



Petition No. RZ 201402562

HEARING & MEETING DATES

Design Review Board Meeting	Neighborhood Meeting	Planning Commission Hearing	Mayor and City Council Hearing
N/A	September 11, 2014	October 21, 2014	November 10, 2014

APPLICANT/PETITIONER INFORMATION

Property Owner	Petitioner	Representative
Dan O'Neill	Dan O'Neill	Brian Taylor

PROPERTY INFORMATION

Address, Land Lot, and District	Spring Drive, King Street and Marietta Highway, Land Lot 376, 1 st District, 2 nd Section
Frontage and Area	230' on Marietta Highway, 514.64' on Spring Dr., 179.95' on King St.; 3.947 acres
Existing Zoning and Use	RS-18 (Single Family Residential)
2030 Comprehensive Plan; Future Development Map	Suburban Residential
Proposed Zoning	R-TH (Residential Townhouse)

INTENT

The applicant is requesting a rezoning to develop a 17 lot single family subdivision.

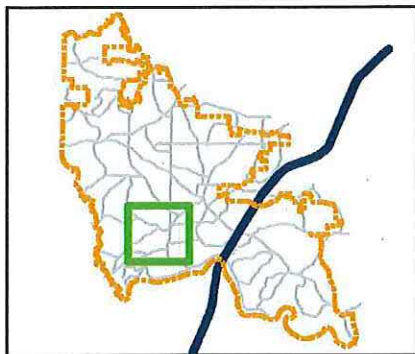
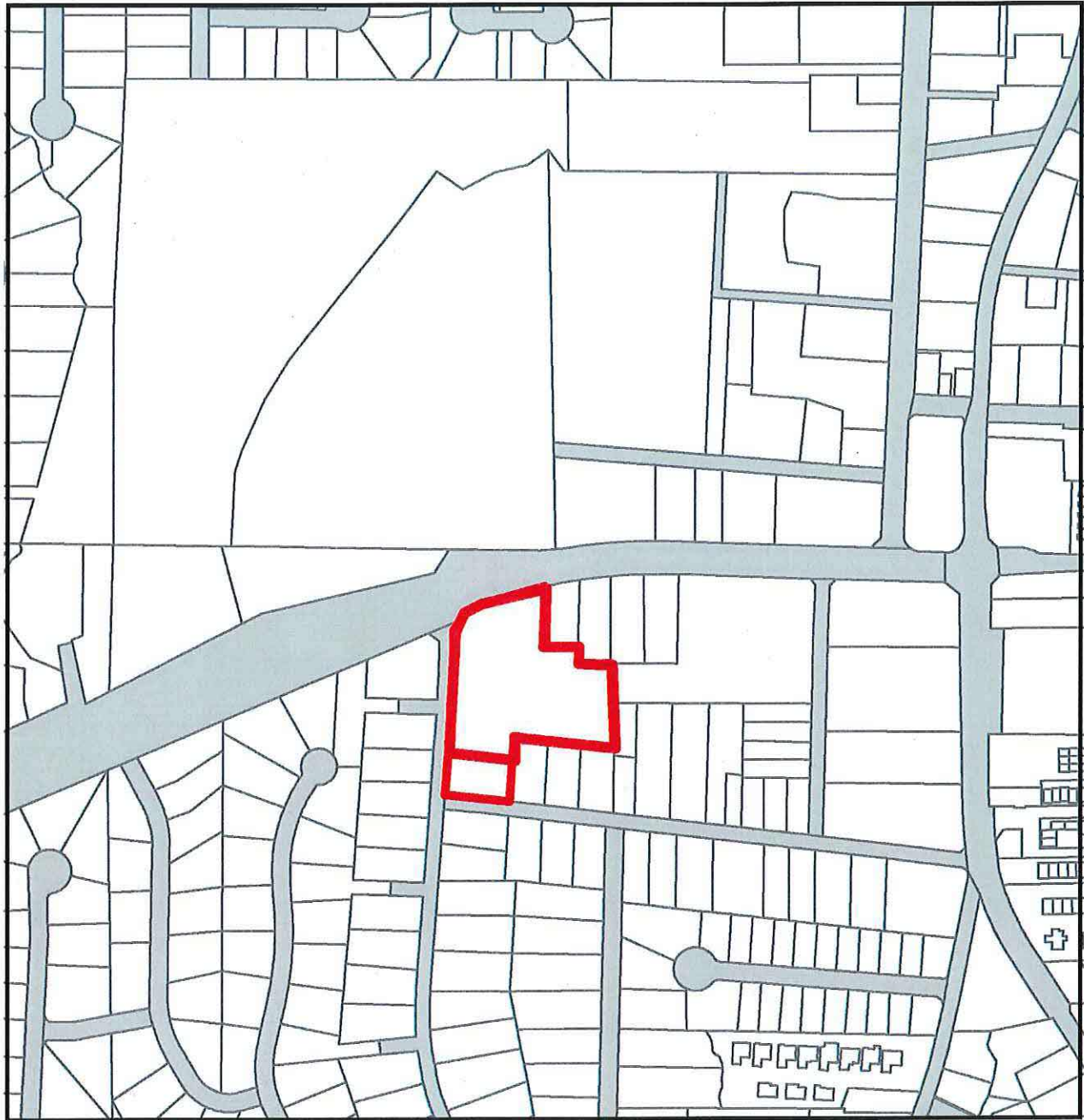
DEPARTMENT OF COMMUNITY DEVELOPMENT RECOMMENDATION

RZ 201402562 - Denial of R-TH; Approval to RS-4

PLANNING COMMISSION RECOMMENDATION

The Planning Commission recommended approval of the rezoning to RS-3 (Single Family, Small Lot) during the October 21, 2014 hearing with the following conditions.

1. The owner/developer shall develop in substantial accordance to the site plan stamped "Received October 6, 2014 City of Roswell Community Development Department."
2. A preliminary and final plat must be completed in accordance with all city regulations.
3. There is no guarantee that the number of lots indicated on the plan may be achieved.
4. The exterior of the retaining wall along the front of the property must be approved by the Design Review Board for style, material and landscaping as it will have a major visual impact on Marietta Highway/SR 120.
5. That the zoning on the property be RS-4 (Single Family, Small Lot).
6. A variance shall be granted to allow for the primary and side street setbacks to be 10'.
7. The owner/developer shall provide documentation with the Land Disturbance Plans that the grading and elevation of the subject property meet this requirement to allow for the alternative as indicated in Section 10.2.5, Buffer Installation, letter E, Grade Change, number one in the Unified Development Code.



1 in = 400 ft

Location

 **108 Spring Drive**

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

STAFF RECOMMENDED CONDITIONS

The Community Development Department recommends denial of the R-TH zoning; however, staff recommends approval of the rezoning to RS-4 with the following conditions.

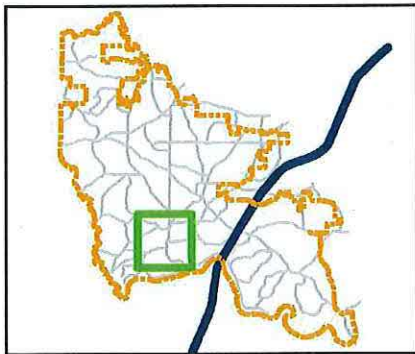
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BACKGROUND

The property is zoned RS-18. The subject property went through the rezoning process under RZ99-12 for and was denied and also under RZ06-04 for 29 townhomes and was denied.

EXISTING LAND USE AND ZONING OF ABUTTING PROPERTY

SUBJECT PETITION 201402562	Requested Zoning	Proposed Use	Land Area (Acres)	Number of Units	Common open space
	R-TH	Single family homes	3.947 acres	20	22.5%
Location in relation to subject property	Zoning	Use	Land Area (Acres)	Square Footage or Number of Units	Common area/Amenity area
North	RS-18 and Civic	Vacant land and Bulloch Hall	1.8 acres; 16.3 acres	N/A	N/A
South	RS-18	Single family homes	1.59 acres	1.59 acres	N/A
East	RS-18 and OP	Single family homes and office/assisted living	.22 acres; 4.38 acres	1 home; 2 offices and assisted living facility	N/A
West	RS-18	Single family homes	1.96 acres	4 homes	N/A



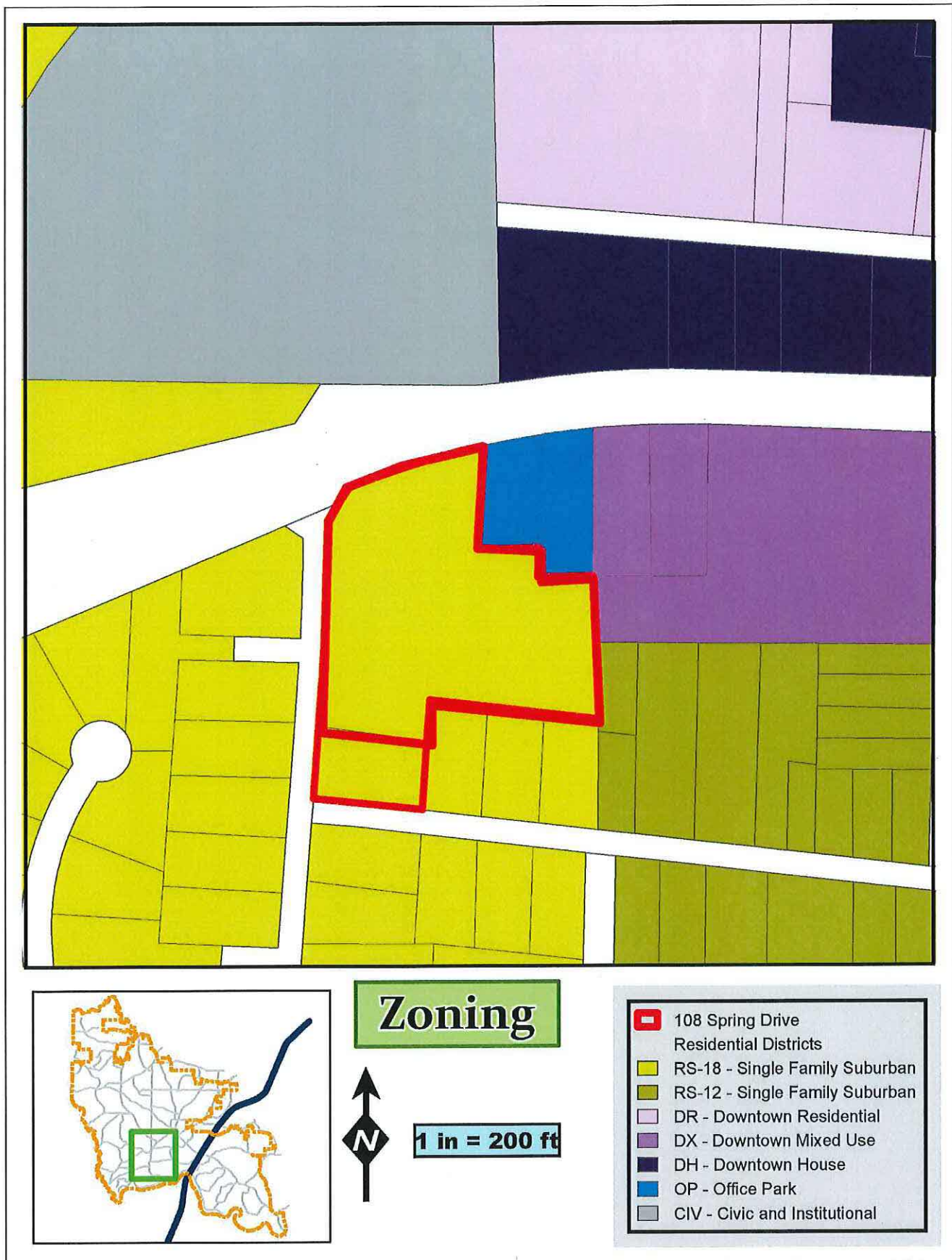
1 in = 120 ft

Aerial

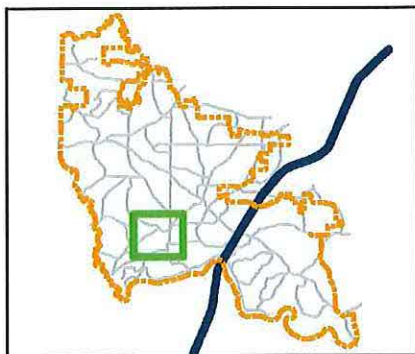
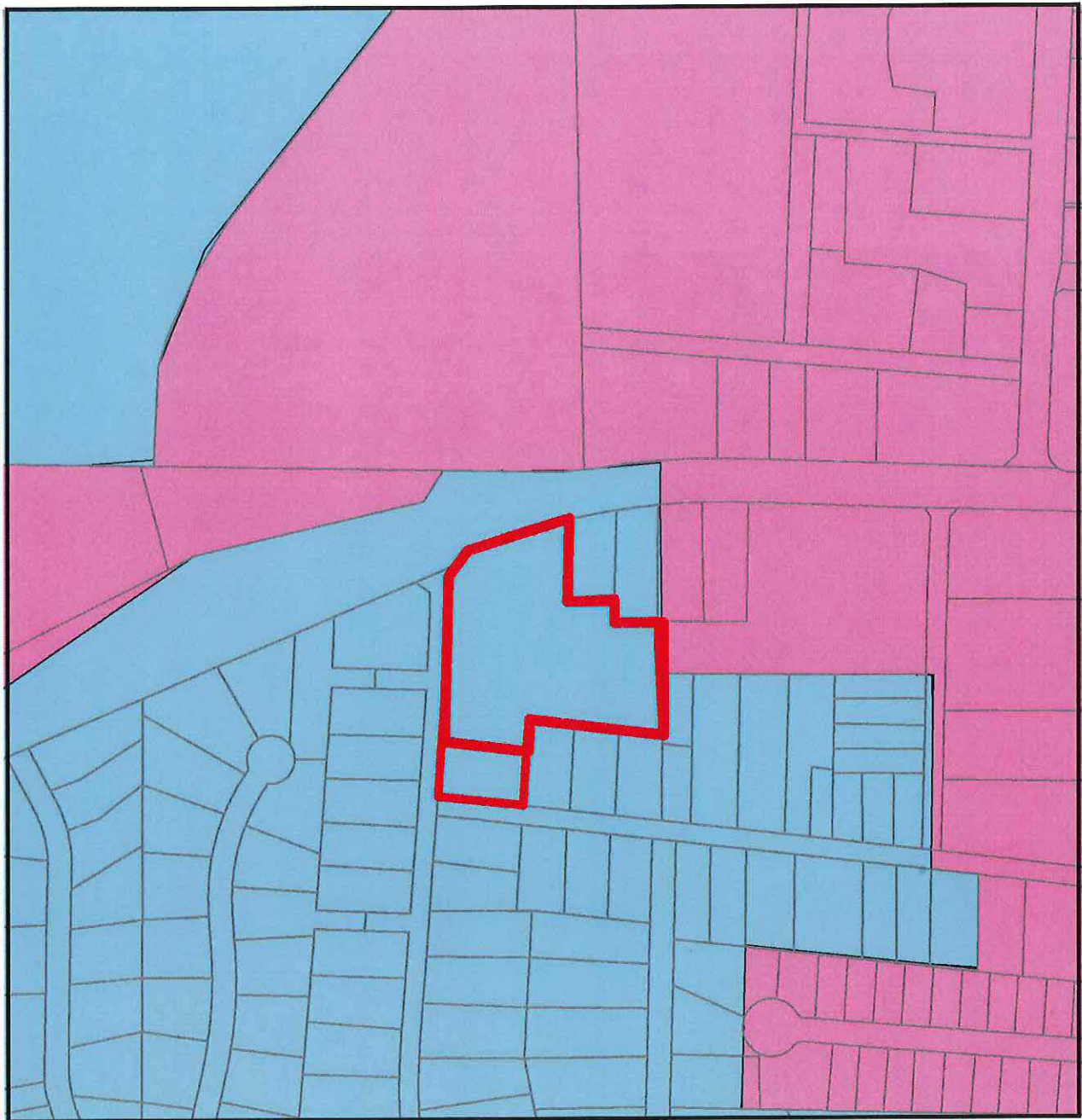


108 Spring Dr

Aerial Date: February 2010



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1 in = 300 ft

Future Land Use

 108 Spring Drive

Character Areas

-  Historic Area Town Center/Downtown
-  Suburban Residential



View of the property



View of the property



View of the property



View of the property



View of property to the east



View of property to the north



View of property to the west



View of property to the south



View of the property



View of the property



View of the property



View of the property



NOTICE OF PUBLIC HEARING

Case No: **Rezoning - 201402562**
Concurrent Variance - 201402563

Petitioner: **Dan O' Neill / Columbia Properties**

Location: **108 Spring Dr. / Barrington Place**

Land Lots: **376**

Request: **The applicant is requesting a Rezoning with a
Concurrent Variance to change from RS-18 to R-TH (Single
Family Detached homes)**

Public Hearings: **Neighborhood Mtg. - September 11, 2014**
(Room 220) 7:00 p.m.

Planning Commission - October 21, 2014
(Council Chamber) 7:00 p.m.

Mayor & City Council - November 10, 2014
(Council Chamber) 7:00 p.m.

Location: **ROSWELL CITY HALL,
38 HILL STREET, ROSWELL, GA**

**For more information contact the Planning & Zoning Office, 38 Hill St.,
Ste. G-30, Roswell, GA (770) 641-3774 or www.roswellgov.com**

SITE PLAN ANALYSIS FOR THE UDC ZONING

The proposed site plan indicates 17 single family lots under the RTH zoning ranging from 5,020 SF to 9,270 SF. The plan indicates 22.5% of open space on the site. The required parking is 2 per lot for single family lots of 4,000 SF or more. The applicant has shown 5 guest parking spaces on the proposed plan. The requirement under the UDC for neighborhood compatibility buffers from RTH to RS-12 is either a Type C or Type D buffer. The applicant has chosen the Type C buffer which is a twenty foot buffer with an 8' wall which is required. The wall is required to go the entire length of the property abutting the RS-12 homes, however, in section 10.2.5 Buffer Installation, letter E, Grade Change, number one - "In lieu of a required wall or fence, a natural man-made grade separation of at least 6 feet in elevation may be provided." The applicant has to prove that the developing property must be located at an elevation lower than the property to be screened to use the grade change option.

DRB Comments and UDC Design Guidelines

Not applicable

LANDSCAPE PLAN ANALYSIS

The proposed tree protection plan indicates that 37 specimen trees are being removed from the subject property. The plan indicates 38 trees to be saved on the property. Based on the site density, the total units required for the property is 331.4 units. Between the existing density units remaining and the proposed density units, the total units provided are 331.9. The tree replacement plan shows 205 trees/shrubs to be planted on the site.

VARIANCE CONSIDERATIONS

After the plans were revised, there are no variances with the application.

DEPARTMENT COMMENTS

City of Roswell Environmental
Department

- There may be revisions needed at the LDP submittal for stormwater.

City of Roswell
Engineering

- All construction must comply with City of Roswell standard construction specifications.
- Dimension cul-de-sac to show compliance with standard construction specifications.
- Show offsite drainage area in acres where runoff enters the site.
- Provide 20' drainage easements on all storm lines carrying offsite runoff. There appears to be an issue between lots 10 and 11.
- Provide pipe size and type at storm sewer tie-in locations.
- Provide 10' minimum private drainage easements for stormwater (pipe or swales) that crosses over individual lots without any offsite runoff.
- Address runoff at alley intersections with King Street. Will the runoff enter the site? If so, how much? Or address the grading at LDP to bypass the water in the gutter.
- Show location of detention pond fencing and access easement. All construction must comply with city construction specifications and GSMM for access requirements to the outlet structure for width and slope. Provide an access easement around the pond that does not encroach on the residential lots and which complies with the city constructions standards and GSMM.
- Provide required elements: sight distance calculations; tie four corners to Fulton County GPS monuments; Street names; Drainage note.

City of Roswell Fire Department

- A fire flow test in accordance with the International Fire Code – appendix B must be conducted to determine if there is adequate water available for firefighting. The test must include a 24 static test and all hydrants, including any proposed hydrants must be calculated to determine total GPM available at 20 PSI residual.
- All turning radius must be 50' outside and 30' inside.

City of Roswell Transportation
Department

- Coordinate all work within SR 120/Marietta Highway with GDOT. Obtain and submit copy of all GDOT permits to the City of Roswell Transportation Department prior to the issuance of the LDP.
- Provide minimum 20' right-of-way miter at the proposed intersection of King Street and Spring Drive as per the City of Roswell standard construction specifications section 2.1.2B. Attach the typical UDC roadway section used for this site. Provide also a typical utility section.
- Make provision for stamped or brick paver maintenance. (Stamped pavers will not be maintained by the City of Roswell whether in the ROW or not).
- Show/label the proposed right-of-way distance from Spring Drive and King Street centerlines along the site frontage. If necessary, dedicate additional right-of-way to achieve a minimum of 25' right-of-way from Spring Drive and King Street centerlines. Also, the ROW should be no closer than 1' from the back of the proposed sidewalks.
- No structure or utility shall be on the sidewalk path. (All structures must be avoided or relocated as necessary to allow safe access of the proposed sidewalks.)
- Show a 10' no vehicular access easement along Spring Drive and King

Street property frontages measured from the proposed right-of-way. (All units shall be accessed from interior streets only.)

- Provide a sight distance study for the entrances on Spring Drive and King Street as per AASHTO (unobstructed sight triangle, horizontal and vertical sight distances, etc.)
 - Label and verify that Spring Drive and King Street drives curve radii are a minimum 25'. Label radius of the internal curb lines at the intersection of the private local street and the private alleys.
 - Provide centerline profiles of the proposed internal streets. The grades should be not less than 1.5% or more than 15%.
-

Fulton County Board of
Education

- Did not receive any comments from Fulton County.
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City of Roswell Arborist &
Landscape Architect

- Correction in plant list from Forest Pansy Red Maple to Forest Pansy Red Bud
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CHRONOLOGICAL LISTING OF PLANS SUBMITTED

Original plans submitted - August 5, 2014.

Revised plans submitted - September 5, 2014. The revised plan shows an additional lot and a reconfiguring of the roadway.

Revised plan submitted - October 6, 2014 - Reduction of lots from 20 to 17, reconfigured the open space and removed all of the variance requests.

STANDARDS OF REVIEW

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

The applicant has made several revisions to the proposed site plan due to staff and neighborhood comments. Due to the changes, the proposed zoning change may better fit an RS-4 (Single Family, Small Lot) than the requested RTH zoning from the applicant.

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

The zoning map amendment does substantially conform with the 2030 Comprehensive Plan. The Plan shows this property as suburban residential and the vision/intent for this character area indicates that this area "will continue to foster stable, established suburban neighborhoods, building on the existing mix of housing types. These neighborhoods are predominately single family with newer master planned developments providing mixed residential housing types."

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

The proposed zoning to RTH (Residential Townhouse) which allows for small lots does substantially conform to the purpose and intent of the Unified Development Code. The purpose in section 1.1.2 states the UDC is intended to "promote and protect the public health, safety and welfare of the citizens of Roswell, ensure the vision set forth in the Comprehensive Plan is implemented, promote environmental, economic and social sustainability, protect the physical environment, historic character and natural resources, preserve, protect, and enhance the employment base, promote development patterns that support safe, effective and multi-modal transportation options and provide a system for the development of lands and accurate recording of land titles."

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

The character area indicates single family with also newer master planned developments providing mixed residential housing types. The proposed RTH zoning site plan indicates single family lots between 4,000 and 8,000 SF.

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

The subject property is located on a major thoroughfare of the city and the topography of the site is challenging. A development of 20 homes with smaller lots with access points off of Spring Drive and King Street would allow for easier flow through the development. The RS-18 zoning would allow for approximately 7 homes on this site.

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

The topography of the site is challenging as stated in question number 5. Under the RS-18 zoning, approximately 7 homes may be developed.

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

This property is located just outside the historic district and fronts on a major thoroughfare with the side property line on a steep incline. A single family development with smaller lot sizes may work as a transition property. There are two office zoned properties next to the site along Marietta Highway with single family lots of either RS-18 or RS-12 which abut the subject property to the south, east and west.

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

The proposed plan was revised and addressed comments from the city departments. The proposed plan also includes an approximate location of water quality/ detention for the site. The applicant will be required to comply with all stormwater requirements which may mean adjusting the plan if needed.

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

There will be a change to the area due to the removal of trees and vegetation. The proposed development will be required to comply with all stormwater regulations.

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

The rezoning will change the area due to the property being vacant currently. There will be additional traffic; however, the proposed plan is showing two access points to allow for vehicular movement through the development which will allow for easier access into and out of the development.