



Rezoning Petition No. CU10-02

| HEARING & MEETING DATES | | | |
|--|--|-----------------------------|--------------------------------|
| Design Review Board Meeting | Neighborhood Meeting | Planning Commission Hearing | Mayor and City Council Hearing |
| N/A | 05/20/10 | 06/15/10 | 7/12/10 |
| APPLICANT/PETITIONER INFORMATION | | | |
| Property Owners | Petitioner | Representative | |
| David M. Mastro | David M Mastro | Lisa Blackstone | |
| PROPERTY INFORMATION | | | |
| Address, Land Lot, and District | 800 Mansell Road Land Lot 484, 1 st District | | |
| Frontage and Area | .6897 acres | | |
| Existing Zoning and Use | C-3 (Commercial Highway District) | | |
| Overlay District | City Wide Guidelines | | |
| 2027 Comprehensive Future Land Use Map Designation | Commercial | | |
| Proposed Zoning | C-3 Conditional (Highway Commercial District) | | |
| INTENT | | | |

The applicant, David Mastro, is requesting a conditional use permit to operate a hand car wash at 800 Mansell Road. Section 6.5.3 (Table 6.1), states that a car wash is a conditional use within a C-3 zoning district.

DEPARTMENT OF COMMUNITY DEVELOPMENT RECOMMENDATION

CU10-02 - Approval with Conditions

STAFF RECOMMENDED CONDITIONS

Staff Recommends Approval with the following Conditions:

1. The hand car wash should be developed in accordance with the plans submitted on June 4, 2010, City of Roswell, Community Development Department.
2. Services shall be limited to a hand car wash only. No self or full serve equipment shall be installed.
3. Washing Bays shall be limited to 2.
4. Hours of operation shall be limited to the hours of 7:00am and 7:00pm, Monday thru Sunday.
5. A site and stormwater management plan must be submitted and approved by the Roswell City Engineer prior to the issuance of an LDP.
6. Compliance with all City, State and County rules and regulations regarding wastewater set forth in the Clean Water Act.
7. Compliance with all rules and regulations regarding carwash facilities as set forth by Fulton County Health Services Department.
8. The owner/developer shall submit a landscape /tree plan for approval by the City Arborist prior to the issuance of an LDP.

PLANNING COMMISSION RECOMMENDATION

On June 15, 2010, The Planning Commission recommended approval as conditioned by staff with the exception that, it is limited to two bays but give the applicant the option to work through which of the two bays they use, the two inside or two outside bays. They will also have the option of looking at the flow of traffic whether it should go the way it is specified now through the entrance from the back or from the entrance from the front.

Planning Commission Recommendations:

1. The hand car wash should be developed in accordance with the plans submitted on June 4, 2010, City of Roswell, Community Development Department
2. Services shall be limited to a hand car wash only. No self or full serve equipment shall be installed.
3. Washing Bays shall be limited to two. The applicant, with the approval of the Community Development Department, shall have the option of which two bays will be utilized.
4. Hours of operation shall be limited to the hours of 7:00am and 7:00pm, Monday thru Sunday.
5. A site and stormwater management plan must be submitted and approved by the Roswell City Engineer prior to the issuance of an LDP.
6. Compliance with all City, State and County rules and regulations regarding wastewater set forth in the Clean Water Act.
7. Compliance with all rules and regulations regarding carwash facilities as set forth by Fulton County Health Services Department.
8. The owner/developer shall submit a landscape /tree plan for approval by the City Arborist prior to the issuance of an LDP.

BACKGROUND

The owner and applicant, David Mastro, is requesting a conditional use permit to operate a hand car wash on the subject property located at 800 Mansell Road near the intersection of Mansell Road and Alpharetta Street. Section 6.5.3 (Table 6.1) of the zoning ordinance requires a conditional use permit to operate a car wash within a C-3 zoning district.

The subject property has been owned and operated as a dental office since 1995. Prior to this, the building was owned and operated by First Colony Bank. It is surrounded on all sides by C-3 commercial uses and contains a single 6,474s.f. one-story building on .6897 acres. The applicant is currently utilizing 2,180sf (33%) of that space as a dentist office and wishes to lease out the remainder 4,294sf (67%) for use as a hand car wash.

EXISTING LAND USE AND ZONING OF ABUTTING PROPERTY

| SUBJECT PETITION RZ10-05 | Requested Zoning | Proposed Use | Land Area (Acres) | Number of Units | Density (Square Footage per Acre) |
|---|---------------------|-------------------------------------|-------------------------|---|---|
| | C-3 | C-3 | .6897 | NA | NA |
| 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 and West | C-3 | Wachovia Bank | 3 | 6,453sf | 2,151 sf per acre |
| South | C-3 | Mansell Shops Shopping Center | 6.05 | 59,631 | 9,856 sf per acre |
| South | R-4 | Eagle Crest Apartments | 14.37 | 200 | 13.9 units per acre |
| East | C-3 | The Counter Deli | .62 | 3,470.62sf | 5,597 sf per acre |
| East | C-3 | Mansell Oaks Shopping Center | 4.604 | 43,190sf | 9,381 sf per acre |
| | | | | | |

SITE PLAN ANALYSIS

The owner and applicant, David Mastro, is requesting a conditional use permit to operate a hand car wash on the subject property located at 800 Mansell Road near the intersection of Mansell Road and Alpharetta Street. Section 6.5.3 (Table 6.1) of the zoning ordinance requires a conditional use permit to operate a car wash within a C-3 zoning district.

The subject property is surrounded on all sides by C-3 commercial uses and contains a single 6,474s.f. one-story building on .6897 acres. The applicant is currently utilizing 2,180sf (33%) of that space as a dentist office and wishes to lease out the remainder 4,294sf (67%) for use as a hand car wash.

The proposed site plan indicates that entrance to the proposed car wash will be from Mansell Road, which will then circle around the rear of the building, in a counter clockwise motion. The applicant is then proposing to have three stacking lanes where the existing drive thru lanes are located. In addition, the site plan indicates only three proposed drying stations.

Staff is concerned that the single drive lane, which culminates into three stacking lanes will pose traffic issues at the convergence areas for this site. There could also be access issues for dumpster pickup, which is located behind one of the stacking lanes. Relocation of the dumpster may be required. Given the limited entry space, staff recommends that only 2 wash bays be permitted to avoid the potential for traffic flow issues.

Section 17.3.4 of the zoning ordinance requires 1 parking space per 300s.f. of office space. The Zoning Ordinance does not specify parking requirements for car wash uses. Currently there are 35 parking spaces on site and only 7 parking spaces are required for the dentist's office. As such, all parking requirements will be met. However, employee parking for the car wash should be considered when submitting construction plans.

DRB/HPC comments and Design Guidelines

Not applicable

LANDSCAPE PLAN ANALYSIS

The submitted site plan indicates the location of existing trees but does not appear to meet the Landscape Ordinance requirements, which requires a 10ft landscape strip adjacent to Holcomb Bridge Road that includes 1 shade tree every 35 linear feet. The Landscape Ordinance also requires that no less than 10% of the interior parking lot to be landscaped. The applicant would be required to meet both the Tree and Landscape Ordinances.

VARIANCE CONSIDERATIONS

N/A

CHRONOLOGICAL LISTING OF PLANS SUBMITTED

Application and site plan submitted on March 30, 2010

Revised Site and Utility Plans submitted June 4, 2010

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 proposed use as a hand car wash is consistent with adjacent and nearby commercial uses

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

Staff does not anticipate an adverse impact to adjacent properties as a result of the proposed request.

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

The subject property is not currently vacant and has been operating as a dentist office since 1995. While the property may be under utilized, it is economically viable as currently zoned.

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 and site plan layout could impact traffic flow on site.

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

The proposed conditional use of this property would comply with the intent and policies of the City's Zoning Ordinance and Comprehensive Plan.

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.

The subject property was previously utilized as a bank and was not properly engineered for a car wash use. As such, the subject property must be re-engineered to meet both City and State requirements governing illicit discharge, runoff and recapture. The development of this site for this use could substantially alter its non-conformity status.

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

The subject property is currently zoned C-3 and is used as a dentist office.

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

The surrounding properties are all comprised of shopping centers and retail establishments, zoned C-3 respectively.

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

N/A

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

N/A

11. The extent to which the property value of the subject property is diminished by the existing zoning district and/or overlay district classification.

N/A

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

N/A

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

The proposed request is a conditional use within a C-3 zoning district. Given the surrounding heavy commercial uses in the area, the proposed car wash would be suitable and consistent with those uses.

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

N/A

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

N/A

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.

N/A

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

N/A

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.

Staff does not anticipate any effects to the character of the area as the result of the proposed conditional use request.

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.

Staff does not anticipate any effects to the value of the surrounding properties as a result of the proposed conditional use request.

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 meet all City and State requirements for drainage and recapture, soil erosion, run-off 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 use of this property as a car wash is compatible and consistent with surrounding commercial uses and is allowed as a conditional use within a C-3 zoning district.

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 subject property is located on Mansell Road and is surrounded on all sides by large scale commercial shopping centers. The proposed request is not expected to have an impact on residential uses.

DEPARTMENTAL COMMENTS

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| City of Roswell Environmental Department | <ol style="list-style-type: none">1. Provide plan for how water will be disposed of for review.2. Oil/ water separator tied in to Fulton county sanitary sewer is required.3. Grading plan is required for review.4. Provide site plan for improvements. |
| City of Roswell Engineering Division | <ol style="list-style-type: none">1. Provide inter-parcel access agreement with adjacent property.2. Provide method and location of oil and water separator, reclaim tank and associated site drainage structures.3. Storm Water Management report shall be required for renovation or land disturbance greater than 5000 square feet (refer to City of Roswell Ordinance, chapter 7.2).4. Provide any additional uses of property including storage of chemicals and materials.5. Provide location of existing water service and storm inlets; include proposed demand and the appropriate facilities.6. Coordinate with Fulton County Water and Sewer along with Environmental Health as applicable.7. Dumpster pad may need to be relocated.8. Provide circulation plan along with appropriate signage and marking. Verify plan with Fire Marshal. |
| Fiscal Impact | NA |
| Archaeological | NA |
| | Reviewer Paul Piccirilli – 770-641-3730 |
| City of Roswell Fire Department | The building will have to comply with the requirements of the 2000 edition of the Life safety code and all State Fire Marshal amendments for the specific intended use. For purposes of reviewing these plans for a zoning request – I have no comment |
| City of Roswell Transportation Department | After issuance of the Land Disturbance Permit, obtain right-of-way encroachment permit from Transportation Department utility coordinator John Wooten at 770-594-6108 (direct) 6420 (Main) |
| City of Roswell Arborist & Landscape Architect | No Comment |
| City of Roswell Recreation & Parks Department | No Comment |
| Fulton County | If approved, this facility must comply with the Georgia Smokefree Air Act of 2005. The Fulton County Department of Health Services recommends that the internal plumbing is inspected and is proven adequate for the proposed use prior to operation. |

Prior to issuance of building permit(s) or certificates of occupancies, this department is requiring that plans indicating the number and location of outside refuse containers along with typical details of the pad and approach area for the refuse containers be submitted to this department for review and approval.

This Department recommends that the proposed carwash be required to meet all standards for wastewater set forth in the Clean Water Act.

This Department recommends that this facility meet all requirements for carwash facilities under DHR Rules and Regulations.

Pictures of Property



View of Subject Property - 800 Mansell Road



View of adjacent dentist office – 800 Mansell Road



View of subject property



View of subject property (proposed stacking lanes)



View of parking



View of existing sign

Pictures of Surrounding Properties



View to the East – 850 Mansell (The Counter Grill)



View to the East - 900 Mansell Road (Mansell Oaks Shopping Center)



View to the West – 10825 Alpharetta St (Wachovia Bank)



View to the South – 10779 Alpharetta Street (

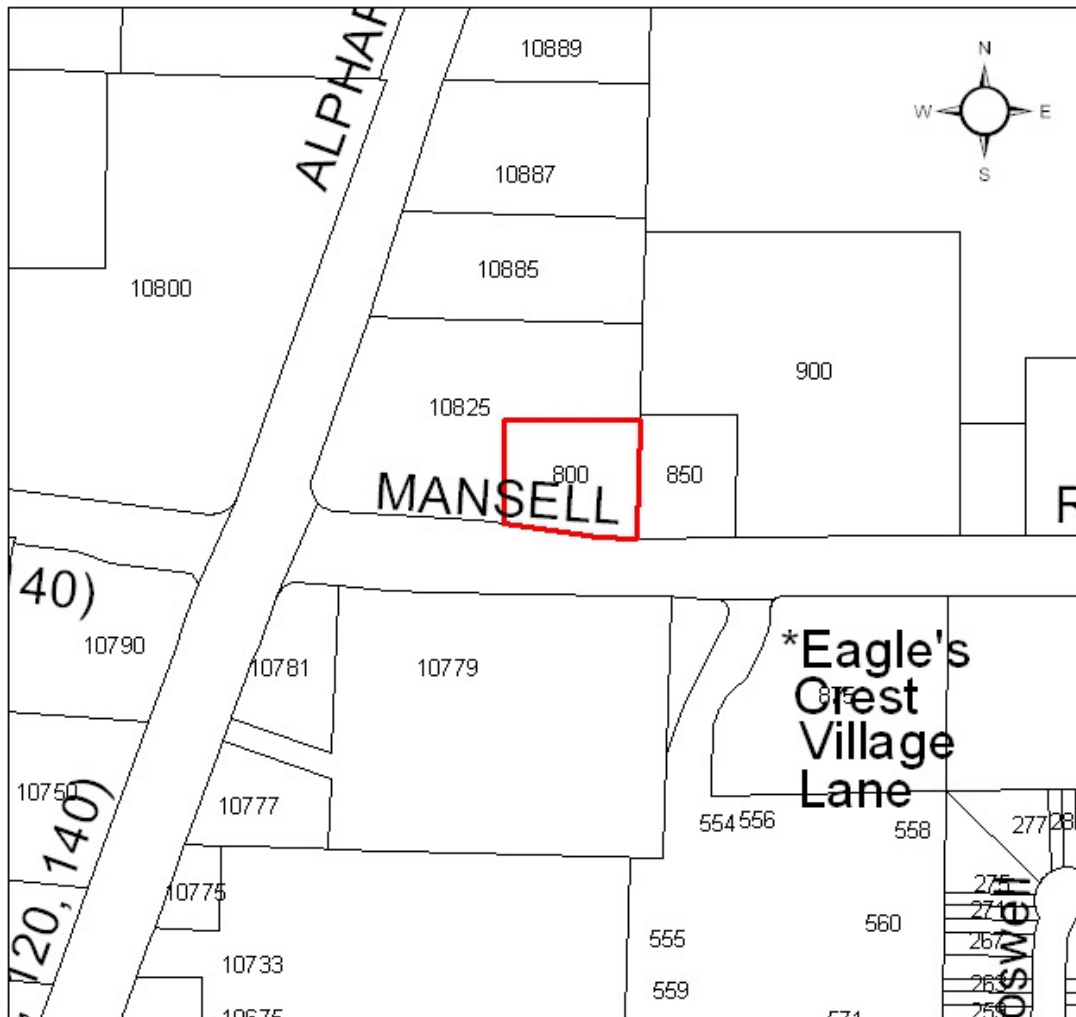


View to the Southeast - 10779 Alpharetta Street
(Mansell Shopping Center)



View to the Southwest - 875 Mansell Road (Mansell
Square)

Location Map



1 inch = 250 feet



Legend



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