

Cheryl Greenway stated that they have a motion and a second. She called the question. The motion to deny the application passes unanimously.

At this time Cheryl Greenway stated that there is one more item on the agenda but the Commission is going to take a short restroom break and then they will all be right back and ready to go.

REZONING

13-0274

RZ2013-01672, CV2013-01673

BRYAN MUSOLF/JW HOMES LLC

2000 Holcomb Bridge Road

Land Lots: 712, 713

Brad Townsend stated that this property is located at Holcomb Bridge Road and Scott Road and Eaves Road, approximately 27-28 acres. The property is currently vacant and is zoned MPMUD. There was a previous site plan approval of this location. The applicant is requesting a site plan amendment for the development. This gives the Planning Commission an aerial of the property. Kroger shopping center is to the east; Centennial High School is to the east, there is elementary school to the north, the assisted living location that the Commission actually dealt with earlier this evening across the street on Scott Road across Holcomb Bridge Road vacant property. The current zoning is FC-A surrounding it, MPMUD. The applicant was approved for an MPMUD in 2006. The applicant is requesting to develop....this is the actual comparison of what was approved in 2006, to what is being proposed tonight. There is definitely a deep intensification of the development. The 167 units are actually town homes and condominiums at the time. There is a lot more square footage in the retail and office development. This is a proposed site plan dealing with access points. It gives one the pattern layout for how they want to connect to the development with the several different types of housing, town homes, smaller lots, even really smaller lots in dealing with the size of the locations.

Staff is recommending approval of this application just because it is detensifying the development. They are maintaining the stream buffers in the location. Staff has included numerous conditions which are being pulled forward from the prior approval as well as being properly developed with this location. They want to control the access points to Holcomb Bridge Road. Staff feels they create some conflicts by providing some of the access. They should be either eliminated or right-in/right-out to Holcomb Bridge Road. T

The Roswell Transportation Department is here this evening to talk about any transportation issues the Planning Commission might have related to signals at Scott Road as well as access to the development.

Brad Townsend asked if there were any questions for staff from the Planning Commission. Cheryl Greenway asked if there were any questions for the city.

 **DRAFT**

Cheryl Greenway clarified that the conditions that were listed, is Brad Townsend saying that the majority of them or all of them came from the original approval?

Brad Townsend stated that staff looked at ones that were appropriate to bring forward. In the original approval there was a Warrant Study requirement dealing with the traffic signal at Scott Road. That is one of them that they brought forward. Staff is not sure with the assisted living across the street being developed and this being developed, knowing they have two schools back there...they just think there is going to be a demand for a signal at that location.

At this time transportation, Townsend will let them speak for themselves but they are not supporting that a signal go in there because there representation is one can go around the road to Eaves Road and get to the signal instead of having to fight that. But there are other scenarios. The have vacant property across the street, which at some time in the future when one looks at the aerial...there is definitely some potential for other property on the other side of Holcomb Bridge Road to develop, so the are going to have some access issues and things of that nature to deal with besides Eaves Road.

So, not all of the conditions were brought forward. They made the regular development ones dealing with sidewalks and things of that nature that were appropriate, that staff felt one of the other improvements that transportation has asked for in dealing with...there has been a representation for a pedestrian bridge because they have a park on the other side of the street which is going to include a library. So there have been some pedestrian connectivity scenarios and they felt it appropriate. Designs have been done in the past that this piece of property is where the bridge would land. That hasn't been thoroughly engineered or thought out but it has been a desire to help the pedestrians cross this location because going to the school, going to the high school, the pedestrian traffic is just going to get more for this area. That is some of the reasons why staff brought some of those conditions forward and have put it in the recommendation for the approval.

Cheryl Greenway stated that Brad Townsend hit her other subject, which was the pedestrian bridge. So, they are asking the applicant as a condition just to be willing to grant the right-of-way needed for it should it be put in. Townsend stated that was correct. Greenway stated that if the design, she knows Townsend says it is not totally finished yet, but would it be at the corner there? Townsend stated that it would be near the corner. That is where it has been preliminarily located or at least discussed just like north of the signal at the Eaves location and just a little bit north of that has been the discussion of where the location has been.

Cheryl Greenway stated that she would like to ask traffic a couple of questions.

Mohammad Rauf, the city traffic engineer was present to answer any questions. Cheryl Greenway stated that the question she has is from driving through this area herself, it feels that the time it takes if one is not on Holcomb Bridge Road, the time for the light to change to get a chance to turn or go is quite long. Now, they add all of this additional

 **DRAFT**

activity, are they going to be changing the length of the signals and if so, what problem is that going to cause on Holcomb Bridge Road and that area?

Mohammad Rauf stated that is how they always develop the traffic signal timings based on the traffic volume that exists. So, obviously Holcomb Bridge Road has a lot more traffic so it gets more green time. And then the side streets, they just get the green time based on the traffic that they have. They are always evaluating, always looking at the complaints, and if there is a major change in the area, like if a new development like this one comes in, it definitely increases the demand and they look at the timings, re-evaluate it and they make changes all of the time.

Cheryl Greenway asked what is the reason for feeling that there doesn't need to be a light put in at this time with this development on Scott Road. Mohammad Rauf stated that not knowing what the future holds there, there might be a development across the street there may not be on the other side of Holcomb Bridge Road. At this time, looking at the situation on Holcomb Bridge Road they have several congested corridors, little segments on Holcomb Bridge Road and there is always...more signals mean more stoppage for the main through traffic, more congestion. It will just mean adding another little segment which is going to be very congested on Holcomb Bridge Road. So at the staff level there is not a desire but as the Planning Commission might know, there has not been a traffic study done on this one yet because they didn't allow it to be done during summer when school is out since this area just has three schools in the near vicinity. So, they wanted them to wait until the end of summer, which actually they are in the first week of school now. So next week they can start counting and do a traffic study in the next few weeks. If there is an interest and desire, a traffic study could always include a Traffic Signal Warrant Analysis. It may not meet the warrants just because of this one development at this time. But in the future, if there is more on the other side of Holcomb Bridge Road it may. They just don't know.

Cheryl Greenway asked about expansion of the lanes off of Holcomb Bridge Road coming into Scott Road to lengthen the deceleration or to lengthen the ones coming from Scott Road onto Holcomb Bridge Road. Mohammad Rauf stated that actually one of the ones that they requested was the eastbound left turn lane onto Scott Road. They requested that turn lane to be widened and lengthened.

Cheryl Greenway asked if there were any other questions for traffic.

Sidney Dodd stated that essentially transportation is just looking at this as a right-in/right-out until such a time that the development in the immediate area, specifically across Holcomb Bridge Road increases to a point where signalization would be required or until a traffic study would suggest that a signal be done. It would most definitely be required at this time based upon north-south type flow along Scott Road.

Muhammad Rauf stated that the Scott Road intersection is a full access to Holcomb Bridge Road as of today. Sidney Dodd clarified that one could make a left turn in there

 **DRAFT**

coming from the other direction. Rauf stated that was correct. Dodd stated that primarily for these residents and that would be very difficult at Holcomb Bridge Road at rush hour or in the morning as well. So, practically most people would enter this proposed development on a right-in/right-out basis especially at the rush hour. Rauf stated that he has gotten a couple of complaints about this left turn out of Scott Road making the left onto Holcomb Bridge Road to continue east. It will definitely not meet any warrants in the current situation. So, what he has been telling them is it is easy enough for them to go around and use the Eaves Road signal. One would have a safe, convenient access there so it is easy enough to go around and make the left turn at the Eaves Road signal. Now if the traffic generates and they get several more developments in the area, then things may change. But as of now that is what transportation would prefer.

Cheryl Greenway stated that she needed to go back a minute. She thought Rauf was saying that a condition has been added about extending that turn lane, or was he just saying that is something that the city is looking into? Rauf stated that he requested that condition to be put in. Cheryl Greenway and Brad Townsend stated that it needs to be added. Greenway stated that she does not see it in here. Townsend stated that it was in their recommendation; they need to go forward and add it as a condition in the resolution. Cheryl Greenway clarified that this is to extend the turn lane for people on Holcomb Bridge Road heading east who want to turn left on Scott Road.

Muhammad Rauf stated that was exactly yes. They will widen and lengthen that turn lane. Cheryl Greenway thanked Rauf. Brad Townsend added for 20 feet.

Cheryl Greenway clarified that all of these conditions have been shared with the applicant. Brad Townsend stated that they have. Cheryl Greenway asked if there were any further questions for transportation. Hearing none she thanked Muhammad Rauf.

Lisa DeCarbo stated that she does have one other question for staff. It notes that Design Review Board approval is not applicable in the comments. Would they not have DRB approval for the town homes and for the retail elements on this plan? Brad Townsend stated that for those two components, yes but not for the single family homes. DeCarbo asked if that was something that is scheduled to happen before this goes to mayor and city council. Brad Townsend stated that it was not.

Lisa DeCarbo thanked Brad Townsend.

Cheryl Greenway asked if there were any other questions for the city. Hearing none she asked the applicant to please come forward.

Don Rolader, 11660 Alpharetta Hwy., Suite 630, Roswell, GA for the last 27 years, presented the application. He is happy to be here in front of the Planning Commission. He is particularly happy to be here for two reasons and that is that the client and the applicant is John Wieland Homes. Rolader has done a lot of work with John Wieland over the years and he never ceases to be impressed by his quality and his focus on detail.

 **DRAFT**

Rolader stated that he is even more excited because this is a real project. When it is approved, if it is approved, it will be built. Here tonight with Rolader is Bryan Musolf from John Wieland Homes and JF Kingfield. They are decision makers for John Wieland Homes and Neighborhoods. Simply, this is not a rezoning application. They are revising the site plan and they ask the Planning Commission's approval and their recommendation on the conditions.

The property is right in front of Centennial High School. It is presently vacant. It is surrounded by schools, apartments, town homes, single family homes and commercial development including a gas station and a Kroger store. What could be better?

Don Rolader stated that he thinks Brad Townsend really expressed to the Planning Commission why this application is real in the chart that he put up earlier. It is approved for 159,946 square feet of office and retail use, 126 dwelling units at a density of six units per acre. The applicant is not asking for any of that. What they are asking for is 82 single family homes and Rolader will show the Commission some examples of those momentarily, please don't let him forget. Twenty-five town homes, that is a total of 107 houses all together and 17,500 square feet of retail space down there on the corner. That is the entire application.

This development obviously is substantially smaller than the approved plan. There are 60 less homes, 52,750 less retail space and no office development. It is a total reduction of 90,196 square feet of office development alone. Better than that, over 30 percent of the property will be green space. There is a large park called Hilltop Park, two pocket parks and a greenbelt along the stream. The impact on traffic, utilities and schools is substantially less with this development than if it had been developed as it was approved.

A variance is requested for the front and side setbacks abutting minor and major streets. Don Rolader stated that he is not going to go into that any further unless the Planning Commission wants to because the staff agrees with them. They all agree in this development that it works like it is supposed to. This whole application is in compliance with the comprehensive plan.

So, with that said, Don Rolader stated that he really wants to address the conditions. The staff has proposed 21 conditions. They have given great thought and great study to it. Rolader is going to put the applicant's comments to that on the screen and what they have done is they have looked at 21 conditions and of those there are only seven that they want to comment on. Rolader wants the Planning Commission to understand up front that they are not here tonight to argue these conditions with them. They want to explain to the Commission what the developer's position is and then respect the Commission's choice in what they recommend to city council. Rolader does not want to beat these to death; he just wants to tell the Commission what the applicant is thinking.

The most important one Rolader thinks is the Warrant Study and the red light and the signal and all of that. He will make several comments there. The applicant is more than

 **DRAFT**


happy to participate in a warrant study to see if this is required and Rolader thinks it should be looked at assuming that the senior center gets approved next to it. In all honesty, the senior-type facilities, continuing care don't generate much traffic. So, they have to figure that into the mix. The other thing they have to figure into the mix in all fairness to the transportation is that that is a state route out front and no matter what the applicant wants to do and transportation wants to do, Big Daddy downtown will tell them what to do when it is all over. So, even a lane widening, they have to vote on it and they have to say yes. So that is a compounding factor that they are involved in and Rolader wanted the Commission to understand that.

Their further feeling is if they find that a signal is warranted they expect to pay their fare share of it but they don't expect to pay for all of it. That is a system improvement. It benefits everybody in that area not just the high school, the senior living facility and the applicant. There is a law in Georgia that says when one charges impact fees; he cannot make extractions from developers. They do one or the other. What the applicant wants to say is they are not going to stand and beat on that. They want to pay their share, they are into it. If they all find that it is warranted and the stated says do it, the applicant is in for their share but they would ask that the Planning Commission's recommendation be that they be required to pay their fair share of the cost of the signal and the other things, not the entire amount. Basically their feeling is if their development doesn't lower the level of service at those two intersections then there should not be anything done. Rolader thinks they are going to struggle with the state to have them find that it warrants red light presently. But Rolader wanted the Planning Commission to understand that they are in for the long haul. What benefits one of them benefits all of them. They intend to sell these houses.

Note No. 4 on No. 9 says one road there, private drive D. Don Rolader stated that they are looking at it right now. They have asked the Commission in this thing to recommend removal of it. They can just leave that alone. The applicant is studying it and they will talk to transportation further about it and it is maybe, maybe not. Rolader thinks they can handle it with them.

Rolader stated that he would like to read condition no. 15. *Provide right-of-way for the pedestrian bridge.* As it is written it is too open ended. They are more than happy to participate and to provide the space when the city wants to do a pedestrian bridge. The applicant would like for it to be defined. They don't want to give them three acres, they would be happy to give them 300 square feet, whatever it is. So, if they could just say that a defined right-of-way would be dedicated by the developer to the city, then the applicant is certainly willing to consider that. That is part of playing ball.

No. 16 is the private roads. They are design site specific and they are not the same roads as city standards. They are designed and there is a chart with those that lays them out and is the result of 30 years of John Wieland development and proven real estate development in a residential neighborhood. So Rolader would ask that the Planning Commission just say that private roads will not be built to city standards, but shall be as shown on the

 **DRAFT**

project road profiles. It would mess up the development to go in and build full size city roads and right-of-ways in there and it would not benefit them.

Condition No.20 states that the developer should provide a phasing plan for development. It basically says that the applicant would have to build 85 houses or something before they built the retail center. When there was 60,000 square feet of retail Rolader understands that, it is practical. They have one retail site, 17,000 square feet. They would like to develop it when the first buyer comes along and says, "Put me in I am ready to got there" and Rolader thinks that is a reasonable request.

Condition No.21 is just an issue of understanding with the staff. The applicant is happy to mark all of the building setbacks on the preliminary and final plats understanding that some of them will be zero. Rolader clarified that is what Brad Townsend meant. Townsend stated that was correct. The developer was concerned about that so with the understanding from staff they are fine with 21.

So, those are the applicant's comments. They are happy that the staff has recommended approval. They want the Planning Commission to recommend approval. They think this is a good project for the city. Rolader would like to show the Commission some of the residential product that they intend to develop before he sits down.


Brad Townsend stated that he would like to make a clarification. He thinks his No. 7 is referencing Condition 19 instead of Condition 20. Rolader stated that Brad Townsend was correct. Townsend just wanted that to be clear. Rolader stated that was a good catch.

Don Rolader stated that he wanted to give the Commission a moment to take a look at what the applicant is planning here. He thinks it is exciting. He thinks that gives the Planning Commission a good idea of the type of product that John Wieland intends to develop in here: high end, attractive, desirable, modern, up to date. Rolader asked to show the Commission one or two more. He thinks they have some with the town home product as well, the smaller single family and that lay out there and then this was the town home layout here. Rolader thinks it has that magic stamp on it that they like to see and that is what they are up to.

Rolader stated that if the Planning Commission approves it, they will come and they will built. He is happy to answer any questions the Commission may have at this time.

Cheryl Greenway thanked Don Rolader and asked if there were any questions for the applicant.

Joe Piontek stated that he just had one comment as a former contributor to the Centennial Booster Club. When Nicky needed his license and wanted to park in that dirt lot and there are 39 spaces. Is anything being done in that area? It doesn't have anything to do with this overall project. Don Rolader stated that they have resolved the dirt lot. It will go somewhere else in an agreement with both the School Booster Association and with Mr.

 **DRAFT**

Cowart. They have worked all of that out. It will be paved. Joe Piontek stated that was awesome and thanked Don Rolader. It was ugly.

Cheryl Greenway asked if there were any questions for the applicant.

Cheryl Greenway stated that she has several. Don Rolader stated that he would be disappointed if she didn't. Greenway stated that she knows Rolader would.

She would like to clarify a few things on the No. 8, which is the traffic signal and the applicant is saying he would be willing to pay his fair share. How does that get determined? If they are going to change the condition, they can't just say their fair share can they?

Don Rolader stated that he thinks if they left the condition as it was and they added that language maybe, if the development does not lower the level of service, the intersection owner should not be required to pay for traffic signals or however the Planning Commission wants to word it. If the signal is warranted and approved by GDOT, the owner shall pay 50 percent. Rolader stated that was kind of the way he wanted to say it on the first part. If it troubles them, he is happy with the Commission changing that as it suits them. Cheryl Greenway stated that she just want to get a feel for how Rolader was looking to calculate that or if he had a number in mind.

Cheryl Greenway stated that in the department comments, the environmental department expressed a concern again on storm water compliance. Is Don Rolader aware of what...Rolader stated that they have discussed that with them and they will do what it takes in that big pond area to make it comply. They can't build the development until they make them happy. Storm water has to meet the criteria.

Cheryl Greenway stated that the applicant also has some transportation issues not relating to the street as such but a truck route plan. If necessary provide a truck routing plan for the trucks delivering goods to the proposed businesses using AutoTurn or similar software. Greenway was not sure what they were looking for there. It is near the end of the transportation comment, on page 16.

Don Rolader stated that the thinks now that they only have 17,000 square feet of retail that's not going to matter anymore. Brad Townsend stated that he thinks that may have been more for the previous plan. They had like three outparcels and more commercial development at the time. With the one in and out, Townsend thinks that is pretty...they can figure it out. Cheryl Greenway stated that is what she was wondering. Townsend stated that he thinks they had more tight turns in the last development trying to connect town homes and other uses. Greenway agreed that is what it looked like.

Cheryl Greenway stated that there was a condition about a permit needed from the Army Corps of Engineers. Are they still dealing with that?

 DRAFT

Brad Townsend stated that he thinks that is probably going to be up to the city engineer. He thinks that was a requirement of the last approval in 2006 because there was some more impacts related to the stream. They are staying about of the stream completely on this approval.

Don Rolader stated that whatever engineering will require the applicant will have to meet but it is no longer an issue. That stream area where the big stream is has been expanded considerably. It is one of those things that what it is, is what it is.

Cheryl Greenway stated that she thought that was all of her questions. She thanked Don Rolader and asked if there were any other questions for the applicant.

Lisa DeCarbo stated that she does have a couple of more on the transportation. One of the conditions was that all existing driveway for the rear sections be aligned as they should be. Is that a condition that the Commission needs to put back in or is that something resolved with the change of the plan from June to this August iteration. Another staff question. It is the third one, align all proposed driveways with the existing driveways where feasible or meet city of Roswell minimum driveway offset standards. And then below it, verify the sight line, the sight distance. She just does not know if they need to add those as conditions as well.

Muhammad Rauf stated that actually for the internal roadway of the development to align with Centennial Walk. He does not see that done in the latest site plan and they have not reviewed this latest plan in detail. Rauf stated that he is just talking for transportation. He will have to discuss that within the department one more time because they initially submitted a request to make an alignment to come across the Centennial Walk.

Lisa DeCarbo asked if that was something that the Planning Commission wants to add as a condition or no. Brad Townsend and Cheryl Greenway stated yes.

Don Rolader stated that some will align better than others. One of them is right across from their detention pond, they couldn't run through it. They will work that out with transportation. He does not think it is a major issue but the reason that they don't all align perfectly is because of topographical indentures that are in there.

Cheryl Greenway asked if there were any further questions for the applicant. Hearing none Cheryl Greenway thanked Don Rolader.

With that Cheryl Greenway stated that she would like to open it up. Is there anyone that would like to speak in favor of the applicant? No one came forward. Is there anyone that would like to speak in opposition to the applicant? For the record no one is coming forward so there are no comments from the public.

 DRAFT

Cheryl Greenway asked if there were any other questions either to the applicant or to the city from the Planning Commission. Hearing none Cheryl Greenway closed the public portion and called for discussion or a motion.

Keith Long mentioned just as a comment the changes would be and to all of the Commissioners agree that they don't have to build the roads to Roswell city standards, they only will pay for half of the street light of GDOT makes them do a street light and they can start building the retail structure concurrent with the building of the rest of the structures.

Those are really the three changes aren't they? Long added that the interior roads do not have to be built to city standards, they will pay for half of the light. So GDOT tells the applicant whether or not he can have the light and then the applicant has to pay for it.

Cheryl Greenway stated that she thinks that they had two that they were looking at adding. Widening and extending the turn lane east on Holcomb Bridge Road, which GDOT would have to approve as well. And then the condition about alignment of the access...defining of the right-of-way, how would the Commission do that to define that right-of-way for the pedestrian bridge?

Muhammad Rauf stated that they still need to work the details out on the pedestrian bridge. It was discussed at some time in the past and they just don't know much. So they just need to figure out the details on that.

Cheryl Greenway asked Rauf what the Planning Commission would put in this condition that would not be overly burdensome to them. They can't take a huge part of their land. Rauf stated of course not.

Brad Townsend stated that he is looking for a number not to exceed 5000 square feet or not to exceed 400 square feet? It needs to be some type of number that the staff can put on a future plan.

Keith Long asked if there were thinking about a flying bridge that goes over Holcomb Bridge Road. Rauf stated or a pedestrian bridge. Brad Townsend stated a pedestrian bridge that goes over and it handicap...kind of lands in some...

Don Rolader asked why they don't just say on a parcel to be worked out between DOT and the developer. That gives both he and the developer a little freedom to do that. Cheryl Greenway asked if they could leave it that broad though.

Brad Townsend stated that the owner/developer shall provide right-of-way for the pedestrian bridge as required by the transportation department as agreed by the applicant. Don Rolader stated that the size and location is to be worked out by the applicant and DOT. Brad Townsend added prior to a land disturbance permit or an LDP on the plat, when do they work this out?

 DRAFT

Cheryl Greenway stated that was the thing. Would it be worked out before they would be finalizing their plat?

Muhammad Rauf stated that they would because at this point he can't really come up with a number for the square footage so he will leave it up to Brad Townsend at what point they need to have that finalized.

Don Rolader stated that it would give them more time if they said by issuance of the first certificate of occupancy. Muhammad Rauf stated that he does not think that they need that much more time.

Rauf stated that he just wanted to make one point about that 50 percent from the applicant towards the signal if it warrants. That is normally not how they do it. It is not warranted today and the Warrant Study would like to look at that as well. And if the development generates enough traffic to warrant it, then they call it a project improvement. So, that 50 percent could stay in there as a suggestion from the developer but Rauf stated that he is not agreeing to that.

Brad Townsend clarified that the simple answer that Muhammad Rauf is saying that if the project warrants it and causes the signal to be there, it is a project improvement. They pay for 100 percent of it.

Rauf stated that he was talking about installation of the signal.

Don Rolader stated that they are talking about two different subjects. He said they are happy to pay for the Warrant Study so they see what they need to have. He thinks there is still an issue with transportation as to what percentage of the actual installation the applicant should pay for. He thinks the Planning Commission should just make their best recommendation to council and he is sure they will make the decision they think is best.

Lisa DeCarbo asked how long will it take the Warrant Study to occur. When would the applicant know this? How far into the process will they be?

Muhammad Rauf stated that while the school is in session they can do the counts in the next week or two. The study normally doesn't take more than four to six weeks but really it is up to the applicant how soon they want to do it. Lisa DeCarbo just wondered if it was a potentiality that they would know before the council actually ends up having to vote on this. Brad Townsend stated that it was not likely. DeCarbo clarified that it was just a little too long.

Cheryl Greenway asked Lisa DeCarbo if she wanted to put in a condition about the question she raised about showing existing driveways and intersections on the opposite sides.

 DRAFT

Lisa DeCarbo stated that it should read potentially, maybe exactly as it is written here. Align all proposed driveways with existing driveways where feasible, or meet the city of Roswell minimum driveway offset standard. That would be something that the applicant is working out with the department of transportation by their standards

And the other thing would be also to verify site distance for each proposed driveway being adequate.

Cheryl Greenway clarified that the Commission is looking at adding two conditions and the third of widening and lengthening the turn lane from eastbound Holcomb Bridge Road to Scott Road. So they are adding that one and they are adding the one on the existing driveways. So that is the two conditions they are looking at adding. Brad Townsend stated that was correct Cheryl Greenway stated dropping 19, changing 16 about the roads not having to be built to city standards. The open issue on the pedestrian bridge and they still have to decide about the traffic signal.

Lisa DeCarbo stated that she does have a question on the interior roads. Are those going to be maintained by the city or maintained by the development? They will remain as private roads?

Brad Townsend asked if there was a determination on No. 9 related to the private drive D. That was an access from Holcomb Bridge Road. The staff felt it created some conflicts.

Cheryl Greenway asked if the applicant could go back to the drawing and point that out. She thinks she knows but she just wants to be sure.

Joe Piontek asked what is that part of the development that is coming off of this, town houses. He sees the D. Cheryl Greenway stated that is why she wants to get it back up. Piontek stated that those must be town houses.

Brad Townsend stated that this is the one they were talking about. It is the private road that enters into the town houses here. It is a real short...there is no sight distance to the alley behind. He is figuring that needs to be reconfigured in some manner and it shouldn't be access. He understands the access to the commercial areas but this is a residential street. Why are they diving right off of Holcomb Bridge Road? The applicant is okay with that condition remaining.

Cheryl Greenway asked if the applicant could out that back up. She pointed out D, come back Holcomb Bridge Road towards Eaves Road, the drive that is just south of that...right there. Is that not doing the same thin? Brad Townsend stated that it is the commercial use. They need to have a couple of ways in and out of that location. Greenway stated that is what she wants to be clear on. So that one they are okay on, it is the one by the town houses...Townsend stated this one goes away, this one's okay. Cheryl Greenway stated that is what she wanted to clarify.

 **DRAFT**

Lisa DeCarbo asked if they would also need decel into that one at the retail. Brad Townsend stated that was something the traffic report needs to represent. Joe Piontek stated that one can go up on two wheels into the Walgreen's but not into the town houses.

Cheryl Greenway asked Joe Piontek if he is prepared to make the motion. Piontek stated that he was really, really close. He stated to Lisa DeCarbo that 23 was the first point about show all existing driveways and intersections on the opposite side of Scott Road and Eaves Road. Align all proposed driveways with existing...does DeCarbo want that to be a condition? Lisa DeCarbo stated that she did. Piontek stated that the one below it would be 24, verify sight distances.

Joe Piontek stated that this is going to be ugly but he will try this.

Motion

Joe Piontek recommended that the Planning Commission approve the rezoning and concurrent variances RZ2013-01672, a conditional variance 2013-01673, the site plan amendment with the following conditions:

1. Removing condition 16 that all interior roads be to city standard not be required.
2. Removing condition 19 that the land disturbance permit for commercial parcel development shall not be issued until they get 50 COs.
3. Changing condition 8 to say that the developer would be responsible for half of the cost of installing the traffic signal.
4. Adding a condition, 22 that the turn lane eastbound on Holcomb Bridge Road be extended assuming GDOT requires it or approves it.
5. Adding condition 23 that the applicant shows all existing driveways and intersections on the opposite side of Scott Road and Eaves Road.
6. Align all driveways with existing driveways where feasible or meet the city of Roswell minimum driveway offset standards.
7. Adding condition 24 that the applicant verify sight distance for each proposed driveway is adequate and provide sketches.

Brad Townsend stated that he would like to clarify on condition 22, Holcomb Bridge Road and Scott Road as the intersection.

Joe Piontek stated that condition 22 is extending the turn lane eastbound on Holcomb Bridge Road at Scott Road assuming GDOT requirements and approval.

Cheryl Greenway stated that they had talked about an addition to No. 15. Something regarding that that amount is to be determined.

Joe Piontek asked if that was something that is stamped on the LDP or how did the Planning Commission want to do that?

 **DRAFT**

Pause Motion.

Inaudible conversation.

Sidney Dodd stated that Jackie Deibel had mentioned prior to the plat as opposed to the...that makes sense.

Steve has all kinds of ideas. Sometimes it is a flying bridge; sometimes he digs a hole underneath the ground. He has all kinds of stuff that he thinks up.

Cheryl Greenway reminded the Commission that they were on the record. Joe Piontek stated that he paused the motion.

Brad Townsend stated that staff would recommend that the pedestrian bridge requirement by the Roswell Transportation Department, right-of-way showing on the preliminary plat, to be determined in conjunction with the owner. He has got to agree. They are not looking for something that is three acres. They are looking at something that is a pedestrian landing of a bridge. If they put it not to exceed something...

To be determined in conjunction with the owner ensuring a limited pedestrian bridge location. A limited amount of space?

Brad Townsend stated that they don't want to short themselves on that. Because it is so undetermined because they don't even know how it is designed. He has seen a lot of them that swirl around and go circular and those that go back and forth and back and forth and back and forth. It could be a tunnel.

Lisa DeCarbo stated that it could be something that starts further back on the grade and is almost straight over.

Cheryl Greenway stated that the problem is there are too many unknowns on this right now. They don't know what to put on it.

Joe Piontek stated that he will just end the sentence there, to be determined in conjunction with the owner/developer.

Unpause Motion.

Joe Piontek added that condition 15 be changed to read the owner/developer shall provide right-of-way for the pedestrian bridge as required by the Roswell Transportation Department. The right-of-way shall be shown on the preliminary plats to be determined in conjunction with the owner/developer.

 DRAFT

Cheryl Greenway stated that they have a motion. She called for a second. Sidney Dodd seconded the motion.

Greenway stated that she has a discussion to her left.

Bryan Chamberlain asked who pays for the stop light. He heard the applicant offering 50 percent. He heard transportation saying no way, it is 100 percent. It would appear that they have an issue here that needs clarity.

Muhammad Rauf stated that it is just going to be a debate whether it is a system improvement or a project improvement. In his mind, if it is not warranted now and after the development it warrants, then it is a project improvement and the developer needs to pay for it 100 percent.

Don Rolader stated that he promised that he would not argue the law with them tonight.

Bryan Chamberlain suggested that they approach it from the perspective of worse case scenario and allow that to be hammered out later.

Joe Piontek stated that the council is going to end up doing that part of it and he is saying that there is that other development going in across the street. Possibly they have to chip in some money.

Bryan Chamberlain stated that the Commission did not bring that into there. Joe Piontek stated that they can't. Chamberlain is saying that when they ruled on that development, that was not a part of it. He does not have a comfort level if the standard operating practice is based on what Muhammad Rauf said. They don't need one now and with this new development one is needed as deemed by state traffic, DOT.

Brad Townsend stated that the big debate that they have relates to, yes, if the Warrant Study is done and this project throws the warrant over and it is needed, not all of those warrants are this project. And that is the biggest debate that is continual from transportation.

Joe Piontek stated that he has used this intersection many times and he has always thought that there should be a light there, but he is not a transportation engineer. He does not know how one would calculate those things.

Brad Townsend stated that the fair proportion is, okay one is not going out to the high school, he is not going to the elementary school, he is not going to the middle school and getting them to kick in money for a signal. Yes, they had a development earlier this evening that it will have left turns and access and employees that come in and out. All of the Centennial/Walton development comes in and out. They have all paid their impact fees, that money is going into a pot that has helped the system. So, he thinks they are on

 DRAFT

legal ground at the 50 percent and it will go forward from there and be debated by council and they will move that way.

Joe Piontek stated that was helpful and thanked Brad Townsend.

Cheryl Greenway stated that the Commission....

Lisa DeCarbo stated that she wanted just one tiny little bit of clarification. When Don Rolader talked about 50 percent for the signal she assumes he means 50 percent for the signal and all intersection improvements that go with it.

Cheryl Greenway stated that the motion second is done. She called the question.

The motion passed unanimously.

TEXT AMENDMENT

TA13-0374

Cheryl Greenway stated that the Planning Commission has a text amendment tonight that they received when they got here. She will just read what is on the agenda.

Staff if requesting deferral of text amendment TA13-0374 regarding Chapter 18 of the zoning ordinance, Outdoor Lighting to the September 17, 2013 Planning Commission meeting

Cheryl Greenway stated that because the Planning Commission has really not had any time to look at this, she would entertain comments or a motion by the Commission.

Motion

Joe Piontek made a motion to defer the text amendment TA13-0374 to their September 17, 2013 meeting. Bryan Chamberlain seconded the motion.

Cheryl Greenway stated that they have a motion and a second. She called the question. The motion passed unanimously.

APPROVAL OF MINUTES.

Cheryl Greenway asked if she had a motion on the minutes. Lisa DeCarbo made a motion to approve the minutes as submitted. Joe Piontek seconded the motion. The minutes were approved

ADJOURN

The meeting adjourned at 10:11 p.m.

 **DRAFT**

Cheryl Greenway, chairman
Roswell Planning Commission

CC: mayor and city council
applicants' files
community development

 DRAFT