

trees and they really hold compliance on the berms in the front, then this site is not seen but from an industrial site.

Brad Riffle stated that he would like to clarify the color. The stucco is what is facing Old Ellis Road. The metal is an actual painted metal that is on the sides and rear and the back buildings are going to be painted metal to match that front building. They have already picked the roof color and the sides. Riffle just wanted to make sure he was clear on that.

Tom Flowers stated that they have it on record that it wasn't a red brick, that it was a taupe-type, like a Wareco 2x2 or something brick that would match this, it would be complementary and not contrasting.

Tom Flowers asked for a motion.

### **Motion**

Laura Hamling made a motion that the Design Review Board approve this on the condition that the applicant uses the darker color, No.111 Prairie Clay stucco-Dryvit on Building A. Building B will be the metal that matches it. The door will match the existing cloth awnings.

Brad Riffle stated that there is going to be an awning on Building A and they will just duplicate that awning on the door. Tom Flowers clarified Buildings B and C on those two end doors...

Monica Hagewood seconded the motion.

Tom Flowers called the question. The motion passed unanimously, 4-0

### **DISCUSSION**

#### **REZONING REVIEW**

#### **2370 and 2380 Holcomb Bridge Road**

Robert Donner with Regina Kelly Academy presented the discussion. This graphic showing the triangular shape with 3.1 acres is the area they are talking about.

Tom Flowers clarified that it was just the 3.1, Site 2. Donner stated that was correct. Flowers asked what the current zoning is. Donner stated that the current zoning is Fulton County Annexed. They have just acquired the land and they are seeking to build what they call a hybrid home school building there. They are going through the zoning process right now.

Donner presented the concepts that they have. This will be the front of the building; this will be on the street frontage right on Holcomb Bridge Road right on the street there.

That is the perspective as one is going north on Holcomb Bridge Road. It is a one-story building. He presented a side view and the rear view.

Tom Flowers stated that Donner said going north, did he mean east to west? Donner stated going towards SR 400.

Roberto Paredes asked what kind of school Donner said this was going to be. Donner stated that it was a hybrid home school of around 200 students. It is conceptually like a daycare facility but it isn't a fully coded school. So the home schoolers would meet for full school days twice a week and home school for three days a week.

Tom Flowers asked if this was conceptually the structure. Could Donner discuss the site plan? Donner stated that they have a concept here that has already received plenty of comments so he knows they have some work to do. They had the topo wrong so it is a little steeper than they had indicated on it because that triangle is actually comprised of two triangles. If one can see the parcel line, the topos were superimposed on a larger area instead of squeezed in. So it is actually 20 feet. Flowers asked if this was an actual topo or GIS maps or what did Donner use. Donner stated that he thinks they did some spot surveys and then they used the GIS map and it has now been interpolated. But basically it is almost a 40-foot slope from the rear to the front. But this is a concept. It has already been modified since it was submitted. There won't be any street going around the back of the building, so they will have street frontage, a decel lane here, full turn, parking up front and most of these sides will be eliminated. They will be all underground detention.

Tom Flowers clarified that Donner has had some revisions to the proposed site plan. He sees he is into the buffer zones. Donner stated that they are not anymore. There is a standard 40-foot buffer, they are asking to reduce that, it is an underserved buffer, they are asking to be allowed to landscape this because of the topo, to bank it and then they will fully vegetate. Flowers clarified that it is not really an encroachment but an enhancement to the existing buffer. Donner stated that they would like to have a landscape buffer as opposed to an undisturbed buffer. Flowers stated that there was a big difference.

Donner stated that they intend to use a playground on the back so they are going to have to terrace this up but it will be natural grass and the banks will be fully landscaped. There are three single lots to the left over here which are abandoned, formerly residential lots that are abandoned and right next to that is the shopping center.

Monica Hagewood asked if there was residential on this side. Donner stated that that there are two houses here, pretty far up. These are some steep lots right here and so the houses are up and to the rear. There is an existing home on this side, an abandoned home. One can see that there are some homes right up in here.

Tom Flowers stated that it was quite a triangulated piece here. Donner stated that it is. Flowers stated that it would be nice to play off of that somehow or another and to use

some of that form of asymmetrical design and come up with something creative. It looks like there is a wedge down the street. Is that due to topo or just the site constraints? One is out on the road.

Robert Donner stated that it is the site constraints. It is the largest footprint but they also wanted some secluded area in the back for the children's playground. Tom Flowers asked what the fall is from front to back. What is the full topo? Donner stated that it was in the neighborhood of 38 to 40 feet. Flowers stated that he is seeing a lot of issues but it sounds like Donner has revised the site plan. And that is probably where the Design Review Board would comment the most is on the site plan as opposed to if the architecture was thrown out on the road. He does not think the building particularly is placed on this lot very well with what is happening around there. He is sure the applicant has had a lot of comments from Horseshoe Bend across the street, or will.

Robert Donner stated that they haven't heard anything against it yet.

Roberto Paredes stated that the applicant mentioned that he was asking for the change from an undisturbed buffer to a landscape buffer and that would be true also on the right-hand side behind the homes. Roberto Donner stated that on the triangular legs of the lot, yes sir. Because of the slope is really why and they want to re-landscape them instead of leaving them undisturbed. Paredes clarified that that was the back lot line of those homes. Donner stated that there are two residential homes here and if they were on this they would be somewhere in the neighborhood of this area. And it is a hill so they are up and on a hill.

Tom Flowers stated that environmentally what Donner has to do is document what is in those zones because an undisturbed buffer is just that. It is undisturbed. One can let trees fall down, they will let one go in and do minimal if there is damage to the trees, i.e. girdling, vines, and he can do that. But one does not touch an undisturbed buffer zone whereas a landscape buffer is different. If environmentally those buffer zones are working then they would probably be against that. The neighbors would come out in arms. Does Donner have petitions from the adjunct properties? Donner stated that they talked to several of them, he does not know if they have all of them yet. Flowers asked if they have signed petitions from them supporting or objecting. Donner stated that they have nothing signed. They have verbal support but they haven't gone through the signed petition.

Roberto Paredes stated that typically what he would like to see is really for that to remain undisturbed and in addition to that to have a landscape buffer. Robert Donner stated that it just is not possible on this site to do anything. There is no buffer there now. They are trying to zone it to office professional.

Tom Flowers stated that is what he is saying. It requires a site survey of what is in that zone now. If there are healthy buffers of trees then one does not want to do that, if there is nothing in there. Donner stated that there are a few specimen trees which are on here

but they are not in those buffer areas. The specimens are not. These are scraggly pines, there is nothing...it is brush. It is not Loblollies.

Roberto Paredes stated that zoning wise they have residential that it still remains residential to the right. Donner stated that was correct. Paredes clarified that this was going to be rezoned into...Donner stated office professional with special use. Paredes asked if there was an undisturbed buffer requirement between.....

Kevin Turner stated that is what the applicant is asking a variance to.

Paredes clarified that zoning requires just an undisturbed buffer plus a landscape buffer or....Robert Donner stated that the specifications as they are listed is a 40-foot undisturbed buffer. That is what the standard code is but it doesn't exist now but Donner is requesting the office and professional zoning.

Paredes stated that Donner stated that it doesn't exist now. Robert Donner stated that there is no buffer constraint on that lot right now.

Monica Hagewood clarified that there is just the brush is what Donner is saying. Donner stated there is no zoning code that says that there is any setback or defines any buffer on what is there now. So, they are introducing a new zoning ordinance, they are asking for it to become office-professional and what is in the book says 40 feet. That becomes a stipulation. There is no buffer now but by making it OP they will have to buffer it against the residential.

Tom Flowers clarified that the applicant was asking for a 15-foot encroachment and to be a landscape buffer. Robert Donner stated to be landscaped as opposed to undisturbed and to reduce it from 40 to 25.

Tom Flowers stated that the applicant would have to have an inventory of what was there.

Roberto Paredes stated that he knows what Donner is asking but if it were him, like if he bought a piece of property that is next to homes and he goes in there and says that he wants to zone it commercial as an example and he is required a 50-foot undisturbed buffer but he wants to change that to 20 feet and make it landscaped.

Roberto Donner stated that they are asking for that and certainly they would need the neighbors' support so they are counting on that support. They would want to be harmonious with that environment. He thinks that Horseshoe Bend is already in support of this; of course they are on the other side of the street. So, there are two residents there and of course they have commercial all around them. The hope is that this is a nice transition piece for them. Because that property will never be used for residential right there.

Roberto Paredes clarified on Scott. That probably is going to go commercial between the Kohl's and the applicant's property. Donner agreed. Paredes stated that most likely they

will end up being commercial. But, Donner's property, just like this property here needs to have a sufficient buffer to the residential. Donner agreed and added that they are asking for that sufficient buffer instead of 40 feet to make it 25 so they can actually use the playground. The intended landscape they put up there will be a screening type landscape. The intent is to buffer it nicely so that it actually serves as a buffer. But what is there now is not an adequate buffer aesthetically for anything.

Paredes stated that he personally would be opposed to that purely because if it is 40, it should be 40, not 30 not 35, not 20. If it is 40 it should be 40.

Paredes added that every time, and this is where precedent becomes an issue. He is not going to say every time, but most of the times that the Board has had this issue with properties abutting residential and they have had promises of landscape buffers there has been issues with not the proper maintenance of the buffer, the plant material was not installed per the drawings, neighbors have come back and complained. It happens with churches, it has happened with schools, it has happened so many times in the city of Roswell that personally; Paredes would be reluctant to support that kind of a variance.

Robert Donner stated that was fair enough. They are going to pursue it, they are going to ask for it, they had hoped that maybe they could persuade but, their intent just so the Board knows is they desire that buffer probably more so than the residents do. Because the intent there is to be a playground and a sense of security.

Roberto Paredes stated that as an option it could be that the applicant may be able to reduce, if he is required to have another buffer on the other side. That, to Paredes doesn't make sense to have a buffer then on this side over here. That property most likely will be either institutional, office-professional or....so he would much rather see the idea of maintaining a fairly strong buffer, undisturbed and landscaped here and reduce it on that side.

Roberto Donner stated that that makes it just as doable. He would still ask the Board to consider that it could be a landscape buffer as opposed to a natural buffer.

Tom Flowers stated that he would be in support of that pending a site survey. One really has to do, whether it is Andy Pittner or a qualified arborist or landscape architect walks the property and identifies the material that is there whether an enhancement, he is correct. No matter what the adjacent property, they usually are not happy and it inadequate right there. If there is existing vegetation, it is probably more desirable to be there, if there is not then they need to have a planted buffer. It is just that simple. As far as whether it is 40 or 25 there are exceptions to all rules. Flowers agrees with Paredes that if it is set at 40 then it is 40 unless one has a true hardship. He would have to understand more about the topography, it could be a hardship and certainly the shape. One is entitled to develop on this property but develop within the guidelines of what makes him need a variance right there. Flowers would be in support pending a site survey of this property. His last comment on this is that he thinks he would play to the site a little bit better. Donner is trying to wedge a square peg into a triangular hole so to say and he is not really

using the site to the best. But Flowers is sure that this is just preliminary design and they are seeing a very rough sketch. Donner has already identified that there has been a myriad of changes and there will be more right there. So it is kind of hard to comment on a moving target right there. But, Flowers is pro-development, he would love to see this move that direction. He would be concerned that if it is against residential, and this shape lot he is surprised there is a not an assemblage or something going on to bring higher value to that. But he is assuming that it was bought in at the right number for the development, what developers buy it for. Is the developer separate than the owner. Donner stated that they were, he would be the developer. His children will be going to the school so he kind of has a dual interest here and they have already acquired the property. Flowers clarified that Donner has secured the property it is just a matter of what can be done with it. He just thinks there are ways to maximize the potential of this site.

Robert Donner agreed.

Monica Hagewood agreed with Flowers and stated that she thinks they have an opportunity to revise that building layout. It just feels like the building layout doesn't match....Roberto Paredes suggested that the applicant take advantage of the geometry of it. Hagewood stated that he could play off of it and make a great playground in back.

Tom Flowers stated to fit the component to the building, he gets that. But he is not sure that it has to be traditional and architecturally responsive to that road or alignment with that road.

Robert Donner stated that the only challenge is for their accreditation. It could even be two separate buildings and that could play a lot better. He stated that is even better for accreditation but then one wants to keep on the....

Tom Flowers stated that the question of hardship is can one do what is reasonable to do within this property as it is. If there is a design solution within that, then the applicant should not be granted the variance. If he cannot then maybe an exception to the rule within some restraints, but he would encourage the applicant to walk through with Andy Pittner and confirm....but he does not think Donner has full docs on this property yet anyhow, the real topo, existing tree survey.

Robert Donner stated that they did a sampling survey. They found all of the specimen trees and coded those and then the sampling survey. It is not on this drawing here; in the buffer areas they did some samplings to calculate....

Tom Flowers asked Donner if he has a buyer in mind. Does he have an owner? Donner stated that they are the owner. The school owns it. Flowers clarified that Donner is the owner and developer. Donner stated that was correct. Flowers clarified that it is a custom build-out. Donner stated that it was.

Monica Hagewood stated that if he separated those two it would give him a lot more flexibility for grading in there. Robert Donner stated that the left side of the property is

effectively a ridgeline right there so it bleeds off on the other side too. If they are open to having that buffer reduced, they could make better use of that space and it is easier and then keep the other one there.

Tom Flowers asked if there were any other comments from the Board. Hearing none he stated that the applicant has the Board's opinions. They look forward to a revised site plan and a submittal.

### **APPROVAL OF MINUTES**

Laura Hamling made a motion to approve the minutes from the February 5, 2013 Design Review Board meeting. Monica Hagewood seconded the motion. The minutes were approved unanimously.

### **ADJOURN**

The meeting adjourned at 8:50 p.m.

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**Tom Flowers, vice-chairman**  
**Roswell Design Review Board**