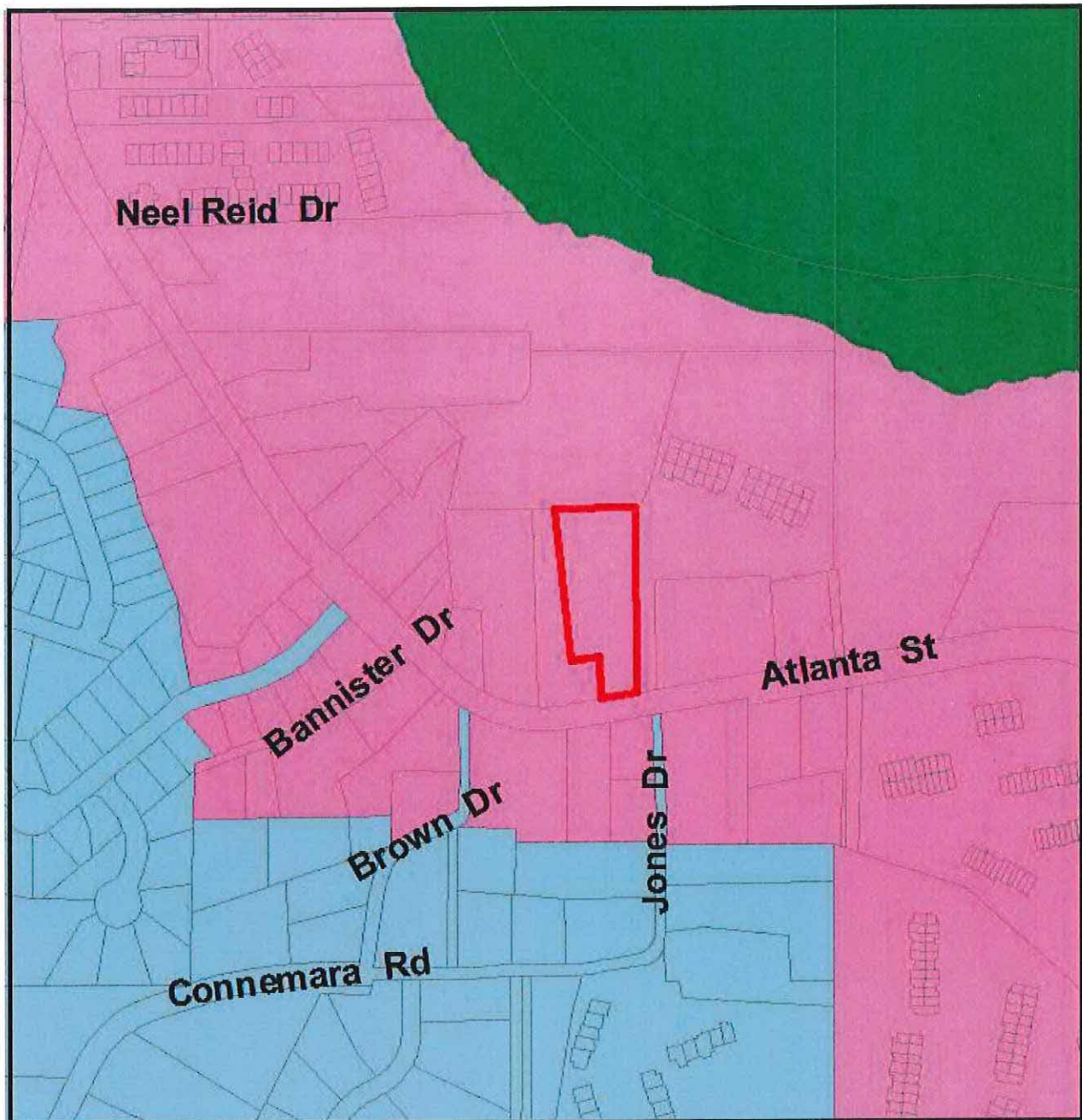
1 in = 200 ft

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

	1243 & 1247 Canton St
	RS-12 - Single Family Suburban
	RS-6 - Single Family Small lot
	R-TH - Residential Townhouse
	RX - Residential Mixed Use
	DR - Downtown Residential
	DX - Downtown Mixed Use
	OP - Office Park
	CIV - Civic and Institutional
	REC - Parks and Recreation

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Prepared by the City of Roswell Department of Community Development for the Planning Commission Hearing on November 18, 2014.



1 in = 300 ft

Future Land Use

- Creekside Mixed Use
- Character Areas**
- Conservation/Greenspace
- 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 Planning Commission Hearing on November 18, 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: Conditional Use 201402072

Petitioner: Creekview Partners, LLC

Location: 285 S. Atlanta St.

Land Lot: 417

Request: A request for a Conditional Use for a
Mixed Use Development

Public Hearing: Neighborhood Mtg - August 14, 2014
(Room 220) 7:00 p.m.

Planning Commission - November 18, 2014 14
(Council Chamber) 7:00 p.m.

Mayor & City Council - December 8th, 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 proposed site plan indicates a 4,000 square foot retail building, a condo building containing seven units and twelve townhomes on the subject property. The townhomes are proposed to be 2,400 SF and the condo units are proposed to be 1,200 SF. The applicant has requested the conditional use under section 10.36 of the zoning ordinance, Historic Properties Overlay District Mixed Use. The site plan proposes a public accessible plaza in the front of the retail building along Atlanta Street.

The entrance drive to the existing condominium buildings is located on the subject property. It would have to be moved to develop this property as proposed.

The revised site plan submitted on November 3, 2014 has included many of the department comments and also comments from the Historic Preservation Commission. The revised site plan includes a second access in off of Atlanta Street. The Transportation Department does not support this second access.

The request is for a conditional use under section 10.36 of the prior zoning ordinance. Within the historic properties overlay district with the underlying zoning of C-1, C-2, C-3 and I-1, a mixed-use proposal may be submitted provided the proposal includes two (2) or more uses. The proposed conditional use meets the requirements of this section regarding the size of the commercial buildings and the dwelling size of the condominium units and townhouse units.

DRB/HPC comments and Design Guidelines

The applicant went to the August 13, 2014 Historic Preservation for conceptual review of the proposed site plan. The applicant received the following comments.

1. The site plan should be re-worked to have a better flow for the development.
2. There should be overflow parking to allow for guests.
3. Be sensitive to straightening out the road, so that it is not just one large paved parcel.
4. Street trees on vehicular areas are very important to the city and after that any gardens that someone may want to develop.

LANDSCAPE PLAN ANALYSIS

The site was graded originally to develop the condominium buildings. A tree replacement plan has been proposed for this development. The following trees are shown on the plan; Nuttall Oak, Willow Oak, Japanese Zelkova, European Beach, Yoshino Cherry, Eastern Red Cedar, Eastern Hemlock, and Japanese Cedar. The plan indicates 1.6 acres of open space.

VARIANCE CONSIDERATIONS

The applicant has not requested any variances.

DEPARTMENT COMMENTS

City of Roswell Environmental
Department

- Compliance to the stormwater ordinance is required.

City of Roswell Engineering
Division

- Steep Slope analysis not approved.
- An erosion and sedimentation control plan must meet all city and state requirements. I have doubts about how sediment storage will be created in order to build this project

Fiscal Impact

Fulton County Board of
Education

- The Fulton County Schools has reviewed this application and has sent the following information. The estimated new students generated for Roswell North Elementary is 3, for Crabapple Middle School is 1, and for Roswell High School is 2.

City of Roswell Fire Department

- All dimensions of the roads that will be used for fire apparatus access and turn around must comply with the 2012 edition of the International Fire Code appendix D.
- A fire flow test must be conducted to determine if there is adequate water available for firefighting. The test must include a 24 static test and all proposed fire hydrants must be calculated to show available water at 20 PSI residual based on the 24 test. ALL of this information must be provided on the LDP. All fire flows must comply with the appendix B.

City of Roswell Transportation
Department

- Provide sidewalk connectivity between the proposed townhomes and South Atlanta Street sidewalk.
 - Overland Drive is shown as a loop in the Fulton County parcel map. All stubs provided for future Overland Drive loop or interparcel connectivity should be annotated as such on the plans.
 - The private street "Overland Dr" and the public street "Whitley Street" overlap at several locations. Address conflict.
 - Provide a right turn deceleration along South Atlanta Street.
- The following comments/conditions pertain to the future Historic Gateway project. Any question about these comments or the Historic Gateway project should be directed to Rob Dell-Ross: Rdellross@roswellgov.com or 770-594-6292
- Donate 10' of ROW from SR 9 existing property line for Historic Gateway (pending GDOT/Legal approval).
 - Temporary easement will be needed during construction. The amount of the easement will be specified later.
 - Note that the Historic Gateway project will convert the existing entrance off SR 9 (Overland Drive) to a right/in-right/out access; will eliminate the reversible lane; will add a fourth lane and will construct a median.
 - Support and allow to connect a new driveway off SR 9 from a multi-lane roundabout at Jones Drive through property (339 Atlanta Street, Stanley A Garnet) to their circulating roadway near Townhome #13. Constructed as

Fulton County

- Anticipated water demand – 3,070 gallons per day.
- The property is located within the Big Creek Sewer Basin

City of Roswell Arborist &
Landscape Architect

- No comments
-

CHRONOLOGICAL LISTING OF PLANS SUBMITTED

Original plans submitted on May 30, 2014.

Revised plans submitted on November 3, 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.

The conditional use request to allow a mixed use development on property zoned C-2/HR may be suitable due to the existing development adjacent to the subject property.

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

The proposed conditional use request for a mixed use development of retail and residential may not adversely affect the existing use of adjacent or nearby properties. The existing uses surrounding the property are commercial and residential.

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

The zoning on the property is C-2/HR (neighborhood commercial) under the old ordinance. Under the UDC, the zoning on the property is DR (Downtown Residential). The applicant filed for the conditional use prior to the effective date of the UDC.

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.

Atlanta Street/ Highway 9 is already a busy thoroughfare. There are proposed changes for this area of Atlanta Street based on the Historic Gateway project.

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

The 2030 Comprehensive Plan indicates this area as Historic Area Town Center/Downtown. The conditional use request for a mixture of retail and residential complies with the Comprehensive Plan. Section 1.2.8 of the Comprehensive Plan under Vision/Intent states that "the design goals outlined in the Groveway Charrette will be implemented to create a community that includes pocket parks; mixed-use residential and retail uses; and a strong connection visually and aesthetically to Canton Street." Section 1.2.8 of the Comprehensive Plan also indicates under Overall Character Area Goals to implement the Atlanta Road LCI and to promote mixed-use development, redevelopment of aesthetically problematic sites and vacant sites.

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 property is vacant and the entrance drive into the condominium buildings in the rear is located on this property. The entrance drive would have to be moved to the east in order for this development to work. The Steep Slope analysis has not been approved by the City Engineer.

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

The subject property is vacant and zoned C-2/HR (Neighborhood Commercial/Historic Roswell) in the prior zoning ordinance and DR (Downtown Residential) in the UDC.

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 request.

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

Not required for a conditional use request.

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 request.

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

Not required for a conditional use request.

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

The project is suitable under the C-2/HR zoning; however, it may be difficult to develop due to the engineering constraints on the property.

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

Not required for a conditional use request.

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

Not required for a conditional use request.

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 request.

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

Not required for a conditional use request.

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.

This is a conditional use request within the historic district where there is already a mix of commercial and residential uses.

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 conditional use request may not be a deterrent to the improvement of development of the adjacent properties.

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

The City Engineer has indicated that the steep slopes analysis that she reviewed was not complete and has stated that there are doubts on how the sediment storage will be created to build this project.

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 conditional use request complies with the Comprehensive Plan which indicates the overall zoning scheme for this area and what the future intent of the area is.

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.

This is a mixed use development and there are commercial and multi-family residential uses surrounding the site. The subject property does front a major thoroughfare.

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 request.

Jackie Deibel

From: Vinay Bose <vinaybose@vinaybose.com>
Sent: Tuesday, October 07, 2014 7:09 AM
To: Jackie Deibel
Subject: Creekview Applicaitons Deferral

Ms. Jackie,

Please differ the two Creek View applications for the next set of hearings to Nov 18th and Dec 8th. Please let me know if I have to do anything else for the deferral processs.

Thanks,

Vin