



To: Mayor and City Council

From: Bradford D. Townsend, Planning and Zoning Director

Date: March 29, 2013

Subject: RZ12-05 and CV12-02  
Land Lot 1236  
Etris Road  
R-1 to R-1 and R-2  
27 lot Single Family Development

The property was rezoned to R-1 (Single Family Residential) by the Mayor and City Council during their August 13, 2012 hearing. The applicant filed a lawsuit with the city and since that time has been working with the surrounding neighborhoods to revise the site plan.

Enclosed please find the site plan for a 27 single family development located on both the eastern and western sides of Etris Road. The requested rezoning proposal is for R-1 (Single Family Residential) and R-2 (Single Family Residential). The proposed site plan shows the R-1 zoning on the eastern side of Etris Road on the lots backing up to the Edenwilde Subdivision. The R-2 zoning is located on the western side of Etris Road with 12,000 square foot lot sizes except for lots 11,12,16,17,18,19,20, and 21 which abut the Hamilton Commons Subdivision. Each of these lots indicate a minimum of 18,000 square feet.

This item went before the Planning Commission on March 19, 2013. The Planning Commission voted to move this item forward to the Mayor and City Council with no recommendation.

The original rezoning was approved to R-1 (Single Family Residential) by the Mayor and City Council on August 13, 2012 with the following conditions:

1. The owner/developer shall develop the property in accordance with a revised site plan in compliance with the approved conditions which will be approved by the Mayor and City Council during the preliminary plat process.
2. The owner/developer shall remove the cul-de-sac at the end of Public Street A in order to have access from Kent Road as required by the Roswell Transportation Department.
3. The owner/developer shall dedicate sufficient right-of-way and construct Kent Road so that it is paved at a minimum of 22 feet wide to the entrance as required by the Roswell

Transportation Department. This construction shall be completed prior to the approval of the final plat.

4. The owner/developer shall install a five (5) foot sidewalk along to the entrance as required by the City of Roswell Transportation Department. The owner/developer shall dedicate right-of-way to the City of Roswell to encompass the sidewalk.
5. The owner/developer shall dedicate sufficient right-of-way at the time of the final plat at the corner of Kent Road and Etris Road as required by the Roswell Transportation Department.
6. The shared drive for the four lots shall be a one way drive and connect to Etris Road as required by the Roswell Transportation Department.
7. The owner/developer shall have connectivity to the parcel located to the north on the tract one side of the property for future development. The developer shall completely build the stub-out street to the property line to be finished prior to the final plat. The stub-out street shall be shown on the preliminary and final plats. The owner/developer shall place a 4' x 4' sign identifying the end of the street as future connectivity.
8. A preliminary plat shall be completed and approved before submittal for the Land Development Permit.
9. The preliminary and final plat shall indicate a no access easement for all lots along both sides of Etris Road and for the lots along Kent Road.
10. The open space within the subdivision shall be listed in the Home Owner's Association covenants related to the maintenance of the area.
11. The Home Owner's Association documents must be recorded in conjunction with the final plat and prior to the issuance of the first single family home building permit.
12. A steep slope analysis shall be submitted and approved by the City Engineer prior to the submittal for the preliminary plat.
13. The owner/developer shall make appropriate lot adjustments to sufficiently comply with stormwater management requirements best management practices in a manner approved by the Public Works/Environmental Department prior to the submittal of the preliminary plat.
14. The owner/developer shall provide a landscaping and fencing plan along the western side of Etris Road behind lots 1-9, 31-34 and pond #2. The landscaping and fencing plan shall be approved by the Roswell Design Review Board.
15. There shall be a 20' landscape easement along the western side of Etris Road to be controlled by the Home Owner's Association.
16. There shall be a thirty (30) foot buffer along the northern property line of the western parcel.

The following conditions are proposed by the applicant and adjacent residents, (Wexford, Edenwilde, Hamilton Commons, and Kent Road). These conditions are proposed to replace the conditions from the original approval.

1. The owner/developer shall develop the property in substantial accordance with and in accordance with the revised site plan dated 11-26-2012 revision and attached hereto.  
**(Stamped Received March 4, 2013 Community Development Department).**
2. The project will include a maximum of 27 homes/lots.



3. The minimum allowable square footage of homes will be 2,600 square feet in lieu of the zoning requirement of 1,500 square feet. The maximum lot coverage in the section zoned R-2 will be 35% and the maximum lot coverage in the section zoned R-1 will be 30%.
4. Prior to commencement of land disturbance, EAH Investments, LLC will provide proof that sewer taps have been obtained.
5. EAH Investments, LLC will provide screening around all detention ponds as required by the City of Roswell and determined by the City Landscape Architect.
6. The entrance and frontage landscaping to be consistent with plan designed by B+C Studio dated 10-3-2012 and attached hereto.
7. The owner/developer shall remove the cul-de-sac at the end of Public Street A in order to have access from Kent Road. The developer must install a break away gate.
8. EAH will install a break away gate on Kent Road for emergency purposes only.
9. The owner/developer shall install a five (5) foot sidewalk along the entrance as required by the City of Roswell Transportation Department. The owner/developer shall dedicate right-of-way to the City of Roswell to encompass said sidewalk.
10. The owner/developer shall dedicate sufficient right-of-way at the time of the final plat at the corner of Kent Road and Etris Road as required by the Roswell Transportation Department.
11. The shared drive for the three lots shall be a one-way drive and connect to Etris Road as required by the Roswell Transportation Department.
12. The owner/developer shall have connectivity to the parcel located to the north on the tract one side of the property for future development. The developer shall completely build the stub-out street to the property line to be finished prior to the final plat. The stub-out street shall be shown on the preliminary and final plans. The owner/developer shall place a 4' x 4' sign identifying the end of the street as future connectivity.
13. A preliminary plat shall be completed and approved before submittal for the Land Development Permit.
14. The preliminary and final plat shall indicate a no access easement for all lots along both sides of Etris Road and for the lots along Kent Road.
15. The open space within the subdivision shall be listed in the Homeowner's Association covenants related to the maintenance of the area.
16. The Homeowner's Association documents must be recorded in conjunction with the final plat and prior to the issuance of the first single family home building permit.
17. A steep slope analysis shall be submitted and approved by the City of Roswell prior to the submittal for the preliminary plat.
18. The owner/developer shall make appropriate lot adjustments to sufficiently comply stormwater management requirements best management practices in a manner approved by the City of Roswell prior to the submittal of the preliminary plat.
19. The owner/developer shall provide a landscaping and fencing plan along the western side of Etris Road behind lots 1-7, 22-24 and pond #2. The landscaping and fencing plan shall be approved by the City of Roswell Design Review Board.
20. There shall be a 20-foot landscaped easement along the western side of Etris Road to be controlled and maintained by the Homeowner's Association. The easement must be shown on the final approved site plan, recorded plat, and recorded as an easement for enforcement.

21. There shall be a 30-foot side buffer along the ~~northern~~ (western) property line of the western parcel on lots 11,12,16,17,19, 20 and 21.
22. There shall be a 35 foot buffer between the subject property and Edenwilde Subdivision.
23. EAH Investments will provide a living fence similar to photos attached of plantings at Crabapple Manor. This fence or planting option will apply to areas along property lines in Hamilton Commons and Edenwilde where homes in new development abut existing homes. Trees planted within the 30 foot buffer must start at 6-7' tall, planted in groups of 5, 2 deep and staggered 12' centered (as per the photos provided, which is consistent with the "living fence" in Crabapple Manor.) The specific trees chosen will be a combination of the following, due to their potential height: Green Giant Arborvitae, Bracken Brown Magnolia, or ~~Nellie Stevens Magnolia~~. (**Nellie R Stevens Holly**).
24. The landscaping plan, per B+C Studio, will also pertain to Kent Road as required by the Land Development Plan and as approved by the City's Landscape Architect.
25. There shall be a pocket park, in the specified location as indicated on the site plan, dated 11-26-2012 as attached hereto.
26. Minimum street front setbacks: R-2 zoned properties shall be 25 feet and R-1 zoned properties shall be 25 feet.
27. Three year Maintenance Bond held by the City of Roswell.
28. All drainage design will comply with the City of Roswell regulations.
29. All construction activities will adhere to the City of Roswell Code of Ordinances, Section 5.1.13, Construction Activities Restricted to Certain Hours.

The applicant has also agreed to 13 requirements which will be included in the homeowner documents/covenants. A copy of these items is attached.